

**MINUTES of STATUTORY MEETING of MIDLOTHIAN COUNCIL** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 22 May 2012 at 2.00 pm.

**Present:-** Councillors Baxter, Beattie, Bennett, Boyes, Bryant, Constable, Coventry, de Vink, Imrie, Johnstone, Milligan, Montgomery, Muirhead, Pottinger, Rosie, Russell, Thompson and Wallace.

Pending the election of the Provost, Mr K Lawrie, the Returning Officer at the Election of Councillors, presided in terms of Section 4(4) of the Local Government etc. (Scotland) Act 1994.

## **1 Election Return of Councillors**

In terms of Rule 56 of The Scottish Local Government Elections Order 2011, there was submitted the Return by the Returning Officer, of the names of persons elected as Councillors for the undernoted Electoral Wards at the Election of Councillors to The Midlothian Council held on 3 May 2012, namely:-

<b>No of Elected Ward</b>	<b>Name of Ward</b>	<b>Name and Address of Councillors</b>
1	Penicuik	Adam Montgomery 20 Jackson Street Penicuik  Derek Rosie 10 Peebles Road Penicuik  Joe Wallace 19 Cowan Terrace Penicuik
2	Bonnyrigg	Ian Baxter 61 Broomieknowe Gardens Bonnyrigg  Bob Constable 8 Polton Bank Lasswade  Derek Milligan 38 Cockpen View Bonnyrigg

3	Dalkeith	Alex Bennett 23 Newton Church Road Danderhall
		Jim Bryant 1 Tait Street Dalkeith
		Margot Russell 28 Cowden Park Dalkeith
4	Midlothian West	Andrew Coventry 15 Boyd Orr Drive Penicuik
		Russell Imrie 1 Red Fox Crescent Glencorse Penicuik
		Owen Thompson 5 Cochrina Place Rosewell
5	Midlothian East	Lisa Beattie 14 Glenesk Crescent Eskbank Dalkeith
		Peter Boyes 55A Easthouses Road Easthouses Dalkeith
		Peter de Vink Huntly Cot Temple
6	Midlothian South	Cath Johnstone 14 Galadale Newtongrange
		Jim Muirhead 49 Powdermill Brae Gorebridge
		Bryan Pottinger 20 Tenth Street Newtongrange

It was also confirmed by the Returning Officer that he had given notice in writing of their election to the Councillors concerned.

## **2 Preliminary Matter – Declaration of Acceptance of Office of Councillor**

There was submitted report, dated 15 May 2012, by the Director, Corporate Resources, advising that under the terms of Section 33A of the Local Government (Scotland) Act 1973, introduced by the Local Government and Housing Act 1989, a person elected to Office as a Councillor of a Local Authority could not, unless:-

- (a) he/she had made a Declaration of Acceptance of Office in a form prescribed by an Order made by Scottish Ministers; and
- (b) the Declaration had within two months from the day of the election been delivered to the Proper Office of the Local Authority,

act in the Office of Councillor except for the purpose of taking such a Declaration.

If the Declaration was not made and delivered to the Proper Officer within the appointed time, the Office of the person elected would at the expiration of that time become vacant.

The report advised that the Proper Officer had confirmed that each Member of the Council had made the Declaration of Acceptance of Office in the prescribed form and delivered it to her. It was confirmed therefore that all 18 Members of the Council were eligible to act in the Office of Councillor and participate in the meeting.

## **3 Election of Provost**

On consideration of report, dated 15 May 2012, by the Director, Corporate Resources, the Returning Officer called for nominations for the election of the Provost.

Councillor Milligan moved that Councillor Russell be so elected and this was seconded by Councillor Bennett. Councillor Milligan also asked that this and every other matter to be decided by vote at today's meeting be decided by a roll call vote.

Councillor Beattie, seconded by Councillor de Vink, moved as an amendment that Councillor Wallace be so elected.

The Returning Officer explained that Standing Orders required the support of one-third of the Members present, i.e. six elected Members, before a roll call vote could be taken. By a show of hands eight Members signified their support to proceed on that basis.

A roll call vote was then taken, as shown at **Appendix I** hereto. The amendment defeated the motion by nine votes to seven and Councillor Wallace was thereupon elected as Provost.

In/

In taking the Chair, Provost Wallace extended a welcome to everyone and described the meeting as a historic meeting of Midlothian Council. He thanked the people of Penicuik, his SNP colleagues and Councillors de Vink and Baxter for putting their trust in him. He also thanked the Chief Executive and staff for their welcome and support and for the training sessions that had been provided. In reference to the hard times that were upon the Council and the harder times to come, it was his sincere hope that partisan politics could be put aside and that Members would work together for the benefit of the people of Midlothian. He also thanked Labour for the dignified way in which they had accepted the election outcome.

In conclusion, he said that it was an honour and a privilege for him to be elected as Provost and to be able to serve the people of Midlothian.

#### **4 Election of Depute Provost**

On consideration of report, dated 15 May 2012, by the Director, Corporate Resources, the Provost invited the Council to elect the Depute Provost.

Councillor Imrie, seconded by Councillor Milligan, moved that Councillor Pottinger be so elected.

As an amendment, Councillor Bryant, seconded by Councillor Johnstone, moved that Councillor Rosie be elected.

A roll call vote was then taken, as shown at **Appendix II** hereto. The amendment defeated the motion by nine votes to seven and Councillor Rosie was thereupon elected as Depute Provost.

#### **5 Election of Leader of the Council**

On consideration of report, dated 15 May 2012, by the Director, Corporate Resources, the Provost invited the Council to elect the Leader of the Council who, in accordance with Standing Order 1.1, would also be the Convener of the Cabinet.

Councillor Imrie, seconded by Councillor Muirhead, moved that Councillor Milligan be so elected.

As an amendment, Councillor Coventry, seconded by Councillor Johnstone, moved that Councillor Beattie be elected.

A roll call vote was then taken, as shown at **Appendix III** hereto. The amendment defeated the motion by nine votes to seven and Councillor Beattie was thereupon elected as Leader of the Council.

Councillor Beattie said that she was conscious of the enormous privilege which had been conferred upon her and was honoured to accept the position of Leader of the Council. She expressed her appreciation of the hard work and strenuous efforts of her predecessor, Councillor Derek Milligan, during what had been a period of substantial change, with all the challenges that arose from that.

She/

She highlighted that the challenges would continue and some could be different but was confident that by working across the party political divide the Council would work steadfastly to achieve the best possible outcomes for the people of Midlothian. She also referred to the need to recognise and value the contributions made by members of the Midlothian public and through greater transparency encourage communities to participate in decisions that would affect their futures. In conclusion, she looked forward to working constructively with everyone to better serve the people of Midlothian.

## **6 Election of Deputy Leader of the Council**

On consideration of report, dated 15 May 2012, by the Director, Corporate Resources, the Provost invited the Council to elect the Deputy Leader of the Council who, in terms of Standing Order 1.1, would also be the Deputy Convener of the Cabinet.

Councillor Milligan, seconded by Councillor Imrie, moved that Councillor Muirhead be so elected.

As an amendment, Councillor Beattie, seconded by Councillor Thompson, moved that Councillor Bryant be elected.

A roll call vote was then taken, as shown at **Appendix IV** hereto. The amendment defeated the motion by nine votes to seven and Councillor Bryant was thereupon elected as Deputy Leader of the Council.

## **7 Scheme of Administration and Schedule of Meeting Dates**

There was submitted report, dated 15 May 2012, by the Director, Corporate Resources, inviting the Council, in accordance with Standing Order 4.1(viii), to determine the Scheme of Administration (SOA) and consider an associated schedule of meeting dates.

The report explained that the outgoing Council, at its meeting on 28 February 2012, had considered a temporary schedule of meeting dates for the incoming Council and agreed to continue with the existing arrangements for a 4 weekly cycle based around meetings held on Tuesdays until the end of June 2012 and that thereafter the incoming Administration determine the nature of the future meetings schedule.

The report also advised that a report by the Chief Executive, proposing a Review of Standing Orders, SOA and Schemes of (a) Delegation to Officials; and (b) Proper Officer Appointments, had been presented to the meeting of Midlothian Council on 31 January 2012, when the Council had agreed to continue consideration of these matters until after the Local Government elections in May 2012.

The Chief Executive's report to the 31 January 2012 Council meeting was appended to the Director's report in the event that the Council wished to Review Standing Orders, etc at this meeting.

The/

The Options open to the Council were seen as being:-

**Option A** To accept the temporary schedule of meeting dates proposed by the outgoing Council and appoint Members under the existing or an amended SOA;

At the same time instruct the officials to bring forward a report to the meeting of Midlothian Council on 26 June 2012, reviewing Standing Orders etc (including the SOA) on the basis of instructions given by the Council at today's meeting as to how it would like the SOA structured going forward;

**Option B** Not to accept the temporary schedule of meeting dates agreed by the outgoing Council and proceed immediately to review Standing Orders etc (including the SOA) on the basis of discussion of the Chief Executive's report of 31 January 2012; or

**Option C** Such other arrangement as was deemed appropriate.

Looking beyond the temporary schedule of meeting dates approved by the outgoing Council, the Director's report invited the Council to also consider whether the meetings cycle should continue to be based on the existing criteria (i.e. meetings held on the first four Tuesdays of each month) or whether different criteria should be considered, for example:-

- (a) meetings allowed on other days of the week (e.g. Tuesdays, Wednesdays and Thursdays);
- (b) a longer meeting cycle (e.g. six weeks with breaks for the summer recess, Christmas/New Year and school holidays); or
- (c) a combination of (a) and (b).

On behalf of the SNP/Coalition Group, the proposals shown at **Appendix V** hereto (based on Option A and (b) above) were tabled. These were then moved by Councillor Thompson, seconded by Councillor Constable.

Following a short adjournment (between 2.27pm to 2.43pm) to allow Members time to consider the proposals, Councillors Imrie and Milligan, on behalf of the Labour Group, advised that while the proposals at (a) (i) and (ii) of **Appendix V** were acceptable, they were strongly of the view that the memberships of the quasi-judicial Planning and General Purposes Committees should remain at 18 and not be reduced to 10 as proposed. It was suggested that a small cross party committee or short life working group should be established to discuss the issue and that in the meantime the memberships of these two particular committees should remain at 18. Reference was also made to the view of the Labour Group that the Council should retain the current four weekly meetings cycle with meetings held on Tuesdays rather than moving to a six weekly cycle.

An amendment was moved accordingly by Councillor Imrie and this was seconded by Councillor Milligan, i.e. to retain the existing Scheme of Administration and four weekly meetings cycle with meetings on Tuesdays.

At the request of Councillor Thompson, a further short adjournment was held (between 2.57pm to 3.03pm) so that the SNP/Coalition Group could consider the issues raised on behalf of the Labour Group.

Following resumption of the meeting, Councillor Thompson advised that the SNP/Coalition Group were agreeable to keeping the memberships of the Planning and General Purposes Committees at 18 for the time being, pending review. In turn he invited the Labour Group to accept the proposed move to a six weekly meetings cycle.

On behalf of the Labour Group this was declined by Councillor Imrie who advised that this issue could also be considered as part of the proposed review and that the Labour Group's amendment therefore stood.

The SNP/Coalition Group proposals, as amended, thereupon formed the substantive motion, i.e. as shown at **Appendix V**, but with the memberships of the Planning and General Purposes Committees remaining at 18 for the time being, pending review, and including a move to a six weekly meetings cycle as proposed in (d).

A roll call vote was then taken, as shown at **Appendix VI** hereto. The motion defeated the amendment by ten votes to eight and accordingly became the decision of the meeting.

Finally, in response to a query raised by Councillor Milligan in relation membership of the Social Work Complaints Review Panel, the Council noted advice from the Chief Executive that while there was no legal bar to any member of the Council serving on the Panel if appointed, best practice suggested that the Cabinet Portfolio-holder with responsibility for Social Work and Health should not be appointed to the Panel.

(Action: Legal and Secretariat Manager)

## **8 Appointment of Members in Accordance with Scheme of Administration**

There was submitted report, dated 15 May 2012, by the Director, Corporate Resources, inviting the Council to appoint Members to the various Committees etc in accordance with the Scheme of Administration, as required under Standing Order 4.1(ix).

In accordance with Standing Order 11.3 (iii), block proposals were tabled by the SNP/Coalition Group. These were moved by Councillor Thompson, seconded by Councillor Constable, and in some cases allowed for appointments to be nominated by the Labour Group. Clarification was also provided to accord with the Scheme of Administration as agreed at paragraph 7 above.

There were also intimated block proposals by Councillor Imrie on behalf of the Labour Group.

### **Decision**

(a)/

- (a) To appoint Members to the various Committees etc under the Scheme of Administration, as shown at **Appendix VII** hereto (NB includes some Labour Group nominees subsequently notified);
- (b) To confirm the appointment of Mr Paul Hayes, 127 Deanburn, Penicuik, Midlothian, EH26 0JA, for the statutory place available to the Church of Scotland on the Cabinet;
- (c) To confirm the appointment of Mr Victor H Bourne, 55 Newbattle Abbey Crescent, Dalkeith, Midlothian, EH22 3LN, for the statutory place available to the Roman Catholic Church on the Cabinet;
- (d) To note that the “Third Religious Representative” place on the Cabinet had been advertised (with the deadline for responses being Friday 1 June 2012) and that a report would be brought forward to the Council in due course on the nominations received; and
- (e) To welcome the reappointment of Mr Hayes and Mr Bourne and acknowledge the contribution they had made during the life of the previous Council; and
- (f) That the officials write to thank Mrs Margaret Harkness for the contribution she had made during the life of the previous Council in her capacity as the “Third” Religious Representative.

(Action: Legal and Secretariat Manager)

## **9 Appointment of Representatives to Joint Committees, Joint Boards and Outside Bodies etc**

There was submitted report, dated 15 May 2012, by the Director, Corporate Resources, inviting the Council to appoint representatives to serve on Joint Committees, Joint Boards and Outside Bodies etc, in accordance with Standing Order 4.1(x).

In accordance with Standing Order 11.3 (iii) block proposals were tabled by the SNP/Coalition Group. These were presented by Councillor Thompson and allowed in some cases for appointees to be nominated by the Labour Group. Discussion took place on each appointment in turn and Councillor Imrie presented the Labour Group’s block proposal in response.

Of the proposals presented, some were accepted by the Council (either uncontested or arising from discussion), some were contested and voted upon and some made no recommendations for appointment and suggested that an approach be awaited from the organisation (which would establish if it was still operational and wished the Council to continue to appoint a representative or representatives).

In respect of the items voted upon, the SNP/Coalition Group’s proposals in that regard (the motion) were moved by Councillor Thompson and seconded by Councillor Constable. The Labour Group’s proposals (the amendment) were moved by Councillor Imrie and seconded by Councillor Milligan. A roll call vote was taken, as shown at **Appendix VIII** hereto and the motion defeated the amendment by nine votes to eight with one abstention.



The agreed appointments and other decisions taken are as shown at **Appendix IX** hereto.

(Action: Legal and Secretariat Manager)

## **10 Election of Members of the Midlothian Licensing Board**

There was submitted report, dated 14 May 2012, by the Director, Corporate Resources, inviting the Council, in accordance with Standing Order 4.1(xi), to elect the Members of the Midlothian Licensing Board in terms of the Licensing (Scotland) Act 2005.

The report advised that the Board had to consist of not less than five and not more than ten Members of the Council. Details were also given of disqualifications from Board membership.

### **Decision**

- (a) That the Midlothian Licensing Board comprise ten Members;
- (b) That (on the basis of block proposals presented) these be:-

Councillors	Bennett Constable Coventry Imrie Milligan Montgomery Rosie Russell Thompson Wallace
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- (c) To note that (i) in terms of paragraph 11 of Schedule 1 to the Licensing (Scotland) Act 2005, Board members (including those who had served on the previous Board) required to undertake prescribed training within three months of their election and were not permitted to sit on the Board or take part in any business until they had completed the training; and (ii) training had been arranged for the morning of Wednesday 23 May 2012.

(Action: Legal and Secretariat Manager)

## **11 Midlothian Local Licensing Forum**

There was submitted report, dated 14 May 2012, by the Director, Corporate Resources, advising that the Licensing (Scotland) Act 2005 required every Council to establish a Local Licensing Forum for their area.

It was explained that the Forum was independent of the Midlothian Licensing Board and that its members were elected by the Council. It was also explained that the Council required to provide administrative support to the Forum.

Forum/

Forum membership was to consist of between 5 and 20 persons as determined by the Council from the following categories:-

- Holders of premises licences and personal licences
- A Licensing Standards Officer
- The Chief Constable for the Forum's area
- Persons having functions relating to health, education or social work
- Young people
- Persons resident within the Forum's area

The report invited the Council to consider (a) re-appointing the existing members of the Forum; and (b) appointing a further three members.

### **Decision**

- (i) To agree the re-appointment of the existing members to serve on the Midlothian Local Licensing Forum, viz:-

#### **Representatives of Holders of Premises Licences/Personal Licences**

John Martin	Bellman's, Penicuik
David Logan	Ship Inn, Dalkeith

#### **Representatives of functions relating to Health, Education or Social Work**

John Thayers	Midlothian Drug & Alcohol Action Team (MDAAT)
Dr Fiona Watson	NHS Lothian

#### **Representative of Residents within the Forum's Area**

Jim Church	Local Resident
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#### **Representative of the Chief Fire Officer**

Stephen Murray	Lothian & Borders Fire and Rescue Service
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#### **Representatives of the Chief Constable**

Gillian Tennant	Lothian & Borders Police
Andy Park	Lothian & Borders Police

#### **Licensing Standards Officer**

Moir Malcolm

- (ii) To appoint the following additional persons to serve on the Midlothian Local Licensing Forum:-

#### **Representatives of Holders of Premises Licences/Personal Licences**

Alan McCorquodale, Eskbank Trading, Dalkeith

#### **Representatives of Residents within the Forum's Area**

Janet Clark, Dundas Park, Bonnyrigg  
Alistair Mackintosh, John Street, Penicuik

(Action: Legal and Secretariat Manager)

## 12 Scheme of Councillors' Remuneration

There was submitted report, dated May 2012, by the Director, Corporate Resources, concerning the Scheme of Councillors' Remuneration.

The report advised that:-

- (a) the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 applied to all Councillors and in terms of these, Midlothian was a Band A Council;
- (b) while in terms of the Regulations, the remuneration could be paid either calendar monthly or four weekly, it was recommended that it continue to be paid monthly in arrears on the 28<sup>th</sup> of each month and therefore, the first payment on 28<sup>th</sup> May 2012 would be for a part month;
- (c) for those Councillors who elected to become members of the pension scheme, the Council would pay contributions as required of an employing authority under the Local Government Pension Scheme (Scotland) Regulations 1998 (d);
- (d) any Councillor could renounce the receipt of any remuneration payable in terms of the Regulations, in whole or in part, in which case the remuneration was not payable by the Council;
- (e) there were four grades of Councillor in each local authority for the purpose of payment of remuneration, viz:-
  - (i) the Leader of the Council;
  - (ii) the Civic Head
  - (iii) Senior Councillors; and
  - (iv) Councillors;
- (f) the Leader of the Council and the Civic Head could not be the same person, for the purposes of payment of remuneration.
- (g) the payment stipulated for the Leader of the Council in Midlothian was £27,058 and the Council could not pay its Leader any remuneration as a Senior Councillor or a Councillor;
- (h) the payment stipulated for the Civic Head in Midlothian was £20,294 and the Council could not pay its Civic Head any remuneration as a Senior Councillor or a Councillor;
- (i) the maximum number of Senior Councillors stipulated for Midlothian was eight and the maximum yearly amount that could be paid to a Senior Councillor was 75% of the total yearly amount payable to the Leader of the Council i.e. £20,294 (75% of £27,058);
- (j) the minimum payment required to be greater than the stipulated yearly amount payable to a Councillor which was £16,234.
- (k) the total yearly amount the Council could pay to all its Senior Councillors was £146,110, which equated to eight times £18,264 (the mid-point between £16,234 and £20,294); and

- (l) the Council therefore had the option of paying all Senior Councillors the same amount (£18,264) or paying some at the maximum (£20,294) and some at a lower level (but higher than £16,234) as long as the combined payments were constrained to £146,110.

### **Decision**

- (1) To note that the Leader of the Council would be paid annual remuneration of £27,058 and that the Civic Head would be paid annual remuneration of £20,294;
- (2) To agree that there be six Senior Councillors, namely the five Cabinet members (i.e. other than the Convener of the Cabinet who was the Leader of the Council) and the Chair of the Performance Review and Scrutiny Committee;
- (3) That the annual remuneration for the six Senior Councillors be £20,250;
- (4) To note that the remaining Councillors would be paid annual remuneration of £16.234; and
- (5) To agree that remuneration continue to be paid monthly in arrears on the 28<sup>th</sup> of each month.

(Action: Head of Finance and Human Resources)

### **13 Procedural Matter – Reporting of Resignation of Councillor Bennett from Previous Council**

There was submitted report, dated 15 April 2012, by the Director, Corporate Resources, advising that in his capacity as Proper Officer, the Chief Executive had received notice from Councillor Alex Bennett of his resignation as a member of Midlothian Council with effect from 31 March 2012. This resignation related to the previous Council and Councillor Bennett had since been elected to the new Council.

### **Decision**

To note the resignation of Councillor Bennett with effect from 31 March 2012 from the previous Council and his election to the new Council at the ordinary elections held on 3 May 2012.

### **14 Minutes of Meeting of Midlothian Council of 27 March 2012**

On a motion by Councillor Beattie, seconded by Councillor Bennett, the Minutes of Meeting of Midlothian Council of 27 March 2012, as shown at **Appendix X** hereto, were approved as a correct record.

The Meeting terminated at 4.15pm.

**APPENDIX I**

(relative to paragraph 3)

**ELECTION OF PROVOST**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter		√	
Councillor Beattie		√	
Councillor Bennett	√		
Councillor Boyes	√		
Councillor Bryant		√	
Councillor Constable		√	
Councillor Coventry		√	
Councillor de Vink		√	
Councillor Imrie	√		
Councillor Johnstone		√	
Councillor Milligan	√		
Councillor Montgomery	√		
Councillor Muirhead	√		
Councillor Pottinger	√		
Councillor Rosie		√	
Councillor Russell			
Councillor Thompson		√	
Councillor Wallace			
<b>TOTAL</b>	<b>7</b>	<b>9</b>	

**APPENDIX II**

(relative to paragraph 4)

**ELECTION OF DEPUTE PROVOST**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter		√	
Councillor Beattie		√	
Councillor Bennett	√		
Councillor Boyes	√		
Councillor Bryant		√	
Councillor Constable		√	
Councillor Coventry		√	
Councillor de Vink		√	
Councillor Imrie	√		
Councillor Johnstone		√	
Councillor Milligan	√		
Councillor Montgomery	√		
Councillor Muirhead	√		
Councillor Pottinger			
Councillor Rosie			
Councillor Russell	√		
Councillor Thompson		√	
Councillor Wallace		√	
<b>TOTAL</b>	<b>7</b>	<b>9</b>	

**APPENDIX III**

(relative to paragraph 5)

**ELECTION OF LEADER OF THE COUNCIL**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter		√	
Councillor Beattie			
Councillor Bennett	√		
Councillor Boyes	√		
Councillor Bryant		√	
Councillor Constable		√	
Councillor Coventry		√	
Councillor de Vink		√	
Councillor Imrie	√		
Councillor Johnstone		√	
Councillor Milligan			
Councillor Montgomery	√		
Councillor Muirhead	√		
Councillor Pottinger	√		
Councillor Rosie		√	
Councillor Russell	√		
Councillor Thompson		√	
Councillor Wallace		√	
<b>TOTAL</b>	<b>7</b>	<b>9</b>	

**APPENDIX IV**

(relative to paragraph 6)

**ELECTION OF DEPUTE LEADER OF THE COUNCIL**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter		√	
Councillor Beattie		√	
Councillor Bennett	√		
Councillor Boyes	√		
Councillor Bryant			
Councillor Constable		√	
Councillor Coventry		√	
Councillor de Vink		√	
Councillor Imrie	√		
Councillor Johnstone		√	
Councillor Milligan	√		
Councillor Montgomery	√		
Councillor Muirhead			
Councillor Pottinger	√		
Councillor Rosie		√	
Councillor Russell	√		
Councillor Thompson		√	
Councillor Wallace		√	
<b>TOTAL</b>	<b>7</b>	<b>9</b>	



**APPENDIX V**

(relative to paragraph 7)

**SNP / INDEPENDENT COALITION PROPOSALS****Midlothian Council – Tuesday 22 May 2012****Agenda Item 8****Determine Scheme of Administration and Schedule of Meeting Dates**

- (a) To agree to accept Option A on the following basis:-
- (i) To accept the temporary schedule of meeting dates until the end of June as proposed by the outgoing council, viz-

**May 2012**

Tuesday 22	2.00pm	Midlothian Council (Statutory First Meeting)
Tuesday 29	2.00pm	Midlothian Council (Optional)

*(New Cycle)***June 2012**

Tuesday 5	10.00am	Cabinet (inc Performance Reporting)
Tuesday 5	2.00pm	General Purposes Committee
Tuesday 12	9.00am	Special Performance, Review and Scrutiny Committee
Tuesday 12	11.00am	Audit Committee
Tuesday 12	2.00pm	Planning Committee
Tuesday 19	9.00am	Special Performance, Review and Scrutiny Committee
Tuesday 19	2.00pm	Local Review Body
Tuesday 26	2.00pm	Midlothian Council

(Note: The first meeting of the Midlothian Licensing Board is currently scheduled to take place on Thursday 28 June 2012 at 2.00pm.)

- (ii) That assuming all the business on today's agenda is transacted there will be no meeting of the Council on 29 May 2012;
- (iii) That with immediate effect the membership and quorum for meetings under the Scheme of Administration be as follows and that in all other respects the Scheme of Administration remain unchanged:-

<b>(a) Committees</b>	<b>Membership/Notes</b>
(1) Cabinet	Will comprise 6 Members plus the Religious Representatives for Education business.  Quorum to remain at 3.
(2) Performance Review and Scrutiny Committee	Will comprise 10 non-Cabinet Members of the Council, excluding the Provost and the Depute Provost.  Quorum to remain at 3.

(3) Audit Committee	<p>Will comprise 7 Members on the following basis:-</p> <ul style="list-style-type: none"> <li>• Independent Chair</li> <li>• 3 SNP/Coalition</li> <li>• 2 Labour</li> <li>• 1 Green</li> </ul> <p>Quorum to be 3 Members (plus the Independent Chair when appointed)</p> <p>The appointment of the Independent Chair will be by the Council on a report by the Chief Executive.</p> <p>Pending the appointment of the Independent Chair, the Committee will be chaired by a Member agreed by the meeting.</p> <p>In addition to the 7 members referred to above there will also be one independent non-voting person to be appointed by the Council (currently Mr Robert Rae) who at the invitation of the Chair can comment on all aspects of the Committee's business in order to assist it in its deliberations.</p>
(4) Planning Committee	<p>* Will comprise 10 Members on the following basis:-</p> <ul style="list-style-type: none"> <li>• 5 SNP/Coalition</li> <li>• 4 Labour</li> <li>• 1 Green</li> </ul> <p>Quorum to reduce from 6 to 3.</p>
(5) Local Review Body	<p>Will comprise 10 Members on the following basis:-</p> <ul style="list-style-type: none"> <li>• 5 SNP/Coalition</li> <li>• 4 Labour</li> <li>• 1 Green</li> </ul> <p>Quorum to remain at 3.</p>
(6) General Purposes Committee	<p>* Will comprise 10 Members on the following basis:-</p> <ul style="list-style-type: none"> <li>• 5 SNP/Coalition</li> <li>• 4 Labour</li> <li>• 1 Green</li> </ul> <p>Quorum to reduce from 6 to 3.</p>

\* Arising from discussion, the motion was amended to retain the memberships of the Planning and General Purposes Committees at 18 for the time being, pending review. The quorums therefore remain at 6.

(7) Appeals Committee	<p>Will comprise 9 Members of the Council (plus 1 religious representative when dealing with cases involving teachers) on the following basis:-</p> <ul style="list-style-type: none"> <li>• 5 SNP/Coalition</li> <li>• 4 Labour</li> </ul> <p>Quorum to remain at 3 (plus 1 religious representative when dealing with cases involving teachers)</p>
(8) Standards Committee	<p>Will comprise 7 Members on the following basis:-</p> <ul style="list-style-type: none"> <li>• Independent Chair</li> <li>• 3 SNP/Coalition</li> <li>• 3 Labour</li> </ul> <p>Quorum to remain at 3 Members plus the Independent Chair</p>
(9) Blinkbonny Sub-Committee of General Purposes Committee	<p>Will comprise 6 Members (one of whom will be the Chair of the General Purposes Committee who will Chair the Sub-Committee)</p> <p>Quorum to remain at 2.</p>
(10) Gourlaw Sub-Committee of General Purposes Committee	<p>Will comprise 6 Members (one of whom will be the Chair of the General Purposes Committee who will Chair the Sub-Committee)</p> <p>Quorum to remain at 2.</p>
(11) Education Appeal Committee	<p>Will comprise 5 persons as follows:-</p> <ul style="list-style-type: none"> <li>• 3 elected Members/religious representatives; and</li> <li>• 2 non-elected Members who meet the statutory criteria, one of whom shall be the chairman.</li> </ul> <p>The quorum for meetings of the Committee is 5. However, in the event that a member of the Committee has to leave during an appeal, the Committee may continue, provided the parties to the appeal so agree and the reduced membership complies with the relevant statutory conditions, including that the elected Members/religious representatives shall not outnumber the other members by more than 1.</p>

(12) Education Appointment Committee	<p>3 elected Members/Religious Representative plus other statutory persons.</p> <p>Quorum to remain unchanged, viz:-</p> <p>“The quorum for meetings of the Committee will be 2 members nominated by the Education Authority and 2 from the Parent Council, plus the Head Teacher where required. Notwithstanding this, every effort should be made to secure the maximum possible attendance of members.”</p>
(13) Social Work Complaints Review Panel	<p>Pool of 4 Cabinet elected Members (from which 2 will be drawn for each meeting) plus statutory independent chairperson.</p> <p>Quorum will be 3.</p>
(14) Panel to hear appeals against fixed penalty notices relating to smoking in premises	<p>It is proposed to delegate to the Chief Executive to establish an appropriate mechanism at officer level to hear and determine such appeals and accordingly that this Panel be deleted from the Scheme of Administration.</p>
<b>Non-Statutory Meetings</b>	
(15) Midlothian Joint Consultative Group	<p>4 Cabinet Members (the Trades Unions nominate 13 representatives as described in the SOA)</p> <p>Quorum to remain as follows:-</p> <p>3 Cabinet Members and 6 Trade Union representatives. Substitute Cabinet Members and Trade Union representatives will be allowed.</p>
(16) Midlothian Housing Appeals Panel	<p>It is proposed to abolish this Panel and that appeals by groups who are dissatisfied with the response of the Director, Corporate Resources, to their appeal against refusal or removal of registration under paragraph 7.5 of the Tenant Participation Strategy, be determined instead by the Cabinet.</p>

- (b) That the officials be instructed to bring forward a report to the meeting of Midlothian Council on 26 June 2012, reviewing Standing Orders etc and incorporating the Scheme of Administration changes referred to above;
- (c) That the report to be brought forward on 26 June 2012 also incorporate a mechanism whereby petitions submitted to Midlothian Council can be independently assessed as being worthy of consideration by the Council; and
- (d) That the Council also move to a six weekly meetings cycle with breaks incorporated for the summer recess, Christmas/New Year and school holidays. This be based on the revised SOA, with meetings held on Tuesdays and Wednesdays and the officials be instructed to bring back a report thereon for consideration at the meeting of Midlothian Council on 26 June 2012.

**APPENDIX VI**  
(relative to paragraph 7)

**DETERMINE SCHEME OF ADMINISTRATION AND SCHEDULE OF MEETING  
DATES**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter	√		
Councillor Beattie	√		
Councillor Bennett		√	
Councillor Boyes		√	
Councillor Bryant	√		
Councillor Constable	√		
Councillor Coventry	√		
Councillor de Vink	√		
Councillor Imrie		√	
Councillor Johnstone	√		
Councillor Milligan		√	
Councillor Montgomery		√	
Councillor Muirhead		√	
Councillor Pottinger		√	
Councillor Rosie	√		
Councillor Russell		√	
Councillor Thompson	√		
Councillor Wallace	√		
<b>TOTAL</b>	<b>10</b>	<b>8</b>	

## **APPENDIX VII**

(relative to paragraph 8)

### **The Cabinet** **(6 elected Members)**

Councillor Beattie	<b>Convener</b>
Councillor Bryant	<b>Depute Convener</b>
Councillor Coventry	
Councillor de Vink	
Councillor Johnstone	
Councillor Thompson	

**(Plus three Religious Representatives as required under Section 124 of the Local Government (Scotland) Act 1973)**

### **Performance Review and Scrutiny Committee** **(10 Non Cabinet Members)**

Councillor Milligan	<b>Chair</b>
Councillor Baxter	
Councillor Bennett	
Councillor Boyes	
Councillor Constable	
Councillor Imrie	
Councillor Montgomery	
Councillor Muirhead	
Councillor Pottinger	
Councillor Russell	

### **Audit Committee** **(6 elected Members plus Independent Chair)**

TBC	<b>Independent Chair</b>
Councillor Baxter	
Councillor Beattie	
Councillor Bryant	
Councillor de Vink	
Councillor Milligan	
Councillor Muirhead	

**(Plus an independent non-voting person (currently Mr Robert Rae) who at the invitation of the Chair can comment on all aspects of the Committees business in order to assist in its deliberations)**

### **Planning Committee** **(All 18 elected Members)**

Councillor Thompson	<b>Chair</b>
Councillor Baxter	
Councillor Beattie	
Councillor/	

Councillor Bennett  
Councillor Boyes  
Councillor Bryant  
Councillor Constable  
Councillor Coventry  
Councillor de Vink  
Councillor Imrie  
Councillor Johnstone  
Councillor Milligan  
Councillor Montgomery  
Councillor Muirhead  
Councillor Pottinger  
Councillor Rosie  
Councillor Russell  
Councillor Wallace

**Local Review Body**  
**(10 elected Members)**

Councillor Bryant	<b>Chair</b>
Councillor Baxter	
Councillor Beattie	
Councillor Constable	
Councillor de Vink	
Councillor Imrie	
Councillor Milligan	
Councillor Pottinger	
Councillor Rosie	
Councillor Russell	

**General Purposes Committee**

***(All 18 elected Members)***

Councillor Russell	<b>Chair</b>
Councillor Baxter	
Councillor Beattie	
Councillor Bennett	
Councillor Boyes	
Councillor Bryant	
Councillor Constable	
Councillor Coventry	
Councillor de Vink	
Councillor Imrie	
Councillor Johnstone	
Councillor Milligan	
Councillor Montgomery	
Councillor Muirhead	
Councillor Pottinger	
Councillor Rosie	
Councillor Thompson	
Councillor Wallace	

**Appeals/**



**Appeals Committee**  
**(9 elected Members)**

**\*\*NB – Chair still to be agreed\*\***

Councillor Bennett  
Councillor Constable  
Councillor Johnstone  
Councillor Milligan  
Councillor Muirhead  
Councillor Rosie  
Councillor Russell  
Councillor Thompson  
Councillor Wallace

**(Plus 1 Religious Representative when dealing with cases involving teachers)**

**Standards Committee**  
**(6 elected Members plus an Independent Chair)**

TBC	Independent Chair
Councillor Bryant	
Councillor Imrie	
Councillor Milligan	
Councillor Muirhead	
Councillor Thompson	
Councillor Wallace	

**Sub-Committees**

**Note: The Chair of a Sub-Committee, unless otherwise agreed, will be the Chair of the Parent Committee.**

**Blinkbonny Sub-Committee of the General Purposes Committee**  
**(6 elected Members)**

	Chair
Councillor Russell	
Councillor Baxter	
Councillor Coventry	
Councillor Imrie	
Councillor Johnstone	
Councillor Rosie	

**Gourlaw Sub-Committee of the General Purposes Committee**  
**(6 elected Members)**

	Chair
Councillor Russell	
Councillor Baxter	
Councillor Constable	
Councillor Coventry	
Councillor Imrie	
Councillor Thompson	

**Other Appointments (Statutory)**

**Education Appeal Committee**

**3 from the following:**

Councillor Beattie  
Councillor Muirhead  
Councillor Rosie  
Religious Representative

**Education Appointment Committee**

**3 from the following:**

Councillor Coventry  
Councillor Beattie  
Councillor Muirhead  
Religious Representative

**Social Work Complaints Review Panel**

**(pool of 4 Cabinet elected Members from which 2 will be drawn for each meeting)**

Councillor Bryant  
Councillor Coventry  
Councillor Thompson  
Councillor de Vink

**Other Appointments (Non-Statutory)**

**Midlothian Joint Consultative Group**

**(4 Cabinet Members)**

Councillor Beattie  
Councillor Bryant  
Councillor Coventry  
Councillor Thompson

**APPENDIX VIII**

(relative to paragraph 9)

**APPOINTMENT OF REPRESENTATIVES TO JOINT COMMITTEES, JOINT  
BOARDS AND OUTSIDE BODIES**

<b>Name</b>	<b>Motion</b>	<b>Amendment</b>	<b>Abstention</b>
Councillor Baxter			√
Councillor Beattie	√		
Councillor Bennett		√	
Councillor Boyes		√	
Councillor Bryant	√		
Councillor Constable	√		
Councillor Coventry	√		
Councillor de Vink	√		
Councillor Imrie		√	
Councillor Johnstone	√		
Councillor Milligan		√	
Councillor Montgomery		√	
Councillor Muirhead		√	
Councillor Pottinger		√	
Councillor Rosie	√		
Councillor Russell		√	
Councillor Thompson	√		
Councillor Wallace	√		
<b>TOTAL</b>	<b>9</b>	<b>8</b>	<b>1</b>



**APPENDIX IX**

(relative to paragraph 9)

<b>NAME AND APPOINTEE(S)</b>	<b>SNP/COALITION PROPOSAL(S) COUNCILLOR(S)</b>	<b>LABOUR PROPOSAL(S) COUNCILLOR(S)</b>	<b>VOTE</b>	<b>COUNCIL DECISION</b>
<b>Joint Committees etc</b>				
<b>Edinburgh and Lothians Structure Plan Joint Liaison Committee</b>	<b>BRYANT &amp; THOMPSON + (1 Labour)</b>	<b>IMRIE</b>	<b>NO</b>	<b>BRYANT IMRIE THOMPSON</b>
<b>Strategic Development Plan Authority for Edinburgh &amp; South-East Scotland Joint Committee</b>	<b>BRYANT &amp; THOMPSON</b>	<b>IMRIE</b>	<b>YES</b>	<b>BRYANT THOMPSON</b>
<b>Joint Authorities Concessionary Travel Scheme</b>	<b>BRYANT</b>	<b>NONE</b>	<b>NO</b>	<b>BRYANT</b>
<b>Lothian Electoral Joint Committee</b>	<b>BRYANT</b>	<b>RUSSELL</b>	<b>NO</b>	<b>BRYANT RUSSELL</b>
<b>Pentland Hills Regional Park Joint Committee**</b> <i>**NB See Section on Outside Bodies for representation on Pentland Hills Regional Park Advisory Group</i>	<b>BEATTIE &amp; BRYANT + (1 Labour)</b>	<b>3 MEMBERS FOR WARD 4 I.E. COVENTRY IMRIE THOMPSON</b>	<b>NO</b>	<b>3 MEMBERS FOR WARD 4 I.E. COVENTRY IMRIE THOMPSON</b>
<b>Scotland Excel Joint Committee</b>	<b>BRYANT</b>	<b>NONE</b>	<b>NO</b>	<b>BRYANT</b>
<b>Waverley Borders Railway Joint Committee</b>	<b>BEATTIE &amp; BRYANT</b>	<b>NONE</b>	<b>NO</b>	<b>BEATTIE BRYANT</b>
<b>Joint Boards</b>				
<b>(a) Lothian and Borders Fire and Rescue Board</b>	<b>THOMPSON &amp; WALLACE</b>	<b>RUSSELL</b>	<b>YES</b>	<b>THOMPSON WALLACE</b>

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
(b) Lothian and Borders Police Board	THOMPSON & WALLACE	MUIRHEAD	YES	THOMPSON WALLACE
(c) Lothian Valuation Joint Board	BRYANT + (1 Labour)	RUSSELL	NO	BRYANT RUSSELL
Outside Bodies				
A Consortium of Training for Community Education	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Alliance (formerly the Coalfield Communities Campaign)*	JOHNSTONE (VOTING) CONSTABLE (OBSERVER) ROSIE (SUBSTITUTE)	BENNETT (VOTING)	NO	CONTINUE FOR REVIEW
Association for Public Service Excellence (Formerly ADLO)	BEATTIE & WALLACE	NONE	NO	BEATTIE WALLACE
Dalkeith Business Renewal - Directors	3 MEMBERS FOR WARD 3 I.E. BENNETT BRYANT RUSSELL	NONE	NO	3 MEMBERS FOR WARD 3 I.E. BENNETT BRYANT RUSSELL
Dalkeith and District Arts Guild	AWAIT APPROACH	3 MEMBERS FOR WARD 3 I.E. BENNETT BRYANT RUSSELL	YES	AWAIT APPROACH
Dalkeith and District Citizen's Advice Bureau	BRYANT & JOHNSTONE	BENNETT	YES	BRYANT JOHNSTONE
Danderhall Leisure Centre Management Group	BRYANT	BENNETT	YES	BRYANT

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Dean Tavern Trust, Newtongrange	JOHNSTONE	POTTINGER	YES	JOHNSTONE
Edinburgh Airport Consultative Committee	BEATTIE	NONE	NO	BEATTIE
Edinburgh and Lothian Area Tourism Partnership	WALLACE	NONE	NO	WALLACE
Edinburgh and Lothians Greenspace Trust – Directors	AWAIT APPROACH	IMRIE	NO	CONTINUE CONSIDERATION
Edinburgh and Lothians Racial Equality Council - Observer on Board	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Edinburgh, Leith and District Battalion of the Boys' Brigade (Honorary President)	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Edinburgh Prison Visiting Committee	CONTINUEFOR FURTHER INFO / CLARIFICATION	RUSSELL	NO	CONTINUEFOR FURTHER INFO / CLARIFICATION
Family Reachout Project Mayfield Management Committee	COVENTRY	NONE	NO	COVENTRY
Gladhouse Reservoir Advisory Committee	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Handicabs (Lothian) - Observer on Executive Committee	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Intowork Company (Board of Directors)	AWAIT APPROACH	NONE	NO	AWAIT APPROACH

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Joint Dalkeith Heritage Initiative (THI) and Conservation Area Regeneration Scheme (CARS) Management Group	BRYANT & + (1 Labour)	RUSSELL	NO	BYRANT RUSSELL
Local Authority Action for Southern Africa	NONE	NONE	NO	NO DECISION TAKEN
Lothian Buses plc - Authorised Council Representative for General Meetings	BRYANT	NONE	NO	BRYANT
Lothian Gypsy Travellers Liaison Committee	NONE	NONE	NO	NO DECISION TAKEN
Lothian Mineworkers Convalescent Home Trust	WALLACE	MONTGOMERY	YES	WALLACE
Lothian NHS Board	JOHNSTONE	NONE	NO	JOHNSTONE
Lothian Refugee Forum - Core and Issues Groups	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Lowland Reserve Forces and Cadets Association	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Mavisbank Trust	BEATTIE & WALLACE	IMRIE	YES	BEATTIE WALLACE
Mental Health Legal Representation Project (Edinburgh and Lothians)	AWAIT APPROACH	NONE	NO	AWAIT APPROACH  (NB – PREVIOUS APPOINTEE WAS CHIEF SOCIAL WORK OFFICER OR NOMINEE)
Midlothian Access Forum	AWAIT APPROACH	NONE	NO	AWAIT APPROACH



NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Midlothian Access Panel	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Midlothian Advice and Resource Centre	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Midlothian Association of Play	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Midlothian Chamber of Commerce - Director	BRYANT	NONE	NO	BRYANT
Midlothian Children's Panel Advisory Committee (CPAC)	JOHNSTONE	RUSSELL	NO	CONTINUE
Midlothian Community Artists	AWAIT APPROACH	RUSSELL	YES	AWAIT APPROACH
Midlothian Community Health Partnership Sub-Committee	BEATTIE & JOHNSTONE	NONE	NO	BEATTIE JOHNSTONE (NB. PLUS DIRECTOR COMMUNITIES & WELLBEING)
Midlothian Enterprise Trust - Director	BRYANT	NONE	NO	BRYANT (NB. PLUS HEAD OF PLANNING & DEVELOPMENT)
Midlothian Forum for Parents with Children who have Special Needs	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Midlothian Indoor Bowling Club	AWAIT APPROACH	3 MEMBERS FOR WARD 3 I.E. BENNETT BRYANT RUSSELL	YES	AWAIT APPROACH

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Midlothian Innovation and Technology Trust - Directors	BEATTIE	NONE	NO	BEATTIE (NB. PLUS DIRECTOR, CORPORATE RESOURCES)
Midlothian Twinning Association	BAXTER ROSIE RUSSELL (Chair of General Purposes Committee) WALLACE	NONE	NO	BAXTER ROSIE RUSSELL (Chair of General Purposes Committee) WALLACE
Midlothian Voluntary Action	WALLACE (Honorary President) Plus 1 Labour	BENNETT (Executive)	NO	WALLACE (Honorary President) BENNETT (Executive)
National Association of Councillors	ROSIE & WALLACE	MONTGOMERY	YES	ROSIE WALLACE
Newbattle Abbey College	AWAIT APPROACH	RUSSELL	YES	AWAIT APPROACH
Penicuik and District YMCA/YWCA	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Penicuik Citizens Advice Bureau	WALLACE	NONE	NO	WALLACE (NB. Plus Trading Standards Officer)
Penicuik Social Facilities Committee	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Pentland Hills Regional Park Advisory Group	BRYANT	NONE	NO	BRYANT
Project Penicuik	AWAIT APPROACH	NONE	NO	AWAIT APPROACH
Rosyth Local Liaison Committee	AWAIT APPROACH	BENNETT	YES	AWAIT APPROACH

<b>NAME AND APPOINTEE(S)</b>	<b>SNP/COALITION PROPOSAL(S) COUNCILLOR(S)</b>	<b>LABOUR PROPOSAL(S) COUNCILLOR(S)</b>	<b>VOTE</b>	<b>COUNCIL DECISION</b>
<b>Scottish Accident Prevention Council</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
<b>Scottish Councils Committee on Radioactive Substances</b>	<b>NONE</b>	<b>NONE</b>	<b>NO</b>	<b>NO DECISION TAKEN</b>
<b>Scottish Enterprise (East) Regional Advisory Board</b>	<b>BRYANT</b>	<b>NONE</b>	<b>NO</b>	<b>BRYANT (APPOINTMENT IS ROTATIONAL WITH THREE OTHER COUNCILS)</b>
<b>Scottish Liaison Group on Radioactive Waste Management</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
<b>Scottish Local Government Forum Against Poverty</b>	<b>CONTINUE FOR FURTHER INFORMATION BEFORE DECIDING WHETHER TO RE-AFFILIATE</b>	<b>AGREE TO RE-AFFILIATE AND TO NOMINATE COUNCILLOR POTTINGER</b>	<b>YES</b>	<b>CONTINUE FOR FURTHER INFORMATION BEFORE DECIDING WHETHER TO RE-AFFILIATE</b>
<b>Scottish Mining Museum Trust</b>	<b>CONTINUE FOR FURTHER INFORMATION</b>	<b>JOHNSTONE MUIRHEAD POTTINGER</b>	<b>YES</b>	<b>CONTINUE FOR FURTHER INFORMATION</b>
<b>Scottish Provosts Association</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
<b>Scout Association (Midlothian Area)</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
<b>South East of Scotland Transport Partnership</b>	<b>BRYANT &amp; JOHNSTONE</b>	<b>IMRIE RUSSELL</b>	<b>YES</b>	<b>BRYANT JOHNSTONE</b>
<b>Torness Local Liaison Committee</b>	<b>AWAIT APPROACH</b>	<b>POTTINGER</b>	<b>YES</b>	<b>AWAIT APPROACH</b>
<b>Tyne/Esk LEADER+ Local Action Group</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
<b>Veterans Champion</b>	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
<b>COSLA</b>				
(a) Convention	<b>BEATTIE &amp; THOMPSON + (1 Labour)</b>	<b>IMRIE</b>	<b>NO</b>	<b>BEATTIE IMRIE THOMPSON</b>
(b) COSLA Executive Groups	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Health and Well-being	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Education, Children and Young People	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Community Well-being and Safety	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Regeneration and Sustainable Development	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Resources and Capacity	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
Strategic Human Resource Management	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
(c) All of Scotland Group 2014	<b>AWAIT APPROACH</b>	<b>NONE</b>	<b>NO</b>	<b>AWAIT APPROACH</b>
(d) Scottish National War Memorial Trust	<b>TO BE NOTED</b>	<b>NONE</b>	<b>NO</b>	<b>TO BE NOTED</b>
<b>Miscellaneous Other</b>				
Business Transformation Steering Group	<b>BEATTIE BRYANT &amp; de VINK + (1 Labour)</b>	<b>Should be equal MILLIGAN MUIRHEAD</b>	<b>YES</b>	<b>BEATTIE BRYANT de VINK 1 Labour</b>
Customer First Programme Management Board	<b>DELETE</b>	<b>NONE</b>	<b>NO</b>	<b>DELETE</b>

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Member/Officer Working Group on Asset Management	DELETE	NONE	NO	DELETE
Social Housing Strategy				
(a)Midlothian Housing Strategy Forum	THOMPSON	NONE	NO	THOMPSON
(b)Council Sub-Group of the Midlothian Housing Strategy Forum	DELETE – ISSUES TO BE DEALT WITH BY CABINET	NONE	NO	DELETE - ISSUES TO BE DEALT WITH BY CABINET
Lothian and Borders Community Justice Authority	JOHNSTONE	NONE	NO	JOHNSTONE
Lothian and Borders Waste Management Project				
Joint Project Management Group Zero Waste: Edinburgh and Midlothian Strategic Forum	BRYANT	NONE	NO	BRYANT
South East Wedge - Pacific Shelf 826 Ltd	NONE	NONE	NO	NO DECISION TAKEN
Partnership Working				
(a) Midlothian Health Improvement Partnership	JOHNSTONE (CHAIR)	NONE	NO	JOHNSTONE (CHAIR)
(b) Midlothian Social Inclusion Partnership	JOHNSTONE (CHAIR)	NONE	NO	JOHNSTONE (CHAIR)
(c) Midlothian Access Forum Core Group	BRYANT & THOMPSON	NONE	NO	BRYANT THOMPSON

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Elected Members Joint Liaison Group - Shared Services with East Lothian Council - Midlothian Council Representatives	BEATTIE & BRYANT	NONE	NO	BEATTIE BRYANT (AS LEADER AND DEPUTE LEADER OF COUNCIL)
Joint Agency Approach to Crime Prevention and Community Safety in Midlothian				
*Executive Group	BEATTIE	NONE	NO	BEATTIE (AS LEADER OF COUNCIL)  (NB. Plus Chief Executive, Director, Communities and Wellbeing, Divisional Commander of Police and, as appropriate, representatives of other emergency services and private and voluntary sectors. <i>*Chairman to be a representative of the local authority</i> )
*Partnership Group	BRYANT	NONE	NO	BRYANT (AS DEPUTE LEADER OF COUNCIL) (NB. Plus Officer from Communities and Wellbeing. Appropriate Police and Fire and Rescue Service officers and other representatives as necessary <i>*Chairman to be a representative of the local authority</i> )

NAME AND APPOINTEE(S)	SNP/COALITION PROPOSAL(S) COUNCILLOR(S)	LABOUR PROPOSAL(S) COUNCILLOR(S)	VOTE	COUNCIL DECISION
Joint Agency Approach to Crime Prevention and Community Safety in Midlothian (Continued)				
*Issues Groups				<b>(NB. Comprises Partnership Group Members, Local Councillors, Local Traders and Community Councillors</b> <i>*Chairman to be a representative of the local authority)</i>





**APPENDIX X**

(relative to paragraph 14)

**MINUTES** of **MEETING** of the **MIDLOTHIAN COUNCIL** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 27 March 2012 at 2.00 pm.

**Present:-** Provost Montgomery, Depute Provost Russell and Councillors Aitchison, C Beattie, L Beattie, Bennett, Boyes, Brown, Chalmers, Constable, Imrie, Milligan, Moffat, Muirhead, Statham, Thompson and Wilson.

**Religious Representatives Present (Non-Voting Observers) for Education**

**Business:** - Mr V Bourne and Mrs M Harkness.

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

**1 Belgian Tragedy**

At the commencement of the meeting, the Provost was heard advising that he had recently written to the Belgian Ambassador expressing on behalf of the Council its sincere condolences following the bus accident in Switzerland that had resulted in the tragic loss of 28 lives.

The Provost also confirmed that he had received a response from the Ambassador thanking him for this expression of sympathy.

**2 Order of Business**

The Clerk advised that there was one additional item of business, with regard to Midlothian Amateur Boxing Club, which the Provost had ruled as urgent as dealt with at paragraph 6 of the Addendum below.

**3 Declarations of Interest**

No declarations of interest were declared.

**4 Minutes**

The Minutes of the undernoted Meeting of Midlothian Council were held as read and to be a true record of proceedings and were thereupon signed by the Provost.

**Date of Meeting**

28 February 2012

**Mover and Seconder**

Councillor Milligan  
Councillor Imrie

## 5 Cabinet and Other Meetings

The undernoted Minutes of Meetings of Cabinet and Committees were submitted. The Council noted the Minutes and approved the recommendations contained therein:-

Meeting	Date
Cabinet	7 February 2012
	22 February 2012
Planning Committee	14 February 2012
General Purposes Committee	7 February 2012
Local Review Body	21 February 2012

## 6 Leader of the Council's Response to Written Questions

There were no written questions to the Leader of the Council.

## 7 Meetings Pre-election - Possible Invocation of Standing Order 7.13

There was submitted report, dated 14 March 2012, by the Director, Corporate Resources, inviting Council to consider whether it wished to invoke Standing Order (SO) 7.13 in the run up to the elections on 3 May 2012.

SO 7.13, stated that: -

*"The Council may at any time, if it so determines, exercise the functions, powers and duties of any body referred to in the Scheme of Administration, unless otherwise provided for by statute or regulation."*

The report highlighted that at the last meeting of Midlothian Council on 28 February 2012, it had been agreed to assist the incoming Council, by approving a schedule of meeting dates to the end of June 2012. However, at the same time the Council confirmed that the Council meetings on 10 and 24 April be designated as potential dates but that they only take place to consider urgent business.

The report also highlighted that the benefit of invoking SO 7.13 in the pre-election phase was that unless otherwise provided for by statute or regulation, any business could be swept up and dealt with directly by the Council without the need for Special Meetings of Committee. Given however that the Council wished the meetings on 10 and 24 April to take place only if necessary, the question arose as to whether SO 7.13 needed to be invoked.

The report therefore provided three possible options:-

Option 1      SO 7.13 was not invoked. Any urgent business was dealt with by special meetings e.g. of Cabinet, General Purposes Committee etc, and the minutes reported back for approval in accordance with Scheme of Administration requirements

(normally to the next ordinary meeting of the Committee – which would then be after the elections).

- Option 2      SO 7.13 was invoked. The Council could then deal with all business unless otherwise provided for by statute or regulation.
- Option 3      SO 7.13 was invoked. The Council could then deal with all business unless otherwise provided for by statute or regulation. The Council could additionally agree to remit to the Chief Executive, in consultation with the Leader of the Council, to authorise in exceptional circumstances the holding of any special meeting of committees between now and the elections where this was deemed to be the best way to proceed (e.g. the Appeals Committee). Where such a meeting was considered necessary, the delegation could be granted so as to allow the Committee to act under the authority delegated to it within the Scheme of Administration, but on the basis that the minutes could be reported back to any meeting of the Council held before 3 May 2012 or thereafter in accordance with the Scheme of Administration.

### **Decision**

- (a) To agree Option 2 as detailed above, and
- (b) That the invocation of SO 7.13 be time limited to 3 May 2012, with the Scheme of Administration thereafter applying as before.

(Action: Director, Corporate Resources)

## **8      Asset Management Rationalisation Elected Members Accommodation Review**

There was submitted report, dated 15 March 2012, by the Director, Corporate Resources, providing a proposal for the rationalisation of Elected Member accommodation within the third floor of Midlothian House.

### **Decision**

To continue consideration of this matter until after the Local Government Elections on 3 May 2012.

(Action: Director, Corporate Resources)

## **9      Draft Elected Member Induction Programme & Draft Elected Member Annual Learning and Development Programme**

There was submitted report, dated 21 March 2012, by the Chief Executive, seeking approval of a draft Elected Member Induction Programme and Elected Member Annual Learning and Development Programme 2012/13.

### **Decision/**

## **Decision**

- (a) That the Induction for elected Members currently scheduled for Tuesday 8 May 2012 proceed;
- (b) That training on quasi-judicial roles be undertaken quickly thereafter; and
- (c) That further consideration be given to the timescale for delivery of the remainder of the Induction and Learning and Development Programme to ensure that this was properly paced.

(Action: Chief Executive)

## **10 Street Naming- Gorebridge**

With reference to paragraph 20 of the Minutes of Midlothian Council of 31 January 2012, there was submitted report, dated 13 March 2012, by the Director, Corporate Resources, inviting the Council to consider the representations received as a result of the publication of the Council's intention to change the street name Stobhill Road, Gorebridge to Lower Bonnybank Road, Gorebridge and to determine whether a change in street name should be effected.

The report advised that following the Council's decision, each of the proprietors affected were advised of the Council's intention and invited to comment on or object to the proposal. In addition, an advertisement was placed in the Midlothian Advertiser and the normal consultees were contacted to ascertain their views. This process elicited one response from the proprietor of No. 17 Stobhill Road, Gorebridge which was appended to the report.

## **Decision**

- (a) Having considered the representations, agreed to change the street name to Lower Bonnybank Road, Gorebridge;
- (b) That the existing numbering system be retained;
- (c) That the effective date of change be 1 June 2012 to allow sufficient time for records to be amended; and
- (d) That the Royal Mail be requested to retain the use of existing post codes.

(Action: Director, Corporate Resources)

## **11 Rebalancing Care for Older People**

There was submitted report, dated 8 February 2012, by the Acting Director, Communities and Wellbeing, seeking agreement to the funding application made by the Midlothian Community Care Partnership to access the Change Fund for Older People.

The report advised that Midlothian was allocated £976,000 and a detailed plan was approved locally and by the Scottish Government to develop services which would contribute to supporting more people at home rather than in care homes or in hospital settings.

The report further advised that following the 2012 Spending Review, Ministers announced that the Health and Social Care Change Fund would be increased to £80m in 2012/13, with £80m committed for 2013/14 and £70m for 2014/15, “to drive the development of services that optimise the independence and wellbeing for older people at home or in a homely setting”.

The Midlothian Plan including a more detailed breakdown of projects had to be submitted to the Scottish Government by 17 February 2012. The Plan was attached as an appendix to the report. Projects were expected to contribute to transformation in five key areas-“Preventative and Anticipatory Care”; “Hospitals and Care Homes”; Proactive Support at Home”; “Effective Care at Times of Transition”; and “Enablers”. The plan was also broken down against these areas in a further appendix to the report.

### **Decision**

- (a) To note the availability of the Change Fund to help transform older people’s services; and
- (b) To approve the Local Transformation Plan 2012-13).

(Action: Acting Director, Communities and Wellbeing)

## **12 Midlothian Carers Strategy and Action Plan 2012-15**

There was submitted report, dated 7 March 2012, by the Acting Director, Communities and Wellbeing, outlining how Midlothian was strengthening its support for carers locally through the Midlothian Carers Strategy and ‘Caring Together’ Action Plan and seeking formal approval of the Strategy.

The report highlighted that a number of national policy initiatives and strategies had emerged in recent years to ensure the role of carers was fully recognised and supported.

These national initiatives had been reflected locally in Midlothian, through the establishment of a Joint Carers Strategic Planning Group, the development of a Midlothian Carers Strategy and an accompanying Action Plan as shown in appendices to the report.

### **Decision**

To approve the new Carers’ Strategy and Action Plan to strengthen support for carers locally.

(Action: Acting Director, Communities and Wellbeing)

### **13 Welfare Reform 2012 - Preparation for Change**

There was submitted report, dated 6 March 2012, by the Acting Director, Communities and Wellbeing, presenting proposals drawn up by a short life working group established by the Director, Communities and Wellbeing, to prepare for the introduction of the Welfare Reforms now approved by the UK Parliament.

The report advised that the short life working group comprising senior managers and specialist staff from all three council divisions had mapped out the implications, desired outcomes and actions required in modelling the anticipated impact. The results of this exercise and the initial action recommendations were summarised within the report. The areas of work identified would require development into work streams using the council project management model in the short life group with an extension of membership to include HR and communications staff offered a means of coordinating short and longer term actions.

The report highlighted the proposed short term actions to be undertaken by the Council in order to address the introduction of the Welfare Reforms.

#### **Decision**

- (a) To agree the continuation of the welfare reform working group chaired by the Director Communities and Wellbeing with additional membership drawn from Human Resources in consultation with the Joint Consultative Group of trades unions where required;
- (b) To agree the priority short term actions set out in the report, endorsing the steps already taken and approving further development work on areas identified for action;
- (c) That a further report to include an action plan setting out the financial, structural and service delivery implications of proposed actions be presented for consideration by the Council in June 2012; and
- (d) To consider the involvement of outside agencies in the short life Working Group.

(Action: Acting Director, Communities and Wellbeing)

### **14 Sport and Leisure Review of Prices Sports Clubs, Voluntary Organisations etc**

There was submitted report, dated 13 March 2012, by the Director, Corporate Resources, providing information regarding the impact on Sports Clubs and Arts and Voluntary Organisations arising from the decision to increase Sport and Leisure charges with effect from Monday 1 August 2011.

The report advised that a number of local football clubs had made formal and informal representations to both Councillors and Council Officers regarding the impact of the changes.

Generally/

Generally sports clubs had been concerned regarding the increased costs not only from the hire of facilities, but also disclosure checks, additional transport costs, and other ancillary costs necessary to operate as a club. These clubs were largely operated by volunteers and typically provided activities for the young people of Midlothian.

The report also advised that Arts Clubs and other Voluntary Organisations were being impacted by a number of factors including increased costs and the general economic downturn.

The report proposed that given the across the board increase of 10% implemented in August 2011, that the grant payable to the Sport Clubs and Arts and other Voluntary Organisations be increased by 40%. This was conditional on clubs utilising Midlothian facilities.

### **Decision**

- (a) To approve an increase in the level of grants awarded to Midlothian Sports Clubs and Community Arts Voluntary Organisations;
- (b) To request the Director, Corporate Resources to progress this proposal in parallel with the Corporate Review of Fees and Charges;
- (c) To request the Director, Corporate Resources to liaise with Sports Clubs and Community Arts and Voluntary Organisations regarding the proposal; and
- (d) To request the Director, Corporate Resources to ensure that the revised grants apply to Sports Clubs and Organisations who utilise Midlothian facilities.

(Action: Director, Corporate Resources)

## **15 Jewel and Esk Valley College**

There was submitted report, dated 14 March 2012, by the Director, Corporate Resources, providing an update on the meeting held with Jewel and Esk Valley College following the Council motion approved at the last meeting viz:-

*“Midlothian Council expresses concern at a possible move of the Carpentry and Joinery Lecturing Team C&J/Construction provision at Jewel and Esk College into Edinburgh.*

*Midlothian Council is concerned that this facility is only 3 years old and was purpose built for unemployed pre-apprentices and employed apprentices and could be lost from the area, especially as most of the full time students live locally.*

*Council therefore agrees that the Director, Corporate Resources along with the Cabinet Member for Strategic Services urgently seek a meeting with the College Principal and Chair to ascertain the impact on the apprentices, particularly those from Midlothian.”*

The report advised that the meeting with the Chair and Principal of the college was extremely worthwhile and that the following was reinforced:-

- The Eskbank campus was an essential and integral component of the further education sector in not only Midlothian but also across the Lothians.
- The various campuses would remain for the foreseeable future and no decisions had been made on the campus provision.
- The college would continue to work with employers and stakeholders to provide modern courses to meet industry requirements.
- The requirement to retain and further develop partnerships including links with the Council.
- The benefits of local access whilst developing Centres of Excellence for specialist training.
- The need to change Further Education course provision to reflect the demands of industry.

### **Decision**

- (a) To note the outcome of the meeting with the Cabinet Member for Strategic Services as outlined in the report;
- (b) To note the intention of Jewel and Esk Valley College to further build on existing links with the Council; and
- (c) To request that the Director, Corporate Resources and Director, Education and Children's Services provide updates on progress with the college mergers as set out in the Consultation Paper entitled "College Implementation – Proposals for Implementing Putting Learners at the Centre" at a future meeting of the Council.

(Action: Director, Corporate Resources and Director Education and Children's Services).

## **16 Scotland's Schools for the Future – Phase 3**

There was submitted report, dated 15 March 2012, by the Director Education and Children's Services, advising that he had received a letter from the Scottish Government, dated 24 February 2012, setting out the context and objective for the third phase of funding for the Scotland's Schools for the Future programme. This letter set out the processes which local authorities should follow if they wished to apply for funding.

The report advised that the letter of 24 February confirmed that just under half of the initial £800 million of Scottish Government funding had been committed to the programme to date. As a result, Ministers now expected that a further phase of projects (Phase 3) would be brought forward to provide funding for up to another 30 projects, meaning the programme would now be able to deliver around 12 more schools than the 55 schools initially envisaged.

The report also advised that any submission to the Scottish Government was required by 21 July 2012. As a minimum, the application required to contain the following information:



- Unfunded short and medium term school estate investment requirements, with priority projects highlighted
- Current funded Local Authority school building programme
- An explanation of how the investment would support the delivery of key national and local policies
- A commitment to working with SFT and other partners to secure value for money.

### **Decision**

- (a) To note the content of the report;
- (b) To note that officers were preparing Midlothian's funding application;
- (c) To note funding for consultants fees of up to £18,000, which would be met from existing resources; and
- (d) To note that at the very latest, a further report would be brought to the June meeting of Council.

(Action: Director, Education and Children's Services)

## **17 Project Definition Documentation for Customer Services and People Strategy**

There was submitted report, dated 15 March 2012, by the Director, Corporate Resources, providing the draft project definition documentation for Customer Services and People Strategy elements of the Business Transformation Programme for consideration and approval by Council.

The report advised that the strategy documents for Customer Services and People Strategy had been approved by Council and that the completion of project definition documentation ensured that there was appropriate project governance for these elements.

### **Decision**

To approve the project definition documentation for Customer Services and People Strategy.

(Action: Director, Corporate Resources).

## **18 Business Transformation Programme Governance**

There was submitted report, dated 15 March 2012, by the Chief Executive, proposing revised governance for the Business Transformation Programme.

The/

The report provided details on the current governance arrangements and a proposed structure for future governance. The new structure included project boards for individual transformation strands which reported into the Business Transformation Board. Each project board had responsibility for ensuring the delivery of its sub projects. The structure also showed the ongoing and critical role of the Business Transformation Steering Group as a cross party and officer group that provided robust challenge and scrutiny of the Business Transformation Programme. Adopting the proposed structure ensured alignment across the range of activities within the Business Transformation Programme.

### **Decision**

To agree the proposed governance arrangements.

(Action: Chief Executive)

## **19 Application for Planning Permission (12/00093/DPP) for the change of use from Residential Care Home to House in Multiple Occupancy at 1A Eastfield Drive, Penicuik**

### **Sederunt**

Councillor Aitchison declared an interest in this item and took no part in the consideration thereof.

There was submitted report, dated 20 March 2012, by the Head of Planning and Development, with regard to an application for planning permission in relation to the change of use from a residential care home to a house in multiple occupation at 1A Eastfield Drive, Kirkhill, Penicuik.

The report advised that the proposal was for the change of use of the building, from a care home to a House in Multiple Occupation (HMO) providing homeless accommodation. The building was currently owned by the Daughters of Charity and operated by St Josephs Services in Rosewell. However it was scheduled to be purchased by Midlothian Council. The building would then be used to provide emergency accommodation for single adults and adults with children.

It was proposed to have accommodation comprising five single and three double bedrooms. The kitchen would be enlarged to cater for eight adults preparing their own meals. There would be lounge and dining areas and parking area for six cars would be retained.

The report also advised that there were only small changes to the external appearance of the building proposed. A garage door would be replaced with a window and replacement rooflights would be installed. This would increase the number of bedrooms in the property from seven to eight.

### **Decision**

That planning permission be granted for the following reason:

*The proposed development was compatible to the neighbouring land uses and did not conflict with the aims and objectives of the adopted Midlothian Local Plan policy RP20 subject to the following condition:*

The development hereby permitted shall be begun within three years from the date of this permission. Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site had been completed the planning authority shall be notified of the completion of works date in writing.

**Reason:** *To accord with Section 58 and 27A of the Town and Country Planning (Scotland) Act 1997 (as amended by Planning etc (Scotland) Act 2006).*

(Action: Head of Planning and Development)

## **20 Exclusion of Members of the Public**

In view of the nature of the business to be transacted, the Council agreed that the public be excluded from the meeting during discussion of the undernoted items of business, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 4, 6, 8, 9 and 12 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- (a) Craft Workers – Review of Pay, Terms and Conditions – Recommendations approved;
- (b) Zero Waste: Midlothian and City of Edinburgh Council's Zero Waste Project - Recommendations approved;
- (c) Note of Meeting of the Council Sub Group of the Housing Strategy Forum of 13 March 2012 - Recommendations approved;
- (d) Note of Meeting of the Social Work Complaints Review Panel of Thursday 8 December 2011 –Recommendations endorsed;
- (e) Offer to Purchase Lock-Up Garage Site at Eskdale Drive, Bonnyrigg – Agreed revised Option B; and
- (f) Midlothian Amateur Boxing Club - Recommendations approved.

The Council thereafter agreed to proceed as detailed in the Addendum hereto.

The Meeting terminated at 3.45pm.

