

# Notice of Meeting and Agenda



## Midlothian Council

**Venue:** Virtual Meeting,

**Date:** Tuesday, 24 August 2021

**Time:** 11:00

**Executive Director : Place**

**Contact:**

Clerk Name: Verona MacDonald, Democratic Services Team Leader

Clerk Telephone: 0131 271 3161

Clerk Email: [verona.macdonald@midlothian.gov.uk](mailto:verona.macdonald@midlothian.gov.uk)

**Further Information:**

This is a meeting which is open to members of the public.

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**1 Welcome, Introductions and Apologies**

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**2 Order of Business**

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Including notice of new business submitted as urgent for consideration at the end of the meeting.

**3 Declaration of Interest**

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Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

**4 Deputations**

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None

**5 Minutes**

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Minutes of Meetings of Midlothian Council of 29th & 30th June 2021 submitted for approval as a correct record and Minutes of meetings for approval, noting and consideration of any recommendations contained therein (As per Minute Volume)

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**6 Questions to the Council Leader**

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6.1 Question from Councillor Parry 6 - 7

**7 Motions**

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**8 Public Reports**

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<b>8.9</b>	Closed Circuit Television (CCTV) Network - Report by Executive Director Place	62 - 65

## **9 Private Reports**

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- 9.1** Replacement of Head of Adult Services - Report by Joint Director Health and Social Care (002)
- 1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office-holder or applicant to become an office-holder under, the authority.
  - 11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority
- 9.2** Poltonhall Pitch Strategy (To Follow)

## **10 Date of Next Meeting**

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The next meeting will be held on 5th October 2021 at 11.00am

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 24 August 2021**

## **1 Minutes of Meetings submitted for Approval**

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Adjourned Midlothian Council 30 June 2021

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## **2 Minutes of Meetings submitted for Consideration**

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**Approved Minutes for Noting, Information and Consideration of any recommendations contained therein**

Police and Fire and Rescue Board 9 November 2020 16 - 20

Cabinet 2 March 2021 21 - 28

Audit Committee 9 March 2021 29 - 36

Performance Review and Scrutiny Committee 16 March 2021 37 - 44

Local Review Body 30 March 2021 45 - 52

General Purposes Committee 6 April 2021 53 - 54

Planning Committee 6 April 2021 55 - 61

Business Transformation Steering Group 26 April 2021

Audit Committee 4 May 2021 62 - 70

Local Review Body 17 May 2021 71 - 74

Planning Committee 18 May 2021 75 - 80

## **3 Minutes of Meetings submitted for Information**

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**Approved Minutes of Outside Organisations to which Council appoints representatives**

Midlothian Integration Joint Board 8 April 2021 81 - 91



**Councillor Kelly Parry**

**Questions to the Leader – Beeslack Replacement School**

1. Can the Council Leader clarify when the location of the Beeslack replacement school will be made public and will there be any opportunity to change the location of the school should the community object to the location when it is disclosed;
2. Does the Council Leader accept the 'new' location of the Beeslack replacement School will significantly impact on Loanhead and Roslin pupils given the extra walking distance to the new location, in some cases 40 minutes each way;
3. Will the Council Leader meet with Community Councils within the Midlothian West Ward to discuss the location and implications of the site chosen for the Beeslack Replacement school?;
4. Has the Council Leader made any assessment of whether funding applications to the Scottish Government for funding the Beeslack replacement school were incorrect or misleading given the change in location for the new site?;
5. Can the Council Leader give an estimate of the costs of:
  - i) the original consultation for the Beeslack replacement school and;
  - ii) costs associated with the scoping exercises for the original site and further sites, including but not limited to any remedial work, site investigations, professional fees and other associated costs in the process;
6. Can the Council Leader say with confidence that Councillors and the community have not been misled on the proposed site of the School, or that any information has been delayed or withheld to either Councillors, the public or the Council Leader?;
7. When was the Council Leader made aware that there would be additional scoping for additional sites for the school given all previous press releases relating to the Beeslack replacement focused on one single site?;
8. When was the Council Leader and the Cabinet Member for Education made aware that a 'new' site had been identified and 'favoured' by Council Officials?;

9. Can the Council Leader clarify that the new site is 'not adjacent to Roslin' or 'on the A701' despite all consultations and council press releases on the event focusing on 'land adjacent to Roslin and the A701' and the consultation email address being [A701schools@midlothian.gov.uk](mailto:A701schools@midlothian.gov.uk)?

10. Would the Council Leader agree that comments made by Councillor Muirhead in a Midlothian Council official press release below from October 2019 could be interpreted as misleading:-

"The new school would be situated on the A701 corridor, adjacent to Roslin.

Councillor Muirhead said the identified site will provide the best possible location for a learning campus which will draw together the growing communities of Loanhead, Bilston, Roslin and Auchendinny."

Councillor Kelly Parry

10 August 2021



**SNP Group**

**Notice of Motion**

**Loanhead Galaday 2021**

“Midlothian Council congratulates the Loanhead Galaday Committee for their superhuman efforts to organise the 2021 Loanhead Galaday, and programme of events.

The Council also congratulates the children taking part, parents, carers and volunteers who made the events exceptional, despite the extraordinary times that we live in”.

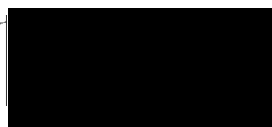
Proposed By:

Councillor Kelly Parry



Seconded By:

Councillor Debbi McCall



Date: 10 August 2021

**Elected Member Seminar – Contingency Planning****Report by Kevin Anderson, Executive Director - Place****Report for Decision****1 Recommendations**

Council is recommended to;

Agree to hold an Elected Members Seminar to consider the current contingencies in planning arrangements for Council Services and use this forward planning opportunity to assess strategic threats facing Midlothian Council; such as legislative change, climate change, cyber security and the present pandemic, with action to mitigate both impact and likelihood of that risk crystalising and what's still needing to be done to further mitigate the risk.

**2 Purpose of Report/Executive Summary**

The purpose of this report is to consider opportunities and also progress good practice for risk management of the Council, which considers both the impact and likelihood of specific risks and the subsequent development and maintenance of risk mitigation strategies to bring risk exposure within the organisational tolerance.

**Date:** 12 August 2021

**Report Contact:** Kevin Anderson, Executive Director - Place

**Email:** [kevin.anderson@midlothian.gov.uk](mailto:kevin.anderson@midlothian.gov.uk)

**Tel:** 0131 271 3102

### **3 Background**

#### **3.1 Legislative Change**

Legislation maintains an obligation on public bodies to exercise their functions in a way that it considers is most sustainable, and in a way best calculated to contribute to delivering the stated outcome of the Scottish Government and UK Government respectively.

The priorities of the Scottish Government statement in May, 2021 detailed the range of legislative change agenda for the period of this term of the Scottish Parliament.

#### **3.2 Climate Change**

The Council declared a climate emergency in December 2019 and stated its ambition to achieve Net Zero Carbon status by 2030. New Emissions legislation (October 2019) commits the Scottish Government to achieving Net Zero Carbon status by 2045. This puts into context the scale of the challenge facing the Council and the transformational nature of the change required to achieve our 2030 target and to accelerate our progress to net zero.

The Council's Climate Change strategy acknowledges the intent and reinforces the urgency for action, emphasising the necessity for change to mitigate and adapt to the impacts of climate change and global warming.

#### **3.3 Cyber Security**

Midlothian Council relies on digital technology and data to function and cyber security controls are needed to protect these assets. Cyber security is therefore central to delivering services, achieving our digital aspirations and it helps us become a more resilient organisation. New laws such as GDPR, the compliance requirements of the Cabinet Office (PSN) Scottish Government (PSAP) and Cyber Essentials Plus certification mandate the baseline technical and organisational measures to stay safe, but the evolving threat requires us to do more.

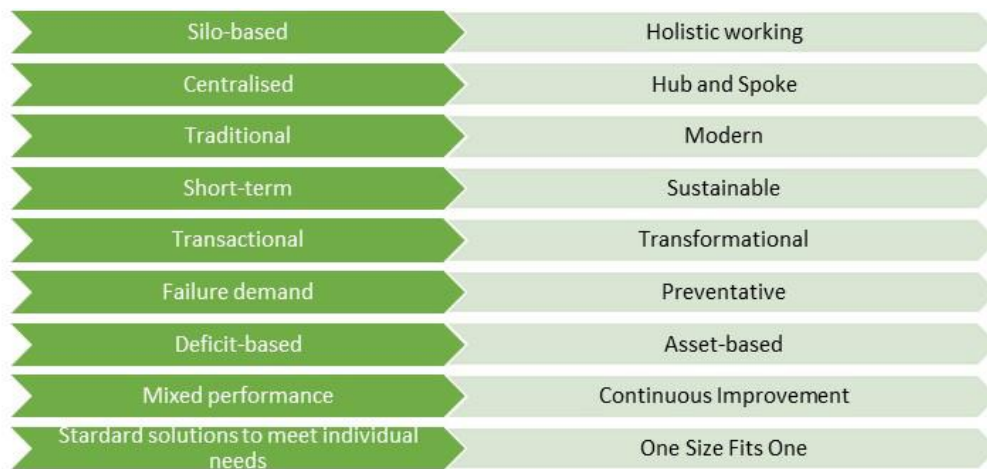
#### **3.4 Pandemic**

The Covid-19 pandemic necessitated an emergency response from the Council. It has brought about substantial organisational change across the Council in a very short period of time. The Council's "Route Map" out of Covid-19 identifies "Digital by Default" as one of its key priorities. It supports continuing the practice of working from home (introduced because of Pandemic) and promotes a carbon neutral approach to the workplace.

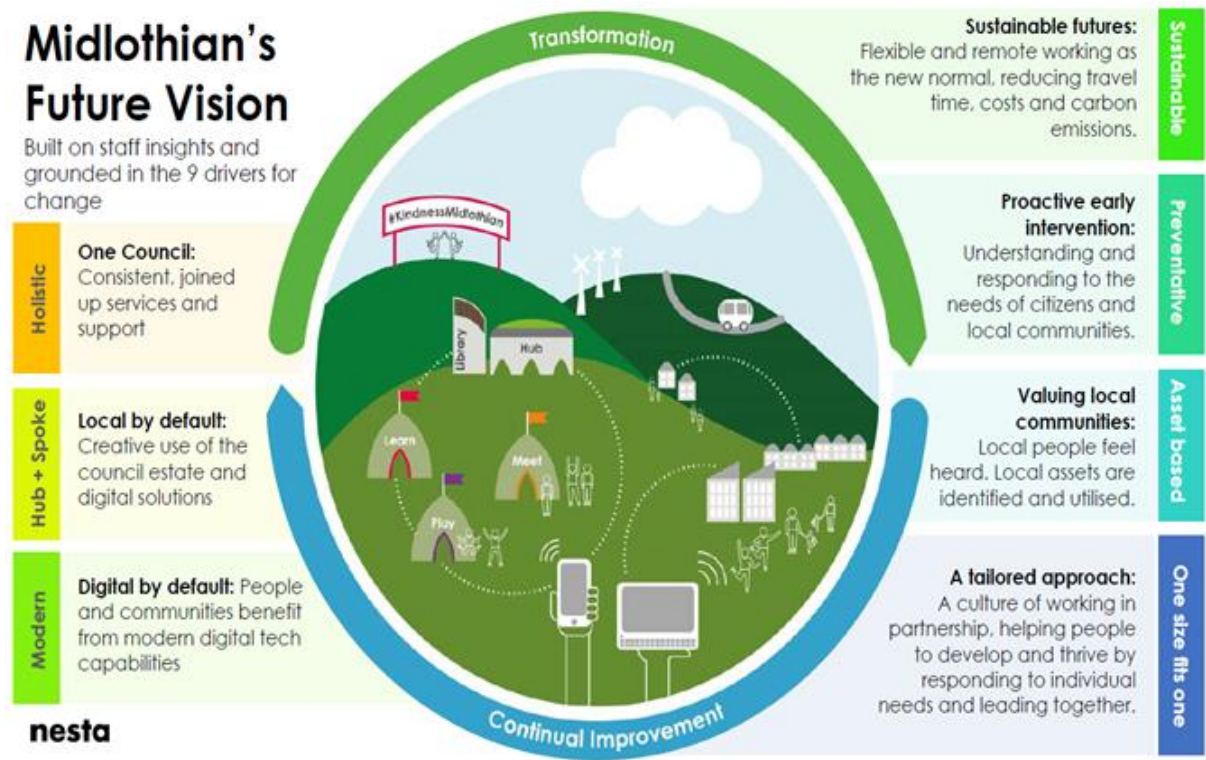
#### **3.5 Drivers for Change**

As a consequence of the Covid pandemic services have refocused their activities to provide a range of new services and supports to communities whilst maintaining and adapting the way essential services are provided. Services have been introduced and adapted to support digital and remote

working at a pace never before experienced. The recommendations arising from the Nesta, Listen and Learn report were approved and articulated Midlothian's Future Vision, built on staff insights and grounded in the nine drivers for change.



The challenges which the COVID 19 pandemic brought have reinforced the need to transform the way services are provided with the key drivers and Nesta recommendations providing a strong foundation on which to redesign and reshape services at pace.



## 4 Report Implications

### 4.1 Resource

An assessment will be made of additional costs that are expected to be incurred to understand and address financing as work progresses to report back to Council of introducing new services, adopting alternative and innovative delivery methods required for services and support arrangements to communities across Midlothian.

#### **4.2 Digital**

Not applicable at present

#### **4.3 Risk**

Failure to report the decisions would lead to a lack of governance to implement the strategic response or recovery. If the Council was unable to demonstrate appropriate technical and organisational measures, there could be negative publicity, political scrutiny and potentially regulatory sanction including fines.

#### **4.4 Ensuring Equalities**

An IIA is not required as there are no people implications at present.

#### **4.4 Additional Report Implications**

See Appendix A

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

The route map outlines the phases of service recovery and transformation which will underpin the Single Midlothian Plan.

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☒ Holistic Working
- ☒ Hub and Spoke
- ☒ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### A.4 Delivering Best Value

Best value can be demonstrated by avoiding losses from recovery cost expense and regulatory fines. Investment in time and resource must be at a level appropriate to the threat.

### A.5 Involving Communities and Other Stakeholders

Not applicable at present.

### A.6 Impact on Performance and Outcomes

Not applicable at present.

### A.7 Adopting a Preventative Approach

The report is based on adopting a preventive approach to reduce the risk of disruption, financial loss and potential crime.

### A.8 Supporting Sustainable Development

Not applicable at present.



## **Rapid Rehousing Transition Plan 2021/22 and 2022/23**

**Report by Kevin Anderson, Executive Director Place**

### **Report for Noting**

#### **1 Purpose of Report/Executive Summary**

This report presents the update review of Midlothian Council's Rapid Rehousing Plan which was submitted to Scottish Government on 30<sup>th</sup> June 2021.

#### **2 Recommendations**

Council is recommended to note the Rapid Rehousing Transition Plan submitted to the Scottish Government on 30<sup>th</sup> June 2021.

**Date:** 21 July 2021

**Report Contact:**

**Name:** Simon Bain

**Tel:** 0131 271 3161

**Email:** [simon.bain@midlothian.gov.uk](mailto:simon.bain@midlothian.gov.uk)

### 3 Background

- 3.1** The Homelessness and Rough Sleeping Action Group (HARSAG) was set up by Scottish Government in October 2017 to produce short and long-term solutions to end homelessness and rough sleeping. A key recommendation from HARSAG was the transition to a Rapid Rehousing approach.
- 3.2** Each local authority was required to develop and cost a Rapid Rehousing Transition Plan (RRTP) over a planned phase of 5 years to 2023/24 for submission to the Scottish Government in December 2018. The plan is required to be reviewed annually, with an update to be submitted to Scottish Government on 30<sup>th</sup> June 2021.
- 3.3** Local authorities were encouraged to be ambitious in their plans with a view to receiving funding to support delivery of actions under the RRTP. Midlothian has so far received £522,000 for 2019/20, 2020/21 and 2021/22 which was based on the number of homeless presentations to the Council during the previous years. Funding for 2022/23 and future years is still to be confirmed by Scottish Government.
- 3.4** Midlothian Council's RRTP was approved at full Council on 18<sup>th</sup> December 2018. This set out a vision towards 2024:  
*“An increased number of homeless households will obtain permanent accommodation, no homeless household will be accommodated in bed and breakfast accommodation, and the average time taken for the Council to complete its homeless duty will have halved from 105 to 52 weeks.”*

[Rapid Rehousing Transition Plan 2019/20 - 2023/24 | RRTP 2019/20 to 2023/24 \(midlothian.gov.uk\)](https://midlothian.gov.uk/midlothian-council/rapid-rehousing-transition-plan-2019-20-to-2023-24-rrtp-2019-20-to-2023-24)

The following key actions were identified to support this vision:

- Increasing the supply of affordable housing in Midlothian.
- Revise Midlothian Council's Housing Allocation Policy to address the backlog of homeless households already in temporary accommodation, and reduce the time taken to house homeless households in the future.
- Seek alternative models of temporary accommodation to reduce the need for bed and breakfast accommodation.
- Ensure homeless households are supported to access a wide range of housing options, including the private rented sector.
- Develop a 'Housing First' approach in Midlothian to house homeless households with complex needs.

The RRTP shows how the Council will continue the work undertaken to deliver the above actions during 2021/22 and explains how we will address the next phase of its approach to transforming the services provided to those in housing need, including compliance with the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order 2020. Section 4 describes the key projects currently

in place to achieve the vision set out above. Section 5 details the Council's priorities for 2021/22 to 2023/24. Section 6 sets out the resources required to effectively deliver these activities.

- 3.5** Significant progress has been made in transforming services provided to those households experiencing homelessness or threatened with homelessness. Specific achievements include:
- Ending the use of emergency bed and breakfast accommodation in November 2020 for all homeless households. This ensured the council is extremely well placed to achieve compliance with the amended Unsuitable Accommodation Order in advance of its commencement date.
  - Significant reduction in the number of households residing in temporary accommodation for over 2 years from 189 at 31 March 2019 to 52 at 31 March 2021.
  - The Council introduced a new Housing Allocation Policy in May 2020 which sets a target to increase lets to homeless households and requires homeless applicants to widen area choices and house types, which is resulting in quicker permanent housing outcomes.
  - 51 temporary tenancies were changed into Scottish Secure Tenancies during 2020/21, resulting in fewer households requiring temporary accommodation and a reduction in the time spent in temporary accommodation.
  - A Housing First pilot was launched in July 2020 providing 20 new tenancies in year 1, resulting in positive outcomes and tenancy sustainment for those households.
  - Refurbishment and conversion works commenced at Jarnac Court, Dalkeith to providing supported accommodation for 22 single households. This is scheduled for completion by February 2022.

## **4 Report Implications (Resource, Digital and Risk)**

### **4.1 Resource**

RRTP activities are currently funded by the Scottish Government and budget savings re-invested as we are no longer using emergency bed and breakfast accommodation.

### **4.2 Digital**

None.

### **4.3 Risk**

The RRTP sets out key actions and priorities to meet legal duties in respect of homeless households or those at risk or threatened with homelessness.

### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

The content of the RRTP was considered under the Council's Integral Impact Assessment process and this is provided as Appendix 2.

#### **4.4 Additional Report Implications**

Appendices

Rapid Rehousing Transition Plan link

[Rapid Rehousing Transition Plan 2019/20 - 2023/24 | RRTP 2019/20 to 2023/24 \(midlothian.gov.uk\)](https://midlothian.gov.uk/rapid-rehousing-transition-plan-2019-20-to-2023-24)

Appendix 2 - RRTP Integral Impact Assessment

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

The provision of appropriate temporary and permanent accommodation will improve the quality of life for homeless households and reduce the gap in health outcomes.

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ **Sustainable**
- ☒ **Transformational**
- ☒ **Preventative**
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☒ **Preventative and Sustainable**
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

### A.4 Delivering Best Value

Key actions contained in the RRTP reduces the financial burden on the Council in respect of significantly reduced future use and spend on temporary accommodation.

### A.5 Involving Communities and Other Stakeholders

Internal consultation has taken place with relevant services and Tenant Panel members. The RRTP consultation was also incorporated into the Local Housing Strategy 2021-26 consultation.

### A.6 Impact on Performance and Outcomes

The RRTP sets out an ambitious plan to transform services provided to homeless households in Midlothian, subject to annual review by the Scottish Government.

### A.7 Adopting a Preventative Approach

Provision of increased supported accommodation ensures that homeless households are accommodated in higher quality and more appropriate accommodation than bed and breakfast provision. Addressing the needs of homeless clients will assist in moving the balance of services and resources into preventing the need for longer term or crisis support

#### **A.8 Supporting Sustainable Development**

The planned use of Jarnac Court reduces further the financial burden on the Council; and ensures that effective use of vacant buildings is ensured resulting in a sustainable use of Council assets. This is achieved whilst not precluding the potential to redevelop Dalkeith town centre to provide further permanent affordable accommodation.

## **A National Care Service for Scotland - Consultation**

### **Report by Chief Social Work Officer**

### **Report for Decision**

#### **1 Recommendations**

- A: Council is requested to approve a Seminar in September 2021 to discuss the content of the National Care Service Review in order to help inform Midlothian Council's response to the Consultation.
- B: Following the feedback provided at the Seminar, instruct Officers to present the Midlothian Council Consultation response to October 2021 Council for approval prior to submission.

#### **2 Purpose of Report/Executive Summary**

This report advises members of the National Care Service Consultation which has now been launched by the Scottish Government.

**12<sup>th</sup> August 2021**

**J Tranent, CSWO & Chief Officer Children's Services, Communities & Partnerships**

### **3 Background**

**3.1** In February 2021 the Independent Review of Adult Social Care report was published. It concluded that whilst there were strengths to Scotland's social care system it needed revision and redesign to enable a step change in the outcomes for people in receipt of care. The review provided a number of high level areas of focus:

- 3.1.1 Ensuring that care is person/centred, human rights based, and seen as an investment in society.
- 3.1.2 Making Scottish Ministers responsible for the delivery of social care support, with the establishment of a National Care Service to deliver and oversee integration, improvement and best practices across health and social care services.
- 3.1.3 Changing local IJB's to be the delivery arm of the National Care Service, funded directly from the Scottish Government.
- 3.1.4 The nurturing and strengthening of the workforce, and greater recognition and support for unpaid carers.

The consultation which opened on Monday 9<sup>th</sup> August runs for 10 weeks and will use this opportunity to consider the scope, remit, inclusivity and delivery mechanisms of the National Care Service in its widest sense. The assumption is that as a minimum it will cover adult social care services. However, this consultation sets out proposals for an expanded scope for the National Care Service to include:

- Children & Young people
- Community Justice
- Alcohol and Drug services; and
- Social Work.

The Seminar shall offer an overview of all the areas the consultation shall consider and start discussions and debate about what changes should be made to achieve better outcomes for people. The seminar will also discuss implications for governance, finance and risk.

### **4 Report Implications (Resource, Digital and Risk)**

#### **4.1 Resource**

This report requests a seminar only to respond to the consultation. There are significant resource implications if the proposals are implemented and these will be discussed at the proposed seminar.

#### **4.2 Digital**

This report requests a seminar only to respond to the consultation. There are significant digital and data security implications if the proposals are implemented and these will be discussed at the proposed seminar.

#### **4.3 Risk**

This report requests a seminar only to respond to the consultation. There are significant risk implications if the proposals are implemented and these will be discussed at the proposed seminar.

#### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

This report requests a seminar only to respond to the consultation. There are significant equalities implications if the proposals are implemented and these will be discussed at the proposed seminar.

#### **4.5 Additional Report Implications**

See Appendix A.

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

Not applicable

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☐ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

This report requests a seminar only to respond to the consultation. There are significant best value and commissioning implications if the proposals are implemented and these will be discussed at the proposed seminar.

### **A.5 Involving Communities and Other Stakeholders**

This report requests a seminar only to respond to the consultation. There are significant implications for communities and stakeholders if the proposals are implemented and these will be discussed at the proposed seminar.

### **A.6 Impact on Performance and Outcomes**

This report requests a seminar only to respond to the consultation. There are significant performance and outcomes related implications if the proposals are implemented and these will be discussed at the proposed seminar.

### **A.7 Adopting a Preventative Approach**

This report requests a seminar only to respond to the consultation. There are significant implications for preventative intervention if the proposals are implemented and these will be discussed at the proposed seminar.

## **A.8 Supporting Sustainable Development**

This report requests a seminar only to respond to the consultation. There are significant sustainability and capital implications if the proposals are implemented and these will be discussed at the proposed seminar.

**APPENDIX B****Background Papers/Resource Links (if applicable)**

See link below (National Care Service Consultation Document):

[Consultation launched ahead of 'biggest public sector reform for decades' - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/national-care-service/consultation-document/pages/consultation-launched-ahead-of-biggest-public-sector-reform-for-decades.aspx)

**Afghan Locally Employed Staff (LES) Relocation Scheme****Report by Kevin Anderson, Executive Director Place****Report for Decision****1 Recommendations**

Council is recommended to note the content of this report and consider Midlothian Council participation in the UK Government Afghan relocation scheme for locally employed staff (LES) who have worked for British Forces.

If it is agreed to participate;

- i. Advise the Home Office of the Council's willingness to participate
- ii. Approve delegated authority for officers to relocate households into Midlothian, subject to;
- iii. Agreement on the acceptability of financial risk; and
- iv. There being robust arrangements in place to provide support for the families wellbeing and integration over the short and medium term.

**2 Report purpose/Summary**

The scheme honours the service of the Afghan locally employed staff and reflects their work and the risks involved. Commonly, these people will have acted as military interpreters. There is now a greater fear for their safety as international troops leave the country.

The UK Government has operated a refugee relocation scheme but now anticipates helping a further 3,000 Afghans settle in the UK, and local housing authorities have been asked to support this effort and advise the Home Office of their decision as soon as possible.

Those who qualify and choose to relocate to the UK with their families are not expected to return to Afghanistan. After completing five years' limited leave, they can apply for permanent residence in the UK, free of charge, ensuring that they can settle here permanently and continue to build their lives and future here.

People coming to the UK under this scheme, may arrive either as a whole family unit or with the lead person arriving first and their dependents joining them at a later point, depending on their individual circumstances.

**Date:** 6 August 2021

**Report Contact:**

**Name:** Kevin Anderson

**Email:** [kevin.anderson@midlothian.gov.uk](mailto:kevin.anderson@midlothian.gov.uk)

### **3 Background**

**3.1** The Government has written to all local authorities most recently on 30 July, 2021 asking for support to the Afghan Locally Employed Staff (LES) relocation scheme. The Government has been running this scheme to relocate Afghan former LES to the UK since 2013, in recognition of the fact that they are at increased risk of intimidation, having worked side by side with UK armed forces and officials. For example, many of those who are eligible under the scheme have worked as military interpreters. Following the announcement that NATO military forces will withdraw from Afghanistan, the Government intends to accelerate the pace of relocations under the scheme and is looking to local authorities to provide housing and a short-term package of integration support.

**3.2** The Afghan relocation scheme is substantially different from the refugee resettlement scheme already in place (now called UK Resettlement Scheme UKRS). Officers believe that the differences between the Afghan relocation and UK resettlement schemes are such that from our experience in the Syrian VPR Resettlement scheme the previous infrastructure cannot simply be adapted to include the Afghan scheme. Additional capacity and some different expertise would be needed to respond to the Afghan scheme. Officers can look at use of other existing resources (e.g. CAB and community-based organisations), but these would need to be brought into a co-ordinated support package/ arrangement which would need capacity to design and commission.

**3.3** The accelerated schedule of arrivals over a few months means that recruiting private sector landlords over a period of months will not be a viable response. This is further complicated by the differences in the immigration and initial benefits' eligibility of people arriving under the Afghan scheme. It has been suggested that councils should only consider offering property for Afghan relocation if they can do so from their own stock or other social housing. Even under these circumstances, there are likely to be greater demands on council service teams to manage rents and support benefits' applications due to the different immigration and benefit eligibility of people arriving under the relocation scheme.

**3.4** The funding available under the Afghan relocation scheme is short-term, originally four months and now extended to 12 months, but it is certain that relocated families will continue to need support after this timescale. Contact points for ongoing support will need to be established and funded. There needs to be clear separation between the contact points for relocation and resettlement because of the significant disparity between the schemes.

**3.5** Notwithstanding, the challenges associated with this scheme, elected members may understandably feel there is a moral obligation to support those who have served our country. For this initiative to be successful the Council would need to secure affordable accommodation, and have the assurance there would be ongoing support for the family after the Government funding ends.

## **4 Accommodation**

**4.1** In terms of re-housing, bringing people to safety is the main focus and no decision has yet been made on any specific areas of Midlothian but it is anticipated that in any relocation the Council provides the opportunity for some element of mutual support in locating refugees.

**4.2** The re-housing of refugees can be established within existing housing allocation arrangements, and within the Council's responsibilities under the homelessness legislation.

**4.3** COSLA are coordinating the Afghan Relocation scheme for Scotland but note this scheme is quite different from the Syrian VPRS in the speed to which we are needing to respond and the level of information is different.

In relation to the expectation on numbers of families to relocate this is entirely up to each local authority as they feel able to in terms of the number of properties they can offer. In Scotland there is a real spread of responses dependant on housing availability mainly. There are a few councils who are unable to participate, but some councils are offering 2 properties right through to City Councils which are offering a larger number of properties.

## **5. Support and the Care for People Group**

**5.1** The Care for People Group was established to comply with the Council's responsibilities under the Civil Contingencies Act 2004. The group specifically support Scottish Government guidance, "Preparing Scotland, Care of People Affected by Emergencies". This multi-agency group includes representatives from NHS Lothian, Police Scotland, utilities, voluntary sector and faith groups..

**5.2** Clearly, the traumatic experiences in the loss of homes, livelihoods, communities and families will have an impact on individuals and result in considerable anxiety, concern and emotional distress. Having recognised the continued uncertainty that refugees are experiencing and the inevitable disruption that has occurred in their lives, the Care for People Group will be focusing on the physical and mental wellbeing of those potential resettlement refugees as residents of Midlothian.

**5.3** Support requirements will include access to cultural, dietary, religious facilities as well as translation and interpretation services. Some households will be particularly vulnerable and require particular additional support through the relocation process.

**5.4** Integration into Midlothian communities will involve school provision requests, registering with doctors, obtaining National Insurance numbers and biometrics to be eligible to access services and benefits.

## **Report Implications (Resource, Digital and Risk)**

### **6.1 Resource**

The funding available to participating authorities is £10,500 per person with potential short term additional assistance (rent, travel, etc.) before access to benefits and services is available to the arrivals.

## **6.2 Digital**

There are no issues arising from this report

## **6.3 Risk**

There is a reputational risk if Midlothian Council does not participate in the Relocation Programme as this is considered to be humanitarian aid.

Some households will be particularly vulnerable and require particular additional support through the relocation process. Matters under review are:

- Tracking the progress with regards to the move to suitable alternative permanent homes for refugees, ensuring that this is undertaken at a pace to minimise disruption.
- Monitoring the effects of the disruption as a result of the moves.
- Ensuring the needs of children and families are met, particularly in terms of education.
- Medical matters and the proximity to health care settings.
- Ensure identified needs of each individual are fully considered.
- The maintenance of community and cultural connections.
- The provision of agreed information and support.
- Stress related issues
- Perceived impact on existing waiting list applicants

## **6.4 Ensuring Equalities (if required a separate IIA must be completed)**

The Afghan LES Relocation Scheme is UK Government Home Office initiative which seeks to protect individuals and their families who have worked alongside UK armed forces. They are now at risk of intimidation as forces return to the UK and this report has been carried out to ensure that the needs of those affected will be protected.

## **6.5 Additional Report Implications**

### **Background Papers**

1. UK Government Afghan LES Relocation Acceleration letter
2. Home Office Fact Sheet for Local Authorities

### **Appendices**

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

There are no issues arising from this report

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ **Sustainable**
- ☒ **Transformational**
- ☒ **Preventative**
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☒ **Preventative and Sustainable**
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

### A.4 Delivering Best Value

There are no issues arising from this report

### A.5 Involving Communities and Other Stakeholders

Community engagement to ascertain and address key issues will be a core part of this work, which will be addressed through the work of the Care for People Group supported by members of the Joint Health Improvement Partnership.

Continuing effective communication and transparency is vital in providing reassurance and countering perceptions of any unfairness through consistency in the advice, information and services offered to refugees:

### A.6 Impact on Performance and Outcomes

There are no issues arising from this report

### **A.7 Adopting a Preventative Approach**

Addressing the needs refugees will assist in moving the balance of services and resources into preventing the need for longer term or crisis support. Early intervention and tackling inequalities are key priorities for Midlothian Council and the Community Planning Partnership.

### **A.8 Supporting Sustainable Development**

There are no issues arising from this report

**Financial Monitoring 2021/22 – General Fund Revenue****Report by Gary Fairley, Chief Officer Corporate Solutions****Report for Noting****1 Recommendations**

- a) Note the projected financial position and the associate risks with projections at this stage in the financial year;
- b) Note that as instructed by Council on 29<sup>th</sup> June 2021 a review of the deliverability of savings targets for the current year as a consequence of the pandemic has been completed and is reflected in the revised budgets set out in appendix 1;
- c) Note that COVID recovery plans aligned to the £2 million additional earmarked reserve continue to be developed; and otherwise
- d) Note the contents of the report.

**2 Purpose of Report / Executive Summary**

- 2.1 The purpose of this report is to provide Council with information on projections of performance against service revenue budgets in 2021/22 and details of material variances against budget. The projected budget performance figures shown in appendix 1 result in a projected net underspend of £0.323 million for the year which is 0.13% of the revised budget.
- 2.2 Council on 29<sup>th</sup> June, during consideration of paper 8.9 Financial Monitoring 2020/21 General Fund Revenue, instructed that a review of the deliverability of savings targets for the current year, as a consequence of the pandemic, and also service budget pressures be progressed and reflected in the next monitoring report. The outcome of this work, which involved both the removal of some savings targets and mitigating underspends, with no net impact on the projected General Fund Balance is reflected in the revised service budgets detailed in appendix 1.
- 2.3 The projection of the General Fund Balance at 31<sup>st</sup> March 2022 is predicated on the financial impact of the Covid-19 Pandemic continuing to be met from the available funding, whether ring fenced for specific purposes, or from the general funding provided.

**Date: 12 August 2021**

**Report Contact:**

Gary Fairley, Chief Officer Corporate Solutions

[gary.fairley@midlothian.gov.uk](mailto:gary.fairley@midlothian.gov.uk)

0131 271 3110

### 3 Background

- 3.1 This report encompasses all performance against revenue budget including additional costs incurred and projected lost income due to the Covid-19 pandemic.
- 3.2 The main areas of projected service budget variances projected at quarter 1 are outlined below and covered in more detail at appendix 2. As ever, projections early in a financial year are difficult in many areas and come with a degree of risk. The continued exceptional operating environment across many services during the first quarter has only added to this.

#### **Projected Overspends**

- A higher than planned value of works relating to the repair and maintenance of the Council's operating fleet is being externally contracted giving rise to a projected adverse variance against budget of £0.406 million. Management action is in place to carefully manage spend in this area and also to accelerate service review work that is underway;
- The annual review of Insurance premiums as provided for in the contract, alongside some potentially higher value new claims in 2021/22, has resulted in an increase giving rise to a projected overspend of £0.285 million. The main drivers for increased premium are the Council's claims experience and a general market pressure felt across the sector. The contract is due for re-tendering in July 2022 and preparatory work is underway;
- There remains £0.465 million of Medium Term Financial Strategy (MTFS) cost reductions to be finalised relating to Management Reviews. Clearly the pandemic has impacted on progress but all are now at the implementation stage with officers are now working to conclude these at pace.

These are more than offset by favourable movements against budget:

- The impact of vacant posts across the Council of £0.654 million. Many of these are posts which are within the scope of the MTFS Management Review proposals and will be removed from the Council's staffing establishment as reviews are progressed to completion;
- Latest projections of actual pupil numbers across the spectrum of learning settings for children and young people are lower than provided for in the budget thus giving rise to a positive variance in Education of £0.573 million. Clearly this position may be subject to change once schools resume for the 2021/22 academic term and census information becomes available;
- Pressure on Family Placement and Residential Respite budgets has eased giving rise to a positive variance of £0.295 million.

Again, projections will be very sensitive to change as the year progresses.

- 3.3 Relevant senior officers are required to deliver recovery actions at pace for the service areas that are projecting overspends and accordingly it is expected that pressure in these areas may reduce over the remainder of the year once the impact of the recovery action is validated.
- 3.4 COVID funding provided to the Council by the Scottish Government late in 2020/21 alongside other funding streams aligned to COVID recovery were carried forward from 2020/21 to 2021/22. Funding continues to be applied in year to match costs and lost income with the planning assumption that the remainder will be applied in 2021/22 or in future years to mitigate the impact of the pandemic and support increase service costs across Midlothian.
- 3.5 The provision for pay awards included in the approved budget approved reflected the Scottish public sector pay policy for 2021/22 published at the time and as members are aware Government subsequently revised the pay policy. The pay position projected at Quarter 1 is based on the current offers made to the SJC and SNCT bargaining groups which broadly still reflects this revised public sector pay policy. Although this is greater than the provision made in the approved budget the additional £675,000 (£40 million nationally) funding provided in the Local Government Finance (Scotland) Order 2021 was applied to provide an increase provision in the revised budget for pay awards.

#### **4 Delegation of resources to Midlothian Integration Joint Board**

The approved budget provided for the allocation of £47.724 million to the Midlothian Integration Joint Board (MIJB) for the provision of delegated services. Minor technical adjustments to this allocation during the year to date increase the allocation to £47.739 million. The allocation will also be increase to reflect the pay awards once these are settled.

In accordance with the Integration Scheme the MIJB is required to deliver delegated services within the budget allocations from the Council and NHS Lothian and where any overspend is projected to put in place a recovery plan to address that. As a last resort the integration scheme allows for the MIJB to seek additional financial support from its partners, either by way of an additional budget allocation or by “brokerage” (provision of additional resources in a year which are repaid in the following year).

Additional costs incurred by the MIJB in response to the Covid-19 pandemic are expected to continue to be funded by government and accordingly at this time the expectation is that delegated services will be delivered within the allocations provided and so no provision has been made for an additional budget allocation from the Council.

Financial Monitoring reports covering all of the MIJB activity are presented to the Integration Joint Board and are available on the committee management section of the Council website:-

[Midlothian Integration Joint Board \(cmis.uk.com\)](http://cmis.uk.com)

## 5 Projected General Fund Reserve

The projected balance on the General Fund as at 31 March 2022 is as follows:

	£ million	£ million
<b>General Reserve at 1 April 2021</b> ( subject to audit)		<b>6.358</b>
<i>Planned movements in reserves</i>		
Council Transformation Programme Costs	(0.348)	
Severance Costs	(0.034)	
		(0.382)
Projected underspend per appendix 1		0.323
<b>Projected General Fund Balance at 31 March 2022</b>		<b>6.299</b>

An element of the General Fund is earmarked for specific purposes and this is shown below:

	£ million
<b>Projected General Fund Balance at 31 March 2022</b>	<b>6.299</b>
<i>Earmarked for specific purposes</i>	
Enhancement to Reserves earmarked for training	(0.157)
Set aside as approved in June 2021	(2.000)
<b>Projected General Reserve at 31 March 2022</b>	<b>4.142</b>

The Reserves Strategy approved by Council on 12 February 2019 needs the Council to maintain an adequate level of General Reserve to provide a contingency for unforeseen or unplanned costs and that in the financial context at that time approve the adoption of 2% of the approved budgeted net expenditure (excluding resources delegated to the IJB) to be considered a minimum. This equates to £3.650 million. Council also agreed that where projections indicate that should the 2% minimum General Reserve balance be breached an immediate recovery plan be implemented to recover the position, failing which, the next available budget would need to provide for the restatement of reserve position.

The projected General Reserve of £4.142 million is above the minimum set in the Reserves Strategy but will only remain that way if there is no further adverse performance against budget or any further draw on reserves. There is also the continued uncertainty over the financial impact of the pandemic and funding assumptions together with essential response costs relating to weather conditions during the winter period.

Similarly there is an expectation that there will be a recovery in the service overspends projected at quarter 1. The impact of this recovery action will be reflected in future projections when they are validated.

## **6 Report Implications (Resource, Digital and Risk)**

### **6.1 Resource**

The projected performance against budget set out in this report presents the initial projections for the year. Work continues across the council to reduce overspends and to progress at pace delivery of approved savings.

Whilst this report deals with financial issues there are no financial implications arising directly from it.

### **6.2 Digital**

Increased reliance and investment in digital solutions and digital first solutions will be a key element of future plans.

### **6.3 Risk**

Section 95 of the Local Government (Scotland) Act 1973 requires all Local Authorities in Scotland to have adequate systems and controls in place to ensure the proper administration of their financial affairs.

The assessment of performance against budgets by services is underpinned by comprehensive financial management and budgetary control arrangements. These arrangements are central to the mitigation of financial risk.

Ensuring that adequate systems and controls are in place reduces the risk of significant variances arising, and where they do arise they help to ensure that they are identified and reported on and that appropriate and robust remedial action is taken. The primary purpose of this report is to provide an assessment of projected performance against budget for the full year based on activity in the first quarter of the year. The material variances detailed in appendix 2 highlight that the financial management and budgetary control arrangements require continual review and enhancement if financial risk is to be effectively mitigated during the year.

At this early point in the financial year there is a heightened risk that actual costs and income level may vary across the remainder of the financial year. The projected financial position could also deteriorate if local or national restrictions were to be reintroduced. In addition the risk of adverse weather has the potential to create pressure on service budgets over the remainder of the year

There are a some areas where effective forecasting of spend against budget is hindered due to ineffective feeder systems or incomplete service information which in previous years has resulted in previously unreported or significantly adjusted variances at the financial year end. Financial Management CMT on 11th August considered these

areas and is continuing to support actions to address the underlying issues and mitigate the risk associated with them.

The financial projections are predicated on new burdens, including those arising from the Government's 100 day commitments to be fully funded. In that respect, there is a risk that the quantum provided to fund the removal of curriculum charging falls short of the income budgeted to be collected. Work is underway to assess the full impact of the removal of these charges on school budget and compare that to the funding provided.

The Council recognises the potential for compensation claims deriving from Scottish Government's Limitation (Childhood Abuse) (Scotland) Act 2017 which removes the three year time limit on claims of child abuse. Some claims will be historic and relate to Lothian Regional Council, Midlothian District Council or their predecessors and some will date post reorganisation and relate to Midlothian Council. And so presents a risk that would further reduce reserves from those currently projected. Further financial obligations may also arise as the implications associate with the The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, which has yet to secure Royal Assent, are more fully understood.

#### **6.4 Ensuring Equalities**

As changes to existing plans are developed the assessment of the impact of these proposals in relation to their impact on equalities and human rights will be carried out. This will help to ensure wherever possible that there are no negative impacts on equality groups or potential for infringement of individuals' human rights from any of the proposals.

#### **6.5 Additional Report Implications**

See Appendix A

### **Appendices**

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

The exiting financial plans support the delivery of the key priorities in the single Midlothian Plan. As the impact on the Council of the pandemic and recovery continues to unfold over the financial year any changes in the availability and allocation of resources will need to be considered in parallel to the actions proposed to continue to delivery key priorities.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☒ Hub and Spoke
- ☒ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

The report does not directly impact on Delivering Best Value.

### **A.5 Involving Communities and Other Stakeholders**

The development of the Medium Term Financial Strategy reflected a community consultation exercise carried out in 2019 which has also helped shape the drafting of the “Midlothian Promise” and the early development of the Council’s Longer Term Financial Strategy.

In addition there is continues engagement with the recognised Trade Unions on the financial position.

## **A.6 Impact on Performance and Outcomes**

The Financial Strategy facilitates decision on how Council allocates and uses its available resources and as such has fundamental implications for service performance and outcomes. The financial consequences of the pandemic will impact on the availability and allocation of resources in pursuit of key outcomes as set out in the Single Midlothian Plan for both the immediate and longer term and therefore the ability of the Council to continue to deliver services in a financial sustainable manner.

## **A.7 Adopting a Preventative Approach**

Maintaining the effectiveness of the Financial Strategy will support the prioritisation of resources to support prevention.

## **A.8 Supporting Sustainable Development**

There are no direct sustainability issues arising from this report and we will work to mitigate as far as feasible any sustainability issues which arise as a consequence of any of the changes to existing plans.

## **Appendix 1-2 financial tables**

**General Services Capital Plan – 2021/22 Quarter 1 Monitoring****Report by Gary Fairley, Chief Officer Corporate Solutions****Report for Noting****1 Recommendations**

It is recommended that the Council:-

1. Note the adjustment to the project expenditure budgets in the General Services Capital Plan as set out in Section 3.1.

**2. Purpose of Report**

The purpose of this report is to provide Council with:-

- An update of the General Services Capital Plan incorporating information on further additions to the Capital Plan for approval (Section 3);
- Information on the projected performance against budget for 2021/22 (Section 4);
- Update on the Capital Fund (Section 5).

**Date 5 August 2021****Report Contact:****Gary Thomson, Senior Accountant****[gary.thomson@midlothian.gov.uk](mailto:gary.thomson@midlothian.gov.uk)**

### 3 Update of General Services Capital Plan

#### 3.1 Adjustments to existing project budgets

The following adjustments to existing project expenditure and income budgets are included in the General Services Capital Plan:-

- **Destination Hillend:** to reflect the decision of Council on 29 June 2021.

### 4 2021/22 Projection against budget

#### 4.1 2021/22 Budget

After accounting for the following:-

- Rephasing of budgets from 2020/21 to 2021/22, and new projects added to the plan, both as reported to Council on 29 June 2021;
- Including the new projects & adjustments to project budgets as outlined in Section 3;
- Rephasing of budgets based on the latest information available from project managers as noted in Table 1 below

the capital plan expenditure budget for 2021/22 is £46.944 million.

*Table 1: Rephasing of project expenditure budgets*

Project	Description of rephasing of budget	Previous 2021/22 Budget £000's	Revised 2021/22 Budget £000's	2021/22 Budget Rephasing £000's
<b>Equipped for Learning</b>	Acceleration of equipment purchases to meet the Council's ambitious plans to provide every child of school age with a digital device along with the associated infrastructure	2,500	3,500	+1,000
<b>Property Upgrades</b>	Acceleration of overall property upgrades compared to previous rephasing/planning assumption, including completion of work to Fairfield House Roof and Bonnyrigg & Stobhill Depots	936	1,228	+292
<b>Lasswade High School – Additional Capacity to 1,600 pupils</b>	Work to upgrade toilets expected to be complete by end of Summer 2021; however further work is required to assess appropriate routes and capacities for service connections for changing units	521	200	-321
<b>Mauricewood Primary School Refurbishment &amp; Extension</b>	Ongoing discussions regarding scope of extension and level of refurbishment have resulted in delay to planned progress	875	50	-825
<b>Others</b>	Other variances	1,933	1,853	-80
<b>Total</b>		<b>6,765</b>	<b>6,831</b>	<b>+66</b>

In line with this, the expected level of funding available to finance the plan has also been rephased and totals £23.953 million.

This results in an in-year borrowing requirement of £22.991 million.

The projected performance against budget for 2021/22 is shown in table 2 below:-

**Table 2: General Services Capital Plan Projected Performance against Budget 2021/22 – as at Quarter 1**

Item	2021/22 Rephased Budget £000's	Actual To 20.06.21 £000's	2021/22 Projected Outturn £000's	2021/22 Variance £000's	2021/22 Carry Forward £000's
<b>Expenditure</b>	46,944	1,873	47,049	+105	-67
<b>Funding</b>	23,953	1,303	23,953	0	1,196
<b>Borrowing Required</b>	<b>22,991</b>	<b>570</b>	<b>23,096</b>	<b>+105</b>	

## 4.2 Expenditure

Expenditure to 20 June 2021 is £1.873 million with a projected expenditure outturn of £47.049 million, an overspend of £0.105 million against the revised budget of £46.944 million.

At this stage it is anticipated that budgets for the projects detailed in Appendix 2 will be fully spent in the current year other than for the following:-

- **Residential House for 5-12 year olds:** Forecast overspend of £0.067 million as a result of higher than budgeted purchase price inclusive of Land & Buildings Transaction Tax;
- **Woodburn Primary School Modular Unit Relocation:** Forecast overspend of £0.038 million due to increased costs of service connections.

## 4.3 Funding

The funding available to finance the Capital Plan in 2021/22 is expected to total £23.953 million. Funding of £1.303 million has been received to 20 June 2021.

## 4.4 Borrowing

The budgeted level of borrowing for 2021/22 is £22.991 million. Based on the forecast expenditure and funding levels as noted above, the revised estimate of the level of borrowing required for 2021/22 is forecast to be £23.096 million, £0.105 million more than budgeted. The impact on the Council's borrowing costs is reflected in the Financial Monitoring 2021/22 General Fund Revenue report elsewhere on today's agenda.

The Capital Fund at the start of the 2021/22 financial year was £24.158 million. £7.694 million of this is committed to fund the City Deal, with a further £14.061 million committed to support capital investment including the utilisation of £2.000 million in 2021/22.

The forecast non-committed capital fund balance at 31 March 2021 is £1.869 million, as shown in the table below.

Item	Amount £000's
<b>Balance at 01 April 2021</b>	<b>24,157</b>
Committed to fund City Deal Project	-7,694
Committed to support Capital Investment <sup>1</sup>	-14,061
Developer Contributions earmarked for specific purposes	-533
<b>Non-committed balance at 31 March 2022</b>	<b>1,869</b>

## 6. Report Implications

### 6.1 Resource

The borrowing required to finance the planned investment in 2021/22 is reflected in the Financial Monitoring 2021/22 – General Fund Revenue report elsewhere on today's agenda.

### 6.2 Digital

There are no Digital Services implications arising from this report.

### 6.3 Risk

The impact of Covid-19 and the restriction measures introduced by government in 2020/21 and 2021/22 to date have been reflected in the rephasing assumptions in the plan as noted in this report. Any further restrictions introduced by the Scottish and UK Governments are highly likely to have an additional effect on the delivery programme for all projects within the plan.

These potentially exacerbate the inherent risk in the Capital Plan that projects will cost more than estimated thus resulting in additional borrowing. The monitoring procedures ensure that significant variations are reported at an early stage so that remedial action can be taken to mitigate this risk.

An additional risk is the timing of capital expenditure being delayed and the failure to deliver new assets and infrastructure on time. The impact of Covid 19 to date, further restriction measures that may be brought in, and the post Brexit economic climate, further exacerbates this. The rephasing assumptions outlined in Section 5.1 have been included in the plan to reflect a more realistic assessment of the timing of capital

expenditure, based on historic evidence and the overlay and impact of Covid.

In developing the strategy and taking cognisance of the longer term affordability gap it is clear that a number of potential projects which are currently included will only be able to be progressed if they can be delivered on a spend to save basis (i.e. where income or cost savings more than offset the cost of funding the investment) or where they can be delivered on a cost neutral basis.

#### **6.4 Ensuring Equalities**

There are no equalities issues arising directly from this report.

#### **6.5 Additional Report Implications**

See Appendix A.

## **Appendix A: Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

Not applicable.

### **A.2 Key Drivers for Change**

### **A.3 Key Delivery Streams**

Themes addressed in this report:

- ☐ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

The report does not directly impact on Delivering Best Value.

### **A.5 Involving Communities and Other Stakeholders**

No external consultation has taken place on this report.

### **A.6 Impact on Performance and Outcome**

There are no issues arising directly from this report.

### **A.7 Adopting a Preventative Approach**

Not applicable.

### **A.8 Supporting Sustainable Development**

Not applicable.

**Background Papers:**

Appendix 1 –General Services Capital Plan 2021/22 – Quarter 1 Monitoring

## Appendix 1: General Services Capital Plan 2021/22 – Quarter 1 Monitoring

	2021/22	Rephased	2021/22	2021/22	2021/22	2021/22
	Budget	Budget	Actual	Forecast	Variance	Carry
GENERAL SERVICES CAPITAL PLAN 2021/22	Initial	Q1	to P3	Outturn Q1	Q1	Forward Q1
Q1 MONITORING	£'000	£000's	£000's	£000's	£000's	£000's
<b>PLACE DIRECTORATE</b>						
<b>Corporate Solutions</b>						
Newbattle Centre of Excellence	324	324	4	324	-	-
Business Applications	74	74	-	74	-	-
DS Corporate Solutions	652	652	-	652	-	-
Front Office - Hardware, Software & Services	693	693	5	693	-	-
Back Office - Hardware, Software & Services	1,182	1,182	0	1,182	-	-
Network, Software & Services	835	835	2	835	-	-
Schools - Hardware, Software & Services	1,476	1,476	729	1,476	-	-
Digital: Equipped for Learning	2,500	3,500	-	3,500	-	(1,000)
Online Payments & Services	-	-	1	-	-	-
Civica Automation	47	47	-	47	-	-
<b>Place</b>						
Street Lighting Upgrades	1,101	1,101	8	1,101	-	-
Footway & Footpath Network Upgrades	560	560	26	560	-	-
Road Upgrades	1,791	1,791	-	1,791	-	-
Accelerated Roads Residential Streets	2,500	2,500	-	2,500	-	-
Roads Asset Management Plan - Temple Ground Stabilisation	309	309	-	309	-	-
Dalkeith Christmas Lights	25	25	-	25	-	-
Cycling, Walking & Safer Streets Projects	714	714	-	714	-	-
Ironmills Park Steps	7	7	-	7	-	-
Vehicle & Plant Replacement Programme	2,497	2,497	165	2,497	-	-
LEZ Electric Vehicles & Charging Points	103	103	-	103	-	-
School Transport Retrofit Fund	22	22	-	22	-	-
Outdoor Play Equipment - Gorebridge	118	118	-	118	-	-
Mauricewood Road Bus Shelter	4	4	-	4	-	-
Riverside Park Paths & Woodland	89	89	-	89	-	-
Millerhill Park Circular Path & Bicycle Pump Track	18	18	-	18	-	-
Welfare Park, Newtongrange	98	98	-	98	-	-
Pump Track, North Middleton	76	76	-	76	-	-
Birkenside Grass Pitch Drainage	12	12	-	12	-	-
School Transport Retrofit Fund	22	22	-	22	-	-
Stobhill Depot Upgrade	568	568	-	568	-	-
New Depot: EWIM Phase III	-	-	3	-	-	-
Property Upgrades	936	1,228	82	1,228	-	(292)
Midlothian & Fairfield House Shower Upgrades	22	22	-	22	-	-
Shawfair Town Centre Land Purchase	5,165	5,165	-	5,165	-	-
Hillend Preparatory Works	-	-	3	3	-	-
Destination Hillend	1,660	1,693	98	1,693	-	(33)
32-38 Buccleuch Street Ground Floor Redevelopment	325	325	0	325	-	-
Cashless Catering	29	29	-	29	-	-
Non-Domestic Energy Efficiency Projects	211	211	-	211	-	-
Contaminated Land	186	186	5	186	-	-
Public Sector Housing Grants	198	198	59	198	-	-
Borders Rail - Economic Development Projects	125	63	-	63	-	63
Penicuik THI	196	196	(0)	196	-	-
Mayfield Town Centre Regeneration	4	4	-	4	-	-
Town Centre Regeneration Fund 2019/20	495	495	163	495	-	-
Town Centre Regeneration Fund 2020/21	311	311	-	311	-	-
<b>TOTAL PLACE</b>	<b>28,272</b>	<b>29,535</b>	<b>1,352</b>	<b>29,535</b>	<b>-</b>	<b>(1,263)</b>

PEOPLE AND PARTNERSHIPS DIRECTORATE	2021/22 Budget Initial	2021/22 Budget Q1	2021/22 Actual to P3	2021/22 Forecast Outturn Q1	2021/22 Variance Q1	2021/22 Carry Forward Q1
	£'000	£000's	£000's	£000's	£000's	£000's
<b>Education - Early Years</b>						
Mount Esk Nursery School Replacement	1,000	1,000	-	1,000	-	-
King's Park Primary School	46	46	1	46	-	-
Roslin Primary School	369	369	-	369	-	-
Capital grants to partner providers	914	914	-	914	-	-
Gorebridge Primary School	804	804	-	804	-	-
Catering kitchens	800	800	-	800	-	-
Hawthorn Children & Families Centre Alteration	376	376	-	376	-	-
Mauricewood Primary School	407	407	-	407	-	-
Vogrie Outdoor Early Learning Centre	167	167	39	167	-	-
Penicuik Outdoor Early Learning Centre	200	200	-	200	-	-
Other Outdoor Spaces	160	160	-	160	-	-
Settings' kitchens	114	114	-	114	-	-
Scots Corner	75	75	-	75	-	-
Newtongrange Primary School	50	50	-	50	-	-
Lasswade Primary School	45	45	-	45	-	-
Woodburn Primary School	45	45	-	45	-	-
Rosewell Primary School Alteration	(11)	(11)	-	(11)	-	-
Mount Esk Nursery School	20	20	1	20	-	-
Tynewater Primary School	20	20	-	20	-	-
Bilston Primary School	20	20	-	20	-	-
Moorfoot Primary School	20	20	-	20	-	-
Loanhead Primary School	5	5	-	5	-	-
Cuiken Primary School	3	3	-	3	-	-
St Andrew's Primary School	4	4	-	4	-	-
Remaining Balance	227	227	-	227	-	-
<b>Education - Primary</b>						
GoreGlen Primary School	-	-	-	-	-	-
Paradykes Primary Replacement	169	169	15	169	-	-
Roslin Primary Replacement	-	-	-	-	-	-
New Hopefield Primary School	574	574	-	574	-	-
New Danderhall Primary hub	2,339	2,339	296	2,339	-	-
Cuiken Primary School Extension	57	57	2	57	-	-
Sacred Heart Primary School Extension	637	637	3	637	-	-
Lawfield Primary Extension	7	7	-	7	-	-
Easthouses Primary School	919	919	-	919	-	-
Tynewater Primary School	10	10	-	10	-	-
Burnbrae Primary School GP Space	2	2	-	2	-	-
Burnbrae Primary School External Works	73	73	-	73	-	-
Woodburn Primary extension (1 class plus)	-	-	-	-	-	-
Woodburn Primary 3 class & activity hall extension	-	-	-	-	-	-
Woodburn Primary 9 class & activity hall extension	566	566	-	566	-	-
Woodburn - Modular Unit Relocation	188	188	-	226	38	-
<b>Education - Secondary</b>						
Lasswade High School	-	-	-	-	-	-
Lasswade High - Toilets & Changing to 1,600 pupil capacity	521	200	-	200	-	321
Newbattle High School	-	-	-	-	-	-
A701 High School	430	430	(26)	430	-	-
<b>Education - Learning Estate Strategy</b>						
Kings Park PS upgrade to existing building	426	426	-	426	-	-
St Davids Primary - 4 class & EY extension	147	47	-	47	-	100
Mauricewood Refurbishment	875	50	-	50	-	825
Rosewell Primary School - extend to 2 stream	-	50	-	50	-	(50)
Newtongrange refurb & expansion to 2 stream	100	100	-	100	-	-
ASN Provision - Social Complex Needs	250	250	-	250	-	-
Burnbrae PS - Early Years Complex Needs	-	-	1	-	-	-
<b>Education - General</b>						
Parent Pay	-	-	-	-	-	-
Saltergate Alterations Phase III - Playground Improvements	252	252	9	252	-	-
Saltergate Phase IV - Internal Alterations	39	39	-	39	-	-
Modular Units - Session 2017/18	107	107	-	107	-	-
New Learning Estate Furniture & IT Equipment	17	17	-	17	-	-
<b>Children's Services</b>						
Residential House for 5-12 year olds	700	700	-	767	67	-
<b>Communities &amp; Partnerships</b>						
Members Environmental Improvements	100	100	10	100	-	-
Participatory Budgets	360	360	-	360	-	-
<b>Adult Social Care</b>						
Assistive Technology	152	152	-	152	-	-
Homecare	55	55	-	55	-	-
Highbank Intermediate Care Reprovisioning	1,077	1,077	(78)	1,077	-	-
General Fund Share of Extra Care Housing	59	59	-	59	-	-
<b>Sport &amp; Leisure</b>						
Property - Poltonhall Astro & Training Area Resurfacing	449	449	(3)	449	-	-
Property - Penicuik Astro Resurfacing	290	290	(3)	290	-	-
Dalkeith Thistle - Pavilion Upgrade	40	40	17	40	-	-
Property - King's Park Tennis Courts Resurfacing	82	82	-	82	-	-
Property - Penicuik Centre Flooring, Cardio & Equipment	155	155	-	155	-	-
Property - Lasswade Centre Flooring	33	33	-	33	-	-
Property - Gorebridge Leisure Centre	7	7	-	7	-	-
<b>TOTAL PEOPLE AND PARTNERSHIPS</b>	<b>18,143</b>	<b>16,947</b>	<b>338</b>	<b>17,052</b>	<b>105</b>	<b>1,196</b>
<b>COUNCIL TRANSFORMATION</b>						
Purchase to Pay	2	2	-	2	-	-
EWIM - Buccleuch House Ground Floor	33	33	-	33	-	-
City Deal	766	766	183	766	-	-
<b>TOTAL COUNCIL TRANSFORMATION</b>	<b>801</b>	<b>801</b>	<b>183</b>	<b>801</b>	-	-
<b>GENERAL SERVICES CAPITAL PLAN TOTAL</b>	<b>47,217</b>	<b>47,283</b>	<b>1,873</b>	<b>47,388</b>	<b>105</b>	<b>(67)</b>
<b>COST OF SALES</b>						
Cousland School Demolition	-	-	-	-	-	-
6 Eskmill Road Demolition	-	-	-	-	-	-
Paradykes Cost of Sales	-	-	-	-	-	-
Whitehill Business Centre Disposal	-	-	-	-	-	-
Newbattle High School	-	-	-	-	-	-
Danderhall	300	300	-	300	-	-
Hillend Land Sale Cost of Sales	-	-	0	-	-	-
<b>TOTAL COST OF SALES</b>	<b>300</b>	<b>300</b>	<b>0</b>	<b>300</b>	-	-
<b>GENERAL SERVICES CAPITAL PLAN TOTAL INC COST OF SALES</b>	<b>47,517</b>	<b>47,583</b>	<b>1,873</b>	<b>47,688</b>	<b>105</b>	<b>(67)</b>
Provision for Return of Contingencies	(639)	(639)	-	(639)	-	-
GSCP + CIS Total inc. Return of Contingencies	<b>46,878</b>	<b>46,944</b>	<b>1,873</b>	<b>47,049</b>	<b>105</b>	<b>(67)</b>

**Housing Revenue Account  
Revenue Budget and Capital Plan 2021/22****Report by Gary Fairley, Chief Officer Corporate Solutions.****Report for Noting****1 Recommendations**

Council is recommended to note the contents of this report.

**2 Purpose of Report/Executive Summary**

The purpose of this report is to provide Council with a summary of expenditure and income to 5<sup>th</sup> July 2021 for the Capital Plan and a projected outturn for both the Housing Revenue Account (HRA) and Capital Plan for 2021/22.

The summarised financial performance for 2021/22 is:

- Capital Investment in the year totalling £59.267 million;
- A net underspend of £0.692 million on the Revenue Account;
- Excluding funds earmarked to support the new build programme a projected HRA general reserve at 31<sup>st</sup> March 2022 of £2.022million.

**Date 2<sup>nd</sup> August 2021****Report Contact:**

Name Lisa Young Tel No 0131-271-3111

[lisa.young@midlothian.gov.uk](mailto:lisa.young@midlothian.gov.uk)

### **3 Background**

#### **3.1.1 Capital Plan 2021/22**

The Capital Plan Budget has been revised to reflect the current profile of spend as shown in appendix C. Capital investment in the year is projected to be £59.267 million and there are currently no material variances to be reported.

#### **3.2 Revenue Account 2021/22**

For 2021/22 there is currently a projected underspend of £0.692 million against budget, as shown in appendix D. The most up-to-date version of the New Social Housing delivery plan gives rise to the following projected areas of variance from the approved budget:-

- Lower in-year general repairs costs of £0.514 million;
- Lower in-year borrowing costs of £1.554 million; and
- Reduced rental income of £1.140 million.

This is offset by:-

- A projected increase in the provision for and subsequent write-off of rent related debt of £0.197 million. This is due to a projected drop in collection levels as a result of the pandemic.

The HRA general reserve balance is projected to be £2.022 million at 31<sup>st</sup> March 2022, with a further £2.454 million is earmarked for house purchases from private developers and £41 million committed to finance existing investment commitments to 2036/37.

### **3 Report Implications**

#### **3.1 Resource**

There are no direct resource implications arising from this report.

#### **3.2 Digital**

There are no direct digital implications arising from this report.

#### **3.3 Risk**

The principal risks are around the issue of affordability, ensuring that the investment in new build and the existing stock can be made without having to impose unacceptable increases on weekly rents. This is mitigated by the adoption of a long term financial strategy and modelling which demonstrates that existing investment commitments are sustainable.

### **3.4 Ensuring Equalities**

There are no equality issues arising directly from this report.

### **3.5 Additional Resource Implications**

See Appendix A.

### **Appendices**

Appendix A – Additional Resource Implications

Appendix B – Background Information

Appendix C - Capital Plan 2020/21

Appendix D – Revenue Account 2020/21

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

Not applicable

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☐ Hub and Spoke
- ☒ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

The report does not directly impact on Delivering Best Value.

### **A.5 Involving Communities and Other Stakeholders**

The report does not directly relate to involving communities.

### **A.6 Impact on Performance and Outcomes**

The report does not directly impact on Midlothian Council's performance and outcomes.

### **A.7 Adopting a Preventative Approach**

The report does not directly relate to adopting a preventative approach.

### **A.8 Supporting Sustainable Development**

The report does not directly relate to supporting sustainable development.

## **APPENDIX B**

### **Background Papers/Resource Links**

HRA Capital Plan and Revenue Budget enclosed

**Environmental Enforcement: Fly-Tipping & Littering****Report by Kevin Anderson, Executive Director - Place****Report for Decision****1 Recommendations**

Council is recommended to note the current position with regards to environmental regulation and approve the following:

- (i) Officers to undertake a fully costed options appraisal for the utilisation of contractors to undertake enforcement for environmental offences including fly-tipping, dog fouling, littering; and report to Council;
- (ii) Officers to develop a Midlothian Environmental Crime Strategy, led by Protective Services; and report to Council;
- (iii) Officers to establish the Midlothian Neighbourhood & Environmental Improvement Group, led by Neighbourhood Services, to engage with community champions, groups and representatives in order to facilitate, assist and help coordinate the valued community responses and actions;
- (iv) Officers to report performance outcomes regularly to the Police and Fire & Rescue Board.

**2 Purpose of Report**

The purpose of this report is to provide Council with the current position on environmental regulation, enforcement and partnership working with our communities in tackling fly-tipping, littering, dog fouling and other associated offences; which are issues of concern across Midlothian's communities.

**Date:** 09 August 2021

**Report Contact:** Derek Oliver, Chief Officer - Place

**Email:** [derek.oliver@midlothian.gov.uk](mailto:derek.oliver@midlothian.gov.uk)

### **3 Background**

- 3.1 Midlothian Council agreed a Motion on 29<sup>th</sup> June 2021 with regards to working with local groups and individuals to improve open spaces; provision of public space bins; and environmental enforcement using private companies; and requested that a report be presented at the next Council meeting.

### **4 Environmental Enforcement**

- 4.1 Currently, environmental offences are investigated and actioned by the Environmental Health Service. With the range of statutory functions and, most recently the Covid pandemic, to regulate and enforce, the priority of response is targeted towards the higher public health and safety risks.
- 4.2 The Environmental Health Service and Police Scotland's Midlothian Community Action Team have worked effectively together over the past year with regards to fly-tipping offences, with three individuals charged with associated offences. The reports have been submitted to the Procurator Fiscal.
- 4.3 With the stretch on resource within Environmental Health, an alternative model to pursue offenders is required to robustly deal with offenders and serve as a deterrent.
- 4.4 A number of local authorities in other parts of the United Kingdom, notably England and Northern Ireland, have utilised the services of private enforcement companies to undertake the regulation of environmental offences, such as fly-tipping, littering and dog fouling. This has been operated on a commercial basis by the private companies, on a performance based income, with no cost levied on the local authorities.
- 4.5 However, on examination of the relevant legislation, (Environmental Protection Act 1990) there is a wider classification of Authorised Officer in these other parts allowing private companies to undertake enforcement duties, as compared to Scotland. Consequently, Midlothian Council would be unable to utilise a private company to undertake this function.
- 4.6 Environmental Health Officers can however be appointed and authorised on an agency basis for undertaking all legislative requirements, in line with their competence and qualifications. An alternative model, along a similar structure, is for persons to be appointed and authorised on a contractor basis through a private enforcement company. The contractual terms will require further refinement and agreement to maximise performance factor of any appointees and cost implications.

### **5 Midlothian Environmental Crime Strategy**

- 5.1 A robust strategy, developed in partnership with local groups and individuals, Council services and partner agencies, is necessary to ensure a professional and visible enforcement service to tackle environmental crime which is cost efficient, sustainable and proportionate, ensuring our communities are both informed and

educated about the importance of maintaining a clean, green local environment.

- 5.2 Currently, the contact point, roles and responsibilities and responses span across a number of services, including Environmental Health, Waste Services and Land Services. This requires to be streamlined, with clear communication channels and responsibilities detailed, with service standards developed in consultation with the public, local groups, land owners and partner agencies.
- 5.3 A suite of interventions is necessary to combat fly-tipping. It has to include information on where Midlothian communities can dispose of waste responsibly; who our communities can contact to legitimately uplift and dispose of waste, with those vetted and assessed by Police Scotland and Trading Standards; what the duty of care means and requires; and a robust response to any offence.
- 5.4 Other key actions would be for CCTV to be deployed at identified local hot-spots; to publicise and promote existing and new waste collection services, increasing the offer to mitigate against fly-tipping; clear fly-tipped material on public land within a set timescale; work with private land owners and SEPA to investigate and remove waste dumped on private land; regularly inspect commercial waste disposal contracts/arrangements; publicise fixed penalty notices issued and convictions; utilise the MCAT and Midlothian Partnership Against Rural Crime as a network to share intelligence; and provide feedback to communities on the result of investigations and any subsequent prosecutions.

## **6 Midlothian Neighbourhood & Environmental Improvement Group**

- 6.1 Currently, the Council responds to various community requests for equipment and materials to assist with litter clearing, which varies from provision of grabbers and bags, to the provision of skips or Refuse Collection Vehicles to dispose of collected waste. However, without prior discussion and coordination of these arrangements, it can lead to logistical issues.
- 6.2 A Neighbourhood & Environmental Improvement Group would be the platform for working with and developing the Council's assistance and response to community initiatives. The Group can also agree on service standards and consultation for Neighbourhood Services strategies and operations. This would act as the appropriate platform for an identified officer contact to assist, coordinate, facilitate and respond to local environmental improvement initiatives and campaigns, such as litter picks or community clean ups.
- 6.3 As part of the new Midlothian Environmental Crime Strategy, a focused consultative forum of this nature would also be effective for local intelligence to be shared on fly-tipping, dog fouling and littering hot-spots.

## **7 Performance Reporting**

- 7.1 With the significant partnership working of the council with both Police Scotland and the Scottish Fire and Rescue Service, regarding environmental crime, reporting performance regularly to the Police and Fire & Rescue Board would provide the necessary governance

structure, robust process and scrutiny to the operations and management of this regulatory function going forward.

## **8 Report Implications**

### **8.1 Resource**

The assessment and options appraisal for contractors to undertake environmental enforcement, together with the creation of Midlothian Environmental Crime Strategy and Midlothian Neighbourhood & Environmental Improvement Group can be met within existing service budgets.

### **6.2 Digital**

Not applicable at this stage.

### **6.3 Risk**

There is a risk of reputational and financial implication on the Council for environmental crime. Additional resource will be required to target environmental crime if contractors are not appointed. .

### **6.4 Ensuring Equalities**

The subject of this report has a positive impact in the environment and as such does not affect the wellbeing of the community or have a significant detrimental impact on equality, the environment or economy.

### **6.5 Additional Report Implications**

See Appendix A

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

The route map outlines the phases of service recovery and transformation which will underpin the Single Midlothian Plan.

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### A.4 Delivering Best Value

The report aims to deliver best value.

### A.5 Involving Communities and Other Stakeholders

Having a robust response to environmental crime and the ongoing partnership working with communities is vital to Midlothian's community safety. Consultation with communities, local groups, Police Scotland and SFRS will be imperative.

### A.6 Impact on Performance and Outcomes

The report aims to measure progress through outcomes.

### A.7 Adopting a Preventative Approach

The report is based on the creation of a wellbeing economy which prioritises prevention, fairness for people, the economy and the environment.

### A.8 Supporting Sustainable Development

The improvement and enhancement of our environment.



## **Closed Circuit Television (CCTV) Network**

**Report by Kevin Anderson, Executive Director - Place**

### **Report for Decision**

#### **1 Recommendations**

Council is recommended to note the current position with the CCTV network and approve the following:

- (i) Officers to undertake a fully costed options appraisal on the existing camera estate and network to deliver an appropriate service, in consultation with Police Scotland, to the communities of Midlothian; and report to Council;
- (ii) Officers to re-establish a CCTV Officers Group, led by Protective Services, to review all public space CCTV operations across the Council and ensure the system is managed efficiently, consistently and legislatively compliant;
- (iii) Officers to revise the Code of Practice on CCTV operations; and report performance regularly to the Police and Fire & Rescue Board.

#### **2 Purpose of Report**

The purpose of this report is to outline the current position of the operation and management of Midlothian Council's closed circuit television (CCTV) system for public spaces and operational procedures in place; and seek a future Council decision on upgrading the existing system or procure alternatives, together with the implementation of a robust structure in CCTV operations and management, led by Protective Services.

**Date:** 09 August 2021

**Report Contact:** Derek Oliver, Chief Officer - Place

**Email:** [derek.oliver@midlothian.gov.uk](mailto:derek.oliver@midlothian.gov.uk)

### **3 Background**

- 3.1 The objectives of the CCTV System which form the lawful basis of processing open space CCTV data are:
- To reduce the fear of crime
  - To increase public safety and reassurance
  - To help with preventing and reducing criminal activity and disorder
  - To assist with apprehending and prosecuting offenders
- 3.2 The System is intended to contribute towards ensuring that Midlothian is a safe place to live work and visit. It is recognised that CCTV provision is not a statutory function of the Local Authority and that the System will not solve or eliminate all crime or fear of crime. However, it is an effective tool, enabling the collection of real time information to assist with investigations, apprehending and prosecuting offenders.
- 3.3 Midlothian Council's public space CCTV system inventory includes 56 cameras covering a number of main streets in Dalkeith, Penicuik, Bonnyrigg, Danderhall, Loanhead, Mayfield, Gorebridge, Roslin, Newtongrange and Sheriffhall Park and Ride. All cameras are identifiable and have signs indicating who is operating them and how they can be contacted.
- 3.4 In February 2018, as a result of financial pressures, Midlothian Council agreed through the Financial Strategy Report to manage a reduction of all open space CCTV activity and delete the Community Safety Team, which oversaw the CCTV system and operations. The existing cameras continue to operate until a fault develops and, if unable to be repaired at minimal cost, are thereafter switched off and signage added to indicate they are not active.

### **4 Current Position**

- 4.1 40 (71.4%) of the public space CCTV cameras are currently operational. 16 units are non-operational.
- 4.2 Issues around the cabling and analogue nature of the majority of the cameras means that the assets are limited in their use, lifespan and will deteriorate further without maintenance or upgrading.
- 4.3 The cameras are not monitored and only accessed for images after an event, on a suitably authorised request by Police Scotland.
- 4.4 The Council has trialled and purchased three redeployable wireless CCTV cameras, which are deployed in consultation with the Police or at identified flytipping hot-spots. These units can be accessed, monitored and adjusted using a mobile phone or laptop.

### **5 Options**

- 5.1 The existing CCTV camera estate requires to be assessed and a thorough exercise undertaken to provide an accurate costing to upgrade the system and make it fit for purpose, with locations appraised based on data and evidence. It is proposed to report back to Council with this information.
- 5.2 With alternative solutions now on the market to replace or supplement hard-wired CCTV cameras, the proposed Officer Group, led by Protective Services, can ascertain the most appropriate model for each location and/or task, in consultation with relevant service leads and Police Scotland.
- 5.3 A revised Code of Practice and reporting performance regularly to the Police and Fire & Rescue Board provides the necessary governance and scrutiny to the operations and management of CCTV going forward.

## **6 Report Implications**

### **6.1 Resource**

The assessment and options appraisal, together with the creation of an Officers Group and revised Code of Practice can be met within existing service budgets.

### **6.2 Digital**

Not applicable at this stage.

### **6.3 Risk**

Although not a statutory function to provide a CCTV system, the failure to address the deterioration and declining condition of the existing camera estate increases risks for not aligning with public safety objectives.

### **6.4 Ensuring Equalities**

Having a properly maintained and operational CCTV system is vital to Midlothian's community safety. The subject of this report has a positive impact in the environment and as such does not affect the wellbeing of the community or have a significant detrimental impact on equality, the environment or economy.

### **6.5 Additional Report Implications**

See Appendix A

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

The route map outlines the phases of service recovery and transformation which will underpin the Single Midlothian Plan.

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### A.4 Delivering Best Value

The report aims to deliver best value.

### A.5 Involving Communities and Other Stakeholders

Consultation with Police Scotland will be imperative.

### A.6 Impact on Performance and Outcomes

The report aims to measure progress through outcomes.

### A.7 Adopting a Preventative Approach

The report is based on the creation of a wellbeing economy which prioritises prevention, fairness for people, the economy and the environment.

### A.8 Supporting Sustainable Development

New systems can be assessed to consider energy management and utilise sensor technology for utility consumption.