

Minute of Meeting



Midlothian Council

Date	Time	Venue
27 June 2017	11am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Provost Montgomery	Depute Provost Russell
Councillor Milligan – Council Leader	Councillor Muirhead – Depute Council Leader
Councillor Alexander	Councillor Baird
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Imrie	
Councillor Lay-Douglas	Councillor McCall
Councillor Munro	Councillor Parry
Councillor Small	Councillor Winchester

Religious Representatives (Non-voting observers for Education Business):

Mr V. Bourne	

In attendance:

Note – Prior to the meeting considering the business contained within the agenda, the Provost invited the meeting to stand in a minute's silence in respect of the recent Finsbury Mosque attack and also to remember the victims of the Grenfell Tower fire.

1. Apologies

- 1.1 The Clerk confirmed that apologies had been received from Councillor Johnstone and Rev. Ruth Halley.

2. Order of Business

- 2.1 The order of business was confirmed by the Clerk as that which was outlined in the agenda that had been circulated with the following amendments:

- The Provost agreed that items 8.5 and 9.1 would be heard as urgent business due to the publication times of the reports in respect of these items;
- Council were also asked to note that a corrected appendix to item 8.1 had been circulated which was reflective of the report considered on 23 May by the Council; and
- The Clerk further confirmed that the Provost had agreed to show a Midlothian Council promotional video entitled 'Teaching in Midlothian' prior to formal business being considered.

Following the video the Provost asked the Head of Education to pass on congratulations to all involved in the video which the Chamber agreed was excellent and would encourage teachers to come to Midlothian.

3. Declarations of interest

- 3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.
- 3.2 In addition Councillor Muirhead was heard declaring an interest in relation to item 7.3 and 8.16 due to his involvement with community groups.
- 3.3 In addition Councillor Milligan declared an interest in items 7.3 and 8.16 due to his involvement with community groups.
- 3.4 In addition Councillor Russell declared an interest in item 8.16 due to her work with community groups.
- 3.5 In addition Councillor Hackett declared an interest in item 8.16 due to his work with community groups.
- 3.6 In addition Councillor Montgomery declared an interest in item 8.16 due to his work with community groups.

4. Deputations

- 4.1 It was noted that no deputations had been received for consideration at this meeting.

5. Minutes of Previous Meetings

- 5.1 The minutes of the meeting of Midlothian Council which took place on 23 May 2017 were submitted for approval. The Council approved the minute as a correct record.

Councillor Parry requested an update in relation to the motion that was raised on 23 May 2017 in relation to the Community Action Teams which Councillor Muirhead confirmed that a report would be submitted as soon as negotiations were completed as per the terms of the motion on 23 May 2017. The Joint Director, Health and Social Care further confirmed that the aim of the Service was to bring a report to the next meeting of the Council.

6. Questions to the Leader of the Council

- 6.1 The following questions were submitted for consideration by the Council Leader.

Question No.	Question Title	Question raised by:
6.1	Building Safety	Councillor McCall

Question

What steps has the Leader taken to assess whether any buildings in Midlothian are clad in the type of cladding used in the Grenfell Tower tragedy, or similarly dangerous coatings, and what steps is the leader taking to address the findings?

Leader Response

The Leader provided a written response which was circulated to Members and is attached as Appendix 1 to this minute.

Question No.	Question Title	Question raised by:
6.2	Gender Balance	Councillor Parry

Question

- (1) To acknowledge the fact that Midlothian Council achieved the highest percentage of equal representation of any local authority in Scotland at the May 2017 local elections, with 39% of women elected, rising from 24% in 2012.*
- (2) Whether he thinks it is appropriate that he has chosen to appoint only male elected members to Cabinet positions of the Council and to all appointments at COSLA, ignoring the request from COSLA for a gender balance of elected members to represent local authorities at their*

meetings, thus ironically making Midlothian Council the most male run of local authorities in Scotland?

- (3)** *This being a missed opportunity to encourage and promote equal representation in Scottish politics to reconsider these decisions as a matter of urgency.*

Leader Response

The Leader provided a response as follows:

- (1) Acknowledges the gender balance with Midlothian Council;
- (2) Confirmed that the Council elect Members of the Cabinet not the Council Leader and further confirmed that there had been discussions between all Groups in relation to Cabinet positions in preparing the proposals for the Cabinet. The Leader further confirmed that the SNP Group had rejected the proposals for political reasons; and
- (3) In rejecting the proposals, the Leader felt the SNP Group had missed the opportunity to create a gender balance within the Cabinet. The Leader re-iterated the Labour Group's position in respect of working together with all political groups.

Question No.	Question Title	Question raised by:
6.3	Council Administration	Councillor Parry

Question

What is the full nature of the agreement between Midlothian Labour and the Conservatives to allow it to maintain an administration, and which Conservative Councillors will receive additional allowances as a result of appointments to Committees, external bodies or changes to Councillors rates of pay as a result of decisions taken by the Administration or the Council.

Leader Response

The Leader provided a response as follows:

There is no formal or informal agreement between the Labour Group and the Conservative Group. The Leader confirmed that following the Local Government Elections negotiations were had with both the SNP Group and the Conservative Group and as a result no formal or informal arrangements were agreed.

The Leader further confirmed that following this there had been discussion between the all Groups in relation to workstreams and the Conservative Group had agreed to take forward some of this work.

The Leader also re-iterated that the enhanced salary for the Conservative

Group Leader had been a decision of the Council and was a reflection of the workload. The Leader also re-iterated that as a result of the workload of the Group Leaders, a senior Councillor role was allocated to the Group Leaders of the Conservative and SNP Groups as a reflection of this work which was proposed at the last Council meeting and agreed by the Council.

7. Notices of Motions

Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	General Election	Councillor Hackett	Councillor Russell

Motion:

Midlothian Council wishes to congratulate Danielle Rowley on her election as the first female Member of Parliament for the Westminster Constituency of Midlothian. We look forward to working with her on behalf of the people of Midlothian.

Furthermore, Midlothian Council offers our appreciation to all the candidates that contested the election for their positive and respectful campaigns.

Summary of discussion

Councillor Hackett presented the motion. In congratulating Danielle Rowley, Councillor Hackett also expressed thanks to Owen Thompson for his work as the former Member of Parliament for the Midlothian Constituency. Councillor Hackett also confirmed that he felt that Danielle Rowley would be an excellent job representing the interests of the people of Midlothian paying particular reference to Danielle Rowley's experience and support within the community.

Councillor Russell seconded the motion echoing Councillor Hackett's comments in relation to Danielle Rowley's caring approach to her community and also to wish Owen Thompson well in the future. Further Councillor Russell echoed the wording of the motion in respect of the fact the Danielle Rowley was Midlothian's first female Member of Parliament.

Councillor Parry was then heard in support of the motion expressing that she wished Danielle Rowley well in her new role paying particular reference to the fact that she is Midlothian's first female Member of Parliament.

Councillor Winchester was then heard extending her congratulations to Danielle Rowley. Councillor Winchester also stated that she disagreed that the election had been run in a respectful manner and cited examples of the Conservatives' experiences during the election campaign in support of her statement.

Decision

The Council agreed the motion.

Motion No.	Motion Title	Proposed by:	Seconded by:
7.2	Rape Clause	Councillor McCall	Councillor Baird

Motion:

That Midlothian Council condemns the so-called rape clause in the UK Government's welfare reforms to child tax credits, which require victims of rape seeking to claim child tax credits to prove to the Department for Work and Pensions that their third child was born as a result of non-consensual sex; considers it barbaric that rape victims from Midlothian should be compelled to recount their abuse via an eight-page claimant form in order to claim welfare and further commends what it sees as cross-party support from Scottish Labour.

The Council applauds the principled decision that Rape Crisis Scotland and Scottish Women's Aid have taken to refuse to comply with a policy that is coercive and damaging to women and this council will write to Midlothian and East Women's Aid to offer to support their approach; the leader of the Council will also write to the Prime Minister and ask for an end to the policy of the 'rape clause' and 'family cap' to protect victims of rape and sexual abuse from untold distress and trauma arising from what it considers the cruel and callous welfare reforms of the Conservative Government.

Summary of discussion

The Council heard from Councillor McCall who presented the motion. In doing so Councillor McCall cited the recent High Court ruling that the benefit cap was unlawful, discriminatory and has caused real damage to families. Further the Councillor cited the Equalities Commission had suggested the legislation was regressive and may violate Human Rights Laws. Councillor McCall then spoke of the damaging affect this requirement would have to women who had been raped and that further it may discourage women in need from seeking the help they require as a result of being raped. In conclusion Councillor McCall cited the Scottish Labour Party Leader's recent speech in the Scottish Parliament in relation to the rape clause which echoed the sentiments of the motion.

Councillor Baird then seconded the motion citing that being a Councillor in one of the most deprived areas of Midlothian recognised the impact of these policies on his constituents.

Councillor Winchester was then heard stating that she felt that this was a national issue and as such felt that this motion was being used as a weapon and expressed her feeling that this was disgusting.

Councillor Hackett confirmed that the Labour Group would be supporting the motion. In supporting the motion Councillor Hackett suggested that the Council should be working with Women's Aid and other such organisation to oppose these changes.

Following a further contribution from Councillor Cassidy, the Council voted on the motion.

Five Councillors voted against the motion and twelve voted in favour of the motion which then became the decision of the Council.

Decision

The Council agreed to the terms of the motion

Action

Democratic Services/ Council Leader

Motion No.	Motion Title	Proposed by:	Seconded by:
7.3	Gala Days	Councillor Parry	Councillor Johnstone

Motion:

Midlothian Council congratulates the success of Gala Days, Festival's and Community Events held across Midlothian, and appreciates that these events bring together Midlothian's communities, require a huge effort from dedicated community champions as well as parents, carers, schools, children and other participants and recognises that these events could not take place without the help of volunteers who assist throughout the year as well as on the day.

Midlothian Council appreciates that these events are uplifting for Midlothian's Communities, values these traditions and wishes to congratulate and thank everyone involved.

Summary of discussion

The Council heard from Councillor Parry who presented the motion. Councillor Parry further spoke of her experience at the recent Loanhead Gala Day.

In the absence of Councillor Johnstone, Councillor Milligan seconded the motion and echoed the sentiments of the motion in relation to the work of the communities to mount these events which brings communities together.

Action

Democratic Services/ Provost

8. Reports

Agenda No.	Report Title	Presented by:
8.1	Schedule of Meeting Dates	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a paper which invited Council to continue the discussion from the meeting of the Council of 23 May 2017 in relation to item 3.7 Scheme of Administration and Schedule of Meeting Dates at that meeting specially in relation to agreeing the schedule of meeting dates as outlined in the corrected appendix to the report.

The Council then heard from Councillor Milligan who confirmed that there would be difficulty in relation to Councillor availability to agree a meeting of the full Council on 15 August 2017 as per the proposal. Therefore Councillor Milligan proposed that the meeting of the Council scheduled for 15 August 2017, was postponed to take place on 29 August 2017 at 11am and in consequence the Cabinet meeting that was scheduled for 29 August 2017 be brought forward to 15 August at 11am. Further Councillor Milligan proposed that in terms of scheduling start times for meetings that these were brought into line with all meetings starting either at 11am or 2pm with the exception of the Petitions Committee which would continue to meet at 10am.

Councillor Muirhead seconded the proposal.

Following queries from Councillors Parry and Baird which Councillor Milligan responded to, the Council then agreed then schedule of meetings dates as amended.

Decision

The Council agreed to:

- (a) Approve the schedule of meeting dates as amended by Councillor Milligan's proposal.

Action

Democratic Services

Report No.	Report Title	Presented by:
8.2	Outside Bodies - Appointments	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who in presenting the report invited the Council to fill the current vacancies within the Council's representation on Outside Bodies, namely Midlothian Twinning Association and Dean Tavern Trust.

Councillor Parry confirmed her nomination of Councillor Johnstone to the Dean Tavern Trust. Councillor Milligan and the Monitoring Officer confirming that if this

nomination was accepted, Councillor Johnstone would be required to step down from the Licensing Board.

The Council Leader suggested that the vacancy created by Councillor Johnstone's required resignation of her position on the Licensing Board could be delegated to Officers to accept a nomination from the SNP Group to fill the vacancy created on this Board.

Following this Councillor Parry also requested that the SNP Group's representation on the Police and Fire and Rescue Board be changed as follows~: Councillor Cassidy to step down and be replaced by Councillor McCall.

The SNP Group presented no nomination for their position on the Midlothian Twinning Association.

Decision

The Council agreed to:

- a) Councillor Johnstone filling the vacancy on the Dean Tavern Trust;
- b) The vacancy created by Councillor Johnstone's required resignation from the Licensing Board to confirmed by the SNP Group to Officers to allow the new member to attend the upcoming training course; and
- c) Amend the membership of the Police and Fire and Rescue Board to remove Councillor Cassidy and replace with Councillor McCall

Action

- a) Democratic Services
- b) SNP Group/ Legal Services
- c) Democratic Services

Report No.	Report Title	Presented by:
8.3	Social Work Complaints Review Panel	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report inviting the Council to nominate Members to the Social Work Complaints Review Panel in line with the Council's Scheme of Administration. The Director confirmed that this was required on an interim basis.

Councillor Milligan confirmed that the nominations as per the Scheme of Administration would be Councillors Muirhead, Imrie, Hackett and Curran. This proposal was seconded by Councillor Russell.

Decision

The Council agreed that:

- (a) Councillors Muirhead, Imrie, Hackett and Curran would form the pool of Members required in relation to representation on the Social Work Complaints Review Panel

Action

Democratic Services

Report No.	Report Title	Presented by:
8.4	Business Transformation Steering Group	Chief Executive

Outline of report and summary of discussion

The Provost requested comment on the report which had been circulated which sought Council approval for the revised Terms of Reference for the Business Transformation Steering Group.

The Council then heard from Councillor Parry who moved against the changes to the Business Transformation Steering Group. Councillor Parry confirmed that her reason for moving against the proposed change was that the Business Transformation Steering Group was set up with a specific purpose i.e. changing the way the Council work to make savings. Councillor Parry continued that her concern was that this Committee would end up being a 'cuts' Committee. In conclusion Councillor Parry moved the direct negative and further moved the status quo for the terms of the Business Transformation Steering Group.

Councillor Milligan confirmed that the Business Transformation Steering Group has no decision making powers and acts as a guide to Officers on transformation which is not about cuts and making effective use of Council resources. Further Councillor Milligan confirmed that the Business Transformation Steering Group would make recommendations for the full Council to consider in relation to transformation.

Councillor Muirhead was then heard in support of the proposed remit of the Business Transformation Steering Group which is required to support the Council in addressing the budget gap.

Councillor Parry then replied that the Group had made recommendations that had not only made financial savings but had also improved the service that the communities of Midlothian had benefitted from.

Councillor Cassidy then confirmed he seconded Councillor Parry's motion.

Councillor Milligan then summed up confirming that he accepted the recommendations in the report.

Following this the Council voted on the motions.

Five Councillors voted in favour of Councillor Parry's amendment and twelve Councillors voted in favour of Councillor Milligan's motion to agree the report which then became the decision of the Council.

Decision

The Council agreed to:

- a) Approve the revised Terms of Reference for the Business Transformation Steering Group.

Action

Democratic Services

Report No.	Report Title	Presented by:
8.5	Asset Management Rationalisation – Elected Members Accommodation Review	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report which sought Council approval to a proposal for the rationalisation of Elected Member accommodation within the third floor of Midlothian House and to introduce a further phase of the Council's Effective Working in Midlothian programme.

The Clerk circulated an amended layout proposal of the 3rd floor at Midlothian House which had been suggested by the Administration.

The Council Leader opened the debate by confirming that the purpose of this proposal was to support Elected Members working to the 'Effective Working in Midlothian' principles and to create more office space which would in turn realise savings to the Council.

Councillor Baird welcomed the proposal that space on the 3rd floor of Midlothian House be reconfigured to allow for staff to occupy some of the space and further spoke on behalf of the Group suggesting that there could be further space released if the SNP Group didn't occupy the Members' offices.

Councillor Parry was then spoke of her concerns in relation to the cost of the project. Further she re-iterated that it was the correct move to create more space for staff but felt there was not an adequate business case for the proposal. In conclusion Councillor Parry suggested that the report was continued to the next Council meeting to allow for cross party discussions and a more comprehensive business case.

Councillor Muirhead was then heard making reference to the report and commenting that in his view there was a clear business case for the proposals.

Councillor Milligan responded to Councillor Parry by re-iterating the savings to the Council as a result of the proposal coupled with more effective use of space for staff and Councillors.

Following this Councillor Parry spoke in favour of transforming the space to make better use of the building and further moved that the report was continued to the next meeting of the Council.

Councillor Milligan then heard summing up the proposals and formally moving that these were accepted by the Council.

The Director, Resources confirmed that the savings outlined in the report consisted of the reduced maintenance costs of Jarnac Court; reduced utility costs in Jarnac Court and reduced rates and water costs in Jarnac Court.

Councillor Cassidy was heard in support of Councillor Parry's comments and confirmed his view that further detail was required in relation to the business case for the proposals.

Following this the Council voted in relation to the motions.

Five Councillors voted for Councillor Parry's amendment that the report should be continued and twelve Councillors voted in favour of Councillor Milligan's motion that the proposals (subject to the amended layout plan that had been tabled at the meeting) were accepted which therefore became the decision of the Council.

Decision

The Council agreed to:

- (a) the proposal to reconfigure the 3rd floor of Midlothian House in line with the plan that was tabled by the Administration at the meeting;
- (b) request the Director Resources to progress the proposals in liaison with group leaders;
- (c) note the intention to undertake the works during the summer recess period for Member accommodation;
- (d) undertake the reconfiguration of the existing members' lounge during the summer recess to increase office utilisation; and
- (e) in approving the reconfiguration, approve the inclusion of £122,000 in the General Services Capital Plan for 2017/18.

Action

Director, Resources

Report No.	Report Title	Presented by:
8.6	Audit Scotland Report – Local Government in Scotland – Performance and Challenges 2017	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which provided the Council with a summary of Audit Scotland's report, 'Local government in Scotland: Performance and challenges 2017'. Further the Chief Executive elaborated on the Council's position in relation to the report's findings.

Councillor Milligan commented on the importance of this report – specifically in relation to the position of Midlothian Council. In drawing on the reference to workforce planning, the Council Leader then suggested that a report be brought back to Council for consideration in September if possible outlining how this will be managed in relation to Council structures over the next five years.

Councillor Hackett then spoke of the challenge in relation to setting a five year strategy with only year on year budgets to support this.

Decision

The Council agreed to:

- (a) note the Audit Scotland report and the position of Midlothian Council in relation to the report's recommendations

Report No.	Report Title	Presented by:
8.7	Financial Monitoring 2016-17 – General Fund Revenue	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to provide Council with information on performance against revenue budget in 2016/17 and details of the material variances.

The Council Leader expressed his concern in relation to the final position – specifically in relation to the £2.5m overspend. Councillor Milligan also expressed concern in relation to the fact that the final variance from some areas of the Council was considerably worse than had been predicted.

Councillor Muirhead was then heard expressing his concern specifically in relation to the business transformation savings variance.

Councillor Smail was then heard expressing his concern in relation to the financial position and the impact to the Council.

Councillor Hackett was then heard echoing the concerns of Councillors Milligan and Muirhead and further spoke of the positive work done by the Commercial

Services team to achieve such a large underspend.

Decision

The Council agreed to:

- (a) note the contents of the report and consider the financial position in the context of the Financial Strategy for 2017/18 to 2021/22.

Report No.	Report Title	Presented by:
8.8	Housing Revenue Account – Revenue and Capital Final Outturn 2016-17 and Capital Plan 2017-18 to 2021-22	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to provide Council with:-

- The final outturn position for 2016/17 for both the Housing Revenue Account (HRA) Capital Plan and the Revenue Account;
- A revised capital plan for 2017/18 to 2019/20 reflecting the carry forwards from 2016/17.

Decision

The Council agreed to:

- (a) note the contents of the report

Report No.	Report Title	Presented by:
8.9	Annual Treasury Management Report 2016-17	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to inform members of the Treasury Management activity undertaken in 2016/17 and the year end position.

Councillor Milligan congratulated staff involved in the treasury management activities for their continued work in delivering such a positive position.

Councillor Smail was heard expressing his concern in relation to the variance between the interest received on deposits and the interest charged on the Council's borrowing and suggested he have further discussion with the s.95 Officer in respect of this balance. The Head of Finance and Integrated Service Support confirmed he was happy to discuss the report with any of the Elected Members.

Decision
<p>The Council agreed to:</p> <p>(a) Note the Treasury Management Annual Report for 2016/17.</p>

Report No.	Report Title	Presented by:
8.10	General Services Capital Plan Outturn 2016-17	Head of Finance and Integrated Service Support

Outline of report and summary of discussion
<p>The Council heard from the Head of Finance and Integrated Service Support who presented a report which presented the final outturn for 2016/17 on the General Services Capital Plan.</p>

Decision
<p>The Council agreed to:</p> <p>(a) Note the General Services Capital Plan outturn position for 2016/17.</p>

Report No.	Report Title	Presented by:
8.11	Financial Strategy 2018-19 to 2021-22	Head of Finance and Integrated Service Support

Outline of report and summary of discussion
<p>The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided Council with an update on the Financial Strategy encompassing the years 2018/19 to 2021/22.</p> <p>This included:-</p> <ul style="list-style-type: none"> • An update on future years Scottish Government Grant; • Budget projections for 2018/19 to 2021/22; • A sensitivity analysis reflecting the potential impact of different pay and grant settlement scenarios years; • An update on the arrangements for the delegation of resources to the Midlothian Integration Joint Board; • An update on the change programme aimed at addressing the projected budget shortfalls; • The proposed governance arrangements and timetable for the 2018/19 budget; • Proposed additions to the General Services Capital Plan in 2017/18 in respect of the School estate; • An update on Reserves. <p>Councillor Milligan emphasised that the report brought home the challenges that the Council is facing. Councillor Milligan specifically highlighted that the next five years would see a rise on the cost of delivering Council services whilst the grant</p>

funding from the Scottish Government would reduce over the same period. Councillor Milligan further highlighted the challenges in meeting the budget gap in light of the protected funding for certain Council services. Further Councillor Milligan cited the projected demographic changes in Midlothian as further creating pressures on Council services – particularly impacting on front-line services. In conclusion Councillor Milligan referred to the fact that Midlothian is the fastest growing county in Scotland and therefore proposed, whilst the recommendations in the paper were accepted, that a further recommendation was added:

‘Council agrees that the Leader writes to all the MSPs representing Midlothian demanding that they oppose any further reduction in Scottish Government grant funding to Midlothian Council. In addition they will ensure that any adjustment in grant funding resulting from projected increases in house building within Midlothian do not fall behind the actual increases in population. In addition Council consents to the Council Leader to seek a meeting with the Finance Minister to make a case for additional and exceptional support in these exceptional circumstances.’

The Council then heard from Councillor Parry who wished to emphasise the local government financial position in Scotland and proposed that the Council Leader also writes to MPs and the Prime Minister to make a case for additional funding and oppose any further cuts in local authority funding.

Council Smaill was then heard provided a further analysis in relation to the balance of funding to local authorities between Westminster and Holyrood.

Council Hackett was then heard providing further comment in relation to the funding position for local authorities in Scotland and the impact to local communities.

In summing up Councillor Milligan agreed to widen the proposal to include the MP and the Prime Minister. Further the Council Leader confirmed that the way forward was to have meaningful discussions with MSPs, the Finance Minister and MP to highlight the impact to society.

Decision

The Council agreed to:

- a) Note the position in respect of the Scottish Government Grant Settlement as set out in section 2 and endorse the central planning assumption of average 3.25% per annum reduction in grant settlements;
- b) Note the current projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 and endorse the key assumptions on which the budget projections are based;
- c) Note the continuing uncertainties and the potential impact as outlined in the differing scenarios as set out in section 6;
- d) Note the requirement to delegate resources to the Midlothian Integrated Joint Board and the ongoing work to support the development of the IJB’s own Financial Plans;

- e) Note the impact of the Change programme and projected future years Council Tax increases and the impact on the Financial Strategy as set out in table 6;
- f) Approve provisions in the General Services Capital Plan for 2017/18 as detailed in section 8.4 as follows:-
 - £200,000 in respect of Cuiken and Sacred Heart Primary School;
 - A additional provision of £0.936 million to allow the procurement and installation of modular units during the 2017/18 academic year to provide additional capacity at Mayfield Nursery School, Danderhall, St David's, Lasswade and Burnbrae Primary Schools.
- g) Note the governance arrangements out in section 9 and approve the proposed timetable set out in table 7;
- h) Note that the projections at this time indicate that a budget gap of £9.029 million for 2018/19 rising to £34.832 million by 2021/21, though these are heavily dependent on the assumptions detailed in the report;
- i) Note that the Strategic Leadership Group is engaged in developing budget options which will be presented to Council in September 2017, with budget decisions being in early 2018;
- j) Note the severity of the financial challenge and also the risks as set out in section 12.2.
- k) Otherwise note the contents of the report.
- l) The Leader writes to all the MSPs representing Midlothian demanding that they oppose any further reduction in Scottish Government grant funding to Midlothian Council. In addition they will ensure that any adjustment in grant funding resulting from projected increases in house building within Midlothian do not fall behind the actual increases in population. In addition Council consents to the Council Leader to seek a meeting with the Finance Minister to make a case for additional and exceptional support in these exceptional circumstances. In addition the Council Leader will write to the MP and Prime Minister to make a case for additional funding to local authorities in Scotland and oppose any further cuts in local authority funding.

Action
(a-k) Head of Finance of Integrated Service Support
(l) Democratic Services/ Council Leader

Report No.	Report Title	Presented by:
8.12	Financial Accounts 2016-17	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided Council with a brief overview of the Council's Financial Statements for 2016/17.

Councillor Smaill queried why the unaudited accounts had only been circulated to Members the day before to which the Head of Finance and Integrated Service Support confirmed there had been an issue in relation to the Capital Accounting which had a knock-on effect in relation to generating the final accounts.

Councillor Smaill expressed concern in relation to the date of the next Audit Committee to which the Chief Executive confirmed there would be a meeting of the Audit Committee in September 2017 and the date had yet to be confirmed.

Decision

The Council agreed to:

- (a) Endorse the contents of this report and approve the Council's Financial Statements for 2016/17

Report No.	Report Title	Presented by:
8.13	Community Empowerment Act - Implementation	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which sought to:

- Update the Council on the progress in implementing the Community Empowerment (Scotland) Act 2015.
- Note the establishment of the Asset Management Assessment Group and publish a searchable database of council assets.
- Demonstrate the front-facing web resource for Participation Requests.
- Seek approval for the process for coordinating Participation Requests.

Councillor Muirhead was heard in support of the recommendations and further queried if there was anything in the legislation which prevented Elected Members being involved in asset transfer. The Council heard from the Community Planning Manager who confirmed that there is nothing excluding Elected Members from the process and confirmed that the process within Midlothian would ultimately see requests being brought forward to Council for approval. Councillor Muirhead continued by stating he felt it would be appropriate for Elected Members to be involved in the process at an earlier stage than was being proposed. The Community Planning Manager confirmed he would progress this with the Chair of the Community Planning Partnership Board and any Elected Member who wished to be involved.

Councillor Cassidy confirmed he welcomed the publication of the Asset Register and Councillor Hackett expressed his view that the sentiments of the Community Empowerment Act needed to be backed by funding from the Scottish Government – with specific reference to deprived communities.

Decision

The Council agreed to:

- a) Note the progress in implementing the Community Empowerment Act.
- b) Note the establishment of the Asset Management Assessment Group and the legal duty to publish a searchable database of Council assets.
- c) Approve the process for managing Participation Requests.
- d) The Community Planning Manager progressing Elected Member participation in relation to the asset transfer process in discussion with the CPP chair..

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.14	Single Midlothian Plan	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which sought approval from the Council for the 2017/18 annual action plan, outcomes and indicators, and their adoption as the partnership's shared Local Outcome Improvement Plan for 2017/18.

Decision

The Council agreed to:

- a) approve the Single Midlothian Plan for 2017/18 as agreed by the Community Planning Partnership Board

Report No.	Report Title	Presented by:
8.15	Midfest - 2017	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who spoke to a report which sought to advise Council of:

- (a) the success and outcomes of Midfest 2016 festival and
- (b) the proposed arrangements going forward for the Midfest 2017 festival.

Councillor Parry who in confirming her broad support for the recommendations and for the festival aired her concerns in relation to charging for child admission to the festival and suggested other options in relation to funding should be considered going forward based on the feedback of the festival attendees.

The Director confirmed that he had considered other options but felt in the current climate he could not compromise on the safety of the event.

Decision

The Council agreed to:

- (a) Note the success of Midfest 2016
- (b) Note the resource implications particularly arising from the Sunday event; and the intention of the Director Resources to fund up to £10000 from existing budgets.
- (c) Instruct the Director Resources to continue to explore opportunities for reducing costs and maximising external funding.
- (d) Approve the proposed entry charges as set out in this report.

Action

Director, Resources

Report No.	Report Title	Presented by:
8.16	Voluntary Sector Grants	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education Communities and Economy who presented a report which invited Elected Members to consider extending current 3 year grant holders grants by six months to one year, to allow for engagement with stakeholders, voluntary organisations and Elected Members, to agree how the Council can use the limited resources going forward to best meet the needs of Midlothian's communities.

Councillor Muirhead referenced the Council's financial position in relation to the grants and confirmed that in order for the voluntary organisations to effectively plan their services it was sensible to extend the grants for 6 months.

Councillor Cassidy spoke in favour of this approach.

The Director confirmed that the organisations had requested that the extension be for a year rather than six months.

Following a discussion involving Councillors Hackett, Smaill, Parry, and Muirhead

with responses from the Director, Councillor Parry moved that there was a twelve month extension to organisations. This was seconded by Councillor Alexander.

Councillor Milligan moved that the recommendations in the report were accepted by the Council which was seconded by Councillor Muirhead.

Following this the Council voted in relation to the motions.

Five Councillors voted in favour of Councillor Parry's motion and twelve voted in favour of Councillor Milligan's motion which then became the decision of the Council.

Decision

The Council agreed to:

- (a) Extend 3 year grants for a further six months to the end of September 2018 to allow consideration of future options;
- (b) Invite third sector partners to re –enter “co- production” of revised arrangements, aiming to have an agreed position available for Council consideration during the budget setting process for 2018/19;
- (c) Request equalities staff undertake an Integrated Impact Assessment so that any changes to the grants programme comply with equality legislation and do not inadvertently discriminate against specific groups; and
- (d) Continue with another round of one year small grants on the existing basis.

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.17	Update on Digital Centre for Excellence – Newbattle Community High School	Head of Education

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought to update Council on progress towards the new Digital Centre of Excellence and to seek approval for the capital and revenue funding for the mainstream digital assets of the wider Centre.

Councillor Baird was heard in support of the proposals that had been presented to the Council.

Councillor Muirhead was heard in further support of the proposals.

Further Mr Bourne was heard in support of the proposals that had been presented.

Decision

The Council agreed to:

- (a) Note the proposed investment in digital assets which are designed to ensure that centre is fully equipped to deliver services from March 2018;
- (b) Approve the addition of £457,000 to the General Services Capital Plan in 2017/18 to fund the proposed investment;
- (c) Approve the additional revenue operating and borrowing costs of £38,000 as a consequence of this investment which will increase future years budget shortfalls;
- (d) Note the ongoing work to support the development of Newbattle Digital Centre of Excellence;
- (e) Approve the increased cost of DHT as outlined in 4.2 of the report; and
- (f) Note that a further report will be brought to Council once the outcomes and implications of City Deal funding is known.

Action

Head of Education

Report No.	Report Title	Presented by:
8.18	Saltersgate School Adaptation	Head of Education

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought to:

- Update Council on the approval given in October 2016 to establish a capital budget within the General Services Capital Plan for adaptations and alterations to take place during session 2016-2017.
- Request funding to complete further internal adaptation and alterations in session 2017-18 and for the estimated costs on redevelopment of all sections of the playground.

Decision

The Council agreed to:

- (a) Note the successful completion of the internal adaptations and alterations approved in October 2016;

- (b) Note the proposed internal alterations and adaptations and the proposed playground development which are designed to ensure that Saltersgate School continues to meet Midlothian children's needs;
- (c) Approve the addition of £154,563 to the General Services Capital Plan in 2017/18 to fund the proposed internal alterations and adaptations;
- (d) Approve a net addition of £262,571 to the General Services Capital Plan in 2017/18 to fund the playground Improvements; and
- (e) Note that there will be additional unitary Charge and Borrowing costs as a consequence of these projects as detailed in the report.

Action

Head of Education

Report No.	Report Title	Presented by:
8.19	Naming of New Centre at Newbattle	Head of Property and Facilities Management

Outline of report and summary of discussion

The Council heard from the Head of Property and Facilities Management who presented a report who sought approval for the new multi use building at Newbattle to be named Newbattle Community Campus.

Decision

The Council agreed to:

- (a) Approve the change of name from Newbattle Centre to Newbattle Community Campus with immediate effect.

Action

Head of Property and Facilities Management

Report No.	Report Title	Presented by:
8.20	Update on Current Position of Complaint Handling Procedure	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which provided Council with an update on the current position of the Complaint Handling Procedure, including the management of the corporate approach.

Decision

The Council agreed to:

- (a) Note the approach to the way the Council handles complaints to meet its obligations and the ongoing work in relation to developing the Council's approach to complaint handling.

Report No.	Report Title	Presented by:
8.21	National Mental Health Strategy	Joint Director, Health and Social Care

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to provide Council with a summary of the objectives and key actions outlined in the Scottish Government ten year Mental Health Strategy which was published in March 2017.

Decision

The Council agreed to:

- a) to note the new Mental Health Strategy and
- b) to note the implications highlighted in the report for Council services.

Report No.	Report Title	Presented by:
8.22	Sustainable and Affordable Social Care Services	Joint Director, Health and Social Care

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to summarise the work being undertaken to reshape services and further sought approval of two specific policies intended to ensure a stronger approach to the equitable provision of social care.

Decision

The Council agreed to:

- (a) Note the work being undertaken to develop a more financially sustainable approach to social care.

- (b) Approve the Fair Allocation of Care Policy
- (c) Approve the Transport Policy for People who use Community Care Services
- (d) Note the work being undertaken to extend the application of new technology

Action

Joint Director, Health and Social Care

Report No.	Report Title	Presented by:
8.23	Carers Act	Joint Director, Health and Social Care

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to provide Council with information about the Carers (Scotland) Act (2016) and new duties under the legislation and to note the proposal to put in place a local implementation group.

Decision

The Council agreed to:

- (a) The establishment of a local implementation group to involve officers from Adult Care, Education and Children's Services in addition to colleagues from relevant voluntary organisations.

Action

Joint Director, Health and Social Care

9. 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 item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- (a) Education Appointments – presented by Director, Resources – Approved
- (b) Scottish Government Regeneration Capital Grant Fund – Call for Applications – presented by Director, Resources - Approved