

# Notice of meeting and agenda



## Midlothian Council

**Venue:** Council Chambers, Midlothian House, Dalkeith, EH22 1DN

**Date:** Tuesday, 28 March 2017

**Time:** 14:00 - 17:00

**John Blair**  
**Director of Resources**

**Contact:**

Clerk Name: Kyle Clark-Hay

Clerk Telephone: 0131 270 5796

Clerk Email: [Kyle.Clark-Hay@midlothian.gov.uk](mailto:Kyle.Clark-Hay@midlothian.gov.uk)

**Further Information:**

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

**Recording Notice:** Please note that this meeting will be recorded. The recording will be publicly available following the meeting, including publication via the internet. The Council will comply with its statutory obligations under the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002.

## **1 Welcome, Introductions and Apologies**

---

Including any apologies from Members who are unable to attend.

## **2 Order of Business**

---

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

## **3 Declarations of Interest**

---

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

## **4 Deputations**

---

No deputations have been received for consideration at this meeting.

## **5 Minutes of Previous Meeting**

---

### **5.1** Submitted for approval as a correct record:

Note of Meeting of Midlothian Council of 7 February 2017 **5 - 26**

Addendum to Minute of Meeting of Midlothian Council held on Tuesday 7 February 2017

Note of Special Meeting of Midlothian Council of 28 February 2017 **27 - 28**

Addendum to Minute of Special Meeting of Midlothian Council held on Tuesday 28 February 2017

### **5.2** Submitted for approval as a correct record under Standing Order 7.9:

Minute of Petitions Committee 20 December 2016 **29 - 32**

Minute of Meeting of the Police and Fire and Rescue Board 21 February 2017 **33 - 38**

Minutes of Meeting of Standards Committee of 15 October 2013 **39 - 56**

### **5.3** Submitted for noting and consideration of any recommendations (circulated under separate cover) –

<b>Meeting</b>	<b>Date of Meeting</b>
Cabinet	10 January 2017
Planning Committee	10 January 2017
General Purposes Committee	15 November 2016
Appeals Committee	1 June 2016
Local Review Body	24 January 2017
Audit Committee	13 December 2016
Performance Review and Scrutiny Committee	24 January 2017
Special Performance Review and Scrutiny Committee	21 February 2017
Police and Fire and Rescue Board	15 November 2016

#### **5.4** Submitted for noting and consideration of any recommendations:

Minutes of Midlothian Integration Joint Board held on 1 December 2016 **57 - 62**

## **6 Questions to the Council Leader**

---

No questions have been received for response from the Leader of the Council.

## **7 Motions**

---

- 7.1** Notice of motion moved by Councillor Montgomery and seconded by Councillor Bryant
- 7.2** Notice of motion moved by Councillor Bennett and seconded by Councillor Imrie
- 7.3** Notice of motion moved by Councillor de Vink and seconded by Councillor Milligan
- 7.4** Notice of motion moved by Councillor Parry and seconded by Councillor Baxter
- 7.5** Notice of motion moved by Councillor Beattie and seconded by Councillor Parry

## **8 Public Reports**

---

- 8.1** Outstanding Minutes of Meetings - Report by Director, Resources **73 - 76**
- 8.2** Service Plans 2017-18 - Report by Chief Executive **77 - 80**
- 8.3** Scottish Government Regeneration Capital Grant Fund – Update - Report by Director, Resources **81 - 92**

- 8.4** New Build Council Housing – Local Letting Initiative - Report by Head of Customer and Housing Services **93 - 98**
- 8.5** Creating a World-Class Education Service - Positive Destination Update - Report by Head of Education **99 - 118**

## **9 Private Reports**

---

THE COUNCIL IS INVITED (A) TO CONSIDER RESOLVING TO DEAL WITH THE UNDERNOTED BUSINESS IN PRIVATE IN TERMS OF PART 1 OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973 – THE RELEVANT REPORTS AND THEREFORE NOT FOR PUBLICATION; AND (B) TO NOTE THAT NOTWITHSTANDING ANY SUCH RESOLUTION, INFORMATION MAY STILL REQUIRE TO BE RELEASED UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 OR THE ENVIRONMENTAL INFORMATION REGULATIONS 2004

### **9.1** Education Appointments Committee minutes - for approval:

Education Appointment Committee - Minute of Meeting of 16 March 2017 - for approval

Education Appointment Committee - Minute of Meeting of 20 March 2017 - for approval

TO FOLLOW - Education Appointment Committee - Minute of Meeting of 27 March 2017 - for approval

# Minute of Meeting



## Midlothian Council

Date	Time	Venue
7 February 2017	2pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Provost Wallace	Depute Provost Coventry
Councillor Johnstone – Leader of the Council	Councillor Constable – Depute Leader of the Council
Councillor Baxter	Councillor Beattie
Councillor Bennett	Councillor Bryant
Councillor de Vink	Councillor Imrie
Councillor Milligan	Councillor Montgomery
Councillor Muirhead	Councillor Parry
Councillor Pottinger	Councillor Rosie
Councillor Russell	Councillor Young

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

Mr V. Bourne	Rev. R. Halley
Mrs M. Harkness	

### In attendance:


## **1. Apologies**

---

- 1.1 It was noted that no apologies had been received.

## **2. Order of Business**

---

- 2.1 The order of business was confirmed as outlined in the agenda that had been circulated with the following amendments:
- A replacement paper in relation to item 8.3 – Financial Strategy had been circulated to Members on Friday 3 February 2017.
  - The Provost had agreed that item 8.13 be accepted as an item of urgent business due to the late publication of the report.

## **3. Declarations of interest**

---

- 3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.

## **4. Deputations**

---

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

## **5. Minutes of Previous Meetings**

---

- 5.1 The minutes of the meeting of Midlothian Council on 20 December 2016 were then submitted for approval.
- 5.2 Councillor Muirhead expressed concern in relation to the public accessibility of minutes and audio recordings of the Council and its Committees prior to January 2016 which the Chief Executive agreed to review. Following this Councillor de Vink asked the minute be updated to reflect the exchange between himself and the Provost at the meeting of the 20 December 2016; to change the minute convention of noting 'sederunt' within the minute to be replaced with 'interval' and to include his speech in relation to his budget proposals during the meeting of 20 December 2016. Councillor Montgomery then asked for the minute of item 8.9 of the meeting of 20 December to include the concerns he had raised during the discussion of this item to be noted. Councillor Milligan then asked the Head of Finance and Integrated Service Support to confirm the situation in relation to the decision that the Council made in respect of Christmas lights which the Head of Finance and Integrated Service Support duly provided. Councillor Beattie was then heard suggesting that it might be useful for Councillors to receive guidance in relation to what is contained within the minute which the Monitoring Officer provided. In conclusion the Provost confirmed that a wider ranging review of the Council's Standing Orders was required.

5.3 Subject to these amendments, the Council approved the minute as a correct record so moved by Councillor Johnstone and seconded by Councillor Constable.

5.4 The minutes of the Cabinet meeting of 22 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Cabinet meeting of 22 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Planning Committee meeting of 30 August 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Local Review Body meeting of 29 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Performance Review and Scrutiny Committee meeting of 29 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Performance Review and Scrutiny Committee meeting of 30 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Performance Review and Scrutiny Committee meeting of 30 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Performance Review and Scrutiny Sub Committee meeting of 2 May 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Audit Committee of 20 September 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Petitions Committee of 27 September 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Seminar of 13 December 2016 were presented to the Council for noting and consideration of any recommendations therein.

## **6. Questions to the Leader of the Council**

---

6.1 It was noted that no questions had been submitted to the Leader for consideration.

## 7. Notices of Motions

**Note – Prior to the discussion of item 7.1 the Provost made a personal statement and indicated his intention to hand the Chair to the Depute Provost and leave the Chamber. Following a request from Councillor de Vink the Monitoring Officer provided guidance to the Provost in relation to whether he should remain or leave the Chamber. Following this the Provost handed the Chair to the Depute Provost and retired from the Chamber.**

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.1</b>	<b>Councillor Wallace</b>	<b>Councillor de Vink</b>	<b>Councillor Muirhead</b>

### Motion:

Prior to the motion being introduced the Depute Provost asked Councillor de Vink to confirm his intention in relation to the motion given that the Provost had apologised at the meeting of the Council on 20 December 2016 and further had issued a personal statement in the Chamber prior to this item being discussed.

Councillor de Vink confirmed that he wished for the motion to proceed:

*The Council has noted the behaviour of Provost Joe Wallace at the 20 December 2016 meeting of Midlothian Council and agrees that his actions, particularly given that the meeting is broadcast live, brings Midlothian Council into grave disrepute.*

*Provost Wallace failed to chair the proceedings impartially with no bias to any party or individual. He displayed the most dishonourable behaviour incongruous to the office of Provost of Midlothian Council. The Provost became angry where he should have remained calm and collected and failed to remain in charge of proceedings at this meeting. He threatened an elected representative with removal from the chamber. He subsequently stated following a cooling down interval that in the heat of battle he had used the wrong language and withdrew certain words. The Council meetings are not a battle ground and instead of a well meant apology, there was a withdrawal of wording stating the he knew no other word to use for tittle tattle.*

*Having reviewed the webcast of the proceedings this Council considers that Councillor Wallace, as Provost of Midlothian, not only let himself down with a performance that unacceptable as the impartial chair of the December Council meeting. More importantly he brought the reputation of his office in to opprobrium by his inappropriate handling of the meeting and greatly damaged the office of Provost by his conduct.*

*As this is not the first time that Cllr Wallace has let himself down with his comments in the Chamber this Council request that the Provost learns from his many mistakes and chairs the subsequent two meetings in an impeccable manner.*

### Summary of discussion

Councillor de Vink then spoke to the motion confirming his reasons for bringing the motion to the Council.



Councillor Muirhead then spoke in favour of the motion and outlined his reasons for doing so.

Councillor Beattie was then heard suggesting that the Council have no further discussion in relation to the matter.

Councillor Baxter was then heard in support of the motion and spoke of his reasons for doing so.

The Council then heard from Councillors Parry and Coventry in relation to the matter in hand following which Councillor Constable was heard in support of Councillor Beattie's motion that there was no further discussion in relation to the matter.

Following this, the Council voted on the motion. Seven Councillors voted against the motion and ten Councillors voted in favour of the motion which then became the decision of the Council.

#### Decision

The Council agreed that the Provost should learn from his many mistakes and chair the subsequent two meetings in an impeccable manner.

#### Action

Provost

**Note – The Provost was invited back into the Chamber and assumed the position of Chair.**

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.2</b>	<b>Carers in Midlothian</b>	<b>Councillor Coventry</b>	<b>Councillor Wallace</b>

#### Motion:

*People of all ages are carers in Midlothian who care for spouses and family members. Carers play a vital role in ensuring that the vulnerable and sick members of our community are treated with love, care and respect, often in difficult and challenging situations.*

*Furthermore Midlothian Council recognises the selfless dedication of Janet Malcolm from Penicuik who recently came second in a national contest to find the carer of the year organised by the Edinburgh Headway Group. This recognition reflects the courage of all Midlothian carers who through their dedication carry out a vital role in our society helping to care for family members and friends.*

#### Summary of discussion

The Council heard from Councillor Coventry who presented the motion which highlighted the role of carers in Midlothian.

Following this the Councillor Wallace was heard in support of the motion.

**Decision**

The Council agreed to accept the motion

---

**Note – Prior to the commencement of the debate of item 7.3 Councillor Johnstone made a statement and then retired from the Chamber for the duration of the debate.**

---

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.3</b>	<b>Councillor Johnstone</b>	<b>Councillor Montgomery</b>	<b>Councillor Pottinger</b>

**Motion:**

Prior to the commencement of the motion, the Provost invited the Monitoring Officer to confirm the requirements for handling this motion. The Monitoring Officer confirmed that should the motion be passed by the Council it would be ineffective in relation to removing Councillor Johnstone from her position as Leader of the Council.

*At the Council meeting on 20 December 2016 Councillor Johnstone stated that as Leader of Midlothian Council she had met Derek Mackay MSP, Cabinet Secretary for Finance and the Constitution, to discuss the Scottish Government proposal to raise the Council Tax in higher bands with the Scottish Government retaining £1.2 million of the £1.7 million raised in Midlothian.*

*Following a Freedom of Information request to the Scottish Government asking*  
*1 the date of the meeting;*  
*2 what was discussed;*  
*3 what was decided; and*  
*4 was a civil servant present with the minister and if so, whom?*

*A reply from the Private office of the Cabinet Secretary for Finance states – ‘The Scottish Government does not have the information you have asked for because no records exist to indicate any such meeting took place between Councillor Catherine Johnstone and Derek Mackay as Cabinet Secretary for Finance and the Constitution.’*

*Clearly, Council Leader Catherine Johnstone’s statement to Midlothian Council has no factual foundation, and she should tender her immediate resignation.*

**Summary of discussion**

The Council heard from Councillor Montgomery who spoke to the motion which included the Councillor reciting the contents of a Freedom of Information response from the Scottish Government.

The Council then heard from Councillor Pottinger who spoke in support of the motion.

Following a lengthy debate in relation to the motion, the Council proceeded to take a vote on the matter.

Nine Councillors voted in favour of the motion and eight Councillors voted against the motion therefore the motion was carried but was ineffective.

---

**Note – The Provost invited Council to take a ten minute recess at this point.**

---

## 8. Reports

---

Agenda No.	Report Title	Presented by:
8.1	<b>Schedule of Meeting Dates Post the Local Government Election</b>	<b>Director, Resources</b>

### Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a paper which sought the approval by Council of a schedule of meeting dates for the incoming Council following the May 2017 elections to cover the period to December 2017.

Councillor Johnstone moved that the recommendations were approved which was seconded by Councillor Constable.

Councillor Milligan sought clarity in relation to the proposed date for the first Council meeting following the Election stating his view that this should be sooner. Councillor Johnstone responded stating her view that the new Council should be given time prior to the first meeting. The Director, Resources confirmed that there were various requirements of Councillors following the Election and confirmed his preference would be the first meeting of the Council to be 23 May 2017.

Subsequently the Council agreed the recommendations.

### Decision

The Council agreed to:

- a) Approve the temporary schedule of meetings dates for the incoming Council based on a six weekly cycle as per Appendix 1 of the report.

### Action

Director, Resources

Report No.	Report Title	Presented by:
<b>8.2</b>	<b>The Edinburgh and South East Scotland City Region Deal</b>	<b>Chief Executive</b>

#### Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which provided an update on the progress towards securing from the UK and Scottish Governments a City Deal for the Edinburgh and South East Scotland region.

Councillor Johnstone moved that the recommendations within the report were accepted citing that this was a really important deal for the people of Midlothian.

Councillor Milligan seconded the recommendations and in doing so expressed his hope that the final proposals would offer a better deal for Midlothian.

Councillor Baxter echoed Councillor Milligan's comments stating that he would like to see improvements with the deal.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the continued progress of the City Region Deal since the previous update to Council in June 2016; and
- b) Note the ambition to achieve an agreed Heads of Terms document during spring 2017

Report No.	Report Title	Presented by:
<b>8.3</b>	<b>Financial Strategy 2017-18 to 2021-22</b>	<b>Head of Finance and Integrated Service Support</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which was a revision of the previously published report dated 31 January 2017 which incorporated the implications of the additional grant funding for 2017/18 announced by Scottish Government on 2 February 2017.

Further the report provided Council with an update on the Financial Strategy encompassing the years 2017/18 to 2021/22. It set out recommendations to enable Council to set Council Tax and to determine a budget for 2017/18.

It also included:-

- An update on Scottish Government Grant;
- Updated budget projections for 2017/18 to 2021/22;
- A sensitivity analysis reflecting the potential impact of different pay and grant settlement scenarios for later years;

- An update on the resources to be provided to the Midlothian Integration Joint Board in 2017/18;
- An update on the strands of the change programme;
- The resultant 2017/18 service budgets;
- An update on reserves.

Councillor Parry moved that the recommendations contained within the report were accepted and confirmed her views in relation to the challenges facing Councils and in supporting the recommendations stated that working collaboratively was key going forward. In moving the recommendations Councillor Parry also stated her view that the proposals in the report offered the best deal for the people of Midlothian. Councillor Johnstone seconded Councillor Parry's motion

Councillor Milligan then spoke of his concerns in relation to the financial position and the decisions that Council needed to make in light of the challenges and further expressed his concern in relation to the position that the new Council Administration would have to deal with.

Councillor Baxter was then heard confirming that a root and branch review of how Midlothian Council operates is required.

Councillor Beattie and Councillor Milligan then engaged in debate in relation to previous discussions concerning shared services with East Lothian.

Councillor de Vink was then heard confirming his view that the financial position requires the Council to change its way of thinking. Councillor de Vink also asked the Head of Finance and Integrated Support for his views in relation to the financial position which he duly provided and also confirmed that the Senior Leadership Group was continuing to work to the transformation programmes required to meet the challenges and produce a balanced plan.

Councillor Muirhead was then heard expressing his concern in relation to the Council reserves. Coupled with this Councillor Muirhead spoke of the situation in relation to primary care provision and the Police.

Councillor Beattie was then heard confirming her view that further transformation was required and in doing so spoke of the transformation within the Council over the past five years and expressed her gratitude to Council staff for supporting the significant changes that they have had to deal with.

Following further contributions from Councillors Bennett, Young, de Vink and Parry the Council then agreed the recommendations in the report.

#### Decision

The Council agreed to:

- In line with the provisions of the Grant Settlement package, set a Band D Council Tax of £1,246 for 2017/18 as set out in appendix 1 of the report;
- Note the updated projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 of the report;

- iii. Note the continuing uncertainties and the potential impact as outlined in the differing scenarios as set out in section 6 of the report;
- iv. Approve the 2017/18 service budget analysis as set out in appendix 2 of the report, including the utilisation of £3.970 million of reserves.
- v. Approve the allocation of £37.510 million to the Midlothian Integrated Joint Board for 2017/18 in respect of delegated services, noting that the feasibility of part or all of the £1.160 million reduction being applied will be raised with the Chief Officer and Chief Financial Officer of the IJB.
- vi. Note that the Strategic Leadership Group is engaged in developing further options for change so that these can be considered early in the term of the next Council.
- vii. In considering the recommendations also consider the contents of the draft EQIA set out in appendix 3 of the report;
- viii. Otherwise note the contents of the report.

<b>Action</b>
---------------

Head of Finance and Integrated Service Support
--

---

Report No.	Report Title	Presented by:
<b>8.4</b>	<b>Financial Monitoring 2016-17 – General Fund Revenue</b>	<b>Head of Finance and Integrated Service Support</b>

<b>Outline of report and summary of discussion</b>
--

<p>The Council heard from the Head of Finance and Integrated Service Support who spoke to a report dated 20 January 2017 which provided the Council with information on performance against revenue budget in 2016/17 and further provided details of the material variances.</p>
---

<p>Councillor Parry was heard moving that the recommendations in the report were accepted following which the Council agreed the recommendations.</p>
---

<b>Decision</b>
-----------------

The Council agreed to:
------------------------

- |   |
|---|
| <ul style="list-style-type: none"> <li>a) Note the contents of the report and further consider the financial position in the context of the Financial Strategy for 2017/18 to 2021/22.</li> </ul> |
|---|

Report No.	Report Title	Presented by:
<b>8.5</b>	<b>General Services Capital Plan 2017/18 to 2021/22</b>	<b>Head of Finance and Integrated Service Support</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided the Council with:

- An update of the General Services Capital Plan incorporating new projects approved since the previous report to Council on 08 November 2016;
- Information on further additions to the Capital Plan for approval;
- Information on the projected performance of the General Services Capital Plan against budget for 2016/17;
- Forecast expenditure and income for the General Services Capital Plan for 2017/18 through to 2021/22;
- An update on the projected balance on the Capital Fund and the projected balance on debt outstanding.

Councillor Parry moved the recommendations were accepted drawing particular attention to the capital projects.

Mr Bourne was then heard in support of the work being done to support the health agenda, specifically in relation to snow sports activities in Midlothian.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- Note the General Services Capital Plan Quarter 3 monitoring position for 2016/17;
- Approve the projects as outlined in Section 2.3 of the report to be added to the General Services Capital Plan;
- Approve the allocated expenditure and funding in the General Services Capital Plan 2016/17 to 2021/22 (as shown in appendices 1 and 2 of the report);
- Note that based on the current forecasts and provisional sums, that the level of debt outstanding is forecast to be £124.000 million at 31 March 2022;

#### Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.6	<b>Treasury Management and Investment Strategy 2017-18 and Prudential Indicators</b>	<b>Head of Finance and Integrated Service Support</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report to the Council which sought the agreement to the Treasury Management and Annual Investment Strategies for 2017/18 and the Prudential and Treasury indicators contained therein.

Councillor Parry was heard in support of the recommendations.

Councillor de Vink requested clarification in relation to Capita Asset Services which the Head of Finance and Integrated Service Support duly provided.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Approve the Treasury Management and Investment Strategy for the 2017/18 financial year, as detailed in Section 2 of the report;
- b) Approve the list of Permitted Investments outlined in Appendix 1 of the report;
- c) Adopt the Prudential Indicators contained in Appendix 2 of the report;
- d) Approve an adjustment to the Authorised Limit for Borrowing to £384.042 million (as shown in Section 3 of the report) if market conditions indicate that this is prudent;
- e) Note that the policy to repay loans fund advances made before 1 April 2016 will be to continue to use the 'Statutory annuity method';
- f) Approve the policy for the statutory repayment of loans fund advances made from 1 April 2016 to be the 'Statutory annuity method' and that the current annuity rate applied is 3.20%.

#### Action

Head of Finance and Integrated Service Support



Report No.	Report Title	Presented by:
<b>8.7</b>	<b>Housing Revenue Account – Revenue Budget and Capital Plan 2016-17</b>	<b>Head of Finance and Integrated Service Support</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a paper dated 16 January 2017 which provided the Council with a summary of expenditure and income to 16 December 2016 for the Capital Plan and a projected outturn for both the Housing Revenue Account (HRA) and Capital Plan for 2016/17.

Councillor Parry was heard in support of the recommendations.

Councillor Milligan was heard expressing his concerns in relation to the provision of Council houses in Midlothian.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the content of the report

Report No.	Report Title	Presented by:
<b>8.8</b>	<b>Danderhall Primary School Feasibility Study</b>	<b>Director, Education, Communities and Economy</b>

#### Outline of report and summary of discussion

The Council heard from the Director Education, Communities and Economy who presented the outcome of the feasibility study into the best value option for Danderhall Primary School and the options for providing additional primary school capacity across the Danderhall and Shawfair area.

The feasibility study considered 4 options for Danderhall primary education provision:

- 1) Extension and refurbishment of existing school building;
- 2) New build replacement school on existing school site;
- 3) New build community school with leisure and lifelong learning facilities; and,
- 4) Retain existing school and provide additional capacity through a primary school in Shawfair.

An amendment to the recommendations was circulated to Members which was moved by Councillor Bennett and seconded by Councillor Russell.

The amendment read:

*'Council agrees to:*

- 1) *Replace Danderhall Primary School at its current location as per option 2*
- 2) *Build a new secondary school hub including community, library space and leisure facilities at Woolmet rather than the preferred site at Shawfair*
- 3) *Authorise officers to carry out a detailed feasibility study and progress the project programme as detailed in section 3.6*
- 4) *Approve the provision of £12.742 million of capital costs within the general services capital plan to progress option 2, as the secondary school site is to be located at Woolmet*
- 5) *Note that £6.491 million is expected to be recovered in the medium-long term from developers as part of the Shawfair Section 75 agreement and that £1,140 million is expected to be realised in capital receipts from the sale of the existing Danderhall Leisure and Danderhall Library sites.'*

Councillor Constable was then heard in support of the recommendations within the report which he felt would keep the options open for the Council.

Councillor Bennett then spoke of information he had received from the community in Danderhall which suggested the preferred site for the new secondary school was at Woolmet.

Councillor Russell was then heard in support of the amendment moved by Councillor Bennett.

Councillor Parry was then heard in support of Councillor Constable's motion that the recommendations in the report were accepted.

Councillor Baxter then asked for clarity in relation to the advantages of agreeing to the recommendations contained in the amendment moved by Councillor Bennett.

Councillor Milligan was then heard providing further rationale in relation to the proposed amendment moved by Councillor Bennett.

Councillor Baxter then suggested that a seminar was in order to provide Councillors with more information prior to making a decision.

Councillor Rosie agreed that the full picture was required before making a final decision.

Councillor Constable was then heard suggesting the addition of a point in the recommendations that the final decision is brought back to Council if Option 3 proves to be possible.

Mr Bourne was then heard airing his concerns at the lack of denominational schooling within the proposals and confirmed that he hoped this would warrant further discussion in the future.

Following further debate, the Council took a vote. Nine Members voted in favour of the amendment moved by Councillor Bennett. Nine Members voted in favour of the recommendations contained within the report as amended by Councillor Constable. The Provost then cast his second vote in favour of the recommendations contained within the report as amended by Councillor Constable which then became the decision of the Council.

**Decision**

The Council agreed to:

- a) Approve Option 3 contained in the report if the town centre site is secured for the Shawfair secondary school;
- b) Approve Option 2 contained in the report if the Shawfair secondary school will be located at Woolmet;
- c) Authorise officers to carry out a detailed feasibility study and to progress the project programme as detailed in section 3.6 of the report;
- d) Approve the inclusion of £15.317 million of Capital Costs within the General Services Capital Plan, to progress school Option 3 within the report and that this should be amended to a provision of £12.742 million of Capital Costs within the General Services Capital Plan, to progress Option 2 within the report, should the town centre site secondary school be located at Woolmet;
- e) Note that £6,491 million is expected to be recovered in the medium-long term from developers as part of the Shawfair Section 75 agreement and that £1.140 million is expected to be realised in capital receipts from the sale of the existing Danderhall Leisure and Danderhall Library sites; and
- f) The final decision coming back to Council for approval.

**Action**

Director, Education, Communities and Economy

**Note – The Provost invited Council to take a ten minute recess at this point.**

Report No.	Report Title	Presented by:
<b>8.9</b>	<b>Midlothian Council Digital Strategies</b>	<b>Head of Finance and Integrated Service Support</b>

**Outline of report and summary of discussion**

The Council heard from the Head of Finance and Integrated Service Support who presented a report requesting that Midlothian Council consider and approve the Midlothian Council Digital Strategy and the Midlothian Council's Strategy for Digital Learning.

Councillor Constable was then heard in support of the Council approving the recommendations and asked that the second bullet point included Cabinet as well as CMT.

Subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Approve the Midlothian Council Digital Strategy (2016-2021) and

Midlothian Council's Strategy for Digital Learning (May 2016);

- b) Note that further reports will be presented to the Corporate Management Team and Cabinet for any resources requirements arising from the digital transformation programme endorsed by the Digital Strategy Group;
- c) Endorse governance for all new projects that support these strategies to be approved and verified by the Digital Strategy Group; and
- d) Note that the strategies will ensure that all new digital projects must be supported by a strong business case and an identified Digital Leader who will be responsible for overseeing the programme \ project.

**Action**

Head of Finance and Integrated Service Support

Head of Education

Report No.	Report Title	Presented by:
<b>8.10</b>	<b>Digital Centre for Excellence – Newbattle Community High School</b>	<b>Head of Education</b>

**Outline of report and summary of discussion**

The Council heard from the Head of Education who presented a report detailing the proposed development of Newbattle Community High School as a Digital Centre for Excellence. Further the report sought approval to establish Newbattle as the first Centre for Excellence and in doing so noting the funding requirement for the technical infrastructure and staffing necessary to develop the Centre of Excellence.

Councillor Constable moved that the recommendations contained within the report were approved by the Council as this was an exciting development.

Mr Bourne was then heard in support of the report who was followed by Councillor Muirhead who also expressed his support for the centre of excellence model.

Following further contributions from Councillors Coventry, de Vink and Beattie, the Council resolved to approve the recommendations.

**Decision**

The Council agreed to:

- a) Note the nature of the proposal and the rationale for the Centres of Excellence model;
- b) Approve the establishment of a Digital Centre of Excellence at Newbattle;
- c) Approve the appointment of a Centre co-ordinator and the allocation of £56,000 from reserves in 2017/18 to fund the post;
- d) Note that a further report, seeking funding for the mainstream digital

assets for the new school, together with the additional items required for the Centre of Excellence, will be presented to Council in June 2017. This report will also address the funding required for the remainder of the revenue costs required for the school to operate as a Digital Centre of Excellence, reflecting the impact of City Deal funding;

- e) Note the ongoing work of the Council in developing key partnerships with the University of Edinburgh and commercial partners from digital industries;
- f) Note that the current Headteacher of Newbattle will retire in June 2017 but will continue to work one day per week on supporting the development of the Newbattle learning community in preparation for the opening of the Centre; and
- g) Note the proposal to extend the Centres of Excellence model to other Midlothian secondary schools.

#### Action

Head of Education

Report No.	Report Title	Presented by:
8.11	<b>Educational use of the former Hopefield Primary School site</b>	<b>Director, Education, Communities and Economy</b>

#### Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report that aimed to provide Council with an update and recommendation for the use of the new primary school to be built on the former Hopefield Primary School site further to the request from Council at its meeting on 20 December 2016.

Councillor Constable moved the recommendations contained within the report were accepted.

Councillor Milligan was then heard in support of the report and expressed his view that he was keen that the work to progress the programme was moved forward quickly. He further suggested that particular attention needed to be paid to the road layout and parking around the school.

Mr Bourne then spoke of his delight at the outcome of this work and Councillor Baxter was then heard echoing the comments that had already been made.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Revise the May 2016 decision and approve the construction of a joint campus on the former Hopefield Primary School site with one stream as non-denominational and one stream as the replacement St Mary's Roman Catholic Primary School;

- b) Authorise officers to commence formal consultation on the relocation of St Mary's Roman Catholic Primary School; and
- c) Approve the use of the non-denominational stream of the school as additional capacity for Burnbrae Primary School until such time as it is no longer required.

**Action**

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.12	<b>Community Empowerment Act Implementation</b>	<b>Director, Education, Communities and Economy</b>

**Outline of report and summary of discussion**

The Council heard from the Director, Education, Communities and Economy who presented a report which sought to update Council on the progress and implementation of the Community Empowerment Act 2015.

Councillor Bryant moved that the recommendations in the report were accepted and further suggested that a seminar was provided for Councillors following the Election in May.

Councillor Baxter requested information in relation to the Register of Buildings and Land which the Head of Property of Facilities Management provided.

Subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Note progress on implementation of the Community Empowerment Act;
- b) Note the proposal to report back on Governance arrangements following the Local Elections as set out in Section 2.2 of the report; and
- c) Seek a further report on procedures for managing participation requests once the statutory guidance is issued, as outlined in Section 2.3 of the report.

**Action**

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.13	<b>Consultation Response UK Green</b>	<b>Director, Education,</b>

	<b>Paper – Work, Health and Disability</b>	<b>Communities and Economy</b>
--	--	--------------------------------

#### Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which provided the Council with the background to the UK Government's consultation and further requested that Council note the response submitted by the Community Planning Partnership.

Councillor Bryant moved that the recommendations contained in the report were accepted which was seconded by Councillor Johnstone.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the response submitted by the Community Planning Partnership

Report No.	Report Title	Presented by:
<b>8.14</b>	<b>MAPPA Annual Report 2015-2016</b>	<b>Joint Director, Health and Social Care</b>

#### Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which referred Councillors to the MAPPA Annual Report for 2015-2016, the final report of the national MAPPA Joint Thematic Review which was published in November 2015 and the Lothian and Borders response to the areas of development identified in the Joint Thematic Review report.

Councillor Johnstone moved that the recommendations in the report were accepted and subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the content of the report and the background papers to the report.

Report No.	Report Title	Presented by:
<b>8.15</b>	<b>East Lothian and Midlothian Public Protection Committee Biennial Report 2014-16</b>	<b>Joint Director, Health and Social Care</b>

#### Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented

a report which outlined the requirement of the East Lothian and Midlothian Public Protection committee to submit a Biennial Report to Scottish Government on the exercise of the Committee's functions under section 42 of the Adult Support and Protection (Scotland) Act 2007. Further the report reflects the work undertaken of East Lothian and Midlothian Public Protection Committee 2014/16 thereby informing council of its progress in that time.

Councillor Johnstone moved that the recommendations were approved and subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Note the report and the progress made by the East and Midlothian Public Protection Committee during 2014/16.



## **9. Exclusion of Members of the Public**

---

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

- (a) Parking in Midlothian – Report by Director, Resources - Approved
- (b) Premises of the former Bonnyrigg Leisure Centre – Bright Sparks – Report by Director, Resources - Approved
- (c) Head Teacher Appointments for Approval by Midlothian Council – presented by Director, Education, Communities and Economy - Approved



# Minute of Meeting



## Special Meeting of Midlothian Council

Date	Time	Venue
28 February 2017	1pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Provost Wallace	
Councillor Johnstone – Leader of the Council	Councillor Constable – Depute Leader of the Council
Councillor Baxter	Councillor Beattie
Councillor Bennett	Councillor Bryant
Councillor Imrie	Councillor Milligan
Councillor Montgomery	Councillor Muirhead
Councillor Parry	Councillor Pottinger
Councillor Rosie	Councillor Russell
Councillor Young	

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


### In attendance:


## **1. Apologies**

---

- 1.1 It was noted that apologies had been received from Councillors Coventry and de Vink and from Margaret Harkness

## **2. Order of Business**

---

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

## **3. Declarations of interest**

---

- 3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.

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

---

- 4.1 No previous minutes were submitted to this special meeting of Midlothian Council for approval or noting

## **5. Reports**

---

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

---

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

- (a) Acquisition of land in Shawfair town centre from Network Rail - report by Director, Resources - Approved

# Minute of Meeting



## Petitions Committee

Date	Time	Venue
Tuesday 20 December 2016	10.00 am	Council Chambers, Midlothian House, Dalkeith, EH22 1DN

### Present:

Councillor Coventry (Chair)	Councillor Baxter
Councillor Muirhead	Councillor Rosie

### Also Present:

Mrs Steadman	Petitioner
Mrs Brooks	Accompanying Petitioner
Councillor Bryant	
Councillor Imrie	
Councillor Pottinger	

### In attendance:

Ricky Moffat	Head of Commercial Operations
Verona MacDonald	Democratic Services Team Leader

## 1. Apologies

---

- 1.1 An apology for absence was intimated on behalf of Councillor Russell.

## 2. Order of Business

---

The order of business was as per the Agenda circulated.

## 3. Declarations of interest

---

No declarations of interest were received.

## 4. Minutes of Previous Meeting

---

The Minutes of the Meeting of 27 September 2017 were submitted and approved as a correct record.

## 5. Reports

---

Prior to consideration of the foregoing, the Chair, for the benefit of the Petitioner, outlined the role of the Committee and what action it could take.

Report No.	Report Title	Presented by:
5.1	Bus Service - Auchendinny.	Ricky Moffat
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report dated 9 December 2016, by the Director, Resources incorporating a petition from Mrs A. Steadman calling upon the Council to ensure the Number 40 bus service which is used by persons residing at Auchendinny is not withdrawn; advising that a recent survey undertaken by the Council relating to the usage of the service is understood to be inaccurate and; requesting that the Nos. 37 or 15 buses be re-routed through Auchendinny</p> <p>The Committee then heard from Mrs Steadman who advised that the community of Auchendinny now had only one bus service, namely the No. 40. She advised she lived adjacent to the bus stop and therefore was able to verify the usage which was higher than the survey she understood had been carried out recently. She provided information on behalf of another senior citizen living in the community who is unable to walk up to the main road and now feels she is a prisoner in her house due to the lack of public transport. She stated that the lack of public transport had affected the operation of the very successful Glencorse Community Centre which was the hub of the community given that there was no shop or public house. She referred to the loss to the Centre of 2 persons with learning disabilities who had worked there up until the loss of the previous service and now were excluded from doing so because it was not safe for them to walk down from the main road by themselves. Further she mentioned the difficulties experienced by senior citizens from Penicuik who attend the Centre for the pensioner's lunch on a Tuesday. She stated that the Centre helps to prevent loneliness and the feeling of social exclusion which affect senior citizens.</p>		

Further, she advised that for the majority of persons in the community who need to use the bus service it is not suitable to walk in the dark for half a mile. She advised that a bus service which connected to Edinburgh was needed. She also mentioned the young families who have moved into the 150 new houses built at Dalmore Mill and who rely heavily on the goodwill of others for lifts and that the lack of a bus service has in effect cut off a rural community. Mrs Steadman also narrated issues some of the senior citizens were currently experiencing with the ring and go service and delays in issuing the new bus passes.

The Committee then heard from Mrs Brooks who advised that she was attending in support of the Petition. She advised she used public transport to go to Loanhead where she had family. She advised that the Nos. 37 and 40 did not need to go to Roslin because they were primarily used by tourists who had no wish to stop in the village and in fact the buses did not stop there. Further she advised that the community of Auchendinny had a greater need for public transport given its size and location.

Ricky Moffat then addressed the Committee. He provided further information relating to the “Ring and Go” service operated by the Council and undertook to look into issues raised by Mrs Steadman during her presentation. He advised that the bus service through Auchendinny was operated by Lothian Buses and outwith the control of the Council; that the survey referred to in the Petition would have been a survey undertaken by the bus company, the results of which are not shared with the Council and; that the service had always operated on a commercial basis. He advised that having been notified of the Petition he had approached the bus company and asked them what could be done. They had provided him with 2 options and advised that neither could be provided by using the No. 40 and therefore would require another bus to be put into the service. Option 1 would provide a peak hours service Monday to Saturday, with 3 journeys in each direction morning and evening at a cost of approximately £104k per annum and Option 2 would provide an hourly service Monday to Saturday 7 am to 7 pm and Sunday 9 am to 7 pm at a cost of approximately £151k per annum. He further advised that using Option 1 would require 90 return journeys per day to cover the cost.

There followed a general discussion on the detail of the Petition and the subsequent issues raised during which Members expressed concern about the effect to the community as described by Mrs Steadman and Mrs Brooks. Reference was also made to the recent Briefing Session for Members by Lothian Buses where the bus company had advised that they sometimes operate services which are not profitable but are required as a social service. Members requested that the bus company be asked to name the services in Midlothian which fell into that category.

In summing-up Mrs Steadman also advised that First Bus run services which go through Auchendinny but do not stop and wondered whether contact could be made with First Bus to investigate whether they could provide a service to the community.

#### Decision

The Committee agreed:-

- (a) to pass the Petition to Lothian Buses with a recommendation that they look again at the service taking into account the need to prevent social exclusion;
- (b) request Lothian Buses to provide information as to which routes in Midlothian they operate without profit as a social service and;
- (c) contact is made with First Bus in relation to the services they operate which go through Auchendinny with a view to ascertaining whether they would amend the service to stop in the village.

Action – Director, Resources/Head of Commercial Operations

The Chair thanked Mrs Steadman and Mrs Brooks for attending.

The meeting terminated at 10.55 am.



# Minute of Meeting



## Police and Fire and Rescue Board

Date	Time	Venue
21 February 2017	11.05am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Parry (Chair)	Councillor Baxter
Councillor de Vink	Councillor Montgomery
Councillor Muirhead	Councillor Wallace

### In attendance:

<b>Midlothian Council</b>  Kevin Anderson, Head of Customer and Housing Services	  Verona MacDonald, Democratic Services Team Leader
<b>Police Scotland</b>  Chief Superintendent Ivor Marshall	  Chief Inspector Kenny Simpson
<b>Scottish Fire and Rescue Service</b>  David Farries, Area Manager Tam McGrath, Group Manager	  Steve Gourlay, Group Manager

## 1. Welcome, Introductions and Apologies

It was noted that no apologies had been received.

## 2. Order of Business

The order of business was confirmed as outlined in the agenda circulated.

## 3. Declarations of interest

No declarations of interest were intimated.

## 4. Minute of Previous Meeting

The Minute of the Meeting held on 15 November 2016 was approved as a correct record.

## 5. Reports

Agenda No.	Report Title	Presented by:
5.1	<b>Scottish Fire and Rescue Service – Midlothian Local Performance Plan – Quarter 3 2016-17</b>	<b>Scottish Fire and Rescue Service</b>
<b>Outline of report and summary of discussion</b>		
<p>David Farries, by way of introduction, advised that Tam McGrath and Stephen Gourlay would present the Quarter 3 Report to the Board. He advised that the Service continued to work on the local plan and incorporating it into the Single Midlothian Plan albeit this was proving difficult taking into account the terms of the Community Empowerment legislation. He advised the budget allocation was now known and would result in further challenges for the Service. He welcomed the increase in capital budget which would in some way offset the decreases made in past financial years. He continued by advising that youth engagement activities had been added to the plan because they were considered to be worthwhile to counteract anti-social behaviour. He mentioned the countrywide standardising of duty patterns and advised that this would not lead to any decrease of service in Midlothian.</p> <p>Thereafter, Tam McGrath and Stephan Gourlay spoke to the terms of the Quarter 3 Report noting the performances within the 5 objectives making up the main focus for local service delivery in the Local Fire and Rescue Plan for Midlothian 2014-2017, namely, (1) Reduction of Accidental Dwelling Fires; (2) Reduction in Fire Casualties and Fatalities; (3) Reduction of Deliberate Fire Setting; (4) Reduction in Road Traffic Collisions; (5) Reduction of Unwanted Fire Alarm Signals together with the Fire Safety Enforcement Audits and Home Fire Safety Visits delivered in Midlothian.</p> <p>It was noted that during the quarter there had been no fatalities from accidental dwelling fires. Attention was also drawn to the work undertaken within schools to tackle unwanted fire alarm signals and the desire to expand youth engagement and; the difficulties faced by the Service in finding and/or targeting the most at risk people in the community.</p>		

Following a question by Councillor de Vink seeking a view on the use of chinese (sky) lanterns, Stephen Gourlay advised that whereas the Service nationally did not have an official stated view, clearly something which goes up in the air and is on fire is a hazard and locally the Service would be supportive of any initiatives to prevent the hazard. The Chair advised she would be happy to intimate the terms of a Motion passed by Midlothian Council on 8 November 2016 to the Fire and Rescue Service and to the Police.

Thereafter, questions were put by Councillors Montgomery, de Vink and Muirhead and subsequently answered by Mr McGrath and Mr Gourlay. It was further agreed that the statistical information omitted from the report relating to the East and West Midlothian Wards would be provided to the Council's Democratic Services Team for electronic distribution to Board Members.

#### Decision

The Board agreed:-

- (a) to note the terms of the Quarter 3 report;
- (b) that the Chair intimate the terms of the Council Motion of 8 November 2016 relating to Chinese (sky) lanterns to the Fire and Rescue Service and Police Scotland and;
- (c) that the statistical information omitted from the report relating to the East and West Midlothian Wards be provided by the Fire and Rescue Service and distributed electronically to Board Members as soon as possible.

Report No.	Report Title	Presented by:
<b>5.2</b>	<b>Police Scotland Midlothian Scrutiny Report Quarter 3 2016-17</b>	<b>Police Scotland</b>
<b>Outline of report and summary of discussion</b>		
<p>Ivor Marshall introduced the Report providing a divisional overview of some of the current issues affecting Police Scotland. He advised that the National Service Report would be released very shortly and informed Members that Police spend only 20% dealing with crime with the other 80% dealing with vulnerable people/a social service. He expressed the Chief Constable's desire to build a sustainable operating model with a continued emphasis on localism which sits at the heart of what the Police service does. He stated that the Service work closely with the Fire and Rescue Service and the local authority to embed local policing plans within local outcome plans. He advised that the figures continued to show an increase in violence across the division and that this trend had been noticed in other parts of the country also, with one of the reasons for the increase being the manner in which matters were recorded. He acknowledged the figures for housebreaking and confirmed that support for tackling this had now been requested from other areas in the country where specialist knowledge and experience existed. Lastly he took the opportunity to extend an invitation to Members to visit the Police Contact Centre at Bilston and being the last meeting of the Board prior to local government elections, formally recorded his thanks to Members for their consideration since its inception.</p> <p>Kenny Simpson then spoke to the terms of the Report and highlighted performance in meeting the targets set for each of the priorities, namely, Tackling Substance Misuse; Protecting People; Reducing Violence; Making our Roads Safer;</p>		

Reducing Antisocial Behaviour; Tackling Serious and Organised Crime; and Reducing Housebreaking. He advised that so far the reporting year had been challenging; that officers had spent considerable time trying to engage with groups of youths whilst failing to get much by way of positive responses from parents/carers; that whilst the figures under tackling serious and organised crime were off target, there had been a couple of successful enforcement days recently with substantial Class A drugs and firearm recoveries. He advised it was important to the community who provide information to be assured that the information was being acted upon. In relation to housebreaking he advised that it was a complex picture and recognised nationally that there was an element of travelling criminals operating in the east of the country. Considerable Police resources had been expended on it but indicators still showed that people are somewhat lax about security.

Questions were then put by Members and subsequently responded to relating to matters including the number of police officers in the area; the age and gender profile of persons committing crimes; the locations of and information available in the public domain about the mobile safety camera van; when the local plan would be adopted and; targeted housebreakings to steal motor vehicles.

#### Decision

The Board agreed:-

- (a) to note the content of the Report and;
- (b) that current Board Members together with new Members of the Board elected after local government elections in May, should they so wish, visit the Contact Centre at Bilston at a suitable time after May 2017.

Report No.	Report Title	Presented by:
<b>5.3</b>	<b>Community Policing Team Midlothian Activity Summary October, November, December 2016</b>	<b>Police Scotland</b>
<b>Outline of report and summary of discussion</b>		
<p>Kenny Simpson spoke to the terms of the Report which summarised the activities of the Community Policing Team during the quarter of October to December 2016.</p> <p>Thereafter, in response to questions raised by Councillors Montgomery and Wallace, Ivor Marshall advised that the division can bid for additional resources and obtain these if the need and demand is considered to be greater than other bids. He confirmed that having officers locally and available is definitely the best preventative approach for the area and when the Council paid for these resources this is what they received.</p>		
<b>Decision</b>		
The Board noted the terms of the Report.		

The Chair expressed her thank you to Members for serving on the Board.

It was noted that the next meeting of the Board would be held on 30 May 2017 at 10.00 am with the first part of the meeting dedicated to training for Members.

The meeting terminated at 1.10 pm.



**MINUTES of MEETING of the MIDLOTHIAN COUNCIL STANDARDS COMMITTEE**  
held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on  
Tuesday 15 October 2013 at 2.00pm.

**Present:-** Mr Les McEwan, Independent Chair and Councillors Bryant, Milligan and Muirhead.

**Apologies for Absence:-** Councillors Thompson and Wallace.

**1 Audio Recording of Meeting**

The Independent Chair, Mr Les McEwan, welcomed everyone to the meeting. He also reminded everyone that the meeting would be audio recorded in accordance with the notice contained on the agenda.

**2 Declarations of Interest**

No declarations of interest were intimated.

**3 Minutes of Meeting of 27 March 2011**

The Minutes of Meeting of 11 October 2011 were submitted and approved as a correct record.

**4 Discharging the Educational Role of the Standards Committee's Remit**

There was submitted report, dated 8 October 2013, by the Director, Corporate Resources, inviting the Committee to consider any training needs that required to be met and in particular to consider the possibility of hosting a Standards Commission training session in late November or early December 2013.

**Decision**

- (a) To remit to the officials to liaise with the Standards Commission to pursue the possibility of holding a joint standards training event with neighbouring authorities in Midlothian House in late November or early December 2013 but that in the event of difficulty over dates then the Council hold its own training session at that time and those Councillors from neighbouring authorities who are able to manage along be made welcome;
- (b) To ask the members of the Council for their views on the desired focus of the training event; and
- (c) To note that in general terms when considering future training, it was important not only to take account the needs of the less experienced councillors, but also of those more experienced councillors, i.e. by ensuring that they were provided with the most up to date information on the subject.

(Action: (a) and (b) Legal and Secretariat Manager; and (c) Joint Partnership Manager)

## 5 Pre-election Period Guidance

With reference to paragraphs 10(b) and (c) of the Minutes of Meeting of Midlothian Council of 14 May 2013, there was submitted report, dated 8 October 2013, by the Director, Resources, presenting for the Committee's consideration revised and updated guidance for members in the pre-election period.

Subject to the following exceptions, the guidance included a moratorium on visits by politicians to Council premises from the date of nomination until the close of poll:-

- Premises rented by the Council to third parties on a commercial basis where entry was at the discretion of the tenant;
- School rooms and other meeting rooms made available to candidates in terms of the Representation of the People Act 1973;
- Visits at the invitation of a resident to their room in a Council residential home or hostel;
- Visits to Council premises for business and Council meetings; and
- Any activity in a Council managed public open space which has been approved by the Chief Executive (or his nominee).

### Decision

To approve the revised and updated guidance for members in the pre-election period, as shown in the **Appendix** hereto, and to recommend approval of same to Midlothian Council.

(Action: Legal and Secretariat Manager)

## 6 Date of Next Meeting

It was agreed to remit to the officials in liaison with the Chair to agree the date for the next meeting.

The meeting terminated at 2.18pm.



## **Appendix**

**(relative to paragraph 5)**

### **Pre-election period guidance – Midlothian Council**

Use ctrl+click to browse this document using the links.

#### **Contents**

1. [Applicability](#)
  - Elections / referendums
  - Timescales
  - Independent organisations
2. [Key points](#)
3. [Background and timing](#)
  - What is the pre-election period?
  - Timing of the pre-election period
  - Legal and other obligations
4. [Premises](#)
  - Definition
  - Use as offices and for public meetings
  - Visits to Council premises by candidates
  - Use of Council premises for publicity
  - Candidate's posters and other advertising
  - Surgery Notices
5. [Publicity](#)
  - General
  - Specific points on local government elections
  - Opening ceremonies or other events
  - Media requests
  - By-elections
  - Referendums
6. [Other issues](#)
  - Staff candidature
  - Staff - other political activity
  - Working relationships between staff and councillors
  - Use of Council facilities and resources by councillors
  - Freedom of Information requests
7. [Questions and answers](#)
8. [Contacts and further information](#)

## 1. Applicability

(Back to [contents](#))

### *Elections / referendums*

These guidance notes apply to all elections: local government, Scottish parliament, UK parliament and European parliament. Some provisions also apply to by-elections (discussed in section 5). The guidance will also apply to referendums.

Where there may be specific issues relating to particular elections these are covered in the notes.

### *Timescales*

Although the formal pre-election period begins with the issuing of the notice of election, care should be taken in the few days immediately before this to avoid any potential perception, of political partiality.

### *'Independent' organisations*

Care should be taken to ensure that projects, initiatives or organisations funded by an authority do not create the potential for allegations that public money is being used in support of a party or candidate. This is likely to be less of an issue where funding is general, as opposed to funding for, say, communications activity by an organisation.

## **2. Key points**

(Back to [contents](#))

While there are some specific areas that required detailed advice, the essence of this guidance is:

- Council staff must discharge their duties in a politically neutral way at all times.
- There is particular sensitivity around this political neutrality in the run-up to an election.
- Particular care needs to be taken to ensure that any events, publicity or other communications are politically neutral.
- Council facilities and resources must not be used in support of a political party or election candidate.
- Unless otherwise stated, it should be assumed that normal Council business will continue.
- Unless otherwise covered by this guidance, staff should respond positively to requests for information or advice from parties or candidates.

### 3. Background and timing

(Back to [contents](#))

What is the pre-election period?

It is the period between the announcement of an election and the date of the election. It is generally taken to be from the publication of the notice of election until polling day, inclusive of both days. This is the definition referred to in the Code of Recommended Practice on Local Government Publicity, which guides local authorities on fulfilling the requirements of section 2 of the Local Government Act 1986.

The main significance of the pre-election period is in the need for heightened sensitivity, to ensure that public resources are not used in any way that might influence the result of an election.

The pre-election period has commonly been known as 'purdah'. However, this is felt by some to be an inappropriate term because of its cultural and religious origins in referring to the separation of women from men.

Timing of the pre-election period

Local authorities have some discretion on the exact timing of the publication of the notice of election, although it needs to be within a timeframe which is set out in legislation according to individual elections.

The section of a local authority responsible for elections management should communicate to its elected members and staff the date of the pre-election period. It is usually helpful if this is done several months in advance to help with event and other planning.

In some authorities, convention – although not law – means that the pre-election period is effectively observed a few days before it officially begins.

It is worth noting that the civil service tends to use the date of dissolution of parliament as the beginning of its pre-election period, as opposed to the notice of election. This convention derives from UK parliament election dates not being fixed. However, all elections now follow a timetable which is set out in legislation in advance. This can lead to the UK and Scottish governments, and their agencies, using different pre-election period dates however.

## **Legal and other obligations**

Local authorities are prohibited by section 2 of the Local Government Act 1986 from publishing any material which appears to be designed to affect public support for a political party. Publicity is defined very widely. It includes 'any communication, in whatever form, addressed to the public at large or to a section of the public.'

The Council also has duties under common law to taxpayers which prohibit the use of public funds and the activities of Council officers where the Council is not fulfilling its statutory functions. Unless otherwise specified in this guidance, any support given to political parties or election candidates is very likely to breach this obligation.

For the avoidance of doubt, it should be noted that these duties apply at all times but the implementation is particularly sensitive during the pre-election period.

Staff and elected members also have obligations under their respective codes of conduct.

Between the time of publication of a notice of an election and polling day, publicity should not be issued which deals with controversial issues, or which reports views or policies in a way that identifies them with individual members and groups of members.

The following publicity activities should therefore not take place during the formal election campaign period -

- Any proactive media releases/ media activity, including photocalls, involving cabinet portfolio holders, election candidates or elected members or mentioning any political party.
- The publication of any Council material, with the exception of election-related materials, that identifies, in any way, an election candidate or a political party. Reactive media inquiries are business as usual and may involve the relevant cabinet portfolio holder.

Any other activities will require to be considered in terms of the legislation and the Code of Conduct.

## **4. Premises**

(Back to [contents](#))

### *Definition*

Council premises can include schools, offices, depots, stores and care homes where access is generally controlled or limited.

It can also include other spaces which might generally be open to the public but where there is an element of control, e.g. leisure centres and parks.

In this context, it is not taken to include public roads and pavements.

### **Use as offices and for public meetings**

(Back to [contents](#))

The Local Government Act 1986 prevents local authorities from allowing Council premises to be used to promote support for a political party. However, there are some exceptions.

An authority may allow political parties to rent Council owned premises for use as offices, where such facilities are provided on a first-come, first-served basis on normal commercial terms.

Under the Representation of the People Act 1973 parties or candidates are entitled to use a school room for a public meeting in a Council run school within the candidate's constituency. The let will be free of charge, but the Council is entitled to be reimbursed for heating, lighting and other utilities, as well for any damage caused to the room by the let.

Candidates or their agents are required to give reasonable notice and any booking should not interfere with existing arrangements such as prior bookings or school hours.

In terms of the Representation of the People Act 1973, the Council must also prepare and keep for each constituency which is wholly or partly in its area, a list of rooms in school premises and a list of "meeting rooms" which candidates are entitled to use. Candidates are also entitled to inspect a list of these rooms.

## **Visits to Council premises by candidates**

(Back to [contents](#))

As the election approaches, candidates may wish to visit Council premises to meet residents, e.g. in residential homes, or to be seen within the area, or to become more familiar with Council facilities. The Council has previously allowed such visits subject to management rules but it has now been decided that, subject to the exceptions listed below, no candidate shall be allowed to visit Council premises from the date of nomination until the close of poll.

This moratorium will not apply however in the following circumstances:

- Premises rented by the Council to third parties on a commercial basis where entry shall be at the discretion of the tenant
- School rooms and other meeting rooms made available to candidates in terms of the Representation of the People Act 1973
- Visits at the invitation of a resident to their room in a Council residential home or hostel
- Visits to Council premises for business and Council meetings; and
- Any activity in a Council managed public open space which has been approved by the Chief Executive (or his nominee).

## **Use of Council premises for publicity**

(Back to [contents](#))

### *Visits by candidates*

The media may request the use of a council establishment to highlight a general aspect of the election. This may or may not involve election candidates or parties. The decision on whether to agree or not to such media requests will be taken by the relevant Director in consultation with the Communications and Marketing Manager.

In reaching their decision, the Director should consider if such use by the media will favour one particular candidate or party, any sensitivities around the particular venue and its users, and the possible staff resource implications. Whatever decision is reached, it should be equally applied to all parties and candidates.

If the media is involved in a visit, employees must not be photographed, recorded or televised with prospective candidates. The consent of clients or service users must be sought and not assumed. The Council has media relations consent forms in place for situations where the people involved are under 16 or deemed to be vulnerable adults, and consent in these situations must be recorded and retained as per normal practice for media consents. The Director(s) will be advised on this aspect by the Communications and Marketing Manager.

An individual who lives in a Council residential home or hostel has a right, as an elector, to invite candidates and the media into their own room.

#### *Visits by politicians other than candidates*

It is likely to be permissible for a sitting politician, who is not affected by a forthcoming election, to visit Council premises and seek publicity for this. However, any candidates should not have a formal role at such events and Council staff should not facilitate any publicity involving election candidates, e.g. interview requests or photo opportunities.

#### *Party political broadcasts*

Council premises should not be used for the filming of party political broadcasts.

### **Candidate's posters and other advertising**

(Back to [contents](#))

Political posters are not permitted on streetlights, other street furniture (e.g. traffic lights, railings and benches) and roads (including verges, central reservations and roundabouts).

The Council will not object to A Boards being placed on the pavement outside polling stations on the day of poll provided these boards do not obstruct the public right of passage. The question of whether an obstruction is being caused will be a matter for Police Scotland.

Party political or campaigning material should not be placed on notice boards or displayed in Council buildings.

### **Surgery notices**

Sitting MPs, MSPs, MEPs and councillors may have surgery notices displayed in Council premises. These can continue to be displayed during the pre-election period providing it is the usual notice which is being displayed.

There is one exception to this rule: sitting politicians for a particular election who no longer hold office once the notice of election is published whose posters must be removed. For example, an MP ceases to be an MP in the pre-election period for the UK Parliament elections and should have their posters removed. Other sitting politicians may continue to publicise their surgeries and, in particular as Councillors remain in post until the day of poll for a local government election any such posters should not be removed.



## 5. Publicity

(Back to [contents](#))

### General

As the definition of publicity is very broad, and any content subject to interpretation, each situation has to be discussed on its own merits. Publicity can cover news releases, publications, events, photos and videos. It also includes online and social media communications as well as 'traditional' publicity.

In determining whether publicity should be allowed, the main factors to take into account are:

- The content and style of the material.
- The time and circumstances of the publication.
- The likely effect of the material on those to whom it is directed.
- Whether the material promotes or opposes a point of view on a question of political controversy which is specifically identifiable as the view of one political party but not the other.
- Whether or not the material contains references to any political party or to person identified with a political party.
- Where the material is part of a campaign, the effect that the campaign appears to be designed to achieve.
- The extent to which any activity is 'business as usual' or where the timing might be beyond the reasonable control of the authority.

The key test is whether a particular act can be perceived as seeking to influence public opinion or to promote the public image of a particular candidate, or group of candidates (whether or not they are existing members).

### Specific points on local government elections

Public statements (reactive and proactive) may need to quote the relevant councillor responsible for a particular portfolio.. Great care should be taken to ensure that any content is clearly and directly relevant to the service or issue being discussed and reflects an agreed Council decision or policy. It must not be a general comment on the position or achievements of the sitting administration.

Any Council newspapers or newsletters should not be published during the pre-election period. Routine publications advising on council services, such as Tonezones or the Midlothian Snowsports Centre at Hillend, may be published during the pre-election period.

It is worth noting that councillors remain as councillors until the day of poll for a local government election.

### **Opening ceremonies or other events**

Official openings or events, whether or not specifically designed to attract publicity, should not take place during the pre-election period before a local government election. Any variation on this must be agreed by the relevant Director and be justified on the grounds of exceptional unavoidable and/or unforeseen circumstances.

### **Media requests**

In general, media requests for general filming or photo opportunities around elections should be treated as they would be normally. The only issue that would arise is if there is any question of the media outlet taking a particular stance that may be, or may be perceived to be, in favour of one party or candidate.

Requests to organise or cover hustings events would normally be permissible on the basis that they are open to all relevant candidates. In the case of broadcasters, there are strict rules that apply to maintain political neutrality and an authority should assume that the broadcaster concerned will meet its own obligations in this regard.

### **By-elections**

Particular care should be taken to avoid any publicity in the ward or constituency affected by a by-election during the period after the notice of election has been issued.

Depending on the circumstances, it may also be appropriate to stop normal Council publicity on the day before and the day of polling.

### **Referendums**

The Council may not publish any promotional material relating to a referendum within a period of 28 days prior to the referendum polling date in terms of the Political Parties, Elections and Referendums Act 2000. This restriction is on all material regardless of political content or neutrality.

## 6. Other issues

(Back to [contents](#))

### Staff candidature

If a Council employee in a political restricted post wishes to stand for election (whether to the Council, Scottish parliament, UK parliament or European parliament) they must resign their post.

A Council employee not in a politically restricted post may stand for election to the Council without resigning their post.

### Staff - other political activity

Staff in politically restricted posts should not undertake any political activity at any time.

Staff in posts that are not politically restricted may carry out political activity. However, if they are a witness for any election-related documents or otherwise personally involved in support for a particular party or candidate, they must not be involved with polling or counting.

### Working relationships between staff and councillors

Some employees may have a close working relationship with councillors. It is important that this close working relationship is not compromised in any way. If an employee is asked by a councillor to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Council, they should politely refuse and inform the councillor that they are referring the matter to their line manager for guidance. This rule also applies if a councillor seeks assistance of behalf of a candidate in the elections.

### Use of Council facilities and resources by councillors

Facilities and resources provided by the Council for councillors to help them carry out their duties must never be used for party political or campaigning activities. This includes computer equipment, telephones, stationery and secretarial support. This is not an exhaustive list and councillors should check if they are not sure what is appropriate.

Communications by councillors to their constituents come within the definition of publicity detailed above, except where they are in response to particular issues initiated by their own constituents. Use of Council facilities for unsolicited mailings

during this period should be made with extreme caution. To avoid any suggestion that actions may be motivated by the forthcoming elections, councillors should not issue communications to constituents in a form or style which they have not used before.

### **Freedom of Information requests**

There are no implications for FOI or other information requests covered by legislation. These should be handled as normal.

## 7. Questions and answers

(Back to [contents](#))

The following are examples of issues which have arisen previously. It must be remembered that the final advice will turn on the exact circumstances and these FAQs are only given to provide an indication of the type of issues you should be considering. They are not a substitute for specific, detailed advice.

1. **A controversial item is on the agenda for a meeting of the Council or a Committee which will be held during the pre-election period. Should consideration of the item be postponed until after the election?**

No. The work of the Council should continue and the item should be considered.

2. **A school has been approached by a candidate in the forthcoming election who wishes to meet pupils and have a general discussion with them about topics of concern to them. Is it okay to allow the visit?**

No, this does not constitute “business as usual” and as such the visit will come under the moratorium in terms of section 4

3. **Officers have been asked to attend an event to give advice on Council services. Is this okay?**

Whether or not it would be appropriate for officers to attend would depend on the nature of the event, who was running it and when it is being held. If the event is associated with a particular political party and is being held during (or a day or two before the beginning of) the pre-election period then officers should not attend. If it is being held outwith this period, then you would have to decide whether the event was designed to affect support for one political party. If so, then again officers should not attend.

4. **Is it okay for an election candidate to take photographs outside a Council office or facility?**

This should not be encouraged but cannot be prevented. Candidates and officials should be aware that photography in and around schools is controlled, as any existing parental consent, whether express or implied, in relation to photographs taken for school purposes cannot be regarded as extending to the use of photographs in connection with any political campaigning.

5. **What do I do if a candidate/political party refuses to accept my decision?**

Contact your Director, who can discuss the issues raised with the Chief Executive and let you and the candidate/party know the outcome of these discussions.

6. **A candidate turns up at Council premises for a pre-arranged business meeting but there are media following them. Should the media be allowed in?**

No. This is allowing a council facility to be used for a party political activity.

7. **A public consultation meeting is scheduled during the pre-election period as part of the formal planning process for a new school. Can it go ahead?**  
Yes. This is both normal business and there are significant costs attached to any delay.

8. **A party wants to use a council-managed public space for their campaign launch. Should it be allowed?**

There is a convention that certain public spaces are used for campaign activity. It is generally acceptable for these to take place so long as the events are limited, e.g. around 1 hour and that there is equal opportunity for all parties or candidates to use them. The council resource/effort in facilitating these should also be minimal, e.g. enabling access to a space.

9. **The council was intending to facilitate a debate on an important issue to our area. Should it be cancelled?**

The debate must be open to participation by all parties and candidates, and it may be advisable to limit the media participation (e.g. reactive rather than proactive). With those caveats, it could go ahead, but thought would still need to be given to whether or not the issue at hand was likely to be particularly divisive along party lines.

10. **A councillor wants to give their view on a matter debated at committee to the media. Is this allowed?**

Any councillor at any time is at liberty to do this. The tests are whether they are using council resources to do so and whether the view is (or could be perceived to be) political in nature.

11. **A charity which receives funding from the council has taken an advert in a political party's newsletter. Is this allowed?**

There are two relevant issues here: what is the council's funding for (e.g. a general grant or for a specific purpose such as communications) and what is the advert for (e.g. notice of an event or self-promotion)? Generally, this is a low-risk activity so long as there is nothing overtly political about the organisation's activity or its advert.

12. **There is an event scheduled for the launch of a new service. Can local councillors be invited? And what about other politicians?**

Such events are generally very inadvisable before a local government election and should be avoided before other elections. If the latter, local councillors can be invited, although this should be avoided if one of the councillors is a candidate. If the Director has agreed the event can go ahead, then all candidates for that ward should be invited.

**13. We want to highlight a new initiative. Can the relevant cabinet member be involved?**

No. Proactive publicity of this kind can go ahead without elected member involvement. We will use a service user or manager in these circumstances.

**14 A partner organisation has asked to use a council venue for the launch of an initiative. A minister will be attending and significant media presence is expected. Can we facilitate this?**

Yes. Hiring of council venues is business as usual.

## **8. Contacts and further information**

(Back to [contents](#))

### **General advice on pre-election period guidance**

Stephen Fraser, Communications and Marketing Manager,  
[stephen.fraser@midlothian.gov.uk](mailto:stephen.fraser@midlothian.gov.uk), 0131 271 3425

Alan Turpie, Principal Solicitor, [alan.turpie@midlothian.gov.uk](mailto:alan.turpie@midlothian.gov.uk), 0131 271 3667



# Minute of Meeting



## Midlothian Integration Joint Board

Date	Time	Venue
Thursday 1 December 2016	2.00pm	Conference Room, Melville Housing, The Corn Exchange, 200 High Street, Dalkeith, EH22 1AZ.

### Present (voting members):

Cllr Catherine Johnstone (Chair)	Peter Johnston (Vice Chair)
Cllr Bryan Pottinger	Alex Joyce
Cllr Joe Wallace (substitute for Cllr Bob Constable)	Alison McCallum
	John Oates

### Present (non voting members):

Eibhlin McHugh (Chief Officer)	Alison White (Chief Social Work Officer)
David King (Chief Finance Officer)	Hamish Reid (GP/Clinical Director)
Dave Caesar (Medical Practitioner)	Caroline Myles (Chief Nurse)
Patsy Eccles (Staff side representative)	Aileen Currie (Staff side representative)
Marlene Gill (User/Carer)	Ruth McCabe (Third Sector)

### In attendance:

Keith Chapman	Nicky Hood (Alzheimer Scotland)
Jamie Megaw (Strategic Programme Manager)	Mike Broadway (Clerk)

### Apologies:

Cllr Bob Constable	Cllr Derek Milligan
Margaret Kane (User/Carer)	

# Midlothian Integration Joint Board

Thursday 1 December 2016

## 1. Welcome and introductions

The Chair, Catherine Johnstone, welcomed everyone to the Meeting of the Midlothian Integration Joint Board, in particular Keith Chapman and Nicky Hood (Alzheimer Scotland).

## 2. Order of Business

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

## 3. Declarations of interest

No declarations of interest were received.

## 4. Minutes of Previous Meetings

- 4.1 The Minutes of Meeting of the Midlothian Integration Joint Board held on 27 October 2016 was submitted and approved.
- 4.2 Arising from the minutes, the Board noted that in terms of the membership of MIJB, it was proposed that Keith Chapman be appointed to the vacant user/carer representative position. The Board agreed to approve the appointment and joined with the Chair in welcoming Keith to the meeting.

## 5. Public Reports

Report No.	Report Title	Presented by:
5.1	IJB Directions 2017-18	Jamie Megaw

### Executive Summary of Report

This report summarised the key issues which required to be addressed in setting the 2017/18 Directions to be issued to Midlothian Council and NHS Lothian by the MIJB prior to April 2017.

The report highlighted that the Directions were intended to provide greater clarity about the key changes which need to be made during 2017-18 in the delivery of health and care services in Midlothian, and that they required to be considered alongside the MIJB Strategic Plan 2016-19.

### Summary of discussion

Having heard from the Strategic Programme Manager and the Chief Officer, the Board in considering the emerging principles which should inform the redesign of services, discussed the need for a balanced approach between what could be achieved in the community; through the Community Hospital; and via acute hospital provision, as each was seen as having a role to play. Whilst it was evident that changes were required, it was important that they were proportionate and maximised outcomes within the resources available.

# Midlothian Integration Joint Board

Thursday 1 December 2016

## Decision

**After further discussion, the Board:-**

- **Approved the key requirements to be included in the IJBs Directions for 2017-18; and**
- **Agreed to receive a further report in March 2017 outlining the formal Directions and approving them for issue to NHS Lothian and Midlothian Council.**

Report No.	Report Title	Presented by:
5.2	Financial Update - 2016/17 Out-turn and 2016/17 Directions	David King

## Executive Summary of Report

This report reflected on three issues :-

1. An update on the projected financial position of the IJB for 2016/17. The projections show an overspend position for the IJB but the IJB had now reached agreements with both NHS Lothian and Midlothian Council for non-recurrent support to underpin this position – the IJB was therefore projecting a break-even position for 2016/17;
2. That the financial values contained in the IJB's 2016/17 directions required to be updated to reflect the current budgets. This was to ensure a clean audit trail and would not affect the delivery of the delegated functions in 2016/17; and
3. A further consideration of the financial challenges facing the IJB in 2017/18 following from the projected financial out-turn in 2016/17 and a reflection of any additional financial pressures and any proposed investments.

## Summary of discussion

The Chief Finance Officer in presenting the report highlighted that the real challenge for the MIJB was to continue to deliver high quality services for its population within the financial resources available given that these resources were reducing in real terms and that the demand for the MIJB's functions were likely to increase.

The Board, in discussing the budgetary and demographic pressures that they were likely to be faced in the coming years, acknowledged the importance going forward of the Directions issued to NHS Lothian and Midlothian Council.

## Decision

**The Board:**

- **Noted the projected out-turn position for 2016/17;**
- **Agreed the financial revisions to the 2016/17 directions; and**
- **Noted the potential financial pressures/investments for 2017/18.**

# Midlothian Integration Joint Board

Thursday 1 December 2016

Report No.	Report Title	Presented by:
5.3	Adult Social Care and Health Budget Pressures	Eibhlin McHugh

## Executive Summary of Report

The purpose of this report was to provide Members with the background to the current financial pressures in Adult Social Care and Health, together with a summary of actions being taken to address these pressures. The report also highlighted the key challenges facing social care in seeking to remodel services to meet increasing demand in the context of reducing public finance and a finite social care workforce.

## Summary of discussion

The Board, having heard from the Chief Officer, welcomed the recovery plans that had been put in place and acknowledged that in order to successfully deliver these plans there would require to be a shift in public expectations. In this regard, staff would be working with individuals and their families to find best solutions which maximised outcomes within available resources. This approach mirrored the shift in thinking about health as outlined in the recently published report by Scotland's Chief Medical Officer "Realistic Medicine".

## Decision

### The Board:

- **Noted the work being undertaken to reduce/manage a major projected overspend in Adult Social Care and Health; and**
- **Agreed that further consideration be given to the implications of the current financial position when decisions about the financial offer to be made to the IJB by the Council for 2017-18 were being made.**

Report No.	Report Title	Presented by:
5.4	Chief Officer's Report	Eibhlin McHugh

## Executive Summary of Report

This report provided a summary of the key issues which had arisen over the past two months in health and social care, highlighting in particular service pressures as well as some recent service developments.

The report also described the work that was being progressed to address the anticipated increased pressures on services in both acute hospital and community services over the winter period.

# Midlothian Integration Joint Board

Thursday 1 December 2016

## Decision

**The Board, having heard from the Chief Officer:**

- **Noted the issues raised in the report.**

Report No.	Report Title	Presented by:
5.5	MELDAP Care Inspectorate – Validated Self-Evaluation Report	Alison White

## Executive Summary of Report

This report provided a summary of the Care Inspectorate's Report on the work of MELDAP (Mid and East Lothian Drug and Alcohol Partnership) with regards to the progress made in the implementation of The Quality Principles: Standard Expectations of Care and Support in Drug & Alcohol Services (2014).

## Summary of discussion

Having heard from the Chief Social Work Officer, the Board in discussing the report complimented MELDAP on the excellent services that they provided. MELDAP's ability to maintain these standards in the wake of the reduction in funding of substance misuse services was again raised, with serious concerns being expressed that this would have implications not just for the services provided directly by MELDAP but on other related services as well. It was noted that the MIJB's concerns had been highlighted in a response to the Minister's letter, and that whilst the dialogue was ongoing, there was nothing concrete to report as of yet.

## Decision

**The Board:**

- **Noted the significant strengths highlighted in the report in the areas of *Policy, Service Development and Planning, Partnership Working and Resources and Leadership and Direction* as well as the area for continuing improvement;**
- **Noted the progress made by MELDAP and its services in implementing The Quality Principles;**
- **Noted that the Midlothian Peer Support Project was identified as an example of good practice; and**
- **Recognised the challenges from 2017 onwards in sustaining the very high level of service performance against a backdrop of reduced funding.**

## 6. Any other business

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

# Midlothian Integration Joint Board

Thursday 1 December 2016

## 7. Date of next meeting

---

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

- Thursday 12<sup>th</sup> January 2017      2pm      Development Workshop – Substance Misuse/MELDAP
- Thursday 9<sup>th</sup> February 2017      2pm      **Midlothian Integration Joint Board**

The meeting terminated at 4.27 pm.

**Midlothian Council  
28 March 2017**

**Notice of Motion**

Midlothian Council congratulates The Kevoch Choir on their 50<sup>th</sup> anniversary.

Council thanks choristers, conductors and accompanists past and present for their dedication and commitment, which has ensured the Choir has a reputation for excellence that has lead to performances at many high profile events both at home and abroad.

We wish them continued success and best wishes for the future.

Moved:



**COUNCILLOR ADAM MONTGOMERY**

Seconded:



**COUNCILLOR JIM BRYANT**





# Midlothian Council

## Labour Group

Item 7.2

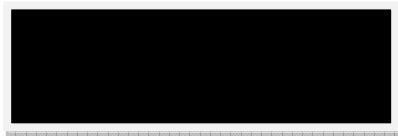


**Midlothian Council**  
**Tuesday 28 March 2017**

### **Notice of Motion**

Midlothian Council agrees to immediately provide full recognition rights to GMB Scotland, thus enabling the Trade Union to represent and negotiate on behalf of its members.

Moved



**Councillor Alex Bennett**

Seconded



**Councillor Russell Imrie**



**Midlothian Council**  
**28 March 2017**

Item 7.3

**Notice of Motion**

As instructed by Scottish Government, this Council has been forced to increase Council Tax for properties within bands E to H significantly, some bands by as much as a 22.5% increase.

The Scottish Government's initial attempts to take this funding to spend on National priorities in areas out-with Midlothian was eventually abandoned after a huge public outcry.

However, Scottish Government Grants to Midlothian Council were subsequently cut by a figure beyond what had been expected, leaving the Council having to raid its limited reserves and cut services to balance the 2017/2018 budget. Midlothian Council is now in a position that many thousands of Council Tax payers will pay considerably more but Midlothian Council will have millions of pounds less and as such must cut services drastically to balance its books next year.

This Council now instructs the Chief Executive to write with immediate effect to all Midlothian households explaining that the significant increase in Council Tax has resulted from the direct instruction from the Scottish Government and not from Midlothian Council's own decision makers. He should use the table below to explain the rises.

**Table 1: Increase in Council Tax Bands E-H**

	Band E	Band F	Band G	Band H
Equivalent No of Dwellings (as at Sept 2016)	4145.3	2927.8	1861.3	158.6
Existing Council Tax	£1,478.89	£1,747.78	£2,016.67	£2,420.00
Increased Council Tax*	£1,585.10	£1,966.25	£2,369.58	£2,964.50
Increase *	£106.21	£218.47	£352.91	£544.50
Percentage Increase*	7.2%	12.5%	17.5%	22.5%

\*Note this is before a 3% increase across all bands is applied

This Council is aware that other local authorities have also written to their customers making them aware of this direct interference by the Scottish Government in Council Tax policies, interference which threatens the independence of Local Government and hence local democracy.

Moved:

  
**COUNCILLOR PETER de VINK**

Seconded:

  
**COUNCILLOR DEREK MILLIGAN**



## **Motion to Midlothian Council**

28 March 2017

Midlothian Council believes that local politics should be available and accessible to all those who wish to participate in it, including candidates in the upcoming elections. Research shows that negative politics create barriers for participation, particularly from women and minority groups.

We therefore pledge that our respective parties will campaign on local issues, relevant to the people of Midlothian; that we will avoid personal attacks on individuals and unilaterally condemn such attacks from wherever they appear; that we will seek to promote our own distinctive messages in a positive way, avoiding negative campaigning. We call on all members of this council and all political parties and independent candidates contesting the local elections in Midlothian to agree and sign up to this pledge.

Proposed By:



Councillor Kelly Parry

Seconded By:



Councillor Ian Baxter





## **Motion to Midlothian Council**

28 March 2017

Midlothian Council agrees with the Scottish Government's NHS guidelines on Commercial Sexual Exploitation which outlines the harmful effects on prostituted women: that a majority suffer high levels of physical violence, rape and post traumatic stress; that there is a significant effect on mental health; and that there is a significant link with drug abuse. Conference further acknowledges that in countries where prostitution is legalised there is an associated increase in human trafficking, child prostitution and other forms of criminality.

Midlothian Council recognises the successful legislative approach to prostitution pioneered in Sweden over the last sixteen years, also now adopted in Norway, Finland, Iceland and more recently in Canada, Northern Ireland and France, which focuses on reducing demand for commercial sexual exploitation.

Midlothian Council therefore supports the development of a Scottish model of legislation that (1) decriminalises the sale of sex, (2) criminalises the purchase of sex and (3) offers appropriate support for those wishing to exit commercial sexual exploitation.

Midlothian Council further agrees that such actions are in accordance with the Scottish Government's Equally Safe strategy regarding violence against women and in particular that commercial sexual exploitation, including prostitution and human trafficking, is a form of violence against women.

Proposed By:



Councillor Lisa Beattie

Seconded By:



Councillor Kelly Parry





**Outstanding Minutes of Meetings**  
**Report by John Blair, Director, Resources****1 Purpose of Report**

The purpose of this report is to invite Council to invoke Standing Order 7.13 in respect of all outstanding Minutes of Meetings which have not to-date been considered and approved by their respective Committees.

**2 Background**

- 2.1** It is envisaged that the outgoing Council at its meeting today will invoke Standing Order 7.13, which states that “The Council may at any time, if it so determines, exercise the functions, powers and duties of any body referred to in the Scheme of Administration, unless otherwise provided for by statute or regulation”.
- 2.2** The current schedule of meeting dates runs until today, this being the last meeting of the Council due to be held prior to the local government elections on 4 May 2017.
- 2.3** It will not be possible for the Minutes of those Committee meetings which took place during this final cycle to be submitted in accordance with Standing Order 7.9 to the next ordinary meeting of their respective Committees for approval because the schedule of meeting dates has concluded due to the impending local government elections.
- 2.4** In order to facilitate the approval of all outstanding Minutes it is proposed to extend the previous practice of submitting the minute of the final meeting of the outgoing Council to the statutory meeting of the new Council after the elections, which is scheduled for Thursday 23 May 2017, for approval to include all outstanding minutes.
- 2.5** In preparation for the end of this Council it is proposed that the Minutes of those Committee meetings mentioned in 2.3 above, are signed by the Committee Chairs to confirm they are an accurate record of proceedings, pending formal approval at the statutory meeting of the new Council.
- 2.6** It is also suggested that this application of Standing Order 7.13 be time-limited and extend only to the conclusion of the statutory meeting of the new Council.

### **3. Report Implications**

#### **3.1 Resource**

There are no resource implications arising from this report.

#### **3.2 Risk**

The framework which allows the Council to conduct its business in an appropriate and organised manner is at risk without the provision of approval of all outstanding Minutes of Committee Meetings.

#### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- X None of the above

#### **3.4 Key Priorities within the Single Midlothian Plan**

Not applicable

#### **3.5 Impact on Performance and Outcomes**

The approval of outstanding Minutes of Committee Meetings is required to ensure decisions made have been correctly recorded for implementation and to facilitate final outcomes.

#### **3.6 Adopting a Preventative Approach**

The approval of outstanding Minutes of Committee Meetings is essential to ensure decisions have been correctly recorded.

#### **3.7 Involving Communities and Other Stakeholders**

The absence of approved Minutes may have an impact on the communities of Midlothian and other stakeholders.

#### **3.8 Ensuring Equalities**

An equalities impact assessment has not been required in connection with this report.

#### **3.9 Supporting Sustainable Development**

There are no sustainability implications arising from this report.

#### **3.10 IT Issues**

There are no IT issues arising from this report.

#### **4 Recommendations**

Council is requested to –

- (a) invoke Standing Order 7.13 for the period up to the conclusion of the statutory meeting of the new Council and;
- (b) agree that all outstanding minutes be submitted for approval to the statutory meeting of the new Council scheduled for Thursday 23 May 2017.

**8 March 2017**

**Report Contact:**

Verona MacDonald                      Tel No 0131 271 3161

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



## Service Plans 2017/18

### Report by Kenneth Lawrie, Chief Executive

#### 1 Purpose of Report

This report seeks approval for the Council's Service Plans for 2017/18.

#### 2 Background

##### 2.1 The Scottish Government Guidance on achieving Best Value outlines:

- That objectives and targets in mission statements, strategies and plans are realistic and achievable, are matched to financial and other resources and are explicitly translated into clear responsibilities for implementation.
- That the authority's financial, human and operational resources are matched to its priorities through the integration of its service and budget planning process.

##### 2.2 Council and community planning partners agreed in 2012 to integrate the Single Outcome Agreement, Midlothian Community Plan and the Council's Corporate Strategy into a single document – the Single Midlothian Plan (SMP).

##### 2.3 Heads of Service have developed their service plans. Managers and performance officers have been working together with community planning colleagues to ensure alignment between service priorities and SMP priorities.

##### 2.4 Figure 1 demonstrates the approach and alignment of the Councils planning process and service plans with the Single Midlothian Plan agreed with Community Planning Partners.



Figure 1.

- 2.5** The service plans will be circulated to Councillors by e-mail. In addition, copies of the service plans will be placed in the Members' Library.

### **3 Report Implications**

#### **3.1 Resource**

Resource implications have been considered and identified during individual Service Plan development.

#### **3.2 Risk**

This report seeks to ensure that the Council and partners have strategic and sustainable plans for future service delivery. Heads of Service will consider, on an ongoing basis possible risk exposures to the successful achievement of all priorities.

#### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

#### **3.4 Key Priorities within the Single Midlothian Plan**

As mentioned previously the Single Midlothian Plan informs all Service Plan activity with a key requirement that all plans demonstrate the services contribution to the SMP outcomes and priorities.

#### **3.5 Impact on Performance and Outcomes**

Service plans demonstrate the services contribution to the SMP outcomes and priorities and will provide the basis for ongoing performance management.

#### **3.5 Adopting a Preventative Approach**

As a core Future Model principal all plans consider the adoption of a preventative approach to service delivery.

#### **3.6 Involving Communities and Other Stakeholders**

The priorities set out in the SMP were arrived at as part of a wider consultation exercise and therefore are reflected in the Service Plans.

#### **3.7 Ensuring Equalities**

Each service plan is subject to an Equality Impact Assessment (EqIA) and are available within the Members' Library.

#### **3.8 Supporting Sustainable Development**

The development of the Single Midlothian Plan and service plans represents a robust approach to supporting sound planning of council services.

### **3.9 IT Issues**

Specific IT issues are considered within individual Service Plans as appropriate.

## **4 Recommendations**

Midlothian Council is asked to:

- i. Approve the 2017/18 Service Plans

**Date:** 2 March 2017

**Report Contact:** Marina Miller

**Tel No:** 0131 271 3783

[marina.miller@midlothian.gov.uk](mailto:marina.miller@midlothian.gov.uk)

### **Background Papers:**

- Service Plans 2017/18 (in the Members' Library)
- Equality impact assessments (EqIA's) of service plans 2017/18 (in the Members' Library)





## **Scottish Government Regeneration Capital Grant Fund – Update**

**Report by John Blair, Director, Resources**

### **1 Purpose of Report**

The purpose of this report is to advise Council of the position with the outcome of the three funding applications submitted to the fourth round of the Scottish Government Regeneration Capital Grant Fund 2016/17.

### **2 Background**

#### **2.1 Regeneration Capital Grant Fund**

The Regeneration Capital Grant Fund forms one element of the financial support package provided by the Scottish Government as part of achieving a Sustainable Future: The Regeneration Strategy, published in December 2011.

The Regeneration Capital Grant Fund has been developed in partnership with COSLA and Scottish local authorities. An annual budget of £25 million is available to provide financial support to locally developed regeneration projects that involve local communities helping to support and create jobs and build sustainable communities.

The fund supports regeneration projects across Scotland and is available on a competitive basis to Scottish Local Authorities

The fund is primarily aimed at providing new and/or improved infrastructure which enhances the economic, social, and physical environment of communities.

The focus of the fund relates to:-

- Projects that primarily focus on areas which suffer from high levels of deprivation and disadvantage.
- Projects that will deliver transformational change with strong regeneration outcomes.
- Projects and programmes which have the potential to lever in private sector investment and address long term market failure.
- Projects that demonstrate clear community involvement.

#### **2.2 Council Meeting 28 June 2016**

At this meeting on 28 June 2016 The Council agreed to:

- a) *Notes the timescales for Regeneration Capital Grant funding bids announced by the Government in May 2016;*

- b) *note the action of the Director, Resources on behalf of the Executive Team to submit three bid applications as set out in Section 3.0 of the report; and*
- c) *and Instruct the Director, Resources to report back in the Autumn on the outcome of the bids.*

### **3.0 Update on Applications Submitted to the Regeneration Capital Grant Fund**

#### **3.1 Application Process**

The application process follows a two-stage process. Applications that pass stage 1 are invited to complete a comprehensive business case for stage 2. Detailed feedback is only provided to applications that are considered at stage 2. The Investment Panel make recommendations to COSLA and Scottish Ministers who endorse the final decisions.

#### **3.2 Mayfield Industrial Estate Repair and Regeneration Project**

##### Project Summary

- This project involves the repair, refurbishment and regeneration of three blocks of industrial units together with the surrounding common grounds within Mayfield Industrial Estate.
- The units are approximately 30 years old and are nearing the end of their useful life. Consequently significant expenditure is required (in addition to reactive maintenance) to secure their future.
- Following the procurement of condition surveys, the budget cost of the project is £605,000 inclusive of in-house management and fees.

##### Application Update

This application was unsuccessful at stage 1.

#### **3.3 Regenerating Rosewell**

##### Project Summary

- Rosewell has no dedicated fit for purpose indoor community facilities. Previously a thriving mining village with a strong sense of both community spirit and wellbeing, over the past fifteen years, due to the demise of the mining industry, the loss of local amenities and businesses which led to an increase in unemployment levels. Owing to the lack of inward investment the economy, the wellbeing and spirit of the community has been impacted.
- In October 2010 a group of residents formed the Rosewell Development Trust to tackle the economic, social wellbeing and lack of community facilities within the Rosewell community.
- With funding support from People in Communities, The Robertson Trust, Midlothian Council, Big Lottery and other partners over the past five years Rosewell Development Trust have achieved significant success.

- The submitted bid sought £670,000 regeneration funding out of anticipated project spend of £1,985,000.

#### Application Update

The following feedback was received from the Scottish Government in respect of the Regenerating Rosewell project.

*“There was an overall improvement in the quality of projects and project applications submitted to the fund for 2017/18. This meant that a number of projects that were assessed were unable to secure a recommendation for funding from the limited pot available.*

*The Regenerating Rosewell project was not able demonstrate that it could meet the viability criteria at this time. The demand for project space required to be better demonstrated and better articulation of the outcomes from the project was required.*

*The Scottish Government have confirmed that arrangements for a further call for Regeneration Capital Grant Fund projects that could start in 2018/19 will be announced during April 2017 and would be happy to provide further feedback on the project and the fund more generally should the Trust wish to consider reapplying for this or a new project as part of that call.”*

Section 4.1 below details the proposed next steps in connection with the Regenerating Rosewell project.

### **3.4 Newtongrange Station “Track 2 Train”**

#### Project Summary

“Track 2 Train” is an innovative public private regeneration project that will bring a derelict building at Newtongrange station back into use by redeveloping the building as a vibrant community hub, providing a quality social enterprise cafe bistro, commercial training kitchen, learning centre and business space with associated conference facilities. This project will seek to contribute to the wider economic and community opportunities that the new Borders Railway offers the local communities it serves.

This is an innovative training project for people with convictions or at risk of offending. The training project will aim to improve the clients’ confidence, learn transferable skills in a work place environment, and gain accredited qualifications in order to move into work. Trainees will be supported into positive destinations and the service will provide a much needed crime prevention and rehabilitation service.

#### Application update

Awarded £360,000 subject to completion of the technical checks on the application submitted for the Track 2 Train project.

#### 4.1 Current Capital Funding Position

The Rosewell Development Trust secured development funding of £61,000 from the Big Lottery, to cover site surveys, contamination studies, civil engineering consultations, drainage, utilities studies, and detailed design concepts and cost plans.

The overall purpose is to enable the Trust to develop the project to meet the Big Lottery's requirements for the next stage in their funding process. This next stage would encompass a full funding application to the Big Lottery for capital grant funding to contribute to the construction of the hub, with the Trust expected to submit a funding bid of £1.000 million to the Big Lottery.

Midlothian Council has already committed significant staffing resource to assist the Trust with the provision of financial, technical, legal and marketing support, and the Director, Resources confirms that this staffing resource will continue to be available to the Trust. The Council has also committed a revenue budget of £10,000 to assist the Trust in reviewing their income projections and to develop a full business case that the Trust can use in support of their capital grant funding applications to the organisations listed in Table 1 below.

#### 4.2 Funding Applications

At this stage, other than approval in principle of £135,000 of funding by Midlothian Council (met from Developer Contributions) the Trust has not secured any capital or revenue funding for the construction and operational phases of the project.

The overall capital costs of the project (excluding the development stage costs as described in Section 4.1 above), are estimated to be £1.985 million. The anticipated funding contributions that the Trust aimed to secure which were forecast prior to the outcome of the Regeneration Capital Grant Fund application are outlined in table 1 below:-

Table 1: Capital Expenditure and Funding Position

<b>Organisation</b>	<b>Capital Funding £000's</b>
<b>Construction Costs</b>	<b>£1,985</b>
<b>Proposed Funding:-</b>	
Big Lottery	£1,000
Regeneration Capital Grant Funding	£670
The Robertson Trust	£180
Midlothian Council	£135
<b>Total Proposed Funding</b>	<b>£1,985</b>
<b>Shortfall/(Surplus)</b>	<b>£0</b>

### Big Lottery

For of projects of this type, community organisations such as the Rosewell Development Trust will approach a number of external organisations for capital funding. For the Regenerating Rosewell project, the Trust expects to submit an application to the Big Lottery for capital grant funding of £1.000 million by May 2017, with the outcome of this funding application expected to be determined in September 2017.

### Regeneration Capital Grant Fund

The Trust have been unsuccessful in their funding application to the Regeneration Capital Grant Fund. The Scottish Government have confirmed that arrangements for a further call for Regeneration Capital Grant Fund projects that could start in 2018/19 will be announced in April 2017 and the Government would be willing to provide further feedback on the project and the fund more generally should the Trust wish to consider reapplying as part of that call.

### The Robertson Trust

The Robertson Trust funding criteria for Capital Investment Fund has recently changed and it is anticipated that a funding application will be submitted in the next two months by the Trust.

### Midlothian Council

Council on 15 December 2015 approved funding in principle of £135,000 of developer contributions towards the Regenerating Rosewell project subject to the Director, Resources being satisfied as to the overall funding arrangements of the project.

### Summary of Funding Position

Other than the Council funding of £135,000 the Trust has not secured any other funding. As a result of the unsuccessful bid to the Regeneration Capital Grant Fund, there is a minimum funding shortfall of £670,000 which could increase should other funding applications to the Big Lottery and the The Robertson Trust be unsuccessful, or the capital expenditure associated with the project increases.

## **4.3 Proposed Next Steps**

### Regeneration Capital Grant Fund

The full and detailed rationale for the unsuccessful funding application to the Regeneration Capital Grant Fund is at this stage unclear. Scottish Government have indicated that they will be willing to provide further feedback on the project and the fund more generally should the Trust wish to engage in this process.

It is therefore proposed that Officers from Midlothian Council, meet with the Scottish Government's Social Justice and Regeneration Team in order to establish the precise rationale for the unsuccessful funding bid.

An opportunity exists to reapply for funding to the Regeneration Capital Grant Fund for projects that could start in 2018/19. The timeline and process for this will be announced by Scottish Government in April 2017 and would allow the Trust to submit a revised bid which incorporates the Scottish Government feedback on the original Regeneration Capital Grant Fund bid.

### Business Plan

The Trust business plan still requires further development. This has been discussed between the Trust and Council on a number of occasions. The review of the Business Plan will be a requirement for the final Big Lottery funding submission and to satisfy the Council in respect of its financial contribution. It requires the expertise of external marketing and consultancy organisations to provide robust expenditure and income forecasts for the operational phase of the project, to ensure that the Trust can operate on a viable basis. The Business Plan will review the predicted demand for the use of the building in order to provide detailed annual expenditure and income forecasts, which will be further broken down on a monthly basis to account for seasonal fluctuations in the usage of the building. This builds on the work undertaken to date in connection with the Trusts business plan.

As noted above, the Council has previously committed a revenue budget of £10,000 to support the Trust in developing a business case with robust cost and income projections for the project. It is proposed that the Director Resources continues to work with the Trust in the ongoing development of the business plan.

#### **4.4 Meeting between Regenerating Rosewell Team and Midlothian Council Officers**

The Director Resources was in contact with representatives of the Regenerating Rosewell Team and a meeting was held on Tuesday 14 March 2017. Whilst the option of abandoning the project was considered by the Trust and the Council, the following actions were proposed, given the work undertaken to date by the Trust and supported by the Council:-

- The Director Resources to contact the Scottish Government Social Justice and Regeneration Team to arrange a meeting to consider the feedback regarding the bid.
- This is a precursor to enable the Trust and the Council to consider the approach to applying for future Regeneration Capital Grant Fund funding.
- The Trust to continue to explore all other external funding options supported by the Director Resources;

## 4.5 Following the Public Pound

It is important in considering the Council's involvement in the project that full consideration is given at all stages of the project to the "Following the Public Pound" report published by Audit Scotland in 2004, which sets out the principles of best practice for local authorities with respect to funding decisions which utilise public money:

*"Robust systems for identifying and evaluating all the significant risks associated with planning and delivering services is an important aspect of good governance and applies where councils are considering new and existing funding agreements. In addition to normal business risks such as financial loss and service failure, there is the risk of damage to reputation through association with an external organisation if financial or service delivery problems emerge.*

*"Effective governance also requires councils to ensure that funds and resources provided to [voluntary organisations] are used for the purpose intended. Best Value requires efficiency, effectiveness, economy, equal opportunities and the achievement of sustainable development; these concepts are equally relevant in funding arrangements. Effective monitoring that is commensurate with the value of the funds and assessed risks is therefore essential."*

*"...the principles of good governance apply in decisions concerning public money irrespective of whether those funds are spent directly or are transferred to...voluntary organisations.*

Accordingly any financial contribution from the Council to the construction or operational cost of the Regenerating Rosewell project to address the current shortfall of £670,000 as a result of the unsuccessful Regeneration Capital Grant Fund bid, or indeed a greater element of the full cost amounting to £1.985 million would represent a considerable investment by the Council. This is at a time of significantly constrained financial resources and in the context of the projected budget shortfalls as outlined in the Financial Strategy reported to Council on 7 February 2017.

It is therefore incumbent to reinforce to all members of the Council that at this stage any further funding commitment from the Council would be considered premature and would not be prudent. Any such consideration would more appropriate for Council to determine after:-

- (a) Detailed understanding of the rationale for non-investment from the Regeneration Capital Grant Fund;
- (b) The further development of a detailed business plan and assessment of the viability / sustainability of the project on an operational basis;
- (c) Firm funding commitments be secured towards the construction costs from the other proposed external organisations including the Big Lottery.



## **5 Report Implications**

### **5.1 Resource**

At the Council meeting on 28 June 2016 the Director Resources advised that the support provided to Regeneration Projects included financial, technical, legal and community development officers.

Following the announcement of the Regeneration Community Grant Funding awards the following actions are proposed.

#### Track 2 Train

The Borders Rail Economic Development Group will maintain an oversight of this project.

To monitor progress with the Track 2 Train this project will be governed via the Borders Rail Economic Development group to ensure that the appropriate technical resources are available. Furthermore it is imperative that all external funding is secured and is in place prior to committing to any contracts.

#### Regenerating Rosewell

The Council on 15 December 2015 has approved funding in principle of £135,000 towards the Regenerating Rosewell project subject to the Director, Resources being satisfied as to the overall funding arrangements of the project.

At this stage, the Regenerating Rosewell project has yet to secure any capital grant funding (other than the £135,000 from Midlothian Council towards the construction costs of £1.985 million.) The project faces a significant funding deficit against its planned funding amounting to £670,000, due to the unsuccessful bid to the Regeneration Capital Grant Fund. It is also noted that the Big Lottery are typically the first organisation to approve any grant funding for projects of this nature.

It is reinforced that at this stage, any further funding commitment from the Council would be considered premature and would not be prudent.



## **5.2 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- × Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- × Improving opportunities in Midlothian
- × Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

## **5.3 Key Priorities within the Single Midlothian Plan**

In terms of the key priorities of the Community Planning Partnership through the Single Midlothian Plan, the proposal set out in this report will deliver benefits in terms of the business growth.

## **5.4 Impact on Performance and Outcomes**

The project for the “Track 2 Train” project contributes to meeting the target of improving Midlothian’s infrastructure reducing reoffending and working with local communities.

## **5.5 Adopting a Preventative Approach**

The proposals outlined in the Track 2 Train project improve the prospects to make Newtongrange and the surrounding area more economically viable and more attractive for those who live, visit and work in the area. The project is preventative as it will provide viable training and employment opportunities for people with convictions.

## **5.6 Involving Communities and Other Stakeholders**

Consultation and information events will be held before work commences on the Track 2 Train site and to include key local stakeholders.

## **5.7 Ensuring Equalities**

There are no equality issues arising directly from this report. However the impact on the priority areas of Mayfield and Easthouses, Dalkeith/Woodburn and Gorebridge will be positive once the Track 2 Train project progresses.

## **5.8 Supporting Sustainable Development**

The Track 2 Train project will contribute to the vision set out in the Local Development Plan. The project will support communities to be more inclusive, resilient, to flourish and create/enhance conditions for business growth.

## **5.10 Digital Issues**

There are no digital issues arising from this report.

## **6.0 Summary**

Of the three applications submitted to the Scottish Government Regeneration Capital Grant Fund 2016/17 one was unsuccessful at stage 1, two were considered at stage 2 and the Track 2 Train project was awarded £360,000 subject to standard technical checks. Council officers will continue to work with Rosewell Development Trust to progress the project as set out in this report.

## **7 Recommendations**

The Council is invited to:

- (a) Note the successful funding bid for Track 2 Train from the Regeneration Capital Grant Fund.
- (b) Note the unsuccessful funding bid for the Mayfield Industrial Estate Repair and Regeneration Project to the Regeneration Capital Grant Fund.
- (c) Note the unsuccessful funding bid, at stage, for the Regenerating Rosewell Project to the Regeneration Capital Grant Fund.
- (d) Instruct the Director Resources to arrange an urgent meeting with Scottish Government regarding feedback on the Regenerating Rosewell bid.
- (e) Instruct the Director Resources to continue to work with the Rosewell Community Development Trust to explore other funding solutions and options.
- (f) Instruct the Director Resources to provide an update report to future Council Meetings.

**28 March 2017**

### **Report Contact:**

John Blair                      Tel No 0131 271 3102  
 John.blair@midlothian.gov.uk

### **Background Papers:**





## **New Build Council Housing – Local Letting Initiative**

Report by Head of Housing and Customer Services

### **1. Purpose of the Report**

- 1.1** This Report proposes a Local Letting Initiative (LLI) to be used for the allocation of housing in the two phases of new council housing being developed at Stobhill Road, Gorebridge.

### **2. Background**

- 2.1** In May 2016, Midlothian Council revised its Housing Allocation Policy. As part of the changes it proposed that a Local Letting Initiative is developed for each new build housing site prior to the allocation of properties as it is important that we make best use of our housing stock, which includes how these are allocated. Scottish Government guidance requires that houses are let in a way that gives reasonable preference to those in greatest housing need, which makes best use of the available stock and helps to sustain communities.

- 2.2** The Scottish Government publication “Social Housing Allocations – A Practice Guide” refers to Local Lettings Initiatives, noting that legislation allows Registered Social Landlords to operate separate allocations policies for different parts of their stock. However, a Local Lettings Initiative (LLI) cannot take into account:

- (i) how long a household has been resident in the area
- (ii) previous rent arrears which are no longer outstanding
- (iii) age of applicant
- (iv) income of applicant
- (v) ownership of property (this is subject to change shortly as part of the Housing (Scotland) Act (2014))

- 2.3** Midlothian Council has previously used a Transfer Led Local Lettings Initiative to allocate new build housing in communities. This helped to create a vacancy chain whereby transfer tenants would be able to move into a new build property and their existing home could be reallocated to an applicant on the Housing List. However, the 2011 Inspection Report of the Scottish Housing Regulator noted using this method meant that sometimes the Council did not always allocate properties through its LLI to households with a recognised housing need. Consequently LLIs for new build properties must clearly address housing need.

**2.4** In 2014, Midlothian Council demolished 64 homes at Newbyres Crescent and Gore Avenue, Gorebridge as a result of a ground gas emissions incident. As part of arrangements to decant households from these homes, the Council agreed in June 2014 to give tenants affected by the demolition works the option of a new home at the new development at Stobhill Road, Gorebridge. In recognition of this the housing mix on the first phase at Stobhill Road was designed to accommodate the household needs of the former tenants at Newbyres Crescent/Gore Avenue. All eligible households have been informed about the progress of this development. A total of 21 out of 64 households have expressed a wish to move to a new home at this development, to be called Robert Franks Avenue and Robert Franks Gardens.

**2.5** There will also be lets available for other Housing List applicants. There are currently 1,296 applicants on the Housing List for Gorebridge. However, only 507 of these applicants are actually resident in the Gorebridge area. During 2015/16 there were 32 council lets made and the last council housing site built here was New Park Gardens in 2013. Many current Gorebridge area residents face challenges in being housed in their own community due to the high demand for this area. This could result in many local residents requiring to move to another area in order to secure accommodation which meets their needs and this could impact negatively on their links to family, friends, employment etc.

**2.6** Table 1 and 2 shows the total housing mix over both phases of development. It shows that 69 properties are being built on this site over two phases, with Phase 1 estimated for completion in June, 2017 and Phase 2 estimated to be completed in August, 2017.

**Table 1: Housing Mix at 1<sup>st</sup> Phase, Stobhill Road (expected completion in June 2017)**

Property Type	Number of Properties
2 Bed, 3 Person Cottage Flat	4
2 Bed, 4 Person House	8
3 Bed, 4 Person House	12
3 Bed, 5 Person House	8
3 Bed 5 Person Wheelchair House	1
4 Bed, 6 Person House	4
<b>Total</b>	<b>37</b>

**Table 2: Housing Mix at 2<sup>nd</sup> Phase, Stobhill Road (expected completion in July 2017)**

Property Type	Number of Properties
1 Bed, 2 Person Cottage Flat	14
2 Bed, 3 Person Cottage Flat	14
2 Bed, 4 Person House	3
3 Bed 5 Person Wheelchair House	1

<b>Total</b>	32
--------------	----

**2.7** In order to allocate these units in a way that ensures a balanced and sustainable community whilst recognising the needs of former tenants at Newbyres Crescent/Gore Avenue it is proposed that the following criteria are used to allocate the first let of these units. Housing Services will allocate properties in the following order of priority until all properties have been allocated:

- (i) Allocate properties to eligible tenants impacted by demolition works at Newbyres Crescent/Gore Avenue.
- (ii) Allocate to existing council housing tenants who are living in overcrowded conditions or are under occupying their current tenancy by 1 or more rooms and are resident in the Gorebridge area.
- (iii) Allocate to Homeless or General Needs List Applicants who are currently resident in the Gorebridge area and have chosen this area as one of their area choices.
- (iv) Allocate to Homeless and General Needs List Applicants who have chosen Gorebridge as one of their area choices but are not currently resident in this area.

To ensure the sustainability of tenancies these properties will be allocated to households on the Housing List who do not have any history of anti social behaviour.

### **3 Report Implications**

#### **3.1 Resource**

There are no resource implications within this Report.

#### **3.2 Risk**

If the Council does not take into account the views of stakeholders and the analysis of letting outcomes in relation to the Housing Allocation Policy and Local Letting Initiatives it will fail to take into consideration local needs which could have negative consequences for the community.

In addition, there is a risk to the Council where the Housing Allocation Policy does not comply with legislation or guidance from the Scottish Housing Regulator. Further guidance concerning how the Housing (Scotland) Act 2014 impacts upon housing allocation policy and practice due to be published in 2016 has been delayed.

#### **3.3 Key Priorities within the Single Midlothian Plan**

Midlothian Council and its Community Planning Partners have made a commitment to treat the following areas as key priorities under the Single Midlothian Plan:

- ☐ Early years and reducing child poverty
- ☐ Economic Growth and Business Support
- ☐ Positive destinations for young people.

The themes addressed in this report impact on the delivery of the Single Midlothian Plan outcome measures in homelessness and stable and balanced communities. Early intervention and tackling inequalities are key priorities for Midlothian Council and the Community Planning Partnership and these proposals meet those objectives.

- ☐ Community safety
- x Adult health, care and housing
- x Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- x Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

### **3.4 Impact on Performance and Outcomes**

The core aim in the revised Allocation Policy is to offer applicants to Midlothian Council flexibility in the type and location of housing they wish to apply for. A key strength of the management of council housing in Midlothian is tenancy sustainment and introducing a Local Letting Initiative for new build developments will ensure a sustainable community.

### **3.5 Adopting a Preventative Approach**

The policy is based on a clear framework for prioritising applicants based on housing need and the reasonable preference criteria set out in legislation and aims to provide affordable, quality housing for people in need. The Council's Allocation Policy was reviewed in order to better reflect the needs and demands in Midlothian, and also take account of the Welfare Reforms introduced in April, 2013.

### **3.6 Involving Communities and Other Stakeholders**

The use of Local Lettings Initiatives for new build housing was recommended as part of the revisions to Midlothian Council's Housing Allocation Policy which was revised in May 2016. The key elements of the Local Letting Initiative for this development are consistent with the aims of the Policy. Consultation was carried out with service stakeholders, including Social Work Adult Care, Children and Families and Legal and Audit services in relation to this report. External consultation had also been carried out with the Registered Tenant Groups and Registered Social Landlords in Midlothian, the Housing Association Forum, tenancy support



agencies, Midlothian Disability Access Panel, Shelter and the Armed Forces Covenant Liaison Officer.

Members of Midlothian Tenants Panel and tenants affected by demolition works at Newbyres Crescent/Gore Avenue expressing an interest in being housed at this development have been consulted in relation to this Local Letting Initiative. Midlothian Council's Housing Allocation Policy and the Local Letting Initiative for this development will both be published documents which are available for tenants and housing list applicants to view.

### **3.7 Ensuring Equalities**

The revised Housing Allocation Policy was subject to a full Equality Impact Assessment in accordance with the Council's Equalities Schemes to ensure equality of opportunity.

The policy ensures that discriminatory practices and procedures are eliminated and that the needs of women, ethnic minorities, people with disabilities and other target groups are assessed. The duties required of local authorities when letting their houses are set out in the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2001.

### **3.8 Supporting Sustainable Development**

Not Applicable

### **3.9 IT Issues**

Not Applicable

## **4 Recommendation**

It is recommended that Cabinet:

- a) Approve a Local Letting Initiative outlined in Section 2.7 of this Report for the allocation of housing at Stobhill Road, Gorebridge to ensure the creation of a sustainable, balanced community.

**Date:** 28 March 2017

**Report Contact:** Kevin Anderson, Head of Customer and Housing Services

**Tel No.** 0131 271 3225

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

**Background Papers:** Special Council Report: Newbyres Crescent (June 2014)



## Creating a World-Class Education Service: Positive Destination Update

### Report by Dr Grace Vickers, Head of Education

#### 1. Purpose of Report

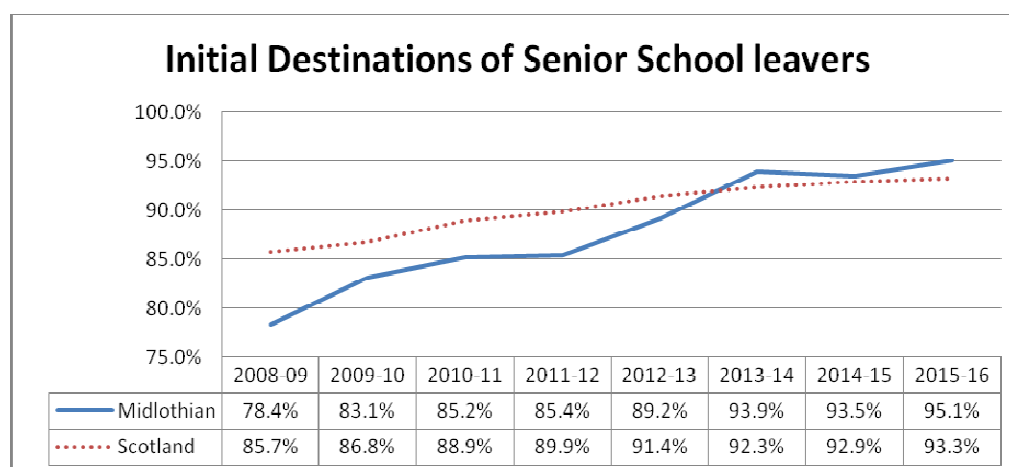
The purpose of this report is to inform Midlothian Council that 95.1% of school leavers have now secured a positive destination. This is the highest recorded figure that Midlothian has ever achieved with Midlothian school leaver destinations now 1.8% higher than the national average. The Scottish Government report, *Initial Destinations of Senior Phase School leavers*, published on 7 March 2017 provides information on initial destinations of school leavers and outlines the performance across the 32 local authorities with Midlothian now ranking joint 4<sup>th</sup> place.

#### 2. Background

##### 2.1 Positive Destinations in Midlothian

In previous years Skills Development Scotland (SDS) provided information on the destinations of secondary students who left school during or at the end of the school year. School Leaver destination data is now tracked through Scottish Government's *Insight* tool which provides a wide range of performance data relating to secondary schools.

The Initial Destinations of Senior Phase School Leavers report published by the Scottish Government on 7th March 2017 confirmed that Midlothian Council has significantly improved positive destinations. A copy of this report is included as appendix 1. We are delighted to report that we have a continued pattern of improvement, and that **95.1%** of our school leavers have now achieved an initial positive destination, this is up 1.6% on last year. This improvement pattern is important because in 2011/12 only 85.4% of school leavers entered a positive destination thus showing a 9.7% improvement over the five year period 2011/12-2015/16. School Leaver destinations are now 1.8% higher in Midlothian than the national average with Midlothian Council ranking joint 4<sup>th</sup> place when comparing the 32 local authorities in Scotland.



This significant and continued improvement has been achieved through the dedication and persistence of staff from schools, Lifelong Learning & Employability and through effective partnership working with public agencies and third sector partners.

Although we have superseded our ambitious target of 95%, work associated with positive destinations remains a priority for Midlothian Council. We are continuing to work closely with our schools and partner agencies to ensure positive outcomes for all leavers.

This includes:

- Increasing vocational pathways in the senior phase
- Strengthening school/college partnerships
- Improving young people's employability skills
- Expanding the work experience offers
- Introducing foundation apprenticeships in schools
- Promoting pathways in science, technology, engineering and maths
- Strengthening school-business partnerships
- Supporting young people at risk of negative destinations
- Expanding use of the new online market place and guarantee for those in Midlothian.

### **3. Report Implications**

#### **3.1 Resource**

We now have had confirmation of external funding from Scottish Government for youth activity agreement funding £102,248 which will assist us in maintaining these key services.

#### **3.2 Risk**

Whilst we are ambitious that all young people secure a positive destination we cannot take for granted the sustained effort and resources that will be required to achieve this.

#### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☒ Community safety
- ☒ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

#### **3.4 Key Priorities within the Single Midlothian Plan**

Positive Destinations

#### **3.5 Impact on Performance and Outcomes**

This work is a key priority for Midlothian Community Planning Partnership.

#### **3.6 Adopting a Preventative Approach**

Key elements of our current and future approaches for Positive Destinations are to work with younger students including nursery and primary and families to assist them to make positive transitions in a preventative manner.

#### **3.7 Involving Communities and Other Stakeholders**

Involving all sectors of our communities in support of young people and involving young people in designing and coproducing our approach and future opportunities is vital.

### **3.8 Ensuring Equalities**

The approach undertaken will continue to target those at risk of not achieving a positive destination from identified equalities groups and ensure individual needs are proactively taken into account when supports and opportunities are developed.

### **3.9 Supporting Sustainable Development**

This positive five year trend of school leavers securing a positive destination enables young people to actively contribute to the economy of Midlothian.

### **3.10 IT Issues**

None

## **4 Recommendations**

Midlothian Council is recommended to:

- Note the progress made in positive destinations.
- Congratulate our school leavers on securing an initial positive destination.
- Thank staff, partners and the third sector for their continued hard work and commitment ensuring that young people progress into positive destinations.

**7 March 2017**

### **Report Contact:**

Name Alan Wait and Annette Lang

[alan.wait@midlothian.gov.uk](mailto:alan.wait@midlothian.gov.uk)

[Annette.lang@midlothian.gov.uk](mailto:Annette.lang@midlothian.gov.uk)



## CHILDREN, EDUCATION AND SKILLS

# Initial Destinations of Senior Phase School Leavers

**No. 1: 2017 Edition**

**7th March 2017**

This annual statistical publication provides information on initial destinations of senior phase school leavers for 2015/16 and time series data for 2011/12 to 2014/15.

Supplementary data tables can be found at:

<http://www.gov.scot/Topics/Statistics/Browse/School-Education/Datasets>

Requests for further or additional analysis can be e-mailed to:

[Insight@gov.scot](mailto:Insight@gov.scot)

OFFICIAL SENSITIVE - RESTRICTED PRE-RELEASE STATISTICS – UNDER  
EMBARGO UNTIL TUESDAY 7 MARCH 2017 AT 9:30 AM

## Contents

Contents .....	2
<b>1. Introduction.....</b>	<b>3</b>
<b>2. National Trends in Initial Destinations of Senior Phase School Leavers .....</b>	<b>4</b>
2.1. Comparison to previous year.....	4
2.2. Initial destinations of school leavers, 2011/12 to 2015/16 .....	5
<b>3. Leaver Initial Destinations by Deprivation .....</b>	<b>8</b>
<b>4. Local Authority Breakdowns .....</b>	<b>9</b>
4.1. Five year trend for positive destinations by local authority .....	9
4.2. Senior phase leaver destinations by local authority (2015/16).....	10
<b>5. Background Notes.....</b>	<b>11</b>
5.1. Background to statistical bulletin .....	11
5.2. Data sources and methodology.....	11
5.3. Definition of leaver destinations.....	13
5.4. List of supplementary tables .....	14



# 1. Introduction

1.1. This publication presents data on initial destinations of leavers from local authority and grant aided schools in Scotland. Data is only presented on pupils leaving during the senior phase (S4-S6) and does not include pupils attending special schools.

1.2. Information on the initial destinations of school leavers is provided from the Opportunities for All shared dataset managed by Skills Development Scotland (SDS). The initial destinations data presented in this publication provides information on the outcomes for young people as recorded in October 2016, approximately three months after leaving school.

1.3. Initial destinations data from SDS is matched to the Scottish Government's (SG) pupil census in order to identify the cohort of senior phase school leavers from local authority or grant aided secondary schools. A pupil is counted as a school leaver if they have a leaver record in SDS's data, a pupil census record for the same academic year, and no pupil census record in the following academic year.

1.4. The cohorts of school leavers presented in this publication are consistent with the data presented in the education benchmarking tool 'Insight' and the Education Scotland 'Parentzone' website. These cohorts differ from the former SDS publication "Initial School Leaver Destinations" which included all leavers from publicly funded secondary schools and was published for the final time in December 2015. For more information on the cohort definition and how this differs from the SDS cohort please see background note 5.2.

1.5. For the purposes of this publication school leavers who are engaged in higher education, further education, training, voluntary work, employment or activity agreements are classified as having a 'positive destination'. Other initial destinations include school leavers who are unemployed not seeking employment or training, unemployed seeking employment or training, and individuals where their initial destination is not known. For full definitions of leaver destinations please see background note 5.3.

1.6. This bulletin includes data on 52,249 senior phase school leavers from local authority and grant aided secondary schools in 2015/16.

## 2. National Trends in Initial Destinations of Senior Phase School Leavers

- 93.3 percent of 2015/16 senior phase school leavers were in a positive destination approximately three months after leaving school (compared to 93.0 percent in 2014/15).
- The percentage of leavers in a positive initial destination has increased over the five year period from 2011/12 when 90.1 percent of leavers were in a positive destination.
- 66.9 percent of school leavers continued their education within Higher or Further Education establishments in 2015/16 (66.5 percent in 2014/15).
- There has been a decrease in the percentage of leavers entering training (2.6 percent in 2015/16 compared to 3.8 percent in 2014/15).
- 5.1 percent of leavers are unemployed and seeking employment or training (5.4 percent in 2014/15). There has been a downward trend over the last five years.

### 2.1. Comparison to previous year

2.1.1. The percentage of senior phase school leavers in a positive initial destination has marginally increased to 93.3 percent in 2015/16 compared to 93.0 percent in 2014/15.

2.1.2. There has been a 1.5 percentage point increase in leavers continuing to Higher Education (40.3 percent in 2015/16 compared to 38.8 percent in 2014/15) but a 1 percentage point drop in leavers continuing on to further education (26.6 percent in 2015/16 compared to 27.6 percent in 2014/15).

2.1.3. There has been a 1.2 percentage point drop in the percentage of school leavers in training (2.6 percent in 2015/16 compared to 3.8 percent in 2014/15).

2.1.4. The percentage of school leavers who are unemployed and not seeking training or employment has slightly increased since last year (1.3 percent in 2015/16 compared to 1.1 percent in 2014/15).

OFFICIAL SENSITIVE – RESTRICTED PRE-RELEASE STATISTICS – UNDER  
EMBARGO UNTIL TUESDAY 7 MARCH 2017 AT 9:30 AM

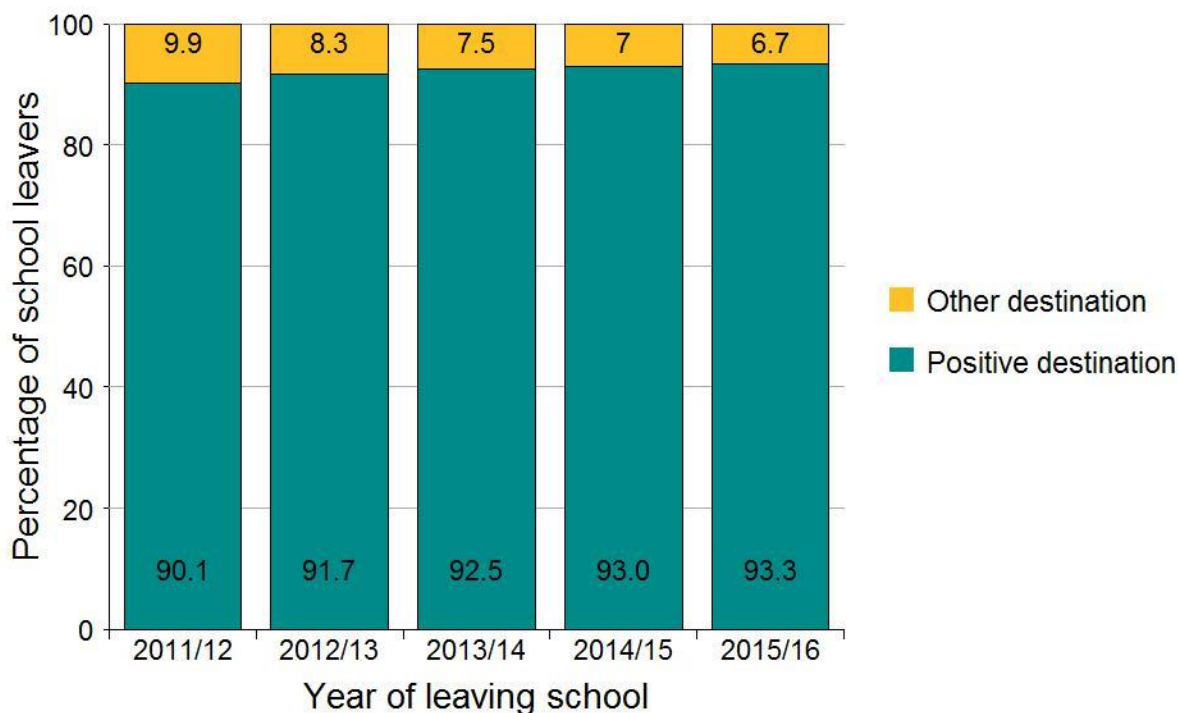
Table 1: Comparison of initial destinations in 2014/15 and 2015/16

Destination	2014/15 percent	2015/16 percent	Percentage point change
Further Education	27.6	26.6	-1.0
Higher Education	38.8	40.3	1.5
Employed	21.4	22.3	0.9
Training	3.8	2.6	-1.2
Voluntary Work	0.4	0.5	0.1
Activity Agreement	0.9	1.0	0.1
Unemployed Seeking	5.4	5.1	-0.3
Unemployed Not Seeking	1.1	1.3	0.2
Not known	0.5	0.2	-0.3
Any positive destination	93.0	93.3	0.3
Number of school leavers	52,433	52,249	

## 2.2. Initial destinations of school leavers, 2011/12 to 2015/16

2.2.1. The next section provides information about the trend in initial destinations over the five year period from 2011/12 to 2015/16.

Chart 1. Positive/Other initial destinations by year of leaving (2011/12-2015/16)



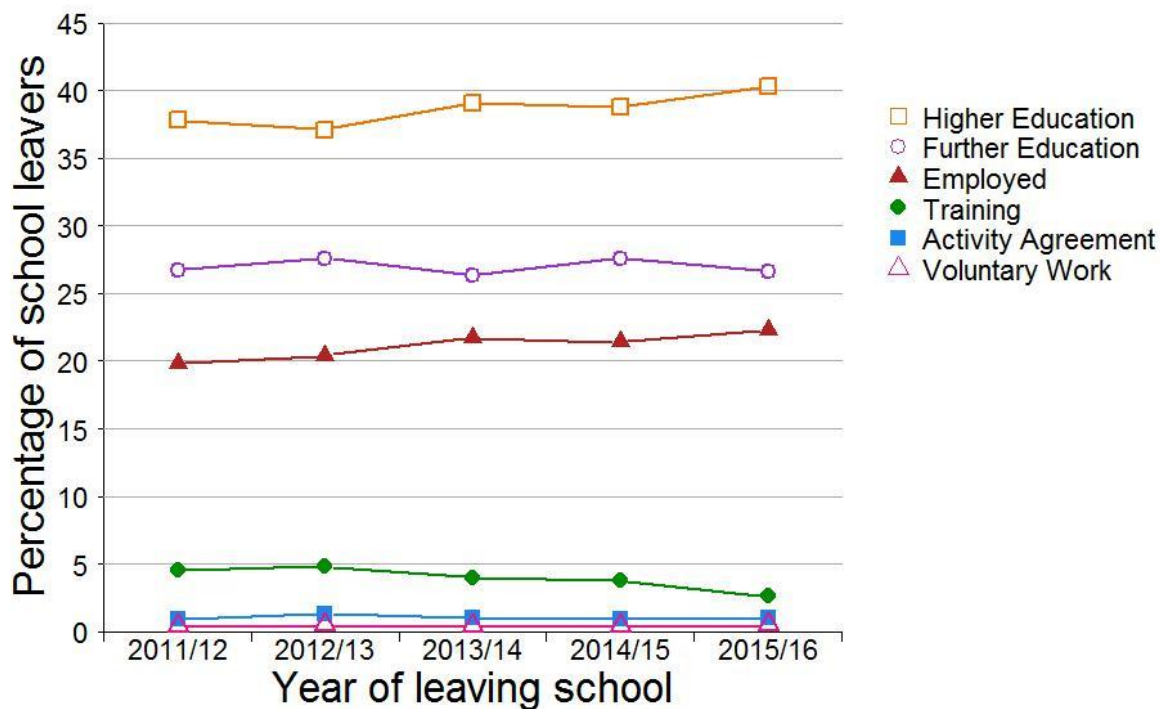
\* Other destinations includes those individuals where initial destination is not known.

OFFICIAL SENSITIVE – RESTRICTED PRE-RELEASE STATISTICS – UNDER  
EMBARGO UNTIL TUESDAY 7 MARCH 2017 AT 9:30 AM

Table 2: Initial destinations of school leavers (2011/12 – 2015/16)

Destination	2011/12 percent	2012/13 percent	2013/14 percent	2014/15 percent	2015/16 percent
Further Education	26.7	27.6	26.3	27.6	26.6
Higher Education	37.8	37.1	39.1	38.8	40.3
Employed	19.8	20.4	21.7	21.4	22.3
Training	4.5	4.8	4.0	3.8	2.6
Voluntary Work	0.4	0.5	0.4	0.4	0.5
Activity Agreement	0.9	1.3	1.0	0.9	1.0
Unemployed Seeking	8.2	6.9	6.1	5.4	5.1
Unemployed Not Seeking	1.3	1.1	1.1	1.1	1.3
Not known	0.4	0.3	0.3	0.5	0.2
Any positive destination	90.1	91.7	92.5	93.0	93.3
Number of school leavers	49,744	51,632	51,335	52,433	52,249

Chart 2. Five year trend in positive initial destinations



2.2.2. The percentage of school leavers in an initial positive destination has increased over the five year period from 2011/12 (90.1 percent) to 2015/16 (93.3 percent).

2.2.3. The five year trend is for a slightly increasing percentage of school leavers to continue their education beyond school in Higher education (37.8 percent in 2011/12 compared to 40.3 percent in 2015/16). This year the percentage of leavers in Higher education was the highest in the reported five year period at 40.3 percent. Over the same period, the percentage of leavers continuing their education in further education has remained broadly constant (26.7 percent in 2011/12 and 26.6 percent in 2015/16).

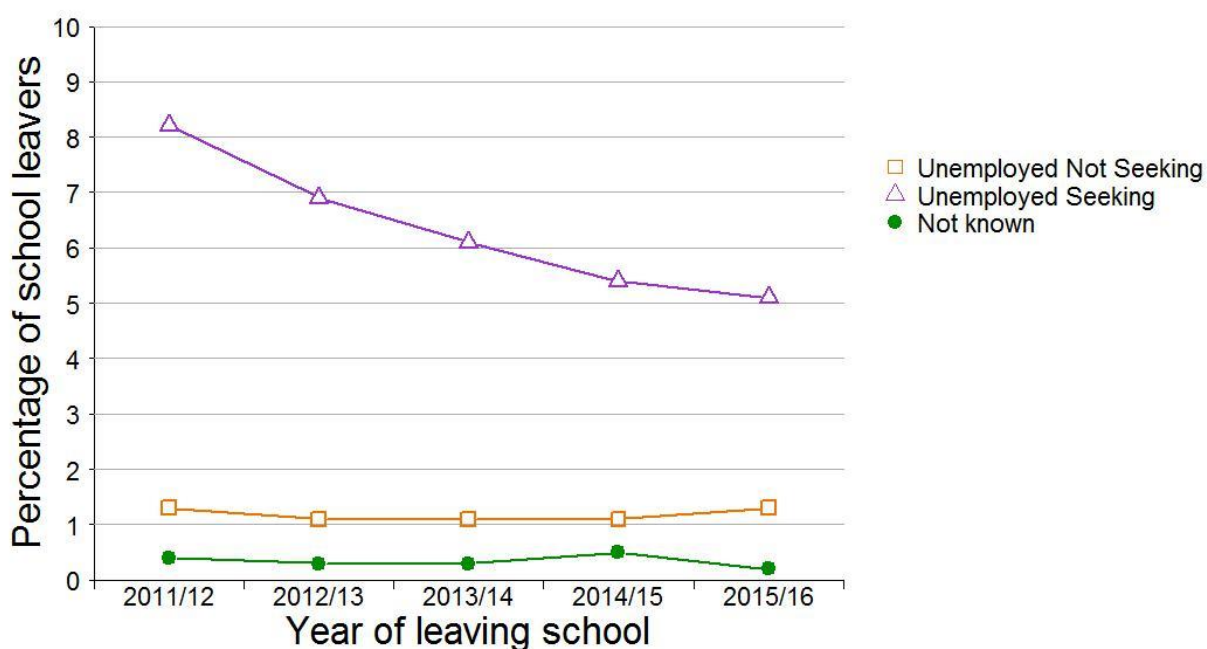
2.2.4. The percentage of leavers entering employment has slightly increased over the five year period from 19.8 percent in 2011/12 to 22.3 percent in 2015/16.

2.2.5. For the third year in a row the percentage of leavers entering training has fallen and is now at 2.6 percent (compared to 4.8 percent in 2012/13).

2.2.6. The percentage of leavers in activity agreements or undertaking voluntary work has remained low over the last five years (1 percent of leavers were engaged activity agreements and 0.5 percent of leavers were undertaking voluntary work in 2015/16).

2.2.7. The percentage of leavers who are unemployed and seeking work or training has fallen over the last five years (5.1 percent in 2015/16 compared to 8.2 percent in 2011/12). The percentage of leavers who are unemployed and not seeking work or training has slightly increased since last year and now matches the figure for 2011/12 at 1.3 percent.

**Chart 3. Five year trend in other destinations**



### 3. Leaver Initial Destinations by Deprivation

3.1 The next section presents a breakdown of results by the Scottish Index of Multiple Deprivation (SIMD) 2012.

**Table 3: Positive initial destinations of school leavers by SIMD 2012 (2011/12 – 2015/16)**

<b>SIMD 2012 Quintile</b>	<b>2011/12 Percent positive</b>	<b>2012/13 Percent positive</b>	<b>2013/14 Percent positive</b>	<b>2014/15 Percent positive</b>	<b>2015/16 Percent positive</b>
<b>Quintile 1 (20 percent most deprived)</b>	<b>83.9</b>	<b>86.6</b>	<b>88.3</b>	<b>88.5</b>	<b>88.7</b>
<b>Quintile 2</b>	<b>87.5</b>	<b>89.5</b>	<b>90.5</b>	<b>91.7</b>	<b>92.1</b>
<b>Quintile 3</b>	<b>90.6</b>	<b>92.4</b>	<b>92.8</b>	<b>93.7</b>	<b>94.1</b>
<b>Quintile 4</b>	<b>93.2</b>	<b>94.2</b>	<b>94.5</b>	<b>94.9</b>	<b>95.3</b>
<b>Quintile 5 (20 percent least deprived)</b>	<b>95.1</b>	<b>95.7</b>	<b>96.5</b>	<b>96.3</b>	<b>96.6</b>
<b>All leavers</b>	<b>90.1</b>	<b>91.7</b>	<b>92.5</b>	<b>93.0</b>	<b>93.3</b>

\* Deprivation is measured by the Scottish Index of Multiple Deprivation 2012 based on the pupil's home post code from the pupil census. For more information see background note 5.2.5.

3.2. In 2015/16, 96.6 percent of senior phase school leavers from the 20 percent least deprived areas were in a positive initial destination compared to 88.7 percent of senior phase school leavers from the 20 percent most deprived areas.

3.3. For the most deprived 20 percent of senior phase school leavers, the percentage in a positive initial destination has increased 4.8 percentage points over the last five years (from 83.9 percent in 2011/12 to 88.7 percent in 2015/16). For the least deprived 20 percent of senior phase school leavers, the percentage in a positive initial destination has increased by 1.5 percentage points over the last five years (from 95.1 percent in 2011/12 to 96.6 percent in 2015/16).

## 4. Local Authority Breakdowns

The next section presents a breakdown of results at a local authority level.

### 4.1. Five year trend for positive destinations by local authority

**Table 4: Five year trend for percentage of senior phase pupils with any positive initial destination by local authority**

Local Authority	2011/12 percent	2012/13 percent	2013/14 percent	2014/15 percent	2015/16 percent
Aberdeen City	88.6	91.1	91.2	90.2	90.3
Aberdeenshire	94.1	94.4	94.0	95.9	94.7
Angus	94.2	93.9	92.7	94.2	95.1
Argyll & Bute	90.4	93.1	91.5	93.2	92.9
Clackmannanshire	87.9	88.6	93.3	92.5	90.2
Dumfries & Galloway	87.9	91.8	90.9	93.1	94.6
Dundee City	89.6	91.1	90.9	93.0	91.5
East Ayrshire	89.4	91.6	93.3	94.2	91.8
East Dunbartonshire	95.0	96.0	97.0	96.8	97.5
East Lothian	88.4	90.0	92.4	91.8	93.5
East Renfrewshire	95.2	95.7	96.1	96.1	96.6
Edinburgh, City of	88.8	91.7	91.3	92.5	93.7
Falkirk	90.4	91.6	92.7	90.1	95.0
Fife	89.6	89.8	92.5	92.4	92.7
Glasgow City	87.9	89.4	89.8	90.3	89.9
Highland	91.2	93.4	93.7	93.8	95.0
Inverclyde	94.5	95.2	94.0	94.6	94.3
Midlothian	85.8	89.2	94.2	93.4	95.1
Moray	91.8	94.1	93.9	94.4	92.7
Na h-Eileanan Siar	95.4	96.8	96.6	95.9	97.6
North Ayrshire	90.3	94.6	94.3	95.9	94.8
North Lanarkshire	87.6	90.4	91.5	93.1	92.3
Orkney Islands	94.1	94.2	93.8	94.6	91.1
Perth & Kinross	93.2	92.4	93.8	92.1	95.0
Renfrewshire	88.1	90.3	92.7	90.9	92.2
Scottish Borders	91.3	92.3	94.4	95.2	94.2
Shetland Islands	90.3	95.4	93.2	95.6	93.4
South Ayrshire	88.8	92.8	92.4	94.5	94.3
South Lanarkshire	89.8	89.1	92.3	93.1	94.1
Stirling	88.6	90.0	92.1	90.7	93.3
West Dunbartonshire	92.8	91.1	89.6	89.9	92.2
West Lothian	89.8	92.6	92.8	93.4	92.7
Grant-Aided	95.0	*	*	*	95.3
<b>National</b>	<b>90.1</b>	<b>91.7</b>	<b>92.5</b>	<b>93.0</b>	<b>93.3</b>

\* Value could provide information on a cohort of less than five or has been suppressed to prevent calculation of data for a small cohort.



## 4.2. Senior phase leaver destinations by local authority (2015/16)

Table 5: Initial destinations of senior phase school leavers by local authority (2015/16)

	Percentage of leavers in destination									Total number of leavers
	Further education	Higher education	Employed	Training	Voluntary work	Activity agreement	Unemployed seeking	Unemployed not seeking	Not known	
Aberdeen City	28	45	15	2	0	1	7	2	1	1,673
Aberdeenshire	28	42	22	1	*	*	3	1	1	2,581
Angus	35	38	19	2	1	0	4	1	0	1,225
Argyll & Bute	19	41	31	1	*	*	5	2	0	903
Clackmannanshire	29	25	30	3	*	*	8	1	0	489
Dumfries & Galloway	29	39	23	1	*	*	4	1	0	1,474
Dundee City	37	32	16	4	1	2	7	2	*	1,388
East Ayrshire	38	36	15	2	*	*	7	1	0	1,278
East Dunbartonshire	16	61	17	2	1	1	*	*	*	1,368
East Lothian	22	39	28	2	*	*	5	1	0	1,018
East Renfrewshire	16	66	12	*	2	*	2	1	0	1,394
Edinburgh, City of	27	39	23	3	1	1	5	1	*	3,270
Falkirk	22	37	28	5	1	1	3	1	*	1,527
Fife	33	39	17	2	0	2	6	1	1	3,712
Glasgow City	28	35	20	5	1	1	7	2	0	4,551
Highland	21	37	33	1	1	2	3	1	0	2,516
Inverclyde	28	38	24	3	*	*	4	1	0	749
Midlothian	29	32	30	2	1	2	4	1	*	992
Moray	27	39	25	1	*	*	4	2	1	1,008
Na h-Eileanan Siar	*	44	32	2	*	*	*	*	0	248
North Ayrshire	34	38	20	2	0	1	4	1	*	1,317
North Lanarkshire	26	40	22	3	0	1	7	1	*	3,966
Orkney Islands	21	37	31	*	0	*	4	3	*	213
Perth & Kinross	26	39	28	1	0	1	3	2	0	1,389
Renfrewshire	25	42	23	2	*	*	6	1	0	1,777
Scottish Borders	31	38	23	1	*	*	3	2	*	1,166
Shetland Islands	27	30	33	*	0	*	4	2	0	273
South Ayrshire	26	46	18	2	*	*	4	1	*	1,204
South Lanarkshire	22	43	22	4	*	*	5	1	*	3,481
Stirling	18	44	28	2	1	1	5	1	*	1,060
West Dunbartonshire	27	40	20	3	1	1	7	1	0	949
West Lothian	24	40	25	3	1	1	5	2	*	1,983
Grant-Aided	*	78	11	*	*	0	*	*	0	107
<b>National</b>	<b>27</b>	<b>40</b>	<b>22</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>52,249</b>

\* Value could provide information on a cohort of less than five or has been suppressed to prevent calculation of data for a small cohort. Values are rounded to the nearest whole value and therefore may not sum to 100.



## **5. Background Notes**

### **5.1. Background to statistical bulletin**

5.1.1. Since 2013, The Scottish Government (SG) and Skills Development Scotland (SDS) have been consulting with public sector partners, including local authorities, to develop an alternative form of measurement to complement school leaver destination statistics. In August 2016, SDS published the Annual Participation Measure (APM) for the first time. The APM has been developed with the intention of being the key metric for measuring success in relation to the 'Increase the proportion of young people in learning, training and work' indicator in the National Performance Framework. The latest data on the Participation Measure will be published by SDS in August 2017.

5.1.2. As part of the move to the APM and in order to reduce the range of leaver destination data produced using differing methodologies, SDS have ceased their publication "Initial School Leaver Destinations". This was published for the final time in December 2015. SDS continues to supply initial and follow up destination school leavers data to the Scottish Government Education Analytical Services for their annual National Statistics publication and to update 'Insight', the online benchmarking tool for Scottish local authorities and secondary schools. Initial destinations data provides information on the outcomes for young people approximately three months after leaving school. Initial destinations data is used in the measures presented in Insight, the Education Scotland 'Parentzone' website, and the Scottish Government National Statistics publication 'Summary statistics for attainment, leaver destinations and healthy living'.

5.1.3. This statistical bulletin presents the national picture for initial leavers destinations for senior phase pupils and also includes breakdowns by Local Authority. The cohort of school leavers presented in this publication is consistent with the data presented in the education benchmarking tool 'Insight' and the Education Scotland 'Parentzone' website.

5.1.4. The Scottish Government's National Statistics publication will be published in June 2017 and will also include follow up destinations data, provided by SDS in March, along further breakdowns by pupil characteristics (e.g. stage of leaving). The leaver cohort for the National Statistics publication includes S3 leavers, whereas the focus of this publication is exclusively on school leavers from the senior phase (S4-S6). The June National Statistics publication can be accessed at <http://www.gov.scot/Topics/Statistics/Browse/School-Education/Publications>

### **5.2. Data sources and methodology**

5.2.1. The statistical extracts for both the Participation Measure and the destination of school leavers are taken from the shared Opportunities for All dataset held by SDS on their customer support system. The status information is gathered through the use of shared administrative data from local authorities, colleges, the Department for Work and Pensions (DWP), Student Awards Agency for Scotland

(SASS) and the SDS Corporate Training System combined with direct follow up of 16-19 year old customers by SDS staff. The extract used for this publication is taken on the first Monday in October (3<sup>rd</sup> October 2016 for 2015/16 leavers).

5.2.2. Initial destinations data from SDS is matched to the Scottish Government's (SG) pupil census for the same academic year in order to identify the cohort of senior phase school leavers from local authority or grant aided secondary schools. For example, the 2015/16 cohort of school leavers from SDS was matched to the SG pupil census for senior phase pupils in a local authority or grant aided school in September 2015. This cohort is then checked against the pupil census from the start of the following academic year (e.g. the 2015/16 leaver cohort was checked against the September 2016 pupil census) and any pupils who are found to still be attending school are removed from the leaver cohort. In addition, any leavers that were identified by SDS as having moved out with Scotland are excluded.

5.2.3. A school leaver is classed as a young person in the senior phase (S4-S6) who left school during the school year, where the school year is taken to run from school census day one year to the the day before census the following year. Therefore, for 2015/16 leavers, the leaver year is 16<sup>th</sup> September 2015 to 20<sup>th</sup> September 2016. For data from 2011/12-2014/15, the reporting period for SDS did not exactly match with the census to census reporting period used by the Scottish Government. This resulted in a small number of pupils being backdated to previous years. From 2015/16, the reporting process was aligned and backdating was not nessesary.

5.2.4. The cohort of leavers included in this publication is not consistent with the former SDS publication "Initial School Leaver Destinations" which was published for the final time in December 2015 and included all leavers from publically funded secondary schools. For example, in 2014/15 SDS reported data on 53,836 leavers whereas this publication reports on 52,433. The additional leavers in the SDS publication included individuals who were identified as a leaver in the shared dataset but then appeared in the school census in the following academic year, individuals who returned to, or joined, a school during the academic year, as well as S3 leavers. This bulletin includes data on 52,249 senior phase school leavers from local authority and grant aided secondary schools in 2015/16.

5.2.5. The Scottish Index of Multiple Deprivation 2012 identifies small area concentrations of multiple deprivation across Scotland. It is based on data zones (a small area geographically) and provides an assessment of multiple deprivation based on income, employment, health, education, housing, access to services and levels of crime in the area. It provides a relative measure of deprivation which means that the data zones can be ranked from most to least deprived and cut offs can be applied to identify different levels of deprivation. The calculation of quintiles means that the data zones have been ranked and split into five equal parts with quintile 1 being the most deprived 20 percent of data zones and quintile 5 being the least deprived 20 percent of data zones. School leavers are allocated to datazones, and therefore deprivation quintiles, based on their home postcode from the Pupil Census. For a very small number of individuals (less than 0.01%) home postcode

was not known and these individuals were excluded from the deprivation breakdown. This publication uses SIMD 2012 and is consistent with deprivation measures presented in Insight and Parentzone. For further information on the SIMD, please see the link:

<http://www.scotland.gov.uk/Topics/Statistics/SIMD/> .

5.2.6. All values in the publication are rounded to one decimal place so may not sum to the totals shown.

### 5.3. Definition of leaver destinations

All destinations are based on self-reporting by school leavers or administrative data. The following categories for leaver destinations are included in this Statistical Bulletin.

5.3.1. **Positive destination:** includes higher education, further education, training, voluntary work, employment and activity agreements.

5.3.2. **Higher Education:** includes leavers following HND (Higher National Diploma) or HNC (Higher National Certificate) courses, degree courses, courses for the education and training of teachers and higher level courses for professional qualifications. It also includes programmes at a level higher than the standard of the National Qualifications, i.e. above SCQF level 7. Leavers with a deferred, unconditional place in higher education have also been included in this category.

5.3.3. **Further Education:** includes leavers undertaking full-time education which is not higher education and who are no longer on a school roll. This may include National Qualifications.

5.3.4. **Training:** includes leavers who are on a training course and in receipt of an allowance or grant, such as the Employability Fund national training programme. It also includes leavers who are on local authority or third sector funded training programmes who are in receipt of a training allowance.

5.3.5. **Employment:** includes those who are employed and in receipt of payment from their employers. It includes young people undertaking training in employment through national training programmes such as Modern Apprenticeships.

5.3.6. **Voluntary work:** includes those undertaking voluntary work, with or without financial allowance, who are not 'unemployed and actively seeking', as per the unemployed definition and those participating in Project Scotland/CSV or other voluntary programmes.

5.3.7. **Activity Agreements:** includes those for whom there is an agreement between a young person and a trusted professional that the young person will take part in a programme of learning and activity which helps them become ready for formal learning or employment.

**5.3.8. Unemployed and seeking employment or training:** includes those who are registered with Skills Development Scotland and are known by them to be seeking employment or training. This is based on regular contact between Skills Development Scotland and the client. This does not refer to the definition of 'unemployed' used by the Department of Work and Pensions to calculate published unemployment rates. Young people participating in Personal Skills Development who do not fit in any of the existing categories are counted in this category.

**5.3.9. Unemployed and not seeking employment or training:** includes young people who SDS is aware of who are actively seeking employment/training. It includes those receiving support from SDS, DWP and other Opportunities for All partners. Individuals can be in this category for a range of reasons. The reasons may involve sickness, prison, pregnancy, caring for children or other dependents or taking time out.

**5.3.10. Not known:** includes all leavers whose destination is not known either to Skills Development Scotland or to the school attended.

## **5.4. List of supplementary tables**

The following supplementary tables are available at  
<http://www.gov.scot/Topics/Statistics/Browse/School-Education>;

- **Publication Table 1:** Comparison of initial destinations in 2014/15 and 2015/16
- **Publication Table 2:** Initial destinations of school leavers, 2011/12 to 2015/16
- **Publication Table 3:** Positive initial destinations by Scottish Index of Multiple Deprivation (SIMD) 2012 (2011/12 – 2015/16)
- **Publication Table 4:** Senior phase pupils with any positive initial destination by local authority, 2011/12 to 2015/16 (Includes leaver numbers).
- **Publication Table 5:** Initial destinations of senior phase school leavers by local authority, 2015/16

OFFICIAL SENSITIVE – RESTRICTED PRE-RELEASE STATISTICS – UNDER  
EMBARGO UNTIL TUESDAY 7 MARCH 2017 AT 9:30 AM  
**An Official Statistics publication for Scotland**

Official and National Statistics are produced to high professional standards set out in the Code of Practice for Official Statistics. Both undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

### **Correspondence and enquiries**

For enquiries about this publication please contact:

Laura Pollitt,  
Education Analytical Services,  
Telephone: 0131 244 0818,  
e-mail: [Insight@gov.scot](mailto:Insight@gov.scot)

For general enquiries about Scottish Government statistics please contact:

Office of the Chief Statistician, Telephone: 0131 244 0442,  
e-mail: [statistics.enquiries@scotland.gsi.gov.uk](mailto:statistics.enquiries@scotland.gsi.gov.uk)

### **How to access background or source data**

The data collected for this statistical bulletin:

- ☐ are available in more detail through [statistics.gov.scot](http://statistics.gov.scot)
- ☐ are available via an alternative route
- ☒ may be made available on request, subject to consideration of legal and ethical factors. Please contact [Insight@gov.scot](mailto:Insight@gov.scot) for further information.
- ☐ cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.

### **Complaints and suggestions**

If you are not satisfied with our service or have any comments or suggestions, please write to the Chief Statistician, 3WR, St Andrew's House, Edinburgh, EH1 3DG, Telephone: (0131) 244 0302, e-mail [statistics.enquiries@scotland.gsi.gov.uk](mailto:statistics.enquiries@scotland.gsi.gov.uk).

If you would like to be consulted about statistical collections or receive notification of publications, please register your interest at [www.gov.scot/scotstat](http://www.gov.scot/scotstat)  
Details of forthcoming publications can be found at [www.gov.scot/statistics](http://www.gov.scot/statistics)

ISBN 978-1-78652-832-2

### **Crown Copyright**

You may use or re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. See: [www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)

