

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 17 November 2020**

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

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Midlothian Council 6 October 2020	3 - 12
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## **2 Minutes of Meetings submitted for Consideration**

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

Local Review Body 18 February 2020	13 - 20
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Audit Committee 18 August 2020	21 - 26
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General Purposes Committee 1 September 2020	27 - 28
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Planning Committee 1 September 2020	29 - 36
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Cabinet 8 September 2020	37 - 44
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Business Transformation Steering Group 14 September 2020	
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## **3 Minutes of Meetings submitted for Information**

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

Midlothian Integration Joint Board 27 August 2020	45 - 54
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Special Midlothian Integration Joint Board 10 Sept 2020	55 - 58
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# Minute of Meeting



## Midlothian Council

Date	Time	Venue
6 October 2020	11am	Virtual Meeting via MS Teams

### Present:

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

### In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Morag Barrow, Joint Director, Health and Social Care	Fiona Robertson, Executive Director Children, Young People and Partnerships
Gary Fairley, Chief Officer Corporate Solutions	Derek Oliver, Chief Officer Place (for Item 8.4)
Alison White, Head of Adult Services	Alan Turpie, Monitoring Officer
Mike Broadway, Democratic Services Officer	Verona MacDonald, Democratic Services Team Leader
Annette Lang, Strategic Service Redesign Manager (for Item 8.10)	

## 1. Welcome and Apologies for Absence

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

## 2. Order of Business

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The Provost confirmed the order of business was as per the agenda circulated and noted the reports marked "to follow" on the agenda had been distributed separately. He further noted the revised report also circulated in advance of the meeting regarding Item 9.2.

## 3. Declarations of interest

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None intimated.

## 4. Deputations

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None received.

## 5. Minute of Previous Meeting

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5.1 The Minute of meeting of Midlothian Council of 25 August 2020 was unanimously approved and the Provost was authorised to sign it as a true record of the meeting.

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

Meeting	Date of Meeting
Appeals Committee	3 October 2020
Police and Fire and Rescue Board	17 February 2020
General Purposes Committee	25 February 2020
Cabinet	3 March 2020
Business Transformation Steering Group	9 March 2020
Performance, Review and Scrutiny Committee	17 March 2020
Planning Committee	9 June 2020
Audit Committee	22 June 2020

## 6. Questions to the Leader of the Council

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None received.

## 7. Notice of Motion

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Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	Street Naming Protocol for new Midlothian streets	Councillor Parry	Councillor Winchester
<b>Motion:</b>			
The Motion was in the following terms			

*“That the Council recognises the tradition and the responsibilities that the Provost has regarding street naming.*

*Notes that there is no formal process or role for the local Community or elected members to input.*

*Agrees that the Council implement a scheme of notification to the relevant Ward Councillors & the relevant Community Councils with proposed new street names.*

*And also agrees that should there be an objection made by any parties, that there should be input from local members to resolve the issue.”*

Prior to consideration of the Motion the Provost advised that he did not consider the Motion to be competent as it had not been properly counter-signed as required by Standing Order 8.3. Accordingly, he did not intend to allow the Motion to be considered. In the interim, so that the proposer and seconder are not materially disadvantaged, the Provost confirmed he would not name any further streets unless a developer has an urgent need and were that to be the case the relevant Councillors would be reminded on application of the development to which planning permission has been granted.

Thereafter, the Council Leader, Councillor Milligan, moved suspension of all Standing Orders to allow the Motion to be considered. His Motion was seconded by Councillor Parry. A Roll Call vote was taken as follows:-

<b>Councillor</b>	<b>For the Motion to suspend Standing Orders</b>	<b>Against the Motion to suspend Standing Orders</b>	<b>Abstain</b>
Councillor Alexander	√		
Councillor Cassidy	√		
Councillor Curran	√		
Councillor Hackett	√		
Councillor Hardie		√	
Councillor Imrie	√		
Councillor Lay-Douglas			√
Councillor McCall	√		
Councillor Milligan	√		
Councillor Muirhead	√		
Councillor Munro		√	
Councillor Parry	√		
Councillor Russell	√		
Councillor Smail		√	
Councillor Wallace	√		
Councillor Winchester	√		
<b>TOTAL</b>	<b>12</b>	<b>3</b>	<b>1</b>

Two thirds of the members present having voted accordingly in terms of Standing Order 3.1, Standing Orders were suspended to allow the Motion to be considered.

#### **Summary of discussion**

Councillor Parry then spoke in favour of the Motion and Councillor Winchester confirmed she was seconding it. On a further vote being taken, 12 Members voted in favour; 3 voted against and one abstained.

#### **Decision**

The Motion was approved

## 8. Reports

Report No.	Report Title	Report by:
<b>8.1</b>	<b>Family Leave Guidance for Councillors</b>	<b>Chief Officer Corporate Solutions</b>
The Council considered the terms of a report regarding the Family Leave Guidance for Councillors endorsed by COSLA Leaders in September 2019 and updated in April 2020 to reflect amendments to the Local Government (Scotland) Act 1973, now circulated to Councils for adoption on a voluntary basis.		
<b>Decision</b>		
The Council agreed to voluntarily adopt and implement the Family Leave Guidance for Councillors.		
<b>Action</b>		
Chief Officer Corporate Solutions		

Report No.	Report Title	Report by:
<b>8.2</b>	<b>Menopause Guidance for Councillors</b>	<b>Chief Officer Corporate Solutions</b>
<b>Outline of report and summary of discussion</b>		
The Council considered the terms of a report regarding the Menopause Guidance for Councillors approved by COSLA's Community Wellbeing Board in June 2020.		
<b>Decision</b>		
The Council agreed to voluntarily adopt and implement the Menopause Guidance for Councillors.		
<b>Action</b>		
Chief Officer Corporate Solutions		

Report No.	Report Title	Report by:
<b>8.3</b>	<b>Schedule of Meetings for the remainder of 2020</b>	<b>Executive Director Place</b>
The Council considered the recommendation of the Standing Orders Working Group to confirm the current schedule of meeting dates for the remainder of 2020 as per Appendix B of the report.		
<b>Decision</b>		
The Council approved the recommendation of the Standing Orders Working Group and confirmed the current schedule of meeting dates for the remainder of 2020 as per Appendix B of the report and noted that, as per the decision taken by the Council in June 2020 (Midlothian Route Map Through and Out of the Crisis), virtual meetings would continue.		
<b>Action</b>		
Executive Director Place		

Report No.	Report Title	Report by:
<b>8.4</b>	<b>Midlothian Safety Advisory Group Policy</b>	<b>Chief Officer Place</b>
<b>Outline of report and summary of discussion</b>		
The Council heard from the Chief Officer Place who spoke to the terms of a report which sought approval for Midlothian Safety Advisory Group Policy.		
<b>Decision</b>		
The Council approved the Safety Advisory Group Policy.		
<b>Action</b>		
Chief Officer Place		

Report No.	Report Title	Report by:
<b>8.5</b>	<b>Midlothian Compact Agreement 2020 - 2025</b>	<b>Strategic Service Redesign Manager</b>
<b>Outline of report and summary of discussion</b>		
The report invited the Council to consider the Midlothian Compact Agreement 2020 to 2025 which creates a foundation for positive working relationships between the Third Sector and the Council to support better outcomes for communities.		
<b>Decision</b>		
The Council agreed to:-  (a) note and support the priorities outlined in the Compact Agreement and; (b) adhere to the TRACK values in joint work with the third sector, namely, Togetherness; Respect; Accountability; Creativity and Kindness		
<b>Action</b>		
Strategic Service Redesign Manager		

Report No.	Report Title	Report by:
<b>8.6</b>	<b>Homelessness Update</b>	<b>Executive Director Place</b>
<b>Outline of report and summary of discussion</b>		
It was noted that the report which was marked "to follow" on the agenda had subsequently been circulated. The Executive Director Place spoke to the terms of the report which provided information for consideration in respect of the potential repurposing of the former Loanhead Police Station site for its intended original use and; the expected lifespan for the continued use of the shared support temporary accommodation service provided at Pentland House, Penicuik.  Thereafter, the Provost noted the 3 options available to the Council. Councillor Imrie, seconded by Councillor Cassidy, rejected Option (a); moved Option (b) to dispose of the site and in addition instruct officers to utilise the funds received to purchase properties from the private sector for the Rapid Rehousing Transition Plan; that officers further investigate the request from Loanhead Gala Committee to use the garage on the site, without commitment and note Option (c). With no Member being otherwise minded this became the decision.		
<b>Decision</b>		
The Council:-		

<p>(a) rejected Option (a) of the report recommendations, namely, to commission a feasibility report for an affordable new house build development at the former Loanhead Police Station;</p> <p>(b) approved Option (b) to dispose of the site and instruct officers to utilise the funds received to purchase properties from the private sector for the Rapid Rehousing Transition Plan and in addition, investigate the request from Loanhead Gala Committee to use the garage on the site, without commitment and;</p> <p>(c) noted Option (c) of the report recommendations, namely, the requirement for the continued use of the temporary shared supported accommodation based at Pentland House, Penicuik and the proposal to develop a further Decommissioning Strategy for the property as part of the Rapid Rehousing Transition Plan.</p>
<b>Action</b>
Executive Director Place

<b>Report No.</b>	<b>Report Title</b>	<b>Report by:</b>
<b>8.7</b>	<b>United Nations Convention on the Rights of the Child</b>	<b>Executive Director Children, Young People and Partnerships</b>
<b>Outline of report and summary of discussion</b>		
<p>The Council heard from the Executive Director Children, Young People and Partnerships who spoke to the terms of a report which provided a summary of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill ("the Bill") as introduced in the Scottish Parliament on 1 September 2020. Additionally, the report sought agreement for a response to be sent to the Scottish Government setting out the Council's position and any potential implications for the Council and seek assurance from the Scottish Government that these will be considered fully and addressed prior to the Bill's provisions coming into effect as a matter of law.</p>		
<b>Decision</b>		
<p>The Council:-</p> <ul style="list-style-type: none"> <li>(a) noted the terms of the report;</li> <li>(b) agreed that a further report be presented setting out the potential implications for the Council of the incorporation of the United Nations Convention on the Rights of the Child into domestic law;</li> <li>(c) noted Officers intend to work closely with COSLA, SOLACE and SOLAR in considering potential implications for the Council if the United Nations Convention on the Right of the Child (Scotland) Bill is incorporated into domestic law and;</li> <li>(d) agreed to ensure the Council's position is relayed to the Scottish Government, either by sending a letter from the Council, or by contributing to a response by COSLA, SOLAR and/or SOLACE.</li> </ul>		
<b>Action</b>		
Executive Director Children, Young People and Partnerships		



Report No.	Report Title	Report by:
<b>8.8</b>	<b>Early Learning and Childcare Expansion Update October 2020</b>	<b>Executive Director Children, Young People and Partnerships</b>
<b>Outline of report and summary of discussion</b>		
<p>The Council heard from the Executive Director Children, Young People and Partnerships who spoke to the terms of a report which provided an updated on progress with the implementation of 1140 early learning and childcare in Midlothian.</p> <p>Thereafter, Councillor Muirhead advised the Council is receiving 24% less funding from the Scottish Government and that the figure had been confirmed by its own auditors. He explained that this is because funding is based on the population in the 2014 census rather than the current population. He further noted the Council had to carefully consider what can be offered in terms of the 1140 hours provision. Further contributions were made by Councillors Alexander and Cassidy who suggested the distribution of funding was decided by COSLA and the Council was not doing enough at COSLA to secure appropriate funding. They further offered to attend COSLA and get a better deal. Councillor Curran stated the matter was entirely a decision by the Scottish Government and whereas 11 other Councils were also underfunded, it was not to the same extent as Midlothian. The Council Leader confirmed the funding distribution was made by COSLA but it is the Scottish Government who applied the matrix. He further advised he intended to write to the Deputy First Minister seeking a meeting and he was happy for the other political parties to accompany him.</p>		
<b>Decision</b>		
The Council noted the progress with the implementation of 1140 hours early learning and childcare and the revised plans being taken forward to deliver 1140 funded hours for all eligible children by the end of October 2020.		
<b>Action</b>		
Executive Director Children, Young People and Partnerships		

Report No.	Report Title	Report by:
<b>8.9</b>	<b>Learning Estate Investment Programme Phase 2 Letter dated 15 September 2020 from the Learning Directorate of the Scottish Government</b>	<b>Executive Director Children, Young People and Partnerships</b>
<b>Outline of report and summary of discussion</b>		
It was noted that the letter dated 15 September 2020 from the Learning Directorate of the Scottish Government related to the Learning Estate Investment Programme Phase 2 and requested a brief update on the status of the learning estate strategy and associated investment plans to include any priority projects the Council wish to put forward for consideration in Phase 2.		
<b>Decision</b>		
The Council noted the terms of the letter and that the Executive Director Children, Young People and Partnerships is arranging an appropriate response.		
<b>Action</b>		
Executive Director Children, Young People and Partnerships		

**Declaration of Interest: At 12.46 during the debate regarding the following item but before any decision was taken and without otherwise contributing to the debate, Councillor Winchester declared an interest (Trustee of one of the Groups involved) and left the meeting for the remainder of the item**

Report No.	Report Title	Report by:
8.10	Midlothian Council Supporting Emergency Food Access	Executive Director Children, Young People and Partnerships
<b>Outline of report and summary of discussion</b>		
<p>The Council heard from the Executive Director who spoke to the terms of the report which outlined the emergency food support options for 2020/21 in order to flexibly respond to emerging issues which could cause or increase food insecurity whilst offering confidence that those who need access to food can do so as part of their human rights and with dignity.</p> <p>Thereafter, the Provost sought clarification as to how the funding would be monitored. The Executive Director advised demand would be monitored carefully although it is difficult to set a figure as each referral is different. Councillor Parry suggested that provision should not be by voucher only and cash should be available. Councillor Hardie suggested Elected Members should be more involved. In response the Executive Director advised that updates can be provided to the Cross Party Education Advisory Group which meets on a weekly basis. Councillor Muirhead enquired about the use of pre-loaded debit cards with restrictions on the items which can be purchased and wondered whether this was more anonymous than issuing vouchers. In response, the Executive Director advised cards are more easily identifiable whereas vouchers can be purchased by anyone in the community.</p>		
<b>Decision</b>		
<p>The Council:-</p> <ul style="list-style-type: none"> <li>(a) agreed support for direct access to Cyrenians Food share up to £10,000 (2020 - 2021) and provision of Council vehicles in the event of low food supplies, Covid19, EU exit, increased unemployment, winter weather and; to close the Midlothian Temporary Food Depot;</li> <li>(b) agreed the option for food vouchers and delegated authority to the Chief Officer Children's Services, Partnerships and Communities to make the necessary arrangements to implement as a matter of urgency;</li> <li>(c) noted due to increased Covid-19 measures brought in last week and the uncertainty around the implementation of further national or local restrictions, that officers recommend arrangements are progressed as a matter of urgency to provide a one-stop shop approach. This will support the evolving needs of the Midlothian community in response to both the COVID-19 pandemic and in preparation for the cessation of the furlough scheme at the end of October and;</li> <li>(d) delegated authority to Chief Officers to develop and implement appropriate arrangements as a matter of priority.</li> </ul>		
<b>Action</b>		
Chief Officers as appropriate		

**Sederunt:** At 13.01 the Provost advised of a 20 minute comfort break and asked Members to return at 13.20; At 13.23 the meeting resumed with the same Elected Members (including Councillor Winchester) present

Report No.	Report Title	Report by:
<b>8.11</b>	<b>Ratification Report on SESplan Indicative Regional Spatial Strategy</b>	<b>Executive Director Place</b>
<b>Outline of report and summary of discussion</b>		
The report covered the Indicative Regional Spatial Strategy approved by SESplan Joint Committee on 21 September 2020 and requested the recommendations contained therein be ratified by the Council.		
<b>Decision</b>		
The Council noted the terms of the report and ratified the decision of SESplan Joint Committee to ensure unity in the 6 local authorities' submission of the Indicative Regional Spatial Strategy to the Scottish Government.		
<b>Action</b>		
Executive Director Place		

Report No.	Report Title	Report by:
<b>8.12</b>	<b>Introduction of Tariffs for Electric Vehicle Charging Infrastructure</b>	<b>Executive Director Place</b>
<b>Outline of report and summary of discussion</b>		
<p>The report advised that free electricity was being provided for electric vehicles on all charging points hosted by the Council; noted the cost had been rapidly increasing meaning it was no longer sustainable to provide free electricity and; recommended the introduction of a tariff for electric vehicle charging infrastructure.</p> <p>Councillor Lay-Douglas suggested clarity was required in relation to access to charging points and information and access to a cashless payment facility. Councillor Alexander suggested the funds accrued from charging could be used to power the charging units themselves. The Head of Adult Services was heard in relation to her experience of using charging points and confirmed there is an App which provides the locations and that there is an option for cashless payments. The Executive Director Place advised he would refer the points raised to the Working Group.</p>		
<b>Decision</b>		
<p>The Council agreed to:-</p> <ul style="list-style-type: none"> <li>(a) the introduction of tariffs for electric vehicle charging infrastructure hosted by Midlothian Council as a response to increasing usage of the electric vehicle charging points.</li> <li>(b) implement the charging structure outlined at Section 2.6 of the report and;</li> <li>(c) agreed the net projected income of £0.016 million in 2020/21 be added to Council reserves and the 2021/22 budget be adjusted accordingly.</li> </ul>		
<b>Action</b>		
Executive Director Place		

Report No.	Report Title	Report by:
8.13	Care for People Group – Response from the Lockdown	Head of Adult Services
<b>Outline of report and summary of discussion</b>		
<p>The Head of Adult Services spoke to the terms of the report which advised of the actions taken by the Care for People Group during lockdown.</p> <p>Thereafter, Councillor Hackett having noted that there was no Elected Member representation on the Care for People Group, suggested that a member from each of the 3 political groups join the Group.</p>		
<b>Decision</b>		
<p>The Council:-</p> <ul style="list-style-type: none"> <li>(a) noted the appendix to the report which outlined the activities and services co-ordinated by the Care for People Group during lockdown;</li> <li>(b) agreed to disseminate the full report to the Community Planning Partnership; the Federation of Community Councils; and to Midlothian Voluntary Association for wider circulation to the voluntary sector;</li> <li>(c) agreed the key messages from the full report be communicated more widely through Council social media channels and;</li> <li>(d) agreed that one Elected Member from each of the 3 political groups join the Care for People Group. Notifications of each Group's representative to be notified in due course to the Democratic Services Team Leader who in turn will inform the Head of Adult Services.</li> </ul>		
<b>Action</b>		
Head of Adult Services; Democratic Services Team Leader		

## 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 items, 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:-

- 9.1 Secondary School Provision for Penicuik and the A701 Corridor
- 9.2 Lothian Leisure Development Limited

The meeting concluded at 14.53

# Minute of Meeting



## Local Review Body

Date	Time	Venue
Tuesday 18 February 2020	1.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Lay-Douglas
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Smail

### In Attendance:

Peter Arnsdorf, Planning Manager	Duncan Robertson, Senior Planning Officer
Mhairi-Anne Cowie, Planning Officer	Mike Broadway, Democratic Services Officer

## 1 Apologies

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Apologies for absence were received from Councillors Baird and Curran.

## 2 Order of Business

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

## 3 Declarations of interest

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Councillor Smaill advised that with regards to Agenda Item 5.3 – Notice of Review Request - Land South East of Orchard House, Green Lane, Lasswade (19/00610/DPP), he knew a number of those who had made representations and therefore he would withdraw from the meeting during consideration of this particular Review Request.

Councillor Cassidy declared he was in a similar position with regards Agenda Item 5.5 – Note of Review Request - The Old Mill House, 40 Newmills Road, Dalkeith (19/00884/DPP) and he would therefore also withdraw from the meeting during consideration of this particular Review Request.

## 4 Minutes of Previous Meetings

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The Minutes of Meeting of 2 December 2019 was submitted and approved as a correct record.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.1	Decision Notice – 19 George Drive, Loanhead (19/00563/DPP).	Peter Arnsdorf
<b>Executive Summary of Report</b>		
With reference to paragraph 5.2 of the Minutes of 2 December 2019, there was submitted a copy of the Local Review Body decision notice upholding a review request from David Paton Building Consultancy, 13 High Street, Loanhead seeking, on behalf of their client Mr T Dick, a review of the decision of the Planning Authority to grant planning permission (19/00563/DPP, granted on 21 August 2019) subject to condition for the extension to dwellinghouse at 19 George Drive, Loanhead, requesting removal of the condition, and granting planning permission.		
<b>Decision</b>		
To note the LRB decision notice.		

Agenda No	Report Title	Presented by:
5.2	Decision Notice – 26 Bellerophon Drive, Penicuik (19/00211/DPP).	Peter Arnsdorf

#### Executive Summary of Report

With reference to paragraph 5.3 of the Minutes of 2 December 2019, there was submitted a copy of the Local Review Body decision notice dismissing a review request from Kevin Smith Architectural Technologist, 10 Halfway Avenue, Luton seeking on behalf of their client Mr H Rodgers, a review of the decision of the Planning Authority to refuse planning permission (19/00211/DPP, refused on 10 July 2019) for the installation of replacement windows (retrospective) at 26 Bellerophon Drive, Penicuik and refusing planning permission.

#### Decision

To note the LRB decision notice.

#### Eligibility to Participate in Debate

In considering the following items of business, all the LRB Members present had attended the site visits and so participated in the review process.

#### Sederunt

With reference to paragraph 3 above, Councillor Smaill, having advising that he would not take part in consideration of the following item of business, withdrew from the meeting at 1.04pm.

Agenda No	Report Title	Presented by:
5.3	Notice of Review Request Considered for the First Time – Land South East of Orchard House, Green Lane, Lasswade – Determination Report (19/00610/DPP)	Peter Arnsdorf

#### Outline of report

There was submitted a report dated 7 February 2020 by the Director Education, Communities and Economy regarding an application from Tony Thomas, APT Planning and Development, 6 High Street, East Linton seeking, on behalf of their client Mr N Brown, a review of the decision of the Planning Authority to refuse planning permission (19/00610/DPP, refused on 12 September 2019) for the erection of a dwellinghouse on land south east of Orchard House, Green Lane, Lasswade.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon.

The Local Review Body had made an accompanied visit to the site on Tuesday 18 February 2020.



### Summary of discussion

In accordance with the procedures for the Local Review Body, the Planning Advisor gave a brief overview of the review hearing procedures and outlined the background to the case.

Thereafter, oral representations were received firstly from the applicant's agent, Mr Tony Thomas, APT Planning and Development, then from Mr Steven Donald, on behalf of a number of those who had submitted representations and finally from Mhairi-Anne Cowie, the local authority Planning Officer; following which they all responded to Members' questions/comments.

The LRB then gave careful consideration to the merits of the case based on all the information provided both in writing and in person at the Hearing. In particular consideration was given to the impact the proposed development would have on neighbouring properties and on the Green Belt. Members also debated possible potential issues relating to the access and were also mindful of the precedence that could be established, depending on their decision.

After further discussion, Councillor Milligan, seconded by Councillor Lay-Douglas, moved to dismiss the review request, and uphold the decision to refuse planning permission for the reasons detailed in the case officer's report.

As an amendment, Councillor Cassidy seconded by Councillor Alexander moved that on balance given the particular circumstance involved, to uphold the review request, and grant planning permission subject to the proposed conditions contained in the Director, Education, Communities and Economy's report.

On a vote being taken 3 members voted for the Amendment and 4 for the Motion which accordingly became the decision of the Committee.

### Decision

The LRB agreed to dismiss the review request, and uphold the decision to refuse planning permission for the following reasons::

1. *It has not been demonstrated that the house is required for the furtherance of an established Green Belt activity, nor that there are material planning considerations to otherwise justify approval of the proposal. The proposal is therefore contrary to policy ENV1 of the adopted Midlothian Local Development Plan 2017.*
2. *The proposed development has potential for overlooking between the proposed house and the garden ground Barony House, to the detriment of the amenity and privacy of the existing and future occupants. The proposal is therefore contrary to policy DEV6 of the adopted Midlothian Local Development Plan 2017.*
3. *Green Lane is a narrow road with insufficient width to accommodate two-way traffic and no separate pedestrian facilities. There are also restricted sightlines from Green Lane onto Church Road. The additional traffic associated with the proposed development will impact on the safety of the road. The road safety issues are a material consideration that warrant refusal of the application.*



Action
Planning Manager

Sederunt
Councillor Small re-joined the meeting at the conclusion of the foregoing item of business at 1.30pm.

Agenda No	Report Title	Presented by:
5.4	Notice of Review Request Considered for the First Time – Land at Glencorse Mains Steading, Penicuik – Determination Report (19/00611/DPP).	Peter Arnsdorf

Executive Summary of Report
<p>There was submitted report dated 7 February 2020 by the Director, Education, Communities and Economy, regarding an application from Tim Simpson, Architect, 27 Park Road, Edinburgh seeking, on behalf of his clients Mr S and Mrs W McHarg, a review of the decision of the Planning Authority to refuse planning permission (19/00611/DPP, refused on 3 September 2019) for the erection of a dwellinghouse on land at Glencorse Mains Steading, Penicuik</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.</p> <p>The Local Review Body had made an unaccompanied visit to the site on Tuesday 18 February 2020.</p>

Summary of Discussion
<p>Having heard from the Planning Advisor, the LRB gave careful consideration to the merits of the case based on all the written information provided. In discussing the reasons for refusal, the LRB acknowledged that this was in accordance with the current development plan policies. In this particular instance however, the LRB where of the view that given the particular circumstances, the scale and location of the proposed dwellinghouse meant that it would complement/complete the courtyard feel of the cluster of properties in this locality and was, on balance unlikely to have a significantly detrimental impact on the amenity of those neighbouring properties. It also would not undermine the spirit of those development plan policies designed to protect the local landscape and green belt.</p>

Decision
<p>After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:</p> <p><i>The proposed dwelling by means of its siting, form, design and materials fits into the landscape, complements the neighbouring cluster of dwellinghouses and is not detrimental to the green belt and as such does not undermine the spirit of those development plan policies designed to protect the local landscape and green belt.</i></p>

subject to the proposed conditions contained in the Director, Education, Communities and Economy's report.

#### Action

Planning Manager

Agenda No	Report Title	Presented by:
5.5	Notice of Review Request Considered for the First Time – 1 Laurelbank Road, Mayfield (19/00687/DPP).	Peter Arnsdorf

#### Executive Summary of Report

There was submitted report, dated 7 February 2020 by the Director, Education, Communities and Economy, regarding an application from Mr James Bevis, 1 Laurelbank Road, Mayfield seeking a review of the decision of the Planning Authority to refuse planning permission (19/00687/DPP, refused on 13 September 2019) for the erection of a garage, sunroom and decking (retrospective) at that address.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

The Local Review Body had made an unaccompanied visit to the site on Tuesday 18 February 2020.

#### Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered the potential impact that permitting the proposed development in its current form would have on the visual amenity of the surrounding area.

#### Decision

After further discussion, the LRB agreed to dismiss the review request, and uphold the decision to refuse planning permission for the following reasons:

- 1. As a result of a combination of its forward projection, design and materials the building appears as an incongruous feature out of keeping with the character of the original house at the application property and has a detrimental impact on the visual amenity of the surrounding area.*
- 2. For the above reason the proposal is contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area.*

In addition, the LRB agreed to authorised whatever necessary follow up action was required in order to secure the removal of the unauthorised garage and sunroom.

Action
Planning Manager

Sederunt
With reference to paragraph 3 above, Councillor Cassidy, having advising that he would not take part in consideration of the following item of business, left the meeting at 1.40pm and did not return.

Agenda No	Report Title	Presented by:
5.6	Notice of Review Request Considered for the First Time – The Old Mill House, 40 Newmills Road, Dalkeith – Determination Report (19/00884/DPP).	Peter Arnsdorf

#### Executive Summary of Report

There was submitted report dated 7 February 2020 by the Director, Education, Communities and Economy, regarding an application from Douglas Strachan, Architect, 11 South Street, Dalkeith seeking, on behalf of his client Ms S DeWaard, a review of the decision of the Planning Authority to refuse planning permission (19/00884/DPP, refused on 5 December 2019) for the change of use from dwellinghouse to a mixed use of dwellinghouse and temporary events venue and associated erection of marquee at the Old Mill House, 40 Newmills Road, Dalkeith.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

The Local Review Body had made an unaccompanied visit to the site on Tuesday 18 February 2020.

#### Summary of Discussion

Having heard from the Planning Advisor, the LRB then gave careful consideration to the merits of the case based on all the written information provided. In discussing the reasons for refusal, the LRB acknowledged that these were in accordance with the current development plan policies. In this particular instance however, the LRB where of the view that given the particular circumstances, its scale and location meant that it was, on balance unlikely to have a significantly detrimental impact on the local amenity. In addition, the LRB considered that the development of this type of venue should be supported as it would potentially bring associated benefits to the local community.

#### Decision

After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:

*The proposed development by means of its separation from other residential properties, by its limited frequency and its proximity and accessibility to a main road (Newmills Road) will not have a detrimental impact on local amenity and will provide a quality venue in support of Dalkeith.*

**Action**

Planning Manager

The meeting terminated at 1.50 pm.

# Minute of Meeting



## Audit Committee

Date	Time	Venue
Tuesday 18 August 2020	11.00am	Council Chambers, Midlothian House, Dalkeith, EH22 1DN

### Present:

Mike Ramsay (Independent Chair)
Councillor Cassidy
Councillor Hardie
Councillor Milligan
Councillor Muirhead
Councillor Parry
Councillor Small
Mr de Vink (Independent Member)

### In attendance:

Grace Vickers	Chief Executive
Alan Turpie	Legal Services Manager/Monitoring Officer
Morag Barrow	Joint Director Health and Social Care
Gary Fairley	Chief Officer Corporate Solutions
Joan Tranent	Chief Officer, Children's Services, Partnerships and Communities
Derek Oliver	Chief Officer, Place
Jill Stacey	Chief Internal Auditor
Myra Forsyth	Quality and Scrutiny Manager
Stephen Reid	External Auditor, E.Y.
Grace Scanlin	External Auditor, E.Y. ( part meeting)
Mark Kenmure	Property Investment Manager
Gareth Davies	Property Manager
Neil Hunter	Property Development Manager
Janet R Ritchie	Democratic Services Officer

## **1. Welcome and Apologies**

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The Chair, Mike Ramsay welcomed everyone to the meeting.

## **2. Order of Business**

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It was agreed that the Annual Governance Statement previously circulated would be presented prior to the Consideration of Midlothian Council Unaudited Financial Statements 2019/20.

## **3. Declarations of interest**

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No declarations of interest were received.

## **4. Minutes of Previous Meetings**

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- 4.1 The minute of the meeting of 22 June 2020 was submitted and approved as a correct record having been proposed by Councillor Muirhead, seconded by Councillor Smaill.

### **Matters Arising:**

- The Chief Internal Auditor advised that with regards to Item 5.4 Counter Fraud Annual Report the revised Counter Fraud Policy Statement and the Counter Fraud Strategy were included on the agenda for the Council meeting schedule for Tuesday 25 August 2020. All to note.
- 4.2 The Action log was submitted and the following noted:
- 1) 'Internal Audit Recommendations': That the expected end date for this action would be amended from June to September. Jill Stacey advised that it was still the intention to provide the two follow up reports therefore one would be presented in September and the other in December.
  - 2) 'Internal Audit Work': That a detailed report would be provided to Elected Members by the Legal Services Manager on the 22 expired contracts – September 2020.
  - 3) Internal Audit Strategy and Annual Plan 2020/21: That the proposed amendments to the Internal Audit Annual Plan 2020/21 would be submitted as part of the Internal Audit Mid-Term Performance Report 2020/21 – December 2020.
  - 4) Local Code of Corporate Governance: The Chief Internal Auditor provided an update on the change of timescale for this action as it had been agreed that some of the revisions would be presented to CMT over the coming months therefore this would not be presented to the Audit Committee until early 2021 prior to going to Council for approval. – January 2021.

- 5) Risk Management Policy and Strategy: That a report would be requested on the review and scrutiny of the Risk Management Policy and Strategy – The Chief Internal Auditor advised that one of the principles within the Local Code or Corporate Governance was the arrangements of managing risks therefore it was proposed that this update would align with the Local Code of Corporate Governance – January 2021.
- 6) Financial Improvement Updates: That regular updates would be provided by the Chief Officer, Corporate Solutions (Section 95 Officer) and that the first update would be provided December 2020.
- 7) Financial Statements 2019/20: That the Financial Statements would be circulated to the Audit Committee when submitted to the External Auditors by 30 June 2020 – completed.
- 8) Financial Statements 2019/20: That a special meeting of the Audit Committee would be arranged to consider the unaudited financial statements – 18 August 2020 – completed.
- 9) Audit Committee Annual Report 2019/20: That the Audit Committee Annual Report would be presented to the Council – on the agenda for the Council meeting scheduled for 25 August 2020 – completed.

## 5. Public Reports

Report No.	Report Title	Presented by:
5	Annual Governance Statement	Chief Executive
<b>Outline of report and summary of discussion</b>		
<p>This report was presented to the Audit Committee in June in draft form and at that time it was noted that it was subject to change.</p> <p>The Chief Executive presented this report advising that there were two minor amendments to this report one relating to the Covid-19 response which now included the date when the Council resumed its meetings and the other was that an additional area of improvement was added which related to the realigning of dates to ensure reports were considered timeously by both CMT and Audit.</p>		
<b>Decision</b>		
The Audit Committee noted and approved the amendments to the Annual Governance Statement 2019/20.		

Report No.	Report Title	Presented by:
5.1	Midlothian Council Unaudited Financial Statements 2019/20	Chief Officer Corporate Solutions
<b>Outline of report and summary of discussion</b>		
<p>The Chief Officer, Corporate Solutions advised the Committee that he had a short presentation to talk the Committee through the key points from the Accounts Document and introduced colleagues from property services Mark Kenmure, Property Investment Manager, Neil Hunter, Property Development Manager and Gareth Davies, Property Manager.</p> <p>The Chief Officer, Corporate Solutions then shared his Presentation on screen with those present advising that the following areas would be covered during this presentation:</p> <ul style="list-style-type: none"> <li>• Highlights from Accounts</li> <li>• The Regulations and Timetable</li> <li>• The Key Financial Statements</li> <li>• Year-end position – the Balance Sheet, Reserves &amp; Treasury Management</li> <li>• Property Valuation Overview</li> </ul> <p>The Chief Officer Corporate Solutions provided the Committee with an overview of each of the areas above assisted by Mark Kenmure on the Property Valuation overview.</p> <p>Councillor Smaill commented positively on the changed format and improved appearance of the Accounts.</p> <p>Thereafter the Chief Officer responded to questions and comments raised by members of the Committee with regards to the valuation of assets and difference of usable reserves and unusable reserves. The Chief Officer also advised that since the unaudited accounts were prepared in June further information has been received from the Scottish Public Pension Authority on the McCloud judgement which indicated that there would be changes made to the pension figures and that the implications of this would be detailed in the Audited Accounts once the revised pension Actuarial Report has been received. He then advised that the other area under review was the carrying value for the Lothian Buses investment and this would show a downward change in the valuation of this in the accounts.</p> <p>In responding to a question the Chief Officer confirmed that the rescinding dividend in respect of the council's shareholding in Lothian Buses would be amended for the Audited Accounts. A question was also raised on the number of Council houses completed and the housing revenues account and the Chief Officer confirmed that he would provide an explanation on the housing completions and the average numbers in the year.</p>		



On responding to a question with regards to the budget gap and the impact of COVID-19, the Chief Officer advised that a report would be presented to Council on 25 August which would provide a financial update in terms of COVID-19.

Thereafter the Chief Officer provided clarity to further questions and comments raised and confirmed that the disclosures would be improved in the document and that clarity with regards to provision for bad debt would be circulated to members.

#### Decision

The Audit Committee:

- Considered and Commented on the unaudited accounts for 2019/20.
- Noted that the Presentation Unaudited Accounts 2019/20 would be circulated with the minute.
- Noted that the two financial reports which would be presented to Council on 25 August would be circulated to the two Independent Members and that any future reports which had a financial element relevant to the Audit Committee would also be circulated to the Independent members of the Audit Committee.
- Noted that clarity on the completed houses compared to number of houses in the HRA statement would be provided.
- Noted that the reference to 'complete shutdown of economy' would be reviewed and updated as required.
- Noted that the reference to Penicuik and Dalkeith would be adjusted to include Bonnyrigg and Lasswade.
- Noted that clarity be provided on the provision of bad debt.

#### Action

Democratic Services/Chief Officer Corporate Solutions

## 6. Private Reports

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No private reports were submitted.

## 7. Date of Next Meeting

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The next meeting will be held on Tuesday 29 September 2020 at 11 am

The meeting terminated at 12.20 pm



# Minute of Meeting



## General Purposes Committee

Date	Time	Venue
1 September 2020	10.00 am	Virtual via MS Teams

### Present:

Councillor Munro (Chair)	Councillor Alexander
Councillor Curran (up to Item No. 6)	Councillor Hackett
Councillor Hardie	Councillor Imrie
Councillor Johnstone	Councillor Lay-Douglas
Councillor McCall	Councillor Milligan
Councillor Muirhead	Councillor Parry
Councillor Russell	Councillor Winchester

### In attendance:

Alan Turpie, Legal Services Manager	Verona MacDonald, Democratic Services Team Leader
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## 1. Apologies

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Apologies for absence were intimated on behalf of Councillors Baird, Cassidy, Smaill and Wallace.

## 2. Order of Business

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The order of business was as set out on the Agenda.

## 3. Declarations of interest

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Councillor Curran indicated he would be declaring an interest in the applications on the agenda relating to private hire and taxis on the basis of his business interests in the taxi trade and in doing so noted all applications for consideration related to these areas.

## 4. Minutes of Previous Meetings

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Following consideration, the full Minute of the Meeting held on 25 February 2020 was unanimously approved and the Chair was authorised to sign as a correct record.

The Chair also made reference to a Note of Meeting held on 11 May 2020. He advised the meeting was held to deal with applications which would normally come before the Committee. This was following a decision by the Chief Executive under Standing Order 19.2 to delegate the decision-making process to one Elected Member to facilitate the full processing of outstanding applications during the time when meetings were not taking place. The Committee noted the decisions taken on 11 May 2020.

## 5. Public Reports

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None

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

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 6 and 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

- 6.1 Application for Renewal of a Private Hire Car Driver's Licence – J. Law
- 6.2 Application for Renewal of a Taxi Driver's Licence – J. Waite
- 6.3 Application for a Private Hire Car Driver's Licence – M. Redpath
- 6.4 Application for a Private Hire Car Driver's Licence – R. Alifierakis
- 6.5 Application for Renewal of a Private Hire Car Driver's Licence – T. Paterson

The meeting terminated at 11.23 am

# Minute of Meeting



## Planning Committee

Date	Time	Venue
1 September 2020	11.00 am	Virtual Meeting, Microsoft Teams

### Present:

Councillor Imrie	Chair
Councillor Alexander	
Councillor Cassidy	
Councillor Curran	
Councillor Hackett	
Councillor Johnstone	
Councillor Lay-Douglas	
Councillor McCall	
Councillor Milligan	
Councillor Parry	
Councillor Muirhead	
Councillor Russell	
Councillor Winchester	

## **1. Apologies for Absence and Appointment of Chair**

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Apologies for absence were intimated on behalf of Councillors Baird, Smaill, Hardie and Wallace.

## **2. Order of Business**

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The order of business was as outlined in the agenda.

## **3. Declarations of interest**

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Councillor Winchester declared an interest in Item 5.4 Application for Planning Permission for Change of Use from Public House to Mixed Use of Public House/Restaurant and Hot Food Takeaway and Associated External Alterations advising that she had met with members of Community Council but advised that she had not expressed a decision to them or been swayed in any way.

Councillor Muirhead declared an interest in Item 5.4 Application for Planning Permission for Change of Use from Public House to Mixed Use of Public House/Restaurant and Hot Food Takeaway and Associated External Alterations and that he would leave the meeting for this item as he was secretary/treasury of the Trust that leased the building to the Applicant.

Councillor McCall declared an interest in Item 5.1 Application for Planning Permission for the Erection of 12 Flatted Dwellings; Formation of Access Roads and Car Parking and Associated Works at Land at Windsor Square, Penicuik. Councillor McCall advised that she had been at Penicuik Community Council and also public meetings organised by the Community Council where this was discussed but at no stage made comments about her thoughts regarding the application.

Councillor Johnstone declared an interest in Item 5.4 Application for Planning Permission for Change of Use from Public House to Mixed Use of Public House/Restaurant and Hot Food Takeaway and Associated External Alterations at 119 Hunterfield Road, Gorebridge and advised that she would leave the meeting at that point and take no part in the discussion. At the request of Councillor Johnstone, Mr Turpie as Monitoring Officer provided the Committee with the reasons for this declaration of interest.

Councillor Cassidy declared an interest in item 5.4 Application for Planning Permission for Change of Use from Public House to Mixed Use of Public House/Restaurant and Hot Food Takeaway and Associated External Alterations and advised that the Applicant came to his place of work but Councillor Cassidy made no comments on the application he would withdraw from the meeting.

Councillor Cassidy asked for clarification on this matter from Mr Turpie. As Monitoring Officer, Mr Turpie advised that Councillors are there to listen to members of the public and it was acceptable for Applicants to speak to Councillors regarding planning issues as long as Councillors do not express an opinion either way.

#### 4. Minutes of Previous Meetings

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The Minute of Meeting of 9 June 2020 was approved as a correct record.

#### 5. Reports

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Agenda No	Report Title	Report by:
5.1	Application for Planning Permission for the Erection of 12 Flatted Dwellings; Formation of Access Roads and Car Parking and Associated Works at Land at Windsor Square, Penicuik (19/00510/DPP).	Chief Officer Place
<b>Outline of Report and Summary of Discussion</b>		
<p>There was submitted a report, dated 25 May 2020, by the Chief Officer Place outlining the application for planning permission for the erection of 12 Flatted Dwellings at the land at Windsor Square, Penicuik. This application was presented to the Committee on the 9 June 2020 and it was agreed after discussion to continue consideration of the application to allow a site inspection visit to take place. A site visit took place on 31 August 2020.</p> <p>The recommendation was to grant planning permission subject to conditions and the applicant entering into a planning obligation to secure contributions towards necessary infrastructure.</p> <p>Councillor McCall expressed her thanks for the site visit taking place and highlighted her concerns with regards to this application. There followed a lengthy discussion in which the Planning Manager responded to the concerns highlighted by the members of the Committee.</p> <p>It was recognised that although development was required on the site some members did raise concerns on the detrimental impact it would have on the residents. It was also noted that if the development did not proceed and the care home was not demolished this would also have an impact on this site.</p> <p>Councillor McCall moved a Motion against the recommendation to grant planning permission as it would have a detrimental impact on the area. This was seconded by Councillor Parry.</p> <p>Councillor Imrie moved an Amendment to grant planning permission as detailed in the report. This was seconded by Councillor Muirhead.</p> <p>Councillor McCall asked for the minute to include a Roll Call of the decision. Mr Turpie advised that to have a Roll Call vote a third of the committee must agree to this, this was confirmed with a show of hands.</p> <p>The outcome of the Roll Call vote was 4 for the Motion not to grant Planning Permission and 9 for the Amendment to grant Planning Permission that then became the decision of the Committee. Details of the Roll call vote are attached to the minute as Appendix 1.</p>		

Decision
<p>The Planning Committee approved the recommendations to grant planning permission for the following reasons:</p> <p><i>The proposed development would be in keeping with the scale and character of the surrounding area; would provide adequate open space and parking provision; and would not have a significant detrimental impact on the residential amenity of the area. The proposal therefore complies with policies STRAT2, DEV2, DEV5, DEV6, DEV7, TRAN5, IT1, ENV9, ENV10, IMP1 and IMP2 of the Midlothian Local Development Plan 2017</i></p> <p>Subject to the conditions and the applicant entering into a planning obligation to secure contributions towards necessary infrastructure as detailed in the report.</p>
Action
Planning Manager

Agenda No	Report Title	Report by:
5.2	Application for Planning Permission in Principle for Residential Development with Associated Engineering Works, Open Space and Landscaping at Land North of Oak Place, Mayfield. (19/00981/PPP)	Chief Officer Place
Outline of report and summary of discussion		
<p>There was submitted report, dated 18 August 2020, by the Chief Officer Place outlining the application for planning permission in principle for residential development on land to the north east of Mayfield. There had been eight representations and consultation responses from the Coal Authority, Scottish Water, the Scottish Environment Protection Agency (SEPA), the Council's Archaeological Advisor, the Council's Flooding Officer, the Council's Policy and Road Safety Manager, the Council's Head of Education, the Council's Environmental Health Manager, the Council's Housing Planning and Performance Manager and Mayfield and Easthouses Community Council.</p> <p>The recommendation was to grant planning permission in principle subject to conditions and securing developer contributions towards necessary infrastructure and affordable housing provision.</p> <p>The Planning Manager responded to comments from the Committee with regards to their concerns on the condition which set out the maximum number of units being 170. He advised that it is normal to put a cap on the number of units and that the site would not support 170 units but this figure was put in to safeguard the developer's contributions. Also raised was the Education capacity and the Education Resource Manager updated the committee on the capacity within the schools in this area.</p>		



Councillor Hackett moved that the application for planning permission be accepted, this was seconded by Councillor Muirhead and as there was no objections this then became the decision of the Committee.

#### Decision

The Planning Committee approved the recommendations to grant planning permission for the following reasons:

*The majority of the site was allocated for housing and forms part of the Council's committed housing land supply within the Midlothian Local Development Plan 2017 where there was a presumption in favour of residential development. The remainder of the site was located within the built-up area of Mayfield where there was a presumption in favour of appropriate development, including contributing to the provision of housing. This presumption in favour of development was not outweighed by any other material considerations.*

Subject to conditions and securing developer contributions towards necessary infrastructure and affordable housing provision as detailed in the Report.

#### Action

Planning Manager

Agenda No	Report Title	Report by:
5.3	Application for Planning Permission in Principle for a Mixed Use Development Comprising: Class 4 (Business Use); Class 5 (General Industry); Class 6 (Storage And Distribution); and Sui Generis Uses (Home Improvement Showrooms/Warehousing, Builders Merchant and Car Showroom) (Amendment of Acceptable Uses of the Site from Use Classes 4 and 5 Approved by the Grant of Planning Permission 02/00660/OUT) at Whitehills, Whitehill Road, Millerhill, Dalkeith (19/00748/PPP	Chief Officer Place
<b>Outline of report and summary of discussion</b>		
<p>There was submitted a report dated 18 August 2020, by the Chief Officer Place outlining the application for planning permission in principle for a mixed use development at Whitehills, Whitehill Road, Millerhill, There have been no representations and consultation responses.</p> <p>The recommendation is to grant planning permission subject to conditions and the applicant entering in to a Planning Obligation.</p> <p>In responding to a question raised the Planning Manager confirmed that there have been no objections from Edinburgh and that the Planning Committee work closely with neighbouring councils when considering these applications. The Chair commented positively on this application for generating new jobs in Midlothian.</p>		

Decision
<p>The Planning Committee approved the recommendations to grant planning permission for the following reasons:</p> <p><i>The proposed mixed use development site was identified as being part of the Council's established economic land supply within the Midlothian Local Development Plan 2017 and as such there was a presumption in favour of the proposed development. This presumption in favour of development, along with a flexible approach to accommodating a range of employment generating uses during difficult economic conditions was not outweighed by any other material considerations.</i></p> <p>Subject to the conditions and the applicant entering into a planning obligation as detailed in the Report.</p>
Action
Planning Manager

With reference to item 3 above Councillor Muirhead, Councillor Cassidy and Councillor Johnston having declared an interest in the following item of business left the meeting at approximately 14.25 pm taking no part in the consideration of this item.

Agenda No	Report Title	Report by:
5.4	Application for Planning Permission for Change of Use from Public House to Mixed Use of Public House/Restaurant and Hot Food Takeaway and Associated External Alterations including Infilling of Window Openings and Formation of New Window and Door Openings (Retrospective) at 119 Hunterfield Road, Gorebridge (20/00209/DPP).	Chief Officer Place
Outline of report and summary of discussion		
<p>There was submitted a report dated 18 August 2020, by the Chief Officer Place outlining the application for planning permission for the change of use from public house to a mixed use of public house/restaurant and hot food takeaway at 119 Hunterfield road, Gorebridge. There have been 53 representations and consultation responses from the Council's Policy and Road Safety Manager and the Council's Environmental Health Manager.</p> <p>The recommendation is to grant planning permission subject to conditions, including a condition restricting the hot food takeaway component of the application.</p> <p>After discussion regarding supporting local businesses and the proximity to the schools with regards to the hot food takeaway it was acknowledged that the hours of opening for the hot food takeaway was Monday – Sunday 4 pm – 11 pm which was out with school times therefore it was agreed that condition 1 be removed from the planning permission and that planning permission was granted.</p>		

Decision
<p>The Committee agreed to grant planning permission with condition 1 removed for the reasons below:</p> <p><i>The development will not have an adverse impact on the character of the area or on the amenity of neighbouring land and buildings and therefore complies with policies DEV2 and ENV18 of the Midlothian Local Development Plan 2017 and the adopted Supplementary Guidance for Food and Drink and Other Non-Retail Uses in Town Centres.</i></p> <p>Subject to conditions 2 – 5 as detailed in the report.</p>
Action
Planning Manager

## 6. Private Reports

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No private business was discussed.

## 7. Date of Next Meeting

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The next meeting will be held on Tuesday 13 October 2020.

The meeting terminated at 14.36 pm

## PLANNING COMMITTEE

DATE: **1 September 2020**

Agenda Item No: **5.1**

**SUBJECT: Application for Planning Permission for the Erection of 12 Flatted Dwellings; Formation of Access Roads and Car Parking and Associated Works at Land at Windsor Square, Penicuik (19/00510/DPP).**

### ROLL CALL VOTE

Name	Motion – Against Planning Permission	Amendment – Grant Planning Permission	Abstain
<b>By</b>	Debbie McCall	Russell Imrie	
<b>2nd</b>	Kelly Parry	Jim Muirhead	
Cllr Alexander		X	
Cllr Baird	-	-	-
Cllr Cassidy		X	
Cllr Curran	X		
Cllr Hackett		X	
Cllr Hardie	-	-	-
Cllr Imrie		X	
Cllr Johnstone		X	
Cllr Lay-Douglas		X	
Cllr McCall	X		
Cllr Milligan		X	
Cllr Muirhead		X	
Cllr Munro	-	-	-
Cllr Parry	X		
Cllr Russell		X	
Cllr Smaill	-	-	-
Cllr Wallace	-	-	-
Cllr Winchester	X		
<b>TOTAL</b>	<b>4</b>	<b>9</b>	

**Decision: On a Roll Call Vote of those Members present having been taken, 4 voted for the Motion not to grant Planning Permission and 9 voted for the Amendment to Grant Planning Permission, which accordingly became the decision of the Committee.**

# Minute of Meeting



## Cabinet

Date	Time	Venue
8 September 2020	11.00 am	Held via Microsoft Teams

### Present:

Councillor Milligan - Convener	
Councillor Muirhead – Depute Convener	
Councillor Curran	
Councillor Imrie	
Councillor Hackett	

### Religious Representatives:

Mrs Elizabeth Morton	
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## 1 Apologies

Apologies for absence had been received on behalf of Vic Bourne.

## 2 Order of Business

The Order of Business was amended as shown below..

## 3 Declarations of interest

No declarations of interest were received.

## 4 Minutes of Previous Meetings

The Minute of the Meeting of the Cabinet held on 3 March 2020 was submitted and approved as a correct record.

## 5. Reports

Agenda No.	Report Title	Presented by:
5.1	Parental Bereavement Leave	Kevin Anderson
<b>Outline of report and summary of discussion</b>		
<p>The report advised that in accordance with the Employment Rights Act 1996, until recently employees had the legal right to take reasonable unpaid time off to 'deal with an emergency' e.g. in the event of the loss of a child, but does not necessarily allow for a longer time off to grieve. This changed with the introduction of the Parental Bereavement Leave and Pay Regulations – known as “Jack’s Law” –on 6 April 2020. The introduction of “Jack’s Law” required parents and primary carers to have been employed for a continuous period of at least 26 weeks before the child’s death to be eligible for parental bereavement leave paid at the statutory rate of £148.68 per week (2019/20 values) or 90% of average weekly earnings, where this is lower. All employees would have a ‘day one’ right to <u>unpaid</u> bereavement leave.</p> <p>The report recognised the unimaginable trauma faced by bereaved parents and proposed that employees applying for Parental Bereavement Leave receive the two weeks leave at FULL PAY (rather than the statutory rate) irrespective of their length of service. It was also recommended that employees would also be entitled to request an additional five days paid leave via the ‘bereavement leave’ provision within the Time Off Policy. Full details of the provision and sources of further support would be made available to employees within the Family Leave Policy and Bereavement Guidance Note available on the intranet. Kevin Anderson was heard in amplification of the report after which there was a general discussuion on this matter.</p>		
<b>Decision</b>		
(a)To extend the right to leave and pay to all employees regardless of length of service; and		
(b)To enhance the payment to two weeks at full pay instead of the statutory values.		
<b>Action</b>		
Executive Director: Place		

Agenda No.	Report Title	Presented by:
5.2	Nesta Listen and Learn	Chief Executive
<b>Outline of report and summary of discussion</b>		
<p>The purpose of the report was to present the Listen and Learn report carried out by Nesta in response to the Covid-19 response. The Council previously worked with Nesta on the 100 day Mental Health Challenge and due to the success of this project Nesta were asked to assist with the listen and learn exercise to gather the views of staff and how they have managed through the Covid-19 emergency phase</p> <p>The Chief Executive spoke in amplification of the report during which she made particular reference to the section which focussed on the 9 drivers for change and how this should inform the future direction of the Council on strands included such as Digital First/Remote/Flexible Working etc</p> <p>The Leader of the Council highlighted that this was an extremely insightful document that provided a vision of the way forward. He also expressed on behalf of the Cabinet, their appreciation of all the excellent and hard work carried out by all Council staff during the recent Covid pandemic.</p>		
<b>Decision</b>		
<p>(a)To thank Nesta for undertaking the Listen and Learn initiative in response to the Covid-19 response;</p> <p>(b)To approve the recommendations in the report;</p> <p>(c)To instruct Officers to update their service plans accordingly to reflect the recommendations;</p> <p>(d)To forward the report to Business Transformation Steering Group and to Performance, Review and Scrutiny; and.</p> <p>(e)To otherwise note the contents of the report.</p>		
<b>Action</b>		
Chief Executive		

Agenda No.	Report Title	Presented by:
5.3	Status Report on the Application to The Town's and Business (BID's) Districts Resilience & Recovery Fund (TBRR)	Chief Officer: Place
<b>Outline of report and summary of discussion</b>		
<p>The purpose of the report was to provide information on the funding award by STP to One Dalkeith.</p> <p>An application for £65,000 was made to TBRR Fund, administered by STP, as a collaborative approach between Economic Development, Communities and Lifelong Learning, SEAM and One Dalkeith to support community led economic development across the area as outlined in Midlothian Council's Economic Development Strategy for Growth 2020-25 and Economic Renewal Strategy. An update from the Scottish Towns Partnership advised that the fund had been oversubscribed and an allocation of £17k was being held for Midlothian.</p>		

STP reviewed each of the strands from the initial application and it was decided that One Dalkeith's Virtual High Street project was the closest aligned to the Scottish Government fund objectives. It was agreed with STP that One Dalkeith submit their application for the £25k for consideration. STP awarded the full £25k to One Dalkeith on Wednesday 29th July 2020. The Chief Officer: Place was heard in amplification of the report after which he answered questions from elected Members.

#### Decision

To note Scotland's Towns Partnership (STP) TBRR Fund award of £25,000 to One Dalkeith for the Virtual High Street project

#### Action

Chief Officer: Place

Agenda No.	Report Title	Presented by:
5.4.2	Children's Services Performance Report 2019/20	Chief Officer, Children's Services, Partnerships and Communities
<b>Outline of report and summary of discussion</b>		
The Children's Services Performance Report 2019/20 was submitted. The Executive Director: Children, Young People and Partnerships highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.3	Commercial Operations Performance Report 2019/20	Executive Director Place
<b>Outline of report and summary of discussion</b>		
The Commercial Operations Performance Report 2019/20 was submitted. The Executive Director Place highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		



Agenda No.	Report Title	Presented by:
5.4.4	Communities and Economy Performance Report 2019/20	Executive Director: Place
<b>Outline of report and summary of discussion</b>		
The Communities and Economy Performance Report 2019/20 was submitted. The Executive Director: Place highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.5	Customer and Housing Services Performance Report 2019/20	Executive Director: Place
<b>Outline of report and summary of discussion</b>		
The Customer and Housing Services Performance Report 2019/20 was submitted. The Executive Director: Place highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.6	Education Performance Report 2019/20	Executive Director: Children, Young People and Communities
<b>Outline of report and summary of discussion</b>		
The Education Performance Report 2019/20 was submitted. The Executive Director: Children, Young People and Communities highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report.		

Agenda No.	Report Title	Presented by:
5.4.7	Finance and Integrated Service Support Performance Report 2019/20	Executive Director Place
<b>Outline of report and summary of discussion</b>		
The Finance and Integrated Service Support Performance Report 2019/20 was submitted. The Executive Director Place highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.8	Property and Facilities Management Performance Report 2019/20	Executive Director Place
<b>Outline of report and summary of discussion</b>		
The Property and Facilities Management Performance Report 2019/20 was submitted. The Executive Director Place highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.1	Adult Social Care Performance Report 19/20	Joint Director, Health and Social Care
<b>Outline of report and summary of discussion</b>		
The Adult Social Care Performance Report 19/20 was submitted. The Joint Director, Health and Social Care highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by Elected Members.		
<b>Decision</b>		
Noted the content of the report		

Agenda No.	Report Title	Presented by:
5.4.9	Midlothian Council Report 2019/20	Chief Executive
<b>Outline of report and summary of discussion</b>		
The Midlothian Council Report 2019/20 was submitted. The Chief Executive highlighted the following ambitious vision for Midlothian:  “Midlothian – a great place to grow”.  Midlothian Council delivers its priorities through the Community Planning Partnership (CPP) and the Single Midlothian Plan. The Council Change and Transformation programme and individual Service Plans outline how Midlothian Council will deliver its contribution to the Single Midlothian Plan. The top three priorities for 2019-22 were:		
<ul style="list-style-type: none"> <li>• . Reducing inequalities in learning outcomes</li> <li>• . Reducing inequalities in health outcomes</li> <li>• . Reducing inequalities in economic circumstances</li> </ul>		
The Chief Executive highlighted the main sections contained within the report after which she answered questions from elected Members..		
<b>Decision</b>		
Noted the content of the report.		

Agenda No	Report Title	Presented by:
5.4.10	Balanced Scorecard Report 2019/20	Chief Executive
<b>Outline of report and summary of discussion</b>		
This report presented the Balanced Scorecard Report 2019/20 . The report detailed the four Balanced Scorecard perspectives and key areas of focus as well as the associated key indicators drawn from across the Council's services. The Chief Executive highlighted the main sections contained within the report after which she answered questions from elected Members.		
<b>Decision</b>		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.4.11	Midlothian Council Annual Complaint Handling Report 2018/19	Chief Executive
<b>Outline of report and summary of discussion</b>		
<p>The purpose of the report was to provide an update on the Midlothian Council Annual Complaint Handling Report 2018/19, which was approved by Corporate Management Team on 18 March 2020, and had been published on the Council's website.</p> <p>It was highlighted that this was the third report of its kind, and provided an annual review and assessment of complaints information which included some useful customer feedback and an analysis of what the results could suggest. As a result of its publication, customers and staff alike were provided with:</p> <ul style="list-style-type: none"> <li>• Evidence of how the council values complaints - by sharing the information whilst appropriately comparing the data to other local authorities and the Scottish averages;</li> <li>• Essential information relating to the complaints procedure and outcomes;</li> <li>• Knowledge about the importance of managing the process;</li> <li>• Information that relates to customer insight based on the data;</li> <li>• A summary of the compliments that the council receives in addition to complaints;</li> <li>• Case studies that highlight how the council has learned and improved.</li> </ul> <p>The Chief Executive was heard in amplification of the report after which she answered questions from elected Members.</p>		
<b>Decision</b>		
To note the content of the report.		

## Exclusion of Members of the Public

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

Agenda No	Report Title	Presented by:
6.1, 6.2 and 6.3	Education Appointment Committee	Executive Director: Place
<b>Decision</b>		
Noted the undernoted appointments: <ul style="list-style-type: none"><li>(a) That the post of Depute Head Teacher, Dalkeith High School be offered to C Knight.</li><li>(b) That the post of Head Teacher, Strathesk Primary School be offered to Pauline Marr.</li><li>(c) That the post of Head Teacher, Burnbrae Primary School be offered to Linda Clarkson.</li></ul>		

The meeting terminated at 12.30pm.

# Midlothian Integration Joint Board



Meeting	Date	Time	Venue
MIJB Minute	Thursday 27 August 2020	2.00pm	Via Microsoft Teams.

## Present (voting members):

Cllr Catherine Johnstone (Chair)	Carolyn Hirst (Vice Chair)	Tricia Donald
Alex Joyce	Angus McCann	Cllr Derek Milligan
Cllr Jim Muirhead	Cllr Pauline Winchester	

## In attendance:

Morag Barrow (Chief Officer)	Claire Flanagan (Chief Finance Officer)	Caroline Myles (Chief Nurse)
Mike Ash	K. Chapman (User/Carer)	Jamie Megaw (Strategic Programme Manager)
Mairi Simpson (Integration Manager)	Wanda Fairgrieve (Staff side representative)	Fiona Huffer (Head of Dietetics)
Alison White (Chief Social Work Officer)	Jim Sherval (Public Health Consultant)	Johanne Simpson
Leah Friedman (Operational Business Manager)	Gordon Aitken (Democratic Services)	

## 1. Welcome and introductions

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The Chair, Councillor Johnstone, welcomed everyone to this virtual Meeting of the Midlothian Integration Joint Board. The Board noted that the arrangements for today's meeting had been agreed in advance to take account of the current public health restrictions as a result of the current Covid19 (Coronavirus) pandemic.

## 2. Order of Business

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

## 3. Declarations of interest

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No declarations of interest were received.

## 4. Minute of previous Meetings

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The Minutes of the undernoted Meetings of the Midlothian Integration Joint Board were submitted and approved as correct records:

MIJB held on 13 February 2020                      -

Special MIJB held on 12 March 2020

MIJB held on 16 April 2020

## 5 Public Reports

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Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<b>5.1 Covid-19 Data Presentation</b>  Jim Sherval provided a presentation on the high level data available on the national position as well as that of Midlothian with regard to Covid-19, during which it was noted that:	To thank Jim for his extremely helpful and informative presentation and that this position would continue to be monitored.	All to note	Ongoing

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<p>Lothian had the third highest level of:</p> <ul style="list-style-type: none"> <li>• Covid related cases within Scotland with Midlothian accounting for 645 cases equating to 11% of all cases in Lothian.</li> <li>• Although the position was still unclear, deprivation did not appear to be a major factor in this matter.</li> <li>• There did not appear to be a higher rate of fatalities within Midlothian in comparison to other areas</li> <li>• That 60% of Midlothian Care Homes experienced some form of outbreak.</li> <li>• That the infection rate within Midlothian Care Homes was currently higher than those recorded across NHS Lothian as a whole.</li> </ul> <p>There followed a general discussion on this presentation after which Morag Barrow made reference to the Lord Advocate's Review into all areas of Covid and that as a result of all the exceptional hard work undertaken by all concerned that Midlothian was now in a strong position in the event of a second outbreak.</p>			
<p><b>5.2 Membership of the Midlothian Integration Joint Board and Appointment of Audit and Risk Committee Members</b></p> <p>The purpose of this report is to provide information about a proposed change in the NHS Lothian Board voting members on the Midlothian IJB and to seek approval for the appointment of members to fill</p>	<p>(a) To endorse the proposed change within the NHS voting membership of the Midlothian Integration Joint Board; and</p> <p>(b) To appoint Caroyn Hirst, Mike Ash and Councillor Milligan as members of the MIJB Audit and Risk Committee.</p>	Clerk.	

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<p>vacant positions on the MIJB Audit and Risk Committee. Board Members were asked to:</p> <p>(i) endorse the proposed change within the NHS voting membership of the Midlothian Integration Joint Board and</p> <p>(ii) approve the appointment of Carolyn Hirst, Mike Ash and Councillor Derek Milligan as members of the MIJB Audit and Risk Committee.</p>			
<p><b>5.3 Chief Officers Report - Report by Chief Officer</b></p> <p>The paper set out the key service pressures and service developments which had occurred across Midlothian IJB over the previous month and looks ahead to the following 8 weeks.</p> <p>The Board in discussing the report made particular mention of the Midlothian Community Hospital: Glenlee ward and noted that the Chief Finance Officer and Chief Officer were pursuing avenues of funding and would report back to IJB with a proposed Business Plan once all options had been explored for a decision on future usage.</p> <p>There was also a general view expressed that although the IJB had “punched above its weight” during the recent Covid pandemic, that concerns remained over the level of support in terms of staffing that was available to it. Morag Barrow agreed to pursue this matter within Midlothian Council.</p>	<p>(a) To pursue avenues of funding and report back with a proposed Business Plan once all options had been explored for a decision on future usage;</p> <p>(b) That the level of support in terms of staffing that was available to the MIJB be further explored by the Chief Officer; and</p> <p>(c) To otherwise note the content of the Chief Officer’s Report.</p>	<p>Chief Officer/ Chief Finance Officer</p> <p>Chief Officer</p>	



Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<p><b>5.4 IJB Improvement Goal Progress</b></p> <p>This report's purpose was to provide a summary of the progress towards achieving the IJB's Improvement Goals. Board members were asked to review performance across the indicators and note further information was included about performance in Midlothian against the Core Suite of Indicators.</p> <p>John Megaw was heard in amplification of the report after which there was a general discussion on this matter.</p>	<p>To note the performance across the indicators and that further information was included about performance in Midlothian against the Core Suite of Indicators.</p>	<p>All to note.</p>	
<p><b>5.5. Annual Performance Report 2019-20</b></p> <p>The Midlothian Annual Performance Report provided information on the health and wellbeing of the people of Midlothian. It also described local health and care services, the financial performance of the Partnership and the quality of health and care services delivered during 2019-20. Board members were asked to approve the content of the Annual Report.</p> <p>Mairi Simpson was heard in amplification of the report after which there was a general discussion during which consideration was given on how to better publicise the level of work being undertaken and achieved by the IJB.</p>	<p>(a) To approve the content of the Annual Performance Report;</p> <p>(b) To note that the data related to the Health and Care Experience Survey was for 2017-18 due a delay in publishing 2019 data by the Scottish Government; and</p> <p>(c) To further explore use of digital platforms and Council websites to better publicise the level of work being undertaken and achieved by the IJB.</p>	<p>Chief Officer/ Mairi Simpson</p>	

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<p><b>5.6. General Practice Remobilisation in Midlothian</b></p> <p>The purpose of this report was to update the IJB on the remobilisation of primary care and the plans for the 2020 seasonal flu vaccination programme. Board members were asked (i) to note the changes to access to General Practice in Midlothian as a result of COVID19 (ii) note the plans for remobilisation of primary care and progress implementing the Primary Care Improvement Plan and (iii) to support the plan for the 2020 Seasonal Flu Vaccination Programme.</p> <p>John Megaw was heard in amplification of the report making particular reference to the flu vaccination arrangements being made due to the anticipated higher uptake in the traditional population cohorts; the age range for people eligible for the vaccine being reduced to either 55 or 50; eligible staff being expanded and that clinics would need to be run with appropriate PPE and physical distancing procedures in place.</p>	<p>a) To note the changes to access to General Practice in Midlothian as a result of COVID19</p> <p>(b) To note the plans for remobilisation of primary care and progress implementing the Primary Care Improvement Plan; and</p> <p>(c) To support the plan for the 2020 Seasonal Flu Vaccination Programme.</p>	All to note.	
<p><b>5.7. COVID-19 Next Phase Planning and Winter Planning</b></p> <p>The purpose of this report was to provide an update on COVID-19 next phase and winter planning. Planning began in response to Midlothian's Pandemic Recovery Strategy which was drafted in June 2020.</p>	<p>(a) To note this update on next phase planning and contribution to the (draft) NHS Lothian Remobilisation Plan; and</p> <p>(b) To approve the approach to winter planning.</p>	All to note	

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
<p>This involved a programmed plan of actions to support individual services transitioning out of emergency mode, overarching workstreams around technology, staff wellbeing, finance, Third Sector and Communities, winter planning and acute/community flow. Board members were requested to note this update and contribution to the NHS Lothian Remobilisation Plan and approve the approach to winter planning.</p> <p>Leah Friedman was heard in amplification of the report after which there was a general discussion during which Morag Barrow highlighted that as a result of additional emergency funding from the Scottish Government it was anticipated that approximately 20FTE members of staff of a high calibre could be employed/redeployed.</p>			
<p><b>5.8 Clinical and Care Governance Report</b></p> <p>The purpose of this report was to provide assurance as to the clinical and care governance arrangements within Midlothian. It will highlight good practice and identify any emerging issues or risks. It was highlighted that additional reports would be submitted as appropriate throughout the year to provide updated information from specific service areas. Board members were asked to note and approve the content of this report as well as the proposed development of a clinical and care governance dashboard.</p>	<p>To note and approve the content of the report as well as the proposed development of a clinical and care governance dashboard.</p>	<p>All to note</p>	

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments	
Carolyn Myles was heard in amplification of the report after which there was a general discussion on this matter.				
<b>5.9 Midlothian HSCP Older Peoples' Care Home Briefing Paper</b>  This report provided an overview of the ongoing work with Care Homes in Midlothian and the enhanced response now required following the release of Scottish Government Guidance. This work would continue to advance best practice, embed local clinical governance arrangements and provide ongoing assurance regarding the care of people in Midlothian Care Homes. Board members were requested to note this update on current COVID-19 work within Older Adult Care Homes in Midlothian and the significant work undertaken by the HSCP team in line with Scottish Government and Health protection Scotland guidance at all times. Carolyn Myles was heard in amplification of the report after which there was a general discussion on this matter.	(a) To note the update on current COVID-19 work within Older Adult Care Homes in Midlothian; and  (b) To note the significant work undertaken by the HSCP team in line with Scottish Government and Health protection Scotland guidance at all times.	All to note.		
<b>5.10 Strategic Planning Group</b>  The report provided an update on Strategic Planning Group discussions around Terms of Reference and membership.  Board members were requested to:	(a) To approve the revised Terms of Reference for the Strategic Planning Group;  (b) That the appointment of an elected Member from Midlothian Council be continued to establish whether this required to be a decision of the full Council or by the MIJB;	All to note.  Clerk		

Report Title/Summary	Decision	Action Owner	Date to be Completed/ Comments
(i) Approve the revised Terms of Reference for the Strategic Planning Group. (ii) note the request for a member of the Local Authority to become a member of the Group (iii) note the proposal of the Strategic Planning Group to revise the Directions issued in May 2020 and (iv) note the Minutes of the meeting 15 July 2020.  Mairi Simpson was heard in amplification of the report after which there was a general discussion on this matter.	(c) To note the proposal of the Strategic Planning Group to revise the Directions issued in May 2020; and  (d) To note the Minutes of the Meeting of 15 July 2020.		

## 6. Private Reports

### Exclusion of Members of the Public

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

**6.1 Unpaid Work, Analysis of Reoffending- Report by Chief Social Work Officer – Noted; and**

**6.2 Redesign of Urgent Care – Implementing the National Model in Lothian - Report by Chief Officer – Noted**

## 7. Date of next meeting

The next meeting of the Midlothian Integration Joint Board would be held on Thursday 8 October 2020 at 2.00 pm. (**Action: All Members to Note**)

The meeting terminated at 4.05 pm.



# Midlothian Integration Joint Board



Meeting	Date	Time	Venue
Special MIJB Minute	Thursday 10 September 2020	2.00pm	As a consequence of the current public health restrictions this was a virtual meeting held using Microsoft Teams.

## Present (voting members):

Cllr Catherine Johnstone (Chair)	Carolyn Hirst (Vice Chair)	Mike Ash
Angus McCann	Cllr Derek Milligan	Cllr Jim Muirhead
Cllr Janet Lay-Douglas (substitute for Cllr Pauline Winchester)		

## Present (non-voting members):

Morag Barrow (Chief Officer)	Claire Flanagan (Chief Finance Officer)	Caroline Myles (Chief Nurse)
Johanne Simpson (Medical Practitioner)	James Hill (Staff side representative)	Keith Chapman (User/Carer)

## In attendance:

Grace Cowan (Head of Primary Care and Older Peoples Services)	Mairi Simpson (Integration Manager)	Sarah Archibald (Public Health Practitioner)
Tracy McLeod (NHS Lothian)	Jim Sherval (Public Health Practitioner)	Keith Slight (Unison)
Mike Broadway (Clerk)		

## Apologies:

Tricia Donald	Cllr Pauline Winchester	Alison White (Chief Social Work Officer)
Hamish Reid (GP/Clinical Director)	Wanda Fairgrieve (Staff side representative)	Fiona Huffer (Head of Dietetics)
Ewan Aitken (Third Sector)	Jill Stacey (Chief Internal Auditor)	

## 1. Welcome and introductions

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The Chair, Catherine Johnstone, welcomed everyone to this virtual Meeting of the Midlothian Integration Joint Board.

## 2. Order of Business

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

## 3. Declarations of interest

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No declarations of interest were received.

## 4. Public Reports

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Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<b>4.1 2019/20 Audited Annual Accounts - Report by Chief Finance Officer</b>  As a statutory body, the IJB is required to produce a set of annual accounts at the end of its financial year (31 March). These accounts are then reviewed by the IJB's external auditors who report their opinion of the IJB's annual accounts to the IJB's Audit and Risk Committee. The Independent auditors have given the accounts an 'unqualified' opinion which means that they meet the requirements of the regulations and give a fair and true view of the IJB's financial position in 2019/20. The accounts are required to be signed off by 30 September and signed by the Chair of the IJB, the Chief Officer of the IJB, the Chief Finance Officer of the IJB and the Independent Auditor.	<ul style="list-style-type: none"> <li>Noted the report of the independent auditor; and</li> <li>Approved the MIJB's Annual Accounts for 2019/20.</li> </ul>	Chief Finance Officer	



Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>The Independent Auditor reported his view to the meeting of the IJB's Audit and Risk committee on 3 September 2019. The IJB's Audit and Risk committee was satisfied with the report of the Independent Auditor and recommends that the Annual Accounts are approved by the IJB.</p> <p>The Chief Finance Officer in presenting the Annual Accounts to the Board summarised some of the key findings and conclusions contained in the Annual Audit Report and made particular reference to the new services and approaches detailed in the Annual Accounts.</p> <p>There then followed a general discussion on the Annual Accounts during which both Morag Barrow and Clare Flanagan provided clarity on the issue of overspends against key budgets, particularly in regards to Learning Disabilities.</p>			
<p><b>4.2 Prevention and Early Intervention: Update - Presentation</b></p> <p>The Board received a presentation on Prevention from Sarah Archibald, Tracy McLeod and Jim Sherval, who responded to Members' questions and comments.</p> <p>In discussing the contents of the presentation, the Board gave consideration to the issue of what, at a strategic level, the MIJB should prioritise in relation to prevention.</p>	<ul style="list-style-type: none"> <li>Noted, and thanked Sarah Archibald, Tracy McLeod and Jim Sherval, for their Presentation;</li> <li>Noted that the themes in the presentation would be picked up as part of the review of the Strategic Plan and also in future Directions; and</li> <li>Agreed that the slides from the Presentation be circulated to Board Members for their interest.</li> </ul>	<p>Integration Manager</p> <p>Clerk</p>	
<p><b>Sederunt:</b> Angus McCann (14:28) and Cllr Janet Lay-Douglas (14:41) both left the meeting during the foregoing item of business.</p>			

## 5. Private Reports

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### Exclusion of Members of the Public

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

#### 5.1 Redesign of Urgent Care – Implementing the National Model in Lothian – Report by Chief Officer – Noted

## 6. Date of next meeting

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The next meeting of the Midlothian Integration Joint Board would be held on Thursday 8 October 2020 at 2.00 pm. (**Action: All Members to Note**)

The meeting terminated at 3.21 pm.