Midlothian Council Minute Volume



Presented to the Meeting of Midlothian Council on Tuesday, 23 February 2021

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Midlothian Council

Date	Time	Venue
15 December 2020	11.00 am	Virtual Meeting via MS Teams

Present:

Provost Smaill (Chair)	Depute Provost Russell
Councillor Alexander	Councillor Cassidy
Councillor Curran	Councillor Hackett
Councillor Hardie	Councillor Imrie
Councillor Johnstone (until 12.58 pm)	Councillor Lay-Douglas
Councillor McCall	Councillor Parry
Councillor Wallace	Councillor Winchester

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director	Gary Fairley, Chief Officer, Corporate
Children, Young People and	Solutions
Partnerships	
Derek Oliver, Chief Officer Place (for	Mike Broadway, Democratic Services
Items 8.2 and 8.5)	Officer
Verona MacDonald, Democratic	Alan Turpie, Legal Services
Services Team Leader	Manager/Monitoring Officer
Joan Tranent, Chief Officer Children's	Alison White, Head of Adult Social Care
Services, Partnerships and	and Chief Social Work Officer (for Items
Communities (for Item 8.6)	8.8, 8.9 and 8.10)

1. Welcome and Apologies for Absence

The Provost welcomed everyone to the meeting. Intimation of apologies for absence were made on behalf of Councillors Munro, Milligan and Muirhead; Mr Bourne and Mrs Morton, Religious Representatives to the Cabinet.

2. Order of Business

The Democratic Services Team Leader confirmed the order of business was as per the agenda circulated; the report at Item 8.4 (Treasury Management Mid-Year Review) marked "to follow" having been circulated separately and a revised report to be heard in private for Item 9.1 (Lothian Buses Limited Review) also having been circulated in advance of the meeting.

3. Declarations of interest

Councillor Hackett advised he was an employee of UNISON and would be declaring an interest in Item 7.2. Councillor Russell advised she was the chair of Midlothian Advice and Resource Centre and would be declaring an interest in Item 8.6

4. Deputations

Further to the decision of the Council on 17 November 2020 (Item No. 8.11) to agree to allow UNISON to present their "Plug the Gap in Local Government Finance" campaign by way of a deputation, Grace Chalmers of UNISON addressed the meeting and outlined the basis of the campaign.

Thereafter, the Provost thanked Ms Chalmers.

5. Minute of Previous Meeting

5.1 The Minute of meeting of Midlothian Council of 17 November 2020 was unanimously approved and the Provost was authorised to sign it as a true record of the meeting.

5.2 The following Minutes were previously circulated to Members for approval, noting, information and consideration of any recommendations contained therein:

Meeting	Date of Meeting
Police and Fire and Rescue Board	31 August 2020
General Purposes Committee	13 October 2020
Planning	13 October 2020
Cabinet	20 October 2020
Local Review Body	27 October 2020

6. Questions to the Leader of the Council

None received.

7. Notices of Motion

Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	Monica Lennon MSP – Private Members Bill to end Period Poverty	Councillor Hackett	Councillor Russell
Motion:			
The Motior	n was in the following term	าร:-	
	Council congratulates Monica iament for her Private Member		animous support from the
The signing of the Bill is the culmination of a 3 year campaign led by Monica Lennon MSP which has had wide spread support across the community.			
Midlothian Council welcomes the commitment to provide funding to Local Authorities and other public bodies that will have a statutory responsibility to provide free period products.			
Midlothian Council looks forward to working positively with the Scottish Parliament and local partners to ensure the full implementation of the Bill in the County."			
Summary of discussion			
Councillor Hackett spoke by way of background to the Motion with contributions also from Councillor Russell, who seconded the Motion and Councillors Parry, Alexander and Wallace. The Executive Director Children, Young People and Partnerships also spoke and advised of work underway within the Council to implement the terms of the Bill.			
Decision			
Decision			

Sederunt: Prior to the following item, Councillor Hackett, having previously intimated his intention to declare an interest, left the meeting

Motion No.	Motion Title	Proposed by:	Seconded by:
7.2	Plug the Gap in Local Government Finance	Councillor Curran	Councillor Milligan
The Motior	n was in the following term	1S:-	
"This Council notes the Scottish Government's recent announcement of "a package of financial flexibilities and extra funding for Councils to address the financial pressures caused by the coronavirus (COVID-19) pandemic over the next two years".			
Whilst we welcome the recognition of the financial crises local government is in we remain concerned that this 'financial package' does not solve the problem.			
Only £139m of this package was 'new' money (£49m of which had already been announced). The remainder of the package is only be available if local authorities make full use of the complicated set of 'fiscal flexibilities' set out.			
But these fiscal flexibilities are no substitute for a fair funding settlement. This council still faces a perfect financial storm of extra demand for services at a time of substantial loss of income which means impossible choices about the funding of services going forward.			
This council notes that £2bn of 'efficiencies' have already been taken out of local government over the last decade. We also know that the financial impact of COVID- 19 will not be confined to the next few months and with Brexit looming the effects of both on the wider economy are going to make the crises in Local Government much worse.			
Dere F of 54			

This Council therefore pledges its support for UNISON's campaign and calls on the Scottish Government to Plug The Gap in Local Government finance in the 2021/22 budget to:

• Reward Local Government Workers - Local Government workers have been the hidden heroes of this pandemic. Their invaluable contribution to the Covid response should be recognised and rewarded.

• Secure the long term financial stability of Local Government – Local Government needs long term stability to protect essential jobs and services for the future. The salami slicing of services needs to stop.

• Shape Local Government Fit for the Post-Pandemic Future – It is a matter of fact that a number of roles undertaken by local government workers have changed as a result of the pandemic. These need to be recognised and their job evaluation reviewed as a result.

• Fully Consolidate the Living Wage – Deliver on the existing commitment to fully consolidating the living wage for all local government workers across Scotland as committed to through our last pay deal."

Summary of discussion

Councillor Wallace raised a point of order by advising the Motion was the same wording as a request by UNISON included as an appendix to a report to Council on 17 November 2020 (Item 8.12). He suggested that a decision had already been taken with regard to it and the Council had earlier heard a deputation from UNISON and could not consider the matter again within a 6 month period. Mr Turpie provided advice to the Provost and advised that the matter was sufficiently different insofar as no decision had been taken on 17 November as to whether the Council should support the campaign. He further advised that UNISON could not submit a Motion for consideration by the Council as it was only Elected Members who could do this.

Councillor Curran addressed the terms of the Motion which was seconded by Councillor Imrie.

By way of an amendment, Councillor Winchester moved the following which was seconded by Councillor Lay-Douglas -

"Midlothian Council -

- 1. recognises the "economic emergency" caused by Covid-19 has only just begun, impacting all sectors of the UK economy, including the culture, hospitality and retail sectors in Midlothian and further afield;
- 2. salutes the heroism of frontline employees, and efforts of all employees, volunteers and residents across Midlothian during this unprecedented challenging year, including our own hardworking Council staff;
- accepts that pausing the headline pay awards next year for some workforces will allow the UK Government to protect public sector jobs and investments in public services to respond to spending pressures from Covid-19 and also avoid further expansion of the gap between public and private sector pay award;
- 4. requests that the Leader and Depute Leader write to the Rt. Hon. Rishi Sunak MP, Chancellor of the Exchequer welcoming:
 - a. the furlough scheme introduced and extended by the UK Government
 - b. the announcement by the UK Government of a 2.2% increase to the national living wage, making it one of the highest in the world
 - c. the UK Government's funding to aid the global search for a vaccine, funding more international research than any other country
 - d. the nearly £10 billion provided by the UK Government for the Scottish Budget to tackle the pandemic."

By way of an amendment, Councillor Johnstone, seconded by Councillor Parry, moved –

5 "This Council welcomes the Scottish Government's recent announcement of "a package of financial flexibilities and extra funding for councils to address the financial pressures caused by the coronavirus (COVID-19) pandemic over the next two years". Whilst we welcome the recognition of the financial crisis local government is in we remain concerned that this 'financial package' announced so far does not solve the problem. But these fiscal flexibilities are no substitute for a fair funding settlement. This Council still faces a perfect financial storm of extra demand for services at a time of substantial loss of income which means impossible choices about the funding of services going forward. This Council notes that £2bn of 'efficiencies' have already been taken out of local government over the last decade. The Council also notes that the Scottish budget is dependent on the UK Government. We also know that the financial impact of COVID- 19 will not be confined to the next few months and with Brexit looming the effects of both on the wider economy are going to make the crises in Local Government much worse. This Council therefore pledges its support for UNISON's campaign and supports the Scottish Government and COSLA to lobby the UK Government for an increase in the financial settlement to Scotland to Plug The Gap in Local Government finance in the 2021/22 budget to: · Reward Local Government Workers - Local Government workers have been the hidden heroes of this pandemic. Their invaluable contribution to the Covid response should be recognised and rewarded. Secure the long term financial stability of Local Government – Local Government needs long term stability to protect essential jobs and services for the future. The salami slicing of services needs to stop. Shape Local Government Fit for the Post-Pandemic Future – It is a matter of fact that a number of roles undertaken by local government workers have changed as a result of the pandemic. These need to be recognised and their job evaluation reviewed as a result. Fully Consolidate the Living Wage – Deliver on the existing commitment to fully consolidating the living wage for all local government workers across Scotland as committed to through our last pay deal. Councillor Curran as proposer of the substantive Motion confirmed he was content to accept the amendments as outlined by Councillor Johnstone. Councillor Imrie as seconder of the substantive Motion likewise confirmed his acceptance of the amendments. On a vote being taken by way of a show of hands, 4 votes were cast for the amendment by Councillor Winchester and 9 votes were cast for the Motion

as amended by Councillor Curran.

The Motion as amended by Councillor Curran was approved by 9 votes to 4.

Sederunt: Councillor Hackett re-joined the meeting

8. Reports

Decision

Report No.	Report Title	Report by:
8.1	Edinburgh and South East of Scotland City Deal (ESESCD) Progress Report	Chief Executive
The Chief Executive spoke to the terms of a report which noted the progress made of the City Deal as narrated at a meeting of the Joint Committee on 4 December. She confirmed once received the Minute of the meeting would be circulated to		
Elected Members. Page 7 of 54		

Thereafter, Councillors Curran, Imrie and Alexander expressed their concerns with regard to lack of progress. Councillor Parry enquired about further links for park and ride to ease congestion on the City By-pass and Councillor Imrie confirmed this was being worked on.

Decision

The Council agreed to:-

- (a) note the progress of the City Deal as reported to the ESESCD Joint Committee on 4 December 2020;
- (b) note the work programme indicates the Easter Bush business case will be considered on 5 March 2021 by the Joint Committee and;
- (c) hold a Seminar to update Members on the Easter Bush, A701 and A702 project prior to the business case being considered by the Joint Committee in March 2021

Action

Chief Executive

Report No.	Report Title	Report by:	
8.2	Preparedness for no deal EU Exit	Executive Director Place	
_	port and summary of discussion		
The Chief Officer Place spoke to the terms of a report which highlighted the current status position and preparedness of Midlothian Council for a No Deal EU exit or "Brexit", in the lead up to the end of the transition period on 31 December 2020.			
Thereafter, Councillor Parry expressed concern about the long term risks including the cost and for people who may find they do not have any recourse to public funds. Mr Oliver advised the Brexit Working Group were looking into such issues and suggested further discussion take place at the briefing session for Elected Members planned for early January.			
Decision			
	The Council noted the proposal to hold a briefing session for Elected Members in early January 2021 and agreed to note:-		
 (a) the current position in regard to preparations for the UK leaving the EU at the end of the transition period on 31 December 2020 and; (b) and support the continued work of the Brexit Working Group in identifying risks to Midlothian Council and the management and mitigation of these risks to minimise impacts on service delivery. 			
Action			

Executive Director Place

Report No.	Report Title	Report by:
8.3	Medium Term Financial Strategy	Chief Officer Corporate
	2021-22 and 2022-23	Solutions
summarise balanced to Transform recommen the date of that, depen	Officer Corporate Solutions spoke to the ed the corporate solution developed to su oudgets for 2021/22 and 2022/23 present ation Steering Group on 26 October and ded to Council. He further noted the requ the Council meeting in February from 9 to ndent upon the announcement of the loca be a need for a Special meeting of the loca	pport the achievement of ed to the Business unanimously agreed that it be lest within the report to change to 23 February and advised al government grant settlement,

The Provost, in noting the recommendation from BTSG as contained within the report, advised he wished to reserve the Conservative Group's position in relation to the proposed 4.8% Council Tax increase in light of what may be further relaxations of accounting reforms.

Councillor Parry whilst noting no decision was being taken regarding an increase in Council Tax, expressed concern about the ability to pay an increased Council Tax and suggested any increase may be the difference between residents paying and not paying. She suggested there should be further consultation by way of online engagement with residents. In response, Mr Fairley confirmed there had been significant engagement in developing the Medium Term Financial Strategy approved by Council and also that the budgeted figure for collection is 96.5% and that this is closely monitored. Councillor Hardie commented the area had the highest Band D Council Tax in Scotland and it could be lowered by putting less into reserves.

Decision

The Council noted the terms of the report and agreed:-

- (a) the recommendation of the Business Transformation Steering Group on 26 October 2020 of the 3 strands of the corporate solution for the 2021/22 and 2022/23 budgets and;
- (b) to rearrange the Council meeting scheduled for 9 February 2021 to 23 February 2021 and also rearrange meetings of the Business Transformation Steering Group for the 8 and 22 February 2021 to facilitate finalisation of the 2020/21 budget after publication of the Scottish Government's proposed grant settlement on 28 January 2021.

Action

Chief Officer Corporate Solutions

Sederunt: At 12.58 pm, prior to the following item being discussed, the Provost indicated he wished to propose an amendment to the recommendations contained in the report. He suggested a short adjournment to permit circulation of the amendment by email and time to read it and also for a comfort break.

Councillor Johnstone left the meeting and did not return.

At 1.22 pm the meeting resumed with the same Elected Members (except Councillor Johnstone) present

Report No.	Report Title	Report by:
8.4	Treasury Management Mid-Year Review	Chief Officer Corporate Solutions
Outline of re	port and summary of discussion	
The Provost referred to the amendment circulated by email to Members during the course of the comfort break and advised it sought to delete recommendation marked (d) and replace it with - Agrees to remit the report back to Audit Committee in connection with an examination of the execution of Midlothian Council's Treasury Management policy, to be carried out by our external auditors (Ernst and Young LLP). In the interim the taking of new investment or deposit positions with counterparties (other than the Council's bankers or appropriate UK central Governmental agencies) shall be subject to approval by Council.		
Councillor Imrie moved a further amendment to the report recommendations to add an additional recommendation as follows - (e) agrees to remit the report back to the Audit Committee to facilitate ସିକଡ଼େ କାର୍ମାର୍ଜ୍ସି to of the execution of Midlothian		

Council's Treasury Management policy informed by additional work to be undertaken by our external auditors (Ernst and Young LLP) as part of their wider scope analysis, and; that a Treasury Management briefing session be arranged before the next Audit Committee to which all Elected Members and independent members of Audit Committee be invited. His amendment was seconded by Councillor Hackett.

Councillor Hardie whilst not disagreeing with the terms of the amendment moved by Councillor Imrie, advised a briefing session had been held in 2019. He suggested any new briefing session should include information as to the treasury management practices and activities undertaken by other Councils.

Following further discussion, Members unanimously agreed to approve recommendations (a) to (d) within the report together with the additional recommendation as noted below.

Decision

The Council agreed to:-

- (a) note the report and the treasury activity undertaken in the period to 30 September 2020, as outlined in Section 5;
- (b) note the forecast activity during the second-half of the year as outlined in Section 6;
- (c) note the revisions arising from consideration of the draft report by Audit Committee on 8 December 2020;
- (d) approve the amendments to the Prudential Indicators for the Operational Boundary – Borrowing and Capital Financing Requirement as detailed in Section 7 of this report and;
- (e) remit the report back to the Audit Committee to facilitate an examination of the execution of Midlothian Council's Treasury Management policy informed by additional work to be undertaken by our external auditors (Ernst and Young LLP) as part of their wider scope analysis, and; that a Treasury Management briefing session, to include information as to the treasury management practices and activities undertaken by other Councils, be arranged before the next Audit Committee to which all Elected Members and independent members of Audit Committee be invited.

Chief Officer Corporate Solutions

Report No.	Report Title	Report by:	
8.5	Town Centre Fund Capital Grant 2020 - 2021	Executive Director Place	
Outline of re	eport and summary of discussion		
The Chief Officer Place spoke to the terms of the report which provided information in relation to the recently announced Town Centre Capital Fund of which Midlothian has been allocated £331,000. The report also sought approval for both the governance of the Fund and the mechanism for proposing and approving projects. Following a short discussion, Mr Oliver further confirmed Elected Members would be kept advised of progress.			
The Council:-			
(a) noted the guidelines and ୩୬ନେଟେଥିଲିବ୍ରେ the grant funding;			

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(b)	agreed the process for identifying project proposals and;	
(c)	agreed project proposals will be presented to February Council for final	
	approval.	
Action		
Chief Officer Place		

Sederunt: Prior to the following item, Councillor Winchester declared an interest being a Board member of one of the unsuccessful organisations and left the meeting. Councillor Russell, having previously intimated her intention to declare an interest, also left the meeting.

Report No.	Report Title	Report by:	
8.6	Voluntary Sector Grants 2021 - 2021	Chief Officer Children's	
		Services, Partnerships and	
		Communities	
Outline of re	port and summary of discussion		
The Council heard from the Chief Officer Children's Services, Partnerships and Communities who spoke to the terms of a report which sought approval of voluntary sector grant awards and variations to the administration of the grants programme. She noted the urgent need to address the emerging financial difficulties and the predicted large increase in the unemployment rate for Midlothian residents. She further noted the report sought the remaining allocation from the 2019 - 2022 grants programme of £123,676 be distributed via an additional round of poverty funding for 2021 – 2022. Councillors Parry and Imrie asked for unsuccessful groups to be advised of the reasons for the decision which would allow them to be better informed of the			
first read the poverty fur	process. Councillor Lay-Douglas advised she had had a few queries when she first read the paper but these had been answered by the Chief Officer. She felt the poverty funding process involving 3 Elected Members had worked well and suggested the same Members deal with the planned additional round of poverty		
Decision			
The Counc	il agreed to:-		
(b) a (b) a (c) a i i (c) a (d) a	approve the voluntary sector small grants 2022 as detailed in Appendix 1 of the report approve the remaining provision in the 20 grants programme be allocated by an add or the period 2021-2022 to address the in approve the formation of a grants panel for include representation from elected member Hackett and Lay-Douglas, the community delegate responsibility to the panel to make acknowledge due consideration is given to sector funding beyond 31 st March 2022.	ort; 19-2022 voluntary sector itional round of poverty funding npact of Covid-19; or the poverty funding to pers – Councillors Alexander, and the third sector and ke awards and;	
	er Children's Services, Partnerships and (Communities	

Sederunt: Prior to the following item, Councillors Russell and Winchester returned to the meeting

Report No.	Report Title	Report by:	
8.7	Strategic Housing Investment Plan 2021 - 2026	Executive Director Place	
Outline of re	eport and summary of discussion		
The Council heard from the Executive Director Place who spoke to the terms of a report which summarised the key points set out in Midlothian's Strategic Housing Investment Plan (SHIP) 2021-26 detailing the priorities for investment in new affordable housing.			
Thereafter, Councillor Curran noted the "off the shelf" target of 80 houses and it was often an easier process than the Council undertaking construction. He wondered whether the 484 specialist houses in the SHIP met the requirements for accessible accommodation. Councillor Hardie noted the mix of tenure and wondered whether anything further could be done regarding the provision of low cost homes for purchase. Councillor Parry raised an issue about buy back properties and wondered whether it was possible to do this before repossession is undertaken. The Executive Director responded to the queries raised.			
Decision			
The Council approved the submission of the Strategic Housing Investment Plan to the Scottish Government.			
Action			
Executive	Executive Director Place		

Executive Director Place

Report No.	Report Title	Report by:	
8.8	Chief Social Work Officer Annual	Chief Social Work Officer	
	Report 2019 - 2020		
Outline of re	port and summary of discussion		
The Chief (Officer Social Work Officer spoke to the t	erms of a report which	
outlined the	e statutory work undertaken on the Coun	cil's behalf including an	
overview of	f regulation and inspection, workforce is	sues and significant	
social polic	y themes current over the past year. Sh	e advised she intended	
to amend the	ne report prior to publishing on the websi	te to include reference	
to Brexit im	plications.		
	Ninchester suggested the report should a		
	olence is wrong as opposed to mentionir		
	advised organisations providing support		
	unded and rely on donations. The Chief		
	tistics show the majority of domestic viol	•	
	d children but confirmed all referrals rece		
	ouncillor Hackett wondered whether the	•	
•	a change from the provision of acute services in a hospital environment to		
	care at home had affected the service. Mrs White indicated she would be		
happy to provide further information regarding the integration work being			
done. The Provost thanked and paid tribute to the work undertaken by staff			
in Social Care.			
Decision			
The Council agreed the Chief Social Work Officer's annual report for 2019 – 2020			
and that a copy should be placed on the website.			

Report No.	Report Title	Report by:
8.9	MAPPA Annual Report 2019 - 2020	Chief Social Work Officer
The Chief Social Work Officer spoke to the terms of a report which outlined the Edinburgh, Lothians and Scottish Borders Multi-Agency Public Protection Arrangements (MAPPA) published way by of the 2019-2020 annual report.		
Decision		
The Council considered and noted the terms of the full report for 2019 – 2020 which has been published.		
Action		
Chief Social Work Officer		

Report No.	Report Title	Report by:
8.10	Independent Review of Adult Social Care	Chief Social Work Officer
Outline of rep	ort and summary of discussion	
The Council heard from the Chief Social Work Officer who spoke to the terms of the report which advised an Independent Review of Adult Social Care (IRASC) in Scotland is currently underway.		
Decision		
The Council noted the report and agreed to receive a further update in the New Year once the outcome of the review is known.		
Action		
Chief Social	Chief Social Work Officer	

Report No.	Report Title	Report by:
8.11	Annual Procurement Report 2019 - 2020	Legal Services Manager
Outline of re	eport and summary of discussion	
The Legal Services Manager spoke to the terms of a report which advised on regulated procurements during 2019/20		
contracts r could be d anonymou Audit. Cou suggested businesses clarificatior Turpie adv Members a considered recommen Managers advised of	Cassidy advised he had received reports not being issued in accordance with the po- one about this. Mr Turpie advised any co- sly via the Whistleblowing Policy where re- ncillor Imrie asked about awarding contra- tenders for small batches of work would a s to compete. Councillor Parry noted the n as to the percentage of contracts award rised he did not have this information but w as soon as possible. Mr Turpie also ment d by the Corporate Management Team the ided contracts under £50k be dealt with vi- would look at obtaining 3 quotes from loc- steps being taken to encourage local con Excel Local Framework and referred to the expired contracts. Councillors Curran and	blicies in place and asked what incerns could be raised eports go direct to Internal cts to local businesses and attract and allow local report did not provide ed to local businesses. Mr would circulate it to Elected tioned a report due to be e following day which a Quick Quotes where Service al businesses. He also npanies to sign up to the

procurement approach being taken by the 3 Ayrshire Councils based on the Preston model and suggested one of the Ayrshire Councils could be asked to speak to Midlothian Elected Members by way of a briefing. In response Mr Turpie confirmed he was happy to work with colleagues in Economic Development with a view to looking at the model adopted by the 3 Ayrshire Councils.

Decision

The Council noted the terms of the annual report on regulated procurements during 2019/20 and that it would be published on the website.

Legal Services Manager

Report No.	Report Title	Report by:	
8.12	School Christmas and New Year Holidays 2020	Executive Director Children, Young People and Partnerships	
Outline of re	port and summary of discussion		
The Executive Director Children, Young People and Partnerships spoke to the terms of a report which advised of the Public Health advice in terms of the Covid-19 pandemic as it impacts across consideration of the school holidays for the Christmas 2020 and New Year 2021 period. She noted there would be no change to the published dates for Midlothian's schools. Thereafter, the Provost paid tribute to the work undertaken by school staff. Councillor Lay-Douglas acknowledged the significant work undertaken in terms of track and trace and recognised the constant pressure staff were working under. Councillors Hackett and Alexander were heard in agreement with the comments made.			
Decision			
The Council noted the letter of notification attached to the report from the Deputy First Minister and Cabinet Secretary for Education and Skills, that, based on advice from Public Health, the Scottish Government would not intervene to make changes to the current dates for the school holiday period, which varies across local authorities.			
Action			
Executive	Executive Director Children, Young People and Partnerships		

Sederunt: At 3.23 pm, prior to moving to consideration of the private report, the Provost announced a short comfort break until 3.35 pm. Councillor Hardie intimated he had another commitment and left the meeting.

The Provost concluded the meeting at 3.50 pm, thanked those present for attending and passed on his best wishes for a happy Christmas.



Special Meeting of Midlothian Council

Date	Time	Venue
15 December 2020	3.50 pm	Virtual Meeting via MS Teams

Present:

Provost Smaill (Chair)	Depute Provost Russell
Councillor Alexander	Councillor Cassidy
Councillor Curran	Councillor Hackett
Councillor Imrie	Councillor Lay-Douglas
Councillor McCall	Councillor Parry
Councillor Wallace	Councillor Winchester

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director	Gary Fairley, Chief Officer, Corporate
Children, Young People and	Solutions
Partnerships	
Annette Lang. Strategic Service	Mike Broadway, Democratic Services
Redesign Manager	Officer
Verona MacDonald, Democratic	Alan Turpie, Legal Services
Services Team Leader	Manager/Monitoring Officer

1. Apologies for Absence

Intimation of apologies for absence were made on behalf of Councillors Munro, Milligan, Muirhead, Hardie and Johnstone.

2. Order of Business

As per the agenda circulated.

3. Declarations of interest

None

4. Reports

Report No.	Report Title	Report by:	
4.1	Community Council Complaints Procedure	Legal Services Manager	
The report advised of the proposed inclusion of a Complaints Procedure in the Scheme for Community Councils.			
Decision	Decision		
The Council unanimously agreed to approve the Complaints Procedure for adoption by Midlothian Federation of Community Councils and the 16 individual Community Councils.			
Action			
Strategic S	Strategic Service Redesign Manager		

Report No.	Report Title	Report by:
4.2	Eskbank and Newbattle Community Council and Bonnyrigg and Lasswade Community Council boundary change	Legal Services Manager
Outline of re	port and summary of discussion	
In light of a possible discrepancy identified by Councillor Lay-Douglas regarding the boundary description on the plan attached to the report, the Legal Services Manager advised he wished to withdraw the report. Councillor Imrie moved that the Executive Director Place arrange for the matter to be checked and if necessary revised and delegate authority to the Provost to approve the boundary change, whose decision could thereafter be homologated at a Special meeting of the Council. His Motion was seconded by Councillor Lay- Douglas. With no Member being otherwise minded this became the unanimous decision of the Council.		
Decision		
The Council agreed to request the Executive Director Place to arrange for the description of the boundary and plan to be checked and delegated authority to the Provost to approve the proposed changes to the Eskbank and Newbattle Community Council and Bonnyrigg and Lasswade Community Council boundaries, whose decision will then be homologated at a Special meeting of the Council, necessary in terms of Section 55 of the Local (Government) Scotland Act 1973.		
Action		
	Director Place Page 16 of 54	

Report No.	Report Title	Report by:	
4.3	Poltonhall and District Community Council name change	Legal Services Manager	
The report advised of the proposed name change of Poltonhall and District Community Council to include Hopefield and sought approval for the name change.			
Decision			
The Council unanimously approved the proposed name change of Poltonhall and District Community Council to Poltonhall and Hopefield Community Council.			
Action			
Strategic S	Strategic Service Redesign Manager		

The meeting concluded at 4 pm.



Special Meeting of Midlothian Council

Date	Time	Venue
19 January 2021	11.00 am	Virtual Meeting via MS Teams

Present:

Provost Smaill (Chair)	Depute Provost Russell
Councillor Alexander	Councillor Cassidy
Councillor Curran	Councillor Hackett
Councillor Hardie	Councillor Imrie
Councillor Johnstone	Councillor Lay-Douglas
Councillor Munro	Councillor Milligan
Councillor Muirhead	Councillor McCall
Councillor Parry	Councillor Wallace
Councillor Winchester	

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place	
Fiona Robertson, Executive Director	Morag Barrow, Joint Director Health and	
Children, Young People and	Social Care (from 11.15 am)	
Partnerships		
Mike Broadway, Democratic Services	Suzanne Ross, Principal Solicitor/Depute	
Officer	Monitoring Officer	
Verona MacDonald, Democratic	Alan Turpie, Legal Services	
Services Team Leader	Manager/Monitoring Officer	

Also Present:

Mrs E. Morton, Religious Representative to the Cabinet (from 11.08 am)

1. Apologies for Absence

Intimation of apologies for absence were made on behalf of Councillor Baird and Mr V. Bourne, Religious Representative to the Cabinet.

2. Order of Business

As per the agenda circulated.

3. Declarations of interest

None

4. Minute

None

5. Report

Depart Na	Depart Title	Demost hu		
Report No. 5.1	Report Title Glencorse Primary School	Report by: Executive Director Children,		
5.1	Geneorse Frinary School	Young People and Partnerships		
		roung reopie and ratherships		
August 202 the propos School and	The Executive Director Children, Young People and Partnerships noted that in August 2020, the Council authorised a statutory consultation to be undertaken on the proposal to permanently discontinue primary education at Glencorse Primary School and to extend the catchment areas of the neighbouring schools to include the Glencorse catchment area.			
statutory constant				
discontinue from 25 Ju	detailed that in the event that the C e primary education at Glencorse P ne 2021. It was also noted that any sion and outcome of the Scottish M	rimary School, this would take effect such decision would be subject to		
and as you pandemic,	Councillor Parry advised the children attending the school do not want it to close and as young people have been disproportionately affected by the Covid pandemic, it was not right to close the school at this time. She suggested the process was unfair with little engagement by the public because of the pandemic.			
Education Members I by Council to mothbal	llor Parry and further drew attention	keep the Cross Party Elected He questioned the advice offered to the attempt made by the Council to by parents of pupils attending. He		
recommen spoke in fa additional	ntributions were made by Councillo idations of the report and; Councillo avour of the recommendations with information as to the history of the and previous considerations of m	ors Lay-Douglas and Imrie, who both Councillor Imrie also providing school, the catchment area,		

Thereafter, Councillor Muirhead, seconded by Councillor Lay-Douglas, moved the recommendations contained in the report. By way of an amendment, Councillor Parry, seconded by Councillor McCall, moved against the recommendations. Further, Councillor Parry, seconded by Councillor McCall, asked for the Minute to include a Roll Call of the decision taken. In terms of Standing Order 11.5, the Democratic Services Team Leader advised that to have a Roll Call vote, a minimum of 1/3 of the Members present (that being 5 Members) had to vote for this. The Provost having noted 10 Members were in favour of having a vote by Roll Call, called for the vote, the outcome of which was as follows:-

Councillor	For the	Against the	Abstain
	recommendations		
	of the report	of the report	
Councillor Alexander			
Councillor Cassidy			
Councillor Curran			
Councillor Hackett			
Councillor Hardie		\checkmark	
Councillor Imrie			
Councillor Johnstone			
Councillor Lay-Douglas			
Councillor McCall			
Councillor Milligan			
Councillor Muirhead			
Councillor Munro		\checkmark	
Councillor Parry		\checkmark	
Councillor Russell			
Councillor Smaill			
Councillor Wallace			
Councillor Winchester	\checkmark		
TOTAL	12	4	1
Decision			

- (a) the provision of primary education at Glencorse Primary School be discontinued:
- (b) the catchment areas of Mauricewood and Roslin Primary Schools be extended to include the Glencorse catchment area;
- (c) remaining pupils to have the choice of attending Mauricewood or Roslin Primary Schools, the nominated school to be considered the pupil's catchment school;
- (d) children residing in the Glencorse catchment area who in the future become of primary school age to be given the choice of attending Mauricewood or Roslin Primary Schools, and the nominated school to be considered their catchment school and;
- (e) school transport to be provided for all children affected, where there is no safe walking route to school and/or the distance from home to school is more than 2 miles.

Action

Executive Director Children, Young People and Partnerships

Minute of Meeting



Audit Committee

Date	Time	Venue
Monday 12 October 2020	2.00 pm	Virtual Meeting by MS Teams

Present:

Mike Ramsay (Independent Chair)		
Councillor Cassidy		
Councillor Hardie		
Councillor Milligan		
Councillor Muirhead		
Councillor Parry		
Councillor Smaill		

In attendance:

Chief Executive
Executive Director Place
Executive Director Children, Young People and Partnerships
Chief Officer Corporate Solutions
Chief Internal Auditor
External Auditor, E.Y.
External Auditor, E.Y.
Service Manager, Waste, Risk and Resilience
Depute Monitoring Officer
Accountant
Democratic Services Officer

1. Welcome and Apology

The Chair, Mike Ramsay welcomed everyone to the meeting. An apology for absence was intimated on behalf of the Independent Member, Mr P de Vink.

2. Order of Business

It was noted the order of business was as per the agenda circulated.

3. Declarations of interest

No declarations of interest were received.

4. Minutes of Previous Meetings

- 4.1 The Minute of the meeting of 18 August 2020 was submitted and approved as a correct record having been proposed by Councillor Muirhead, seconded by Councillor Hardie.
- 4.2 The Action log was submitted and having received updates on various action points detailed therein, the Committee agreed as follows:-
 - (i) 'Internal Audit Work': that in the absence of the Legal Manager the update on expired contracts be continued to the 8 December 2020 meeting.
 - (ii) 'Unaudited Accounts': that clarification on any outstanding matters could be either picked up as part of today's discussions or raised separately with Officers.

5. Public Reports

Report No.	Report Title	Presented by:
5.1	External Audit Annual Audit Report 2019 - 2020	External Auditors
Outline of report and summary of discussion		
Stephen Reid and Grace Scanlin, on behalf of External Auditors, EY presented the draft Annual Audit Report to Members and the Controller of Audit for the Financial Year ended 31 March 2020.		
The report advised, inter alia, that the external auditors intended to issue an unqualified opinion on the financial statements for the financial year ended 31		

unqualified opinion on the financial statements for the financial year ended 31 March 2020. In addition, the report provided detailed information on: Financial management; Financial sustainability; Governance and Transparency; and Value for Money.

Having heard from the External Auditors who responded to Members questions and comments, the Committee discussed a number of issues arising therefrom, in particular the full impact and financial flexibilities available likely to made available to Councils as a result of the global Coronavirus pandemic; valuation of, and the risks associated with, the Council's shareholding in Lothian Buses; valuation of the Millerhill recycling plant; and issues relating to procurement.

Members in welcoming the terms of the report, remarked on the benefits arising from the joint working which was evident across the Council, but emphasised the continuing need for the Council to build on and ensure that it sustain the undoubted progress which was being made.

After further discussion, the Independent Chair thanked Mr Reid and Ms Scanlin for their presentation and the work undertaken by EY on behalf of the Council.

Decision

The Audit Committee agreed –

- (a) To note and approve the Annual Audit Report;
- (b) To record the Committee's appreciation of the work undertaken by the Finance Team in assisting the External Auditors in the preparation of the report;
- (c) To record the Committee's thanks to EY

Action EY

Report No.	Report Title	Presented by:
5.2	Financial Statements for the year ended 2019/2020	Chief Officer Corporate Solutions
Outline of re	port and summary of discussion	
The purpose of this report dated 5 October 2020 was to present the Council's audited Financial Statements for 2019/2020 to the Committee and to provide a brief overview of the changes made during the audit process. The Council submitted its unaudited annual accounts to the external auditor by the required date of 30th June 2020 and they were examined in detail at a special Audit Committee on Monday 18 August 2020.		
Thereafter, having heard the Chief Executive and the Chief Officer Corporate Solutions who responded to Member's questions and comments, the Committee discussed the Council's Transformation programme, noting that governance for this lay with the BTSG and full Council, albeit the Committee would be sighted on it through the quarterly financial monitoring reports and other internal audit reports.		
Decision		
The Committee approved the 2019/2020 Accounts for signature having regard to the appointed Auditor's report for 2019/20.		

Action

Chief Officer Corporate Solutions/Financial Services Manager

Report No.	eport No. Report Title Presented by:	
5.3 Internal Audit Work to August 2020 Chief Inte		Chief Internal Auditor
Outline of re	port and summary of discussion	
There was submitted a report, dated 3 September 2020, by the Chief Internal Auditor providing details of the recent work carried out by Internal Audit and the findings and recommended audit actions agreed by Management to improve internal controls and governance arrangements.		
The Chief Internal Auditor outlined the main sections contained within the report and responded to questions and comments raised by Members, in particular those relating to ICT, in view of the increased reliance on digital systems as a result of		

the Coronavirus pandemic, and also some of the accounting implications arising from the implementation of the new Leisure Management Booking System.

Decision

The Committee:-

- (a) noted the three final assurance reports associated with the delivery of the approved Internal Audit Annual Plan 2019/20 that had been pending during the Covid-19 emergency response;
- (b) noted the Internal Audit Assurance Work in Progress and Internal Audit and Other Work 2020/21 carried out in accordance with the approved Internal Audit Charter; and
- (c) acknowledged the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work.

Action

Chief Internal Auditor

Report No.	Report Title	Presented by:
5.4 Internal Audit Follow-up of Completed Recommendations		Chief Internal Auditor
Outline of report and summary of discussion		
The purpose of this report, dated 9 September 2020, by the Chief Internal Auditor was to provide an update to the Committee on the results of the Internal Audit Recommendation Follow-up Review which included a sample check on the adequacy of new internal controls for audit actions flagged as closed.		

The report explained that the objective of this follow-up audit was to review a sample of Internal Audit recommendations that had been signed off by Management as complete during the period 1 April 2019 and 31 March 2020 to assess the evidence that recommendations had been implemented satisfactorily and to ensure that the new controls had had the desired effect on improving internal control and governance, and reducing risk. Of the sample of 36 audit recommendations tested, 28 (78%) were found to have been completed satisfactorily, 7 (19%) were identified as partially satisfactory requiring further work and 1 (3%) was not completed. Follow-up discussions had been undertaken with

the action owners to highlight what was required to ensure the remaining elements of the audit actions were fully completed or a sustained control was established.

Decision

The Committee, having heard from the Chief Internal Auditor:-

- (a) noted the results of the spot check on Internal Audit recommendations marked as completed by management in the period April 2019 to March 2020 to improve internal controls and governance, and mitigate risks; and
- (b) were satisfied having considered the progress made that no further action was required, at this time.

Action

Chief Internal Auditor

Report No.	Report Title	Presented by:
5.5	Risk Management Update for 1 January to 30 June 2020	Service Manager, Waste, Risk and Resilience
Outline of report and summary of discussion		

The Risk Manager presented a report dated 28 September 2020 providing the Audit Committee with the 2019/20 quarter 4 and 2020/21 quarter 1 strategic risk management update, covering the period 1 January 2020 to 30 June 2020. The Audit Committee had previously requested regular reports on the Council's Strategic Risks. The Strategic Risk Profile sought to provide a strategic look at the current issues and future risks and opportunities facing the Council.

The Risk Manager highlighted the main sections contained within the report and thereafter responded to questions and comments raised by Members of the Committee.

Decision The Committee, having considered the current response to the issues, risks and opportunities, noted the quarter 4 2019/20 and quarter 1 2020/21 Strategic Risk Profile report.

Action

Service Manager, Waste, Risk and Resilience

Report No.	Report Title	Presented by:	
5.6	Audit Scotland Report "Local Government in Chief Executive Scotland: Overview 2020"		
Outline of report and summary of discussion			
The purpose of this report, dated 1 September 2020, by the Chief Executive was to provide a summary of the Audit Scotland report, "Local Government in Scotland:			

Overview 2020" and the Council's position in relation to the recommendations contained therein.

The report explained that whilst the Audit Scotland report had been produced prior to the pandemic, it nonetheless contained important messages which should be helpful as part of the recovery out of the crisis which emphasised the essential importance of effective leadership, good governance and good financial management for all Councils.

Decision

The Committee, having heard from the Chief Executive and Chief Internal Auditor, noted the Audit Scotland report and the Council's positions in relation to the report's recommendations.

Action

Chief Executive

Repo	rt No.	Report Title	Presented by:
5.7		Audit Scotland Counter Fraud Reports Chief Internal Auditor	
Outli	ne of re	port and summary of discussion	
The purpose of this report, dated 3 September 2020, was to draw to the Committee's attention the recently published counter fraud reports by Audit Scotland and the management actions required in response for improvement and assurance purposes.			
Decis	ion		
The	The Committee, having heard from the Chief Internal Auditor,		
(a)	 acknowledged the Audit Scotland counter fraud reports published in recent months; 		
(b)) requested the Integrity Group of officers consider all 3 reports as part of their counter fraud role and responsibilities; and		
(c)	 requested the Integrity Group carry out an assessment of counter fraud controls associated with the Covid-19-emerging-fraud-risks and report back to the Committee on findings and necessary actions. 		
Action			
Chief Internal Auditor			
		Demonto	

6. Private Reports

No private reports were submitted.

7. Date of Next Meeting

The next meeting will be held on Tuesday 8 December 2020 at 11 am

The meeting terminated at 3.53 pm

Minute of Meeting



Planning Committee

Date	Time	Venue
Tuesday 24 November 2020	1.00 pm	Via MS Teams

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Milligan	Councillor Munro
Councillor Parry	Councillor Russell
Councillor Smaill	Councillor Winchester

In Attendance:

Peter Arnsdorf	Planning Manager	
Alan Turpie	Legal Services Manager	
Sandra Banks	Resource Manager - LES	
Lindsay Thomson	Commercial Solicitor	
Jim Gilfillan	Consultant Policy & Planning	
Mike Broadway	Democratic Services Officer	

1. Apologies

Apologies for absence were intimated on behalf of Councillors Baird, Johnstone, Lay-Douglas, McCall, Muirhead and Wallace

2. Order of Business

The order of business was as outlined in the agenda which had been previously circulated.

The Chair advised that with regards Item no 5.2 (Land at Newton Farm) on today's agenda he had received a request to continue this item in order that negotiations regarding infrastructure issues relating to this and the adjoining Wellington Farm site could be concluded. With the Committee's agreement he was therefore minded to propose a continuation of this item to the next meeting, which was agreed by the Committee.

3. Declarations of interest

No declarations of interest were intimated at this stage of the proceedings.

Councillor Smaill did however indicate for the record that he would have declared an interest in Item 5.2 (Land at Newton Farm) as the owner of the adjoining Wellington Farm site was a former Conservative Party election candidate.

4. Minutes of Previous Meetings

The Minute of Meeting of 13 October 2020 was submitted and approved as a correct record.

5. Reports

Agenda No	Report Title Presented by:		
5.1	Roslin Conservation Area Character Appraisal and Management Plan/Mavisbank Conservation Area Character Appraisal and Management Plan	Peter Arnsdorf	
Outline of re	port and summary of discussion		
There was submitted a report dated 13 November 2020 by the Chief Officer Place seeking agreement to undertake a formal consultation on; the draft 'Conservation Area Character Appraisal and Management Plan' for the Roslin Conservation Area, attached to the report as Appendix A; and separately the draft 'Conservation Area Character Appraisal and Management Plan' for the Mavisbank Conservation Area, attached to the report as Appendix B.			
The report advised that Conservation Areas are areas of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve and enhance. Conservation area appraisals are a non-statutory form of			

planning guidance recommended as part of the ongoing management of conservation areas. The Roslin Conservation Area was designated in 1972 and covers a small part of the village, Rosslyn Chapel and its setting and Roslin Glen.

The Mavisbank Conservation Area was designated in 1977 and enlarged in 1992 and 2014 and covers Mavisbank House and its grounds, Polton (including the village, Polton Bank and Polton Road), Wadingburn Road and the southern slope of the North Esk Valley in this area.

Decision

The Committee, having heard from the Planning Manager, who was commended on the quality of both documents, agreed to:

- (a) approve the draft Roslin Conservation Area Character Appraisal and Management Plan and the draft Mavisbank Conservation Area Character Appraisal and Management Plan for consultation and;
- (b) authorise the Planning Manager to make any necessary minor editing and design changes to the draft Conservation Area Character Appraisal and Management Plans prior to publication.

Action

Planning Manager

Agenda No	la No Report Title Presented by:		
5.3	Application for Planning Permission for the erection of building for class 4, 5 and 6 uses: Formation of car parking and associated works at Poltonhall Industrial Estate, Polton Road, Lasswade (20/00491/DPP)	Peter Arnsdorf	
Outline of re	port and summary of discussion		
regarding the representation of the represen	submitted report, dated 13 November 2020 by the Chief he above application. The report noted the application ha tions from 12 different households and consultation resp ater, Poltonhall and Hopefield Community Council and; the Road Safety Manager.	ad attracted 14 onses from	
Having heard from the Planning Manager, who responded to Members' questions and comments, the Committee in considering the application, discussed issues relating to parking and access, both of which were a major source of complaints to the local Members. The availability of existing industrial units of a similar size to the one being proposed elsewhere in Midlothian was also considered.			
After further discussion, Councillor Milligan, seconded by Councillor Alexander, moved that in light of the concerns regarding the potentially detrimental impact on car parking, which was already an issue in the area, and also the potentially adverse effect from additional vehicular traffic on the adjoining road network that planning permission be refused.			
As an amendment, Councillor Smaill, seconded by Councillor Cassidy, moved that planning permission be granted for the reasons, and subject to the conditions, detailed in the Chief Officer Place's report.			
	Thereafter, on a vote being taken, four Members voted for the motion and seven for the amendment, which accordingly became the decision of the meeting.		

Decision

The Committee agreed to grant planning permission for the following reason:

The application site is situated on an industrial estate that forms part of the Council's established economic land supply. The scale and use of the building is compatible with the surrounding industrial estate and with residential properties in the area. The proposal complies with policies STRAT1, DEV2, ECON1 and ENV19 of the Midlothian Local Development Plan 2017.

subject to the conditions as detailed in the Chief Officer Place's report

Action

Planning Manager

Sederunt

Councillor Hardie left the meeting during consideration of the foregoing item of business and did not return.

Agenda No	Report Title	Presented by:
5.4	Application for Planning Permission (20/000089/DPP) for the Erection of 395 Dwellings, Formation of Access Roads and Parking, Sustainable Urban Drainage System and Associated Works and the Safeguarding of Land for an Education Use at Land East of Auchendinny, Penicuik	Peter Arnsdorf

Outline of report and summary of discussion

There was submitted report dated 13 November 2020 by the Chief Officer Place regarding the above application. The report noted the application had attracted 35 representations and consultation responses from the Coal Authority, Historic Environment Scotland, Nature Scot, Scottish Environment Protection Agency (SEPA), Scottish Water, the Council's Archaeology Advisor, the Council's Environmental Health Manager, the Council's Education Resources Manager, the Council's Policy and Road Safety Manager, the Council's Land Resources Manager, the Council's Housing Planning and Performance Manager and the Roslin and Bilston Community Council.

The Committee, having heard from the Planning Manager, who responded to Members' questions and comments, discussed issues relating to education provision and sustainable travel options, it being pointed out that there was no longer a bus service directly serving Auchendinny. Whilst the safeguarding of land for education as part of the development was welcomed, the fact that how the education provision was to be met still had to be determined, led some Members to the view that the application should similarly not be determined until such time as this issue had been resolved. It was however emphasised that this was an allocated housing site which had been included in the MLDP on the basis that this was how such provision would be met. The need to provide clarity to both existing and future residents alike on this issue was generally accepted and it is was agreed to recommend to Council that it confirm its intentions for the site as quickly as possible. After further discussion, Councillor Parry, seconded by Councillor Cassidy, moved that in light of the lack of clarity regarding education provision, and also given the limited sustainable travel options, in particular the absence of public transport directly serving the area, that planning permission be refused.

As an amendment, Councillor Imrie, seconded by Councillor Smaill, moved that planning permission be granted for the reasons, and subject to the conditions, detailed in the Chief Officer Place's report.

Thereafter, on a vote being taken, five Members voted for the motion and six for the amendment, which accordingly became the decision of the meeting.

Decision

The Committee agreed to grant planning permission for the following reason:

The vast majority of the site is allocated for housing and forms part of the Council's committed housing land supply within the Midlothian Local Development Plan 2017 where there is a presumption in favour of residential development. The remainder of the site is located within the Countryside where the complementary recreational development proposed (multi user cycle path) is of a scale and nature appropriate to the character of this area. This presumption in favour of development is not outweighed by any other material considerations.

subject to:

- (a). the completion of a planning obligation to secure the provision of;
 - 25% affordable housing on site;
 - The reservation (for a period of up to one year from the commencement of development of the site) of land within the site capable of providing a two stream primary school and its ancillary requirements;
 - A financial contribution towards additional primary education capacity;
 - A financial contribution towards additional secondary education capacity;
 - A financial contribution towards the A701 Relief Road and A702 Link Road;
 - A financial contribution towards off site play open space improvements; and
 - Long term future maintenance arrangements for communal open spaces within the site.
- (b). The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.
- (c). the conditions as detailed in the Chief Officer Place's report.

In addition, the Committee agreed to seek early resolution of issues relating to education provision and to recommend to Council that it confirm its intentions for the safeguarded site as quickly as possible.

Action

Planning Manager

6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting will be held on Tuesday 12 January 2021.

The meeting terminated at 1.45 pm.



Meeting	Date	Time	Venue
MIJB Minute	Thursday 8 October 2020	2.00pm	Virtual Meeting held using Microsoft Teams.

Present (voting members):				
Carolyn Hirst (Vice Chair)	Mike Ash	Tricia Donald		
Angus McCann	Cllr Derek Milligan	Cllr Jim Muirhead		
Cllr Pauline Winchester				

Present (non-voting members):			
Morag Barrow (Chief Officer)	Alison White (Chief Social Work Officer)	Claire Flanagan (Chief Finance Officer)	
Caroline Myles (Chief Nurse)	Johanne Simpson (Medical Practitioner)	Hamish Reid (GP/Clinical Director)	
Wanda Fairgrieve (Staff side representative)	James Hill (Staff side representative)	/e) Keith Chapman (User/Carer)	
Ewan Aitken (Third Sector)			

In attendance:		
Grace Cowan (Head of Primary Care and	Mairi Simpson (Integration Manager)	Jacquie Campbell (Chief Officer, Acute
Older Peoples Services)		Services)
Jenny Long (Programme Director for	Leah Friedman (Operational Business	Jordan Simpson (Staff side representative,
Unscheduled Care)	Manager)	NHS Lothian)
Val Holtom (Care Inspectorate)	Mike Broadway (Clerk)	

Apologies:		
Cllr Catherine Johnstone (Chair)	Fiona Huffer (Head of Dietetics)	Jill Stacey (Chief Internal Auditor)

1. Welcome and introductions

The Vice Chair, Carolyn Hirst, welcomed everyone to this virtual Meeting of the Midlothian Integration Joint Board.

2. Order of Business

The order of business was confirmed as outlined in the agenda that had been previously circulated.

3. Declarations of interest

No declarations of interest were received.

4. Minute of previous Meetings

- 4.1 The Minutes of the undernoted Meetings of the Midlothian Integration Joint Board were submitted and approved as correct records:
 - (a) MIJB held on 27 August 2020 subject to the addition of Lesley Kelly (MVA) to the list of those attending; correction of Jamie Megaw's name in the body of the minute and clarification that the Lord Advocate's review related to Care Homes; and
 - (b) Special MIJB held on 10 September 2020.
- 4.2 The Minutes of Meeting of the MIJB Audit and Risk Committee held on 3 March 2020 were submitted and noted.

5. Public Reports

		Completed/Comments	
5.1 Remobilisation of Acute Out-patients Services – Presentation To thank Jacquie for her extremely helpfu Jacquie Campbell, Chief Officer, Acute Services To thank Jacquie for her extremely helpfu Jacquie Campbell, Chief Officer, Acute Services Development Workshop session. provided a presentation on the Remobilisation of Development Workshop session. Acute Out-patients Services in which she highlighted Page 36 of 54	is would	Ongoing	
Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
--	---	--------------------------------	----------------------------------
Covid-19 pandemic, and how following an initial drop demand for services was beginning to increasing again. Although not back to pre-Covid levels, the rise in demand was in itself bring additional pressures as a result of services having to operate with often reduced capacity due to having to observe strict social distancing measures. Jacquie then outlined the steps being proposed by NHS Lothian to address this and highlighted possible ways in which Midlothian IJB might assist in this process.			
There then followed a general discussion during which Morag Barrow in making reference to plans for a 'Near Me' service operating out of the old Bonnyrigg medical practice, confirmed that H&SC would be happy to explore possible options. Whilst the use of new technology was broadly welcomed, concerns were expressed that it might exclude those not comfortably using technology or who did not have access to it. It was also pointed out that it needed to be made clear when services were being offered in this manner how patients accessed them and also the supports available should they be required. It was at an early stage and how both the IJB and the Council fed into the consultation process would be a matter for further discussion.			
5.2 Chief Officers Report This report provided a summary of the key service pressures and service developments which had occurred during the previous months across health	 (a) To note and welcome the development of new Equality Outcomes for 2021-2025 and also a draft Performance Framework; (b) To note that the outcome of the unannounced 	Chief Officer Chief Officer	

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
 and social care, highlighting in particular a number of the key activities, as well as looking ahead at future developments. The Board in considering the Chief Officer's report made particular reference to the need to ensure that in developing new Equalities Outcomes they fed into the both the emerging Performance Framework and going forward the Directions. In addition, it was suggested that there should be a role for the Audit and Risk Committee in taking this forward which also required to be explored. The Board also noted that initial feedback received following an unannounced Healthcare Improvement Scotland inspection visit to Midlothian Community Hospital had been encouraging and discussed the challenges associated with the recommissioning works, in particular how new services would be procured and the opportunities for partners to be involved in that process. 	Healthcare Improvement Scotland inspection visit to Midlothian Community Hospital would be presented to the Board upon receipt of the formal feedback; and(c) To otherwise note the content of the Chief Officer's Report.		
5.3 Midlothian IJB Directions 2020 With reference to paragraph 4.3 of the Minutes of 16 April 2020, there was submitted a report the purpose of which was to set out for the Board consideration proposals from the Midlothian Strategic Planning Group to refresh the Directions that reflected changes to timeframes and/or plans since April 2020. The report explained that the Directions had been issued to Midlothian Council and NHS Lothian at a time when both organisations were managing responses to the COVID-19 pandemic, which had	onwards.	Chief Officer/ Integration Manager	

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
caused significant disruption to services; health, social care and community based services. It had also influenced expectations and priorities, at least in the short term. As the Directions identified key changes that need to be progressed to support the delivery of health and care services in Midlothian, aligned to the Strategic Commissioning Plan 2019- 22, it was considered appropriate that they be reviewed and where feasible amended to reflect changed ambitions or timeframes.			
Mairi Simpson was heard in amplification of the report after which there was a general discussion during which consideration was given to how to link actions arising from the Directions into the Performance Framework, the involvement of partners, particularly those in the third sector in the Directions and the potential need for a further review depending on future developments as a result of the ongoing COVID-19 pandemic.			
5.4 Community Justice Annual Report	(a) To note the report; and		
The purpose of this report was to update the Board on activity carried out by the Community Justice Partnership in Midlothian during 2019/20.	(b) To note that details of the Trauma Informed Workshops (Level 1) would be circulated to Board Members.	Chief Social Work Officer/ Clerk	
The report explained that the Community Justice (Scotland) Act 2016 placed a duty on local community justice statutory partners to produce a Community Justice Outcome Improvement Plan (CJOIP) which outlined key local needs and priorities and the plans and actions to address these. Beyond			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
this, partners were also tasked with reporting on an an annual basis to Community Justice Scotland.			
Alison White was heard in amplification of the report making particular reference to items of interest to the Board, which included resumption of the Trauma Informed Training.			
5.5 Midlothian Health & Social Care Partnership Winter Plan 2020/21	(a) To note the update on the Winter Plan 2020/21; and	All to note	
The purpose of this report was to provide the Board with an update on Midlothian Health & Social Care Partnership's Winter Plan 2020/21 and outline plans in coping with increased pressure through effective forward planning and the provision of additional capacity in key services.	(b) To approve the approach to winter planning.		
The report outlined the work being undertaken locally to prepare for winter pressures, explaining that the overarching Winter Plan was joined up to cover a wide range of areas – reducing length of stay for people in hospital once medically fit, preventing avoidable admissions, increasing service capacity, gritting priority areas, implementing the flu programme, and resilience planning for severe weather, ongoing COVID-19 and potential local lockdowns, and staff absences. There was also an ongoing focus on supporting staff wellbeing and a winter communications plan both for staff and the public.			
Leah Friedman was heard in amplification of the report following which there was a general			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
discussion regarding the importance of a whole systems co-ordinated approach with a single point of contact involving the use of volunteers and input from third sector partners. It was also felt that it would be helpful to acknowledge other factors which might impact on the Plan such as Brexit.			
 5.6 Care for People Group During Lockdown The purpose of this report was to introduce the Midlothian's Care for People Report on the Response to Lockdown which detailed the actions taken by the Council's 'Care for People' Group during lockdown; a copy of which was appended to the report. The report explained that given the nature of the pandemic emergency, the high level of public interest and the extensive range of interventions undertaken, it is considered important that Board Members were fully briefed, particularly given the possibility of a second wave of Covid-19. Having heard from Alison White in amplification of the report, the Board discussed the role of resilience groups in providing a link to communities and how this might be grown to ensure it was fit for purpose, and also the role and use of volunteers, which had been complicated somewhat by a highly success 	To note the report outlining the activities and services coordinated by the 'Care for People' Group during lockdown.		
national campaign, giving rise to a higher than anticipated capacity that it had sometime proven difficult to fully utilise.			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
 5.7 Clinical and Care Governance Report The purpose of this report was to provide assurance to the Board as to the clinical and care governance arrangements within Midlothian, along with highlight good practice and identify any emerging issues or risks. Additional reports would be submitted as appropriate throughout the year to provide updated information from specific service areas. Appended to this report was a copy of the Healthcare Governance Committee Annual Report – Midlothian HSCP. Carolyn Myles was heard in amplification of the report after which there was a general discussion on this matter. Issues around carers being unable to visit those in care homes were acknowledged, it being accepted that whilst there were no easy answers there was a perception of inequality that would benefit from being addressed if possible. 	To note and approve the content of the report.	All to note	
5.8 IJB Improvement Goal Progress With reference to paragraph 5.4 of the Minutes of 14 February 2019, there was submitted a report updating the Board on performance and improvement towards achieving the Local Improvement Goals set by the MIJB based on the indicators recommended by the Ministerial Strategic Group for Health and Community Care. The improvement goals focused on reducing unscheduled hospital and institutional care using	 (a) To note the performance across the indicators; (b) To note that in spite of the impact of the Covid- 19 pandemic many of the Improvement Indicators goals had be achieved during 2020; (c) Note that the Improvement Indicators use data provided by Public Health Scotland with a lag time of three months, so further information was included showing hospital activity for Midlothian residents up to the week beginning 7 Sept. 	All to note.	

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
data provided by the Health and Social Care team at ISD Scotland.			
Morag Barrow was heard in amplification of the report after which there was a general discussion on this matter.			
5.9 Finance Update – Quarter 1 2020/21	(a) Noted the quarter one financial reviews	Chief Finance	
This report set out the results of the MIJB's partner's (Midlothian Council and NHS Lothian) quarter one financial reviews and considered how this impacted on the projected financial position for the IJB for 2020/21.	undertaken by partners; and (b) Noted the impact COVID has had on the IJB financial position.	Officer	
The report advised that understanding the financial position for the IJB was not straightforward as in addition to understanding the results and the financial impact of COVID-19, both in terms of the impact of the actual costs incurred to date, as well as the implications for the remainder of the financial year, the extent to which costs could be recovered from the Scottish Government through the mobilisation/remobilisation planning processes further complicated the picture.			
Claire Flanagan was heard in amplification of the report after which there was a general discussion during which Morag Barrow highlighted that in terms of normal core spend the IJB was looking at a balanced budget.			

6. **Private Reports**

Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Board agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 11 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

6.1 Redesign of Urgent Care – Implementing the National Model in Lothian – Noted

7. Any other business

The Board, having noted that this would be Ewan Aitken's last meeting as Third Sector representative, joined the Chair in expressing their thanks to Ewan for all his hard work in support of the Midlothian Integration Joint Board over the years.

8. Date of next meeting

The next meetings of the Midlothian Integration Joint Board would be held on:

- Thursday 12 November 2020 2pm Development Workshop
- Thursday 10 December 2020 2pm Midlothian Integration Joint Board

(Action: All Members to Note)

The meeting terminated at 4.31 pm.



Meeting	Date	Time	Venue
Midlothian Integration Joint Board	Thursday 10 December 2020	2.00pm	Virtual Meeting held using Microsoft Teams.

Present (voting members):		
Cllr Catherine Johnstone (Chair)	Carolyn Hirst (Vice Chair)	Cllr Stephen Curran
Cllr Russell Imrie	Angus McCann	Cllr Pauline Winchester

Present (non-voting members):		
Morag Barrow (Chief Officer)	Alison White (Chief Social Work Officer)	Claire Flanagan (Chief Finance Officer)
Fiona Huffer (Head of Dietetics)	Hamish Reid (GP/Clinical Director)	Wanda Fairgrieve (Staff side representative)
James Hill (Staff side representative)	Keith Chapman (User/Carer)	

In attendance:		
Jill Stacey (Chief Internal Auditor)	Mairi Simpson (Integration Manager)	Jamie Megaw
Roxanne KIng	Gordon Fender	Mike Broadway (Clerk)

Apologies:		
Mike Ash	Tricia Donald	Cllr Derek Milligan
Cllr Jim Muirhead	Caroline Myles (Chief Nurse)	Johanne Simpson (Medical Practitioner)

Thursday 10 December 2020

1. Welcome and Introductions

The Vice Chair, Carolyn Hirst, welcomed everyone to this virtual Meeting of the Midlothian Integration Joint Board, explaining that she had been invited by the Chair, Councillor Catherine Johnstone to chair today's meeting. She extended a particularly warm welcome to Councillors Russell Imrie and Stephen Curran, who were substituting for Derek Milligan and Jim Muirhead respectively, and to local democracy reporter, Marie Sharp, who was also in attendance.

2. Order of Business

The order of business was confirmed as outlined in the agenda that had been previously circulated.

3. Declarations of Interest

No declarations of interest were received.

4. Minute of Previous Meetings

- 4.1 The Minutes of Meeting of the Midlothian Integration Joint Board held on 8 October 2020 were submitted and approved as a correct record.
- 4.2 The Minutes of Meeting of the MIJB Audit and Risk Committee held on 13 September 2020 were submitted and noted.
- 4.3 The Minutes of Meetings of the MIJB Strategic Planning Group held on 18 August and 28 October 2020 were submitted and noted.
- 5. Public Reports

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
5.1 Midlothian Response to Delayed Discharges – Presentation	To thank Alison for her extremely helpful and informative presentation.		
Alison White, Chief Social Work Officer and Head of Adult and Social Care provided a presentation on Midlothian's Response to Delayed Discharges in which she highlighted that the need to ensure that no			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
one was unnecessarily admitted to an acute hospital bed or stayed in an acute hospital setting longer than necessary had been amplified by Covid-19, winter and Brexit. However, the solution to reducing delays was a complex one and in order to be able to put in place measures that truly address the problem, reduced delays and improved flow through the system, we must first understand the system and its processes, identify sticking points, reduce waste, streamline and reduce duplication. Alison then went on to outline some of the steps being taken to address these issues and highlighted possible ways in which MIJB might assist in supporting this work.			
There then followed a general discussion during which the need for a more holistic approach and better joint working across and between services was acknowledged. Whilst all the steps being taken were considered important, the introduction and development of a single point of access was particularly welcomed as an important step forward.			

item of business (14:50).

5.2 Chief Officers Report	To note the content of the Chief Officer's Report.	
This report provided a summary of the key service pressures and service developments which had occurred during the previous months across health and social care, highlighting in particular a number of the key activities, as well as looking ahead at future developments.		

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
The Board, having heard from Morag Barrow, welcomed the good performance of Covid testing processes for staff and residents in local Care Homes, which were working well and the continuing push for expanded testing to cover the Care at Home team. With regards the availability of vaccine supplies, particularly post Brexit, Jamie Megaw sought to reassure Members that contingency plans were being put in place nationally to address this.			
5.3 Vision and Values The purpose of this report was to update the Board on the proposed final vision and values for the new Strategic Plan 2022-2025.	To approve the proposed new vision and values for the Strategic Plan 2022 - 2025.	Integration Manager	
The report explained that in order to meet the legal requirements of the Public Bodies (Joint Working) (Scotland) Act 2014, Midlothian Health & Social Care Partnership required to publish a new Strategic Plan in 2022. An agreed vision was a key requirement of the Strategic Plan, as outlined in the 3-Step Improvement Framework for Scotland's Public Services 2013.			
Mairi Simpson was heard in amplification of the report advising that the final proposed vision and values were:			
New Vision : People in Midlothian are enabled to lead longer and healthier lives.			
New Values : Right support, right time, right place.			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
 5.4 Midlothian IJB Directions 2020 Update With reference to paragraph 5.3 of the Minutes of 8 October 2020, there was submitted a report the purpose of which was to provide the Board with an interim review of progress on all Directions which, following a review in October 2020 had been reissued to the Chief Executives of Midlothian Council and NHS Lothian. Mairi Simpson was heard in amplification of the report after which there was a general discussion during which it was noted that work was in hand to improve output and outcome measures for a small number of Directions, which would complement work to improve performance measures. Additionally, a reduction in the use of acronyms and greater clarity of where progress has been impacted by the coronavirus pandemic would be welcomed. 	 (a) To note the update of progress on Midlothian Integration Joint Board Directions to Midlothian Council and NHS Lothian; and (b) To note the proposed change to Direction 1 Action (iv), which was to be removed as there was no aim to increase the proportion of patients admitted to the RIE. 	Chief Officer/ Integration Manager	
 5.5 Independent Review of Adult Social Care The purpose of this report was to provide the Board with information regarding the scope of the Independent Review of Adult Social Care (IRASC) in Scotland, which had been announced by the First Minister, as part of the Programme for Government on 1 September. The report highlighted the scope of the review; the term of reference for which were appended to the report. 	(a) To note the report; and(b) To agree to receive a further update in the New Year once the outcome of the review is known.		

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
Alison White was heard in amplification of the report making particular reference to having been involved in a meeting with the Chair of the Review and also in contributing to Social Work Scotland response.			
5.6 Clinical and Care Governance Report	To note and approve the content of the report.	All to note	
The purpose of this report was to provide assurance to the Board as to the clinical and care governance arrangements within Midlothian, along with highlight good practice and identify any emerging issues or risks. Additional reports would be submitted as appropriate throughout the year to provide updated information from specific service areas.			
Alison White and Fiona Huffer were heard in amplification of the report after which there was a general discussion on how the Quality Improvement Teams (QIT) would support the work of the Clinical and Care Governance Group (CCGG).			
5.7 MIJB Improvement Goal Progress	(a) To note the performance across the indicators;	All to note.	
With reference to paragraph 5.4 of the Minutes of 14 February 2019, there was submitted a report updating the Board on performance and improvement towards achieving the Local Improvement Goals set by the MIJB based on the indicators recommended by the Ministerial Strategic Group (MSG) for Health and Community Care. The improvement goals focused on reducing unscheduled hospital and institutional care using	and (b) To note the inclusion of further information about performance in Midlothian against the Core Suite of Indicators.		

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
data provided by the Health and Social Care team at ISD Scotland.			
Jamie Megaw was heard in amplification of the report drawing particular attention to the summary of Midlothian MSG Indicator Performance (detailed in para 3.5 of the report) after which there was a general discussion on this and the work to improve the local performance measures.			
5.8 Covid Vaccination	(a) To note the update; and		
Jamie Megaw provided the Board with an update on the Covid Vaccination programme rollout in Midlothian. He explained that the clinic set up in Midlothian Community Hospital was operating close to its capacity of 500 patients daily focusing initially on those in the nationally set phase 1 priority group, which included those administering the vaccine, residents and workers in care homes, and other frontline health workers. They would be followed by the over 80s and those who were housebound in the New Year.	(b) To note that further updates would follow as the programme progressed.		
There then followed a general discussion during which Jamie responded to Members questions and comments.			
Morag Barrow expressed her thanks to all those involved in getting the programme operational, at what was an especially busy time of year with the normal flu vaccination programme, take up for which had been very good.			

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
Sederunt: James Hill left the meeting towards the conclusion of the foregoing item of business (15:54).			
 5.9 Finance Update for 2020/21 and 5 Year Financial Plan This report set out the results of the MIJB's partner's (Midlothian Council and NHS Lothian) month 6 financial reviews and considered how this impacted on the projected financial position for the IJB for 2020/21. The report advised that since these forecasts had been prepared both IJB's partners had received confirmation on the COVID additional funding, this had not been included in these forecasts as this had not been confirmed at that point, and therefore an illustrative adjustment has been made to the pre COVID funding positions. The report also presented the Board with a medium term rolling 5 year financial plan (2020/21 to 2024/25) for noting which was prepared in a Business as Usual, pre COVID scenario and would be refined when clarity on future service provision was known. Claire Flanagan was heard in amplification of the report following which there was a general discussion. 	 (a) Noted the month 6 financial reviews undertaken by partners; (b) Noted the impact COVID has had on the IJB financial position; (c) Noted the COVID funding that has been confirmed since this review; and (d) Noted the pre-pandemic medium term rolling 5 year Financial Plan. 	Chief Finance Officer	

Thursday 10 December 2020

Private Reports 6.

No private business to be discussed at this meeting.

Any other business 7.

No additional business had been notified to the Chair in advance.

Date of next meeting 8.

The next meetings of the Midlothian Integration Joint Board would be held on:

- Thursday 14 January 2021
- Thursday 11 February 2021
- **Development Workshop** 2pm
- Midlothian Integration Joint Board 2pm

(Action: All Members to Note)

The meeting terminated at 4.03 pm.