

Midlothian Council Minute Volume



**Presented to the Meeting
of Midlothian Council
on Tuesday, 11 February 2020**

1 Minutes of Meetings submitted for Approval

Midlothian Council 17 December 2019	3 - 18
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2 Minutes of Meetings submitted for Consideration

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

Special Cabinet 24 June 2019	19 - 20
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Performance Review and Scrutiny Committee 17 September 2019	21 - 28
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Planning Committee 19 November 2019	29 - 34
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Cabinet 26 November 2019	35 - 44
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Audit Committee 3 December 2019	45 - 52
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Appointments Committee 16 December 2019

3 Minutes of Meetings submitted for Information

Approved Minutes of Outside Organisations to which Council appoints representatives

No Minutes submitted for information.

Minute of Meeting



Midlothian Council

Date	Time	Venue
17 December 2019	11am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Provost Smaill (Chair)	Depute Provost Russell
Councillor Milligan – Council Leader	Councillor Muirhead – Depute Council Leader
Councillor Alexander	Councillor Cassidy
Councillor Curran	Councillor Hackett
Councillor Hardie	Councillor Imrie
Councillor Johnstone	Councillor Lay-Douglas
Councillor McCall	Councillor Parry (left meeting at 11.40 am)
Councillor Wallace	Councillor Winchester

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director: Place
Morag Barrow, Joint Director, Health and Social Care	Mary Smith, Director, Education, Communities and Economy
Gary Fairley, Head of Finance and Integrated Service Support (up to Item No. 9.2)	Alan Turpie, Monitoring Officer
Mike Broadway, Democratic Services Officer	Verona MacDonald, Democratic Services Team Leader
Alison White, Head of Adult Social Care and Chief Social Work Officer (for Item Nos 8.5; 8.9; 8.10)	Stephen Clark, Group Manager, Housing Services (for Item Nos. 8.11; 8.12; 8.13 only)

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

Mr V. Bourne (present for the public matters only)	Mrs E. Morton (present for the public matters only)
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1. Welcome and Apologies for Absence

The Provost extended a welcome and thanked the choir, comprising of singers from 5 of the high schools, who sang as Members gathered in the Chamber.

Thereafter, apologies were intimated on behalf of Councillors Munro and Baird.

2. Order of Business

The order of business was confirmed as per the agenda circulated.

3. Declarations of interest

None intimated.

4. Deputations

None received.

5. Minutes of Previous Meetings

5.1 The Minute of meeting of Midlothian Council which took place on 12 November 2019 was proposed by Councillor Hardie, seconded by Councillor Hackett and thereafter unanimously approved. The Provost was authorised to sign as a true record of the meeting.

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

Meeting	Date of Meeting
Police and Fire and Rescue Board	26 August 2019
Cabinet	3 September 2019
Community Asset Transfer Committee	17 September 2019
Audit Committee	24 September 2019
Business Transformation Steering Group	30 September 2019
General Purposes Committee	8 October 2019
Planning Committee	8 October 2019
Local Review Body	22 October 2019
Business Transformation Steering Group	11 November 2019
Midlothian Integration Joint Board	10 October 2019

6. Question to the Leader of the Council

None received.

7. Notices of Motions

Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	Climate Emergency	Councillor Imrie	Councillor Hackett
Motion:			
<p>The Motion was in the following terms:-</p> <p><i>“Midlothian Council agrees to declare a ‘Climate Emergency’ that requires urgent action.</i></p> <ul style="list-style-type: none"> <i>• Make the Council’s activities net-zero carbon by 2030</i> <i>• Achieve 100% clean energy across the Council’s full range of functions by 2030</i> <i>• Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.</i> <i>• Support and work with all other relevant agencies towards making the entire area zero carbon within the same timescale;</i> <i>• Ensure that political and chief officer leadership teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council’s activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;</i> <i>• Request that Council Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies;</i> <i>• Work with, influence and inspire partners across the district, county and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;</i> <i>• Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;</i> <i>• Request that the Executive Portfolio holder with responsibility for Climate Change convenes a Citizens’ Assembly in 2019 in order to involve the wider population in this process. This group would help develop their own role, identify how the Council’s activities might be made net-zero carbon by 2030, consider the latest climate science and expert advice on solutions and to consider systematically the climate change impact of each area of the Council’s activities;</i> <i>• Set up a Climate Change Partnership group, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, Citizens Assembly representatives and other relevant parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2030. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy</i> <i>• Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council’s investment strategy to give due consideration to climate change impacts in the investment portfolio;</i> <i>• Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the council will take to address this emergency;</i> 			

- *Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;*
- *Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice."*

Summary of discussion

Councillor Imrie spoke to the terms of the Motion. As an amendment, he proposed that the words "in 2019" where they appear in paragraph 9 above, be deleted. Councillor Hackett was heard in support of the amended Motion.

On a vote being taken by way of a show of hands, 15 votes were cast in favour of the Motion as amended and none against.

Decision

The Motion, as amended, was approved

8. Reports

Agenda No.	Report Title	Presented by:
8.1	Scheme of Administration	Executive Director: Place
<p>The Council heard from the Executive Director: Place who spoke to the terms of a report requesting the remit of the Elected Member Working Group established to consider, review and report back with regard to Standing Orders be extended to include updating the Scheme of Administration and thereafter report back to Council.</p>		
<h4>Decision</h4> <p>The Council unanimously agreed to:-</p> <ul style="list-style-type: none"> (a) include within the remit of the Short Life Elected Member Working Group on Review of Standing Orders the production of an updated Scheme of Administration in light of the changes since the last update and (b) further update the document as a result of the review by the Working Group of the Council, its Committees and Sub-Committees 		
<h4>Action</h4> <p>Executive Director: Place</p>		

Report No.	Report Title	Presented by:
8.2	Workforce Strategy - Update report	Head of Finance and Integrated Service Support
<h4>Outline of report and summary of discussion</h4> <p>The Council heard from the Head of Finance and Integrated Service Support who spoke to the terms of a report which provided an update on the Workforce Strategy 2017 – 2022 by setting out progress made since the introduction of the Strategy in December 2017 to ensure the Council continues to have a workforce able to deliver positive outcomes for the people of Midlothian.</p>		
<h4>Decision</h4> <p>The Council agreed to note:-</p>		

<ul style="list-style-type: none"> (a) the significant progress made in terms of implementing key aspects of the 13 workforce streams; (b) the review of existing service level workforce plans following implementation of the senior leadership review and; (c) the commitment to continue to consult with the recognised trade unions on the further implementation of the Workforce Strategy and accompanying service level workforce plans
Action
Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.3	Medium Term Financial Strategy Update	Head of Finance and Integrated Service Support
Outline of report and summary of discussion		
<p>The Council heard from the Head of Finance and Integrated Service Support who spoke to the terms of a report which provided an update on the Medium Term Financial Strategy and more specifically the position regarding the Scottish Government grant settlement for 2020-2021.</p> <p>In response to questions by Councillors Wallace, Smaill and Milligan, regarding the budget setting process, Mr Fairley advised the Council had a responsibility to agree a budget and a crucial element of this was setting Council Tax because it is required to balance the budget. He agreed with Members that it was unprecedented times.</p> <p>Councillor Cassidy enquired what was being done in terms of the implications of a no deal Brexit. Mr Fairley advised this was considered by the Corporate Management Team on a fortnightly basis but that no additional provisions relating to a no deal Brexit were provided for in the budget although this position may need to change in the medium to long term.</p> <p>Councillor Johnstone noted the slippage of major projects and enquired as to the loss incurred by the Council other than reputational damage. Mr Fairley noted the 2 major projects as being Jarnac Court which was subject to a separate report on the agenda and Destination Hillend. With regard to the latter, he referred Members to Page 20 of the document pack which set out the financial impact. He further advised the project would be discussed by the Corporate Management Team who would consider and identify measures required to mitigate the impact on the Medium Term Financial Strategy and the timescale for completion of the project. He noted the anticipated savings would not be achieved for 2020/21 and this would be reflected in the budget when it comes before Council in February.</p>		
Decision		
<p>The Council unanimously:-</p> <ul style="list-style-type: none"> (a) noted consultation on the measures agreed in principle only as set out in Table 1 of the report will be combined with consultation on any further proposals necessary in due course and as a consequence these will not contribute to the 2020-21 budget; (b) noted the Business Transformation Board continue to provide a means to ensure savings measures are fully developed and implemented at pace and that the Medium Term Financial Strategy will be updated to 		

reflect the delivery plans and where shortfalls are identified mitigating actions will require to be developed;

- (c) noted the update in respect of the Scottish Government grant set out in Section 4.1 of the report and the implications which arise from the delay in the publication of the Scottish Government budget and individual Council grant settlements;
- (d) agreed provision be made for a Special meeting(s) of Council sometime between 12 February and 11 March 2020 where Members can fulfil their statutory responsibilities in respect of the budget and remit arrangements for this to the Executive Director: Place in consultation with the Provost;
- (e) agreed to delegate to the Executive Director: Place authority to determine the charges for weddings etc including charges for catering and other related services and;
- (f) otherwise noted the terms of the update report

Action

Head of Finance and Integrated Service Support

Sederunt: Councillor Parry left the meeting prior to the conclusion of the following item and did not return

Report No.	Report Title	Presented by:
8.4	Voluntary Sector Grants 2020 - 2022	Director, Education, Communities and Economy
Outline of report and summary of discussion		
<p>The Council heard from the Director, Education, Communities and Economy who spoke to the terms of the report which sought approval for the voluntary sector grant awards and variations to the administration of the grants programme for the period 2020 – 2022.</p> <p>Councillor Hackett stated it was disappointing to note the under distribution of awards in the poverty stream and asked how issues which may have contributed to this such as support to groups wishing to apply for grants would be addressed in the future. Mrs Smith advised support was already offered to groups and those seeking assistance were provided with it. She advised one of the main difficulties was targeting the distribution of money to areas of deprivation. The Council Leader, Councillor Milligan, commented that it appeared some groups applied to the wrong grant stream and this could be addressed by not having the grant streams listed on the form and letting the officers assessing applications decide the most appropriate grant stream. Mrs Smith advised the 4 grant streams had been approved by the Council and to allow this degree of flexibility would require the Council making a decision to this effect.</p> <p>Thereafter, the Council Leader, seconded by Councillor Muirhead, moved approval of the terms of the report together with delegated authority to the Director to investigate whether an increased flexibility in terms of officers deciding the most appropriate grant stream applicable to each application could be achieved without causing any additional issues.</p>		

Decision

The Council unanimously approved:

- (a) the recommended voluntary sector small and micro grants awards for the period 2020 – 2022 as detailed in Appendix 1 of the report;
- (b) the re-allocation of the Year 1 underspend of £5684.00 to the overbid Developing Communities and Health and Physical Activity streams for 2020-21;
- (c) the discontinuation of a separate micro grants stream; transferring the remaining budget of £892.00 into the small grants scheme under the Developing Communities strand; the small grants scheme to consider all applications under £2000 for 2021-22;
- (d) the unallocated large grants budget, as detailed in Section 4.2 of the report, continue to be used as a contingency fund for voluntary groups in exceptional circumstances, delegating decision making on use of this to officers and reviewing in Autumn 2020 if unspent;
- (e) a review of the Poverty funding stream outcomes for 2021 to 2022 to ensure alignment with Midlothian's Child Poverty Action Plan and actively encourage groups to apply when the scheme re-opens in August 2020;
- (f) a review of the existing small grants programme to take account of lessons learned and consider allocating 60% of the remaining budget to be spent solely in the 3 targeted areas of Dalkeith, Gorebridge and Mayfield. The remaining 40% of the budget to continue to be available to applicants operating in all areas of Midlothian and;
- (g) delegating authority to the Director, Education, Communities and Economy to investigate whether an increased flexibility in terms of officers deciding the most appropriate grant stream applicable to each application can be achieved without causing any additional issues.

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.5	Midlothian Libraries – Post Office Co-Location	Head of Adult Services
Outline of report and summary of discussion		
<p>The Council heard from the Head of Adult Services who spoke to the terms of a report which summarised the exploration and associated business case for incorporating a post office into Newtongrange Library.</p> <p>Councillor Hardie in noting the recommendations in the report, stated that the Newtongrange community needed essential banking facilities which could be provided by a post office and it was essential the Council did not lose sight of this and be accused of not doing anything. He reminded Members the opening of a post office in the library could be a pilot for similar ventures in other Midlothian communities.</p> <p>The Provost noted that whereas Post Office Ltd would fund any internal refurbishment works required within the library to support the delivery of post office services, this would be done only once and therefore should the Council decide to close the library and move to another building, costs relating to the fitting out of the post office would need to be met by the Council. Mrs White confirmed this was correct and that space in another building may be significantly smaller leading to difficulties with identifying the space required for a post office.</p>		

Councillor Muirhead commented that the Council had to get the project right and other matters relating to the possible relocation of the current library in Newtongrange had to be progressed quicker. Councillor Cassidy noted the Motion had first come before the Council a year ago and no progress had been made.

Councillor Hardie, by way of an amendment to the recommendations in the report, moved that the Council proceed with the proposal to install a post office in Newtongrange Library. His Motion was seconded by Councillor Johnstone. Councillor Hardie further explained that in making the Motion he was taking into consideration advice within the report namely that the cost of fitting out a post office in the current library building would be fully met by Post Office Ltd and given that the Council would need to enter into a minimum 18 month contract with Post Office Ltd to run the post office, this would provide the opportunity to assess the viability of the post office over this time.

The Head of Finance and Integrated Service Support with reference to Section 4.1 in the report relating to risk implications, drew attention to the lack of financial information available to allow adequate assessment of the viability of the potential service. In response, Councillor Hardie advised that 18 months of running a post office would give the Council an ideal opportunity to fully assess the costs.

Thereafter, by way of a vote by a show of hands, the Motion by Councillor Hardie was unanimously approved.

Decision

The Council unanimously agreed to proceed with the integration of a fully operational post office in Newtongrange Library for a period of 18 months which will provide the Council with an opportunity to fully assess the costs.

Action

Head of Adult Services

Sederunt: Councillor Hardie left the meeting room

Report No.	Report Title	Presented by:
8.6	Impact on Catering Services of the introduction of Early Years Meal Pilot	Executive Director: Place
Outline of report and summary of discussion		
The Council heard from the Executive Director: Place who spoke to the terms of a report which informed of the Scottish Government policies relating to meal provision for early years services and imminent changes to school nutritional policy within Catering Services.		
Decision		
The Council unanimously agreed to note the activities across the services to deliver additional meals and the nutritional requirements in the piloted early year projects as the demand is anticipated to expand in any mainstreaming of the service.		
Action		
Executive Director: Place		

Report No.	Report Title	Presented by:
8.7	Mavisbank House and Grounds	Director, Education, Communities and Economy
Outline of report and summary of discussion		
The Council heard from the Director, Education, Communities and Economy who spoke to the terms of a report providing an update on restoration proposals at Mavisbank House and the Council's commitment to support the restoration of the House and grounds as set out in the Mavisbank Concordat in May 2012. She further noted that the report set out the position of providing staff resource but no direct financial implications.		
Decision		
<p>The Council:-</p> <ul style="list-style-type: none"> (a) noted the Landmark Trust and Historic Environment Scotland are working together on a proposal for the restoration of Mavisbank House and its grounds and will be applying to the national Heritage Lottery Fund for grant funding; (b) noted the Landmark Trust and Historic Environment Scotland are considered viable partners in terms of the 2012 Mavisbank Concordat; (c) noted the compulsory purchase order powers vested in the Council will be used to acquire Mavisbank House once a viable funding package for the restoration of the house has been secured by the Landmark Trust and Historic Environment Scotland. The Compulsory Purchase Order will only be undertaken by the Council once the necessary legal guarantees are in place to ensure ownership of Mavisbank House is immediately transferred from the Council to Historic Environment Scotland; (d) noted the costs associated with the carrying out of the Compulsory Purchase Order incurred will be covered by the Landmark Trust and Historic Environment Scotland and; (e) instructed further reports on the progress of the project as and when appropriate 		
Action		
Director, Education, Communities and Economy		

Sederunt: Councillor Hardie re-entered the meeting at 12.02 pm just after discussion in relation to the following item commenced

Report No.	Report Title	Presented by:
8.8	Strategy for Growth – Economic Strategy 2020 – 2025	Director, Education, Communities and Economy
Outline of report and summary of discussion		
The Council heard from the Director, Education, Communities and Economy who spoke to the terms of a report which set out a new strategy for growing Midlothian's economy which included information on the priorities and actions to be taken by the Council and its partners over the next 5 years to help deliver the Strategy's aim.		
Councillor Johnstone moved that an Elected Member Seminar be held with a view to further information being provided to Members to allow them to add to the Strategy. She further moved that the recommendations contained within the report be disregarded. The Motion was seconded by Councillor Alexander.		
Councillor Imrie, seconded by Councillor Curran, moved the recommendations within the report and stated that a number of briefings had already been held		

and the Strategy was very inclusive. He continued by advising that the Strategy provided the Council with the opportunity to offer up joint partnerships to people running businesses from home thus allowing the businesses to flourish. He also suggested that accommodation which the Council deemed surplus should be offered to Economic Development with a view to the accommodation being adapted for use by small businesses. He stated he was not opposed to a Seminar and this could be used to provide further information to Members to allow them to be ambassadors for the Strategy for Growth.

Councillor Johnstone advised she was happy with the suggestion made by Councillor Imrie but was seeking an assurance that the Strategy could be changed as a result of discussion and agreement at the Seminar.

The Provost then sought advice in relation to this from the Monitoring Officer. Mr Turpie advised that any decision made was binding for a period of 6 months. However, the Council's Standing Orders did permit suspension of the particular Standing Order should Members agree to do so.

Councillor Imrie suggested should the Seminar highlight matters Members would wish included within the Strategy, a report should come back to the Council and in any event the Strategy should be subject to regular or annual update.

The Provost asked Councillor Imrie whether he was happy to move the recommendations contained within the report together with the suggestion from Councillor Johnstone regarding a Seminar. Councillor Imrie confirmed he was. Councillor Johnstone subsequently advised she was happy with this and, with the consent of her seconder, formally withdrew the Motion she had made.

On a vote being taken by way of a show of hands it was unanimously agreed to proceed in terms of the Motion by Councillor Imrie.

Decision

The Council unanimously agreed to:-

- (a) approve the Strategy for Growth – Midlothian Council Economic Strategy 2020 – 2025;
- (b) approve the proposals for annual reporting of indicators via the Community Planning Partnership and Cabinet monitoring of economic performance and;
- (c) hold an Elected Members Seminar to provide further information to Members and as arising therefrom make any agreed amendments to the Strategy. It was noted any amendments to the Strategy would require a further report to and approval by the Council.

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.9	Chief Social Work Officer Annual Report 2018-19	Head of Adult Health and Social Care
Outline of report and summary of discussion		
The Council heard from the Head of Adult Health and Social Care who spoke to the terms of the annual report detailing the statutory work undertaken and providing an overview of regulation and inspection, workforce issues and significant social policy themes Page 12 of 52		

Decision
The Council unanimously agreed the terms of the Chief Social Work Officer's Annual report for 2018-19 and that a copy of the report be placed on the website.
Action
Chief Social Work Officer

Report No.	Report Title	Presented by:
8.10	MAPPa – Annual Report for 2018-19	Head of Adult Health and Social Care
Outline of report and summary of discussion		
<p>The Council heard from the Head of Adult Health and Social Care who spoke to the terms of the annual MAPPa report for 2018-19 published on 1 November 2019.</p> <p>Thereafter, Councillor Muirhead, with regard to public engagement mentioned concern expressed on social media about issues in Gorebridge. He suggested that relevant bodies including community councils should be briefed about the work undertaken by MAPPa.</p> <p>Mrs White advised the Federation of Community Councils had received a briefing within the last 12 months and separately one Community Council had also been briefed. She further advised that it was hoped the Federation would be briefed on an annual basis and that should an elected member become aware of concerns raised at community council meetings they should pass them to her and she will take them on board.</p>		
Decision		
The Council unanimously agreed to note the terms of the annual report.		
Action		
Head of Adult Health and Social Care		

Report No.	Report Title	Presented by:
8.11	Strategic Housing Investment Plan 2020-21 to 2024-25	Group Manager, Housing Services
Outline of report and summary of discussion		
<p>The Council heard from the Group Manager, Housing Services who spoke to the terms of a report which summarised the key points set out in the Strategic Housing Investment Plan 2020-21 – 2024-25 detailing the priorities for the investment in new affordable housing in Midlothian.</p> <p>Councillor Hardie queries whether there was a reasonable mix of tenures available and felt the average person was unable to get onto the property ladder and more needed to be done in particular to help young people. He further mentioned land previously included in the plan which had been subject to a community asset transfer application and wondered whether this had been addressed.</p> <p>Mr Clark advised there was currently 2 schemes promoted by central government which provided assistance to first time buyers wishing to buy. He further advised that sites which may be included in the Plan which then become the subject of a community asset transfer application could be removed.</p>		

Councillor Johnstone commented that the Plan did not appear to be ambitious enough whereby 2000 properties would be built in the next 5 years but there were well over 4000 on the waiting list.

Mr Clark advised that house building was funded by rental income and whereas the rental strategy would be reviewed during the lifetime of the Strategic Housing Investment Plan it will be current tenants who will determine the level of investment based on the level of rent increases.

Councillor Curran, seconded by Councillor Milligan, moved the terms of the report. On a vote being taken by way of a show of hands, 14 of the Elected Members present voted in favour of the Motion.

Decision

The Council agreed to approve submission of the Strategic Housing Investment Plan 2020-21 – 2024-25 to the Scottish Government.

Action

Executive Director: Place

Report No.	Report Title	Presented by:
8.12	Housing Allocation Policy Review 2019	Group Manager, Housing Services
Outline of report and summary of discussion		
<p>The Council heard from the Group Manager, Housing Services who spoke to the terms of a report which detailed the review of the Housing Allocation Policy and provided recommendations for changes to allow the Policy to continue to address local needs and take account of recent legislative change and Scottish Government policies.</p> <p>Thereafter, questions were put by Members and subsequently answered by Mr Clark.</p> <p>Councillor Curran, seconded by Councillor Hackett moved the terms of the report and on a vote being taken by way of a show of hands, the Motion was unanimously approved.</p>		
Decision		
<p>The Council unanimously agreed:-</p> <ul style="list-style-type: none"> (a) to note the response to consultation with tenants and housing list applicants in relation to the Policy; (b) the recommended changes to the Policy as detailed in Section 4.3 of the report; (c) to communicate the findings of the consultation report and the main changes to the Policy to tenants and housing list applicants; (d) to the publication of the Housing Allocation Policy incorporating the agreed recommendations and; (e) to establish an Officer/Member/Tenant Working Group to consider the potential for introducing a choice-based letting model with a report on the proposals being considered by Council during 2020. 		
Action		
Executive Director: Place		

Report No.	Report Title	Presented by:
8.13	Jarnac Court Homelessness Accommodation	Group Manager, Housing Services
Outline of report and summary of discussion		
<p>The Council heard from the Group Manager, Housing Services who spoke to the terms of a report which provided further information on proposals to use the 2 upper floors at Jarnac Court, Dalkeith to provide emergency homeless accommodation.</p> <p>Councillor Curran expressed disappointment that a report was back before the Council a year after the previous one and noted anticipated budget savings for the provision of bed and breakfast accommodation had not been achieved. He subsequently moved Option A and in doing so stated that whereas the building would not provide permanent homes it would offer much needed temporary accommodation for homeless persons. He further emphasised the need to engage with local businesses who may be affected by work undertaken and requested a follow-on report in relation to options available to improve the external appearance of the building. Councillor Johnstone agreed with Councillor Curran and suggested the Council needed to be better at managing projects. She requested an expected completion date for the work. Councillor Cassidy expressed his disappointment regarding the absence of a proper survey being undertaken and noted the anticipated costs had tripled. He advised the local community had been left wondering why nothing had happened to the building and why it was not possible to keep tabs on large projects.</p> <p>The Executive Director: Place advised consultants had been involved since the outset of the project but many of the issues encountered related to the planning requirement for change of use which meant the building being assessed as if it were a new build. He emphasised this information was not known at the beginning of the project. He accepted the criticism regarding the need to keep tight controls on projects and advised this was now being done via the Capital Projects Board.</p> <p>Councillor Winchester asked how much is paid by the Council for temporary accommodation. Mr Anderson advised the total was approximately £1.2m.</p> <p>Councillor Hardie enquired why the recommendation in the report was for Option B when the most preferred option was Option A. He further suggested improvements to the outside of the building and other parts of the town should be met through money generated by Section 75 Agreements. In response, Stephen Clark advised the report recommended Option B because due to the shelf-life of the building it would provide additional accommodation without a significantly higher additional burden on the Housing Revenue Account.</p> <p>Councillor Johnstone asked for clarification as to the completion date of the project and Mr Clark confirmed it was anticipated to be complete by September 2020.</p> <p>Councillor Milligan, in light of the concerns expressed by Members in relation to slippage of capital projects, enquired whether a dedicated group should be created to allow Elected Members to monitor any slippage. In response, Councillor Curran advised he was happy to take this into account and formally moved Option A to include engaging with local businesses and bearing in mind</p>		

the concerns raised by Members, extending the remit of the Business Transformation Steering Group to include reporting and scrutiny of all capital projects. His Motion was seconded by Councillor Hardie. On a vote being taken by way of a show of hands the Motion was unanimously approved.

Decision

The Council unanimously agreed to:-

- (a) Option A listed within the report, being the full refurbishment of both upper floors of the building at an estimated cost of £1.15m and noted this will include external repairs being carried out and the upper 2 floors of the building being fully refurbished to provide 22 units for temporary accommodation with the building being used for at least 5 years and that this will generate a saving in General Fund expenditure on bed and breakfast costs of £0.866m during the period and;
- (b) extend the remit/business of the Business Transformation Steering Group to include reporting to and scrutiny of all capital projects.

As a consequence of (b) above, the Scheme of Administration relative to Standing Order 7 will be updated to reflect the extended remit of the Business Transformation Steering Group

Action

Executive Director: Place

Report No.	Report Title	Presented by:
8.14	Annual Procurement Report 2018-19	Legal Services Manager
Outline of report and summary of discussion		
The Council heard from the Legal Services Manager who spoke to the terms of a report which sought approval and publication of the annual procurement report for 2018-19.		
Decision		
The Council noted the content of the report and approved the publication of the annual procurement report for 2018-19.		
Action		
Head of Finance and Integrated Service Support		

Sederunt: At 1.02 pm, Councillor Milligan left the meeting

Report No.	Report Title	Presented by:
8.15	Offer of grant for Low Emission Zones	Executive Director: Place
Outline of report and summary of discussion		
The Council heard from the Executive Director: Place who spoke to the terms of a report advising grant funding for low emission zone mitigation measures had been approved by delegated powers in terms of Standing Order 19.2 whereby the Chief Executive, after discussion with the Leader, has authority to take urgent decisions and where such a decision is required, report to the next available full Council meeting of the decision.		
He advised the Council had been asked to submit an "expression of interest" for the funding which included a costed list of proposals able to be completed/constructed/implemented by 31 March 2020 with only several days permitted to compile it. He further noted the grant is valued at £863,000 and the acceptance form includes the costed proposals.		

Decision	
The Council noted the acceptance of the grant funding and accelerated implementation by approval under the delegated powers vested in the Chief Executive in terms of Standing Order 19.2.	
Action	
Executive Director: Place	

Sederunt: At 1.12 pm, Councillor Milligan re-entered the meeting

Report No.	Report Title	Presented by:
8.16	Gaelic Language Plan 2019 – 2024	Chief Executive
Outline of report and summary of discussion		
The Council heard from the Chief Executive who spoke to the terms of a report which presented the Council's Gaelic Language Plan 2019 – 2024. She explained that the Gaelic Language (Scotland) Act 2005 brought into place a statutory obligation to have and publish a plan.		
Decision		
The Council noted the Gaelic Plan 2019 – 2024 and the intention to forward it to Bòrd na Gàidhlig for approval.		
Action		
Chief Executive		

Report No.	Report Title	Presented by:
8.17	Review of Scheme of Polling Districts and Polling Places to be implemented after 2 March 2020	Chief Executive
Outline of report and summary of discussion		
<p>The Provost congratulated the Chief Executive and Election Team for the smooth running of the election on 12 December.</p> <p>Councillor McCall also congratulated staff who contributed to the election and asked the Council Leader to write a letter of congratulations to the new MP, Owen Thompson. In response, the Council Leader advised that he was happy to send a letter but that he had already congratulated Mr Thompson in person. He then took the opportunity to also thank all staff and in particular made mention of staff working at Lasswade when the alarm went off and the building had to be evacuated.</p> <p>The Council heard from the Chief Executive who spoke to the terms of a report requesting agreement to a new Scheme of Polling Districts and Polling Places.</p> <p>The Council Leader expressed concerns regarding Bonnyrigg Primary School continuing to be used due to parking issues. He enquired whether this polling station could be incorporated within Lasswade. He also noted the difficulties which have arisen with boundaries whereby streets can be divided by 2 wards. He asked for confirmation that the Boundary Commission was aware of these issues to allow them to be addressed.</p> <p>In response, the Legal Services Manager advised concerns or issues raised by Elected Members would, where possible, be addressed and ward boundary issues identified would be reported to the Boundary Commission.</p>		

Councillors Hackett, Hardie and McCall enquired about and/or noted the promotion of postal voting as an option available to the electorate; the availability of emergency proxy votes and the percentage of the electorate already voting by post.

Thereafter, Councillor Hackett, seconded by Councillor Winchester moved the terms of the report and with no-one being otherwise minded, this became the decision.

Decision

The Council unanimously agreed to:-

- (a) adopt the proposed Scheme of Polling Districts and Places as outlined in the annex to Appendix 1 of the report;
- (b) carry out the statutory procedures, in liaison with the Electoral Registration Officer, to publish the revised Scheme of Polling Arrangements to take effect after 2 March 2020 and;
- (c) remit to the Chief Executive to continue to liaise with political representatives for Scheme revisions.

Action

Chief Executive

Sederunt: At 1.25 pm Councillors Imrie and Milligan left the meeting and did not return

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:-

9.1 Acquisition of 13 Properties for Social Rent at Main Street, Roslin – Report by Executive Director: Place

9.2 Exploring the potential benefits of and options for sharing of services with Scottish Borders Council – Report by Chief Executive

9.3 Senior Leadership Review – Report by Chief Executive

The meeting concluded at 1.35 pm.

Minute of Meeting



Note of Inquorate Special Meeting of Cabinet

Date	Time	Venue
24 June 2019	1.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Muirhead – Depute Convener	
Councillor Hackett	

Religious Representatives:

1 Apologies

Apologies were received on behalf of Councillors Milligan (Convenor), Hackett and Imrie and Vic Bourne and Elizabeth Morton.

2 Order of Business

The Clerk advised that due to the insufficient number of elected Members present, the meeting was inquorate. He further advised that Standing Order 7.10 stated:

“If within ten minutes of the time appointed for a meeting a quorum is not present, the Chair will so confirm and adjourn the meeting to a date and time which he/she may then or afterwards fix. In the event of the Chair being absent, the Director, Resources will confirm to those present that the meeting is inquorate and that no business may therefore be done. The Director, Resources will also minute that, owing to the lack of the necessary quorum, no business was done.”

Advice was therefore noted from the Acting Director, Resources that the Special meeting of the Cabinet would be rescheduled to be held on Tuesday 25 June 2019, within the Council Chambers at 2.00pm, or on conclusion of the meeting of Midlothian Council, scheduled for 11.00am on that date, whichever was the later.

It was further noted that owing to the lack of the necessary quorum, no business was done.

Minute of Meeting



Performance, Review and Scrutiny Committee

Date	Time	Venue
17 September 2019	11.00am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Johnstone	Chair
Councillor Alexander	
Councillor Baird	
Councillor Cassidy	
Councillor Hardie	
Councillor Munro	
Councillor Russell	
Councillor Lay-Douglas	
Councillor McCall	
Councillor Parry	
Councillor Wallace	
Councillor Winchester	

Also in Attendance:

Kevin Anderson	Acting Director, Resources
Gary Fairley	Head of Finance and Integrated Service Support
Alison White	Head of Adult and Social Care
Joan Tranent	Head of Children's Services
Garry Sheret	Head of Property and Facilities Management
Simon Bain	Housing Services Manager
Mike Broadway	Democratic Services Officer

1 Apologies

Apologies were received from Councillor Smaill.

In the absence of the Chair, Councillor Johnstone was appointed by the Committee and took the Chair.

2 Order of Business

The Clerk advised that a request had been received from Councillor Kelly Parry asking that her formal resignation as Chair of the Performance, Review and Scrutiny Committee be recorded. As the appointment of the Chair was a matter for the membership of the Committee to determine, it was proposed to deal with the filling of the vacant position as a matter of urgency given the importance of the Committee having a Chair, such a course of action receiving the unanimous agreement of the Committee, who thereafter unanimously agreed to appoint Councillor Catherine Johnstone as Chair.

The remaining order of Business was as detailed within the Agenda.

Sederunt:- Councillors McCall and Parry joined the meeting during consideration of the foregoing item of business.

3 Declarations of Interest

No declarations of interest were intimated.

4 Minutes of Previous Meetings

- 4.1 The minute of the meeting of 11 June 2019 was submitted and approved as a correct record.

5 Public Reports

Agenda No	Title	Submitted by:
5.1	Various Inspection Reports submitted to Cabinet	Acting Director, Resources
Outline and summary of item		
<p>The purpose of this report was to bring to the Committee's attention various Inspection reports considered by the Cabinet on 3 September 2019.</p> <p>The Acting Director, Resources presented this report advising the Committee that the following reports were considered by Cabinet on 3 September 2019 and in each case the recommendations as detailed below were agreed:</p> <ul style="list-style-type: none">(i) Inspection of Midlothian Council Cowan Court Extra Care Housing Facility – Report by Joint Director, Health and Social Care.<ul style="list-style-type: none">• <i>To note the content of the report and progress made and pass forward onto PRS.</i>		

- (ii) A Summary of the Care Inspectorate and Education Scotland Inspections of Early Learning and Childcare, November 2018 – June 2019 – Report by Acting Head of Education
 - *Note the content of the summary of the inspection reports*
 - *Congratulate the pupils, parents and staff connected with these reports.*
 - *Pass this report to the Performance, Review and Scrutiny Committee for its consideration.*
- (iii) Further Inspection (Record of Visit ROV) of Hawthornden Primary School - Report by Acting Head of Education
 - *Note the content of the inspection report.*
 - *Congratulate the staff, pupils and parents on the very positive outcome of this further Education Scotland visit.*
 - *Note the key strengths and progress outlined in the report.*
 - *Note the areas for improvement outlined in the report.*
 - *Note that Education Scotland will not return to the school with regard to this particular inspection.*
 - *Pass this report to the Performance, Review and Scrutiny Committee for its consideration.*
- (iv) Midlothian Residential Service for Young People – Report by Head of Children’s Services
 - *Note the content of the report.*
 - *Forward the report to Performance, Review & Scrutiny*
- (v) Education Scotland Inspection Report on the External Review of Training in Modern Apprenticeships in Social Services Children and Young People – Report by Action Head of Education
 - *Note the content of the inspection report which will be part of a national report.*
 - *Pass this report to the Performance, Review and Scrutiny Committee for its consideration; and*
 - *Congratulate the Workforce Development team, SVQ team and LLE on the key strengths and areas for improvement highlighted in the report.*

Decision

The Performance Review and Scrutiny Committee considered each of the Reports and noted the agreed recommendations, adding their congratulations as appropriate.

Agenda No	Title	Submitted by:
5.2	Peer Prevent Review Report	Head of Children's Services
Outline and summary of item		
<p>The purpose of this report was to bring to the Committee's attention to the Prevent Peer Review Report which was considered by Cabinet on 3 September 2019 when the recommendations detailed below were agreed:</p> <ul style="list-style-type: none"> • <i>Consider and note the attached peer review report and action plan.</i> • <i>Thank those who participated in this review.</i> • <i>Pass this report to the Performance Review and Scrutiny Committee.</i> 		
Decision		
<p>The Performance Review and Scrutiny Committee, having heard from the Acting Director, Resources, noted the content of this report.</p>		

Agenda No	Title	Submitted by:
5.3	Adult and Social Care Q1 Performance Report	Head of Adult and Social Care
Outline and summary of item		
<p>The Q1 Performance Report 2019/20 for Adult Social Care was presented by the Head of Adult and Social Care highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p> <p>Thereafter the Head of Adult Services responded to questions and comments raised by the members of the Committee regarding delayed discharges and unscheduled admissions.</p>		
Decision		
<p>The Performance Review and Scrutiny Committee in noting the report congratulated the Services on the new Recovery Hub, No 11, which had opened in June.</p>		

Agenda No	Title	Submitted by:
5.4	Children's Services Q1 Performance Report	Head of Children's Services
Outline and summary of item		
<p>The Quarter 1 Performance Report 2019/20 for Children's Services was presented by the Head of Children's Services highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p>		

Decision
The Performance Review and Scrutiny Committee, having heard from the Head of Children's Services who responded to Members questions, noted the report.

Agenda No	Title	Submitted by:
5.5	Commercial Operations Q1 Performance Report	Acting Director, Resources

Outline and summary of item

The Quarter 1 Performance Report 2019/20 for Commercial Operations was presented by the Acting Director, Resources highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the Report.

Having heard from the Acting Director, Resources who responded to Members questions and comments, the Committee discussed the off target PIs, particularly those relating to income generation and travel costs. Consideration was also given to

- whether the Council was maximising the entrepreneurial opportunities available to it;
- the current position regarding use of weedkillers;
- expanding recycling opportunities, particularly a possible rollout of the very successful re-use cabin;
- price comparison for waste collection services;
- maintenance of the roads network; and
- improving street cleaning as a way of tackling the dirt and soil which encouraged weed growth.

Decision
After further discussion, the Performance Review and Scrutiny Committee noted the report.

Agenda No	Title	Submitted by:
5.6	Communities and Economy Q1 Performance Report	Director Education, Communities and Economy

Outline and summary of item

The Quarter 1 Performance Report 2019/20 for Communities and Economy was presented by the Head of Children's Services highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.

Decision
The Performance Review and Scrutiny Committee noted the report.

Agenda No	Title	Submitted by:
5.7	Customer and Housing Services Q1 Performance Report	Joint Director of Health and Social Care
Outline and summary of item		
<p>The Quarter 1 Performance Report 2019/20 for Customer and Housing Services was presented by the Housing Services Manager highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p> <p>Having heard from the Housing Services Manager who responded to Members questions and comments, the Committee discussed the Housing First Initiative and also the arrangements for the re-letting of void properties. With particular consideration being given to whether there was scope to recycle some of the perfectly serviceable furniture, fixtures and fittings that were currently stripped out of void properties and disposed being retained. It being pointed out that such items might potentially be of value to incoming tenants who might otherwise struggle financially to be able to afford them. The Housing Services Manager advised that this suggestion was perhaps best picked up as part of the current Housing Allocations Policy review.</p>		
Decision		
The Performance Review and Scrutiny Committee noted the report.		

Agenda No	Title	Submitted by:
5.8	Education Q1 Performance Report	Director Education, Communities and Economy
Outline and summary of item		
<p>The Quarter 1 Performance Report 2019/20 for Education was presented by the Head of Children's Services highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p>		
Decision		
Having heard from the Head of Children's Services, the Performance Review and Scrutiny Committee noted the report.		

Agenda No	Title	Submitted by:
5.9	Finance and Integrated Service Support Q1 Performance Report	Head of Finance and Integrated Service Support
Outline and summary of item		
<p>The Quarter 1 Performance Report 2019/20 for Finance and Integrated Service Support was presented by the Head of Finance and Integrated Service Support highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p>		

Decision
The Performance Review and Scrutiny Committee, having heard from the Head of Finance and Integrated Service Support, noted the report.

Agenda No	Title	Submitted by:
5.10	Property and Facilities Management Q1 Performance Report	Head of Property and Facilities Management
Outline and summary of item		
<p>The Quarter 1 Performance Report 2019/20 for Property and Facilities Management was presented by the Head of Property and Facilities Management highlighting the progress in the delivery of strategic outcomes and a summary of the emerging challenges going forward as detailed in the report.</p> <p>Thereafter the Head of Property and Facilities Management responded to questions and comments raised by the members of the Committee regarding progress on a number of projects.</p>		
Decision		
The Performance Review and Scrutiny Committee noted the report.		

Agenda No	Title	Submitted by:
5.11	Midlothian Council Q1 Performance Report	Chief Executive
Outline and summary of item		
<p>The Acting Director, Resources presented the Midlothian Council Quarter 1 Performance report detailing the delivery of Midlothian Council's priorities through the Community Planning Partnership and the Single Midlothian Plan.</p>		
Decision		
The Performance Review and Scrutiny Committee, having heard from the Acting Director, Resources, noted the report.		

6 Private Reports

No private reports were submitted for discussion.

7 Date of Next Meeting

The next meeting will be held on Tuesday 29 October 2019 at 11 am.

The meeting terminated at 12.30 pm

Minute of Meeting



Planning Committee

Date	Time	Venue
19 November 2019	1.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Johnstone	Councillor Lay-Douglas
Councillor McCall	Councillor Muirhead
Councillor Russell	Councillor Smail

In Attendance:

Mary Smith, Director, Education, Communities and Economy	Peter Arnsdorf, Planning Manager
Alan Turpie, Legal Services Manager	Jim Gilfillan, Consultant Policy & Planning, Policy & Road Safety
Gordon Aitken, Democratic Services Officer	

1. Apologies

Apologies for absence were intimated on behalf of Councillors Baird, Milligan, Munro, Parry, Wallace and Winchester.

2. Order of Business

The order of business was as outlined in the agenda.

3. Declarations of interest

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

4. Minutes of Previous Meetings

The Minute of Meeting of 8 October 2019 were submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Presented by:
5.1	Implementing the Planning (Scotland) Act 2019	Peter Arnsdorf
Outline of report and summary of discussion		
<p>There was submitted a report dated 8 November 2019 by the Director, Education, Communities and Economy updating the Committee with regard to; the Government's programme to implement the new planning reforms set out in the Planning (Scotland) Act 2019, and the impact the reforms have on the review of the Midlothian Local Development Plan (MLDP).</p> <p>In terms of the development plan process the key changes included:</p> <ul style="list-style-type: none">• the enhancement of the status of the National Planning Framework(NPF) which now constitutes part of the development plan and, amongst other things, sets the Housing Supply Targets for each authority to be included in their Local Development Plan• the removal of the requirement to prepare Strategic Development Plans and the introduction of Regional Spatial Strategies in their place;• a more prescriptive approach to the form and content of a Local Development Plan, in particular how the plan meets the housing needs of older people and disabled people;• the removal of Supplementary Guidance as part of the development plan; and• the introduction of Local Place Plans to be prepared by communities. <p>Peter Arnsdorf was heard in amplification of the report during which he answered questions from elected Members.</p>		

Decision
<p>(a) To note the contents of the report; and</p> <p>(b) To receive further reports on changes to the Planning System when secondary legislation/regulations are published by the Scottish Government.</p>
Action
Planning Manager

Agenda No	Report Title	Presented by:
5.2	Major Applications: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
Outline of report and summary of discussion		
<p>There was submitted a report dated 8 November 2019 by the Director, Education, Communities and Economy updating the Committee with regard to 'major' planning applications, formal pre-application consultations by prospective applicants, and the expected programme of applications due for reporting to the Committee.</p> <p>The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants were outlined in Appendices A and B attached to the report.</p>		
Decision		
<p>The Committee, having heard from the Planning Manager who responded to Members questions, noted the major planning application proposals which were likely to be considered by the Committee in 2019/20 and the updates for each of the applications.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.3	Appeals and Local Review Body Decisions	Peter Arnsdorf
Outline of report and summary of discussion		
<p>There was submitted a report dated 8 November 2019 by the Director, Education, Communities and Economy informing the Committee of the notices of review determined by the Local Review Body (LRB) at its meeting in October 2019 and advising that there were no appeals determined by Scottish Ministers to report.</p>		
Decision		
<p>The Committee noted the decisions made by the Local Review Body at its meetings on 22 October 2019.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.4	Gorebridge Conservation Area Charter Appraisal and Management Plan	Peter Arnsdorf
Outline of report and summary of discussion		
<p>There was submitted report, dated 8 November 2019, by the Director, Education Communities and Economy seeking agreement to adopt the 'Conservation Area Character Appraisal and Management Plan' (CACAMP) for the Gorebridge Conservation Area, details of which were attached as an Appendix to the report.</p> <p>The report advised that the purpose of conservation area designation and of the appraisal was not to prevent change but to identify the key characteristics of the historic environment and establish a context within which change could continue in a way which enhanced the historic character of the area.</p> <p>Three consultation responses had been received, the details of which were set out within the report along with the proposed Council's response.</p> <p>Peter Arnsdorf was heard in amplification of the report during which he responded to questions from elected Members.</p>		
Decision		
<p>(a) To adopt the Gorebridge Conservation Area Character Appraisal and Management Plan;</p> <p>(b) To authorise the Planning Manager to make any necessary minor editing and design changes to the Gorebridge Conservation Area Character Appraisal and Management Plan prior to publication; and</p> <p>(c) That an update on the overall Conservation Area Appraisals be provided as part of the Minute of this meeting, as detailed in the Appendix attached hereto.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.6	Application for Planning Permission for the Erection of Three Dwellinghouses; Formation of Access and Associated Works at Land Adjacent to 94 Edmonstone Road, Danderhall (19/00648/DPP	Peter Arnsdorf
Outline of report and summary of discussion		
<p>There was submitted report, dated 8 November 2019, by the Director, Education, Communities and Economy concerning the above application.</p> <p>Councillor Curran declared a non-pecuniary interest in this application due to being a member of Danderhall Bowling Club.</p>		

Councillor Curran was then heard providing background information on the facilities and usage of the Bowling Club and the potential issues that may arise if permission was to be granted for this application. Councillor Curran thereafter left the meeting and took no further part in consideration of this application.

The Planning Manager and several Members were then heard in consideration of this application.

Decision

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

The proposed development accords with the Midlothian Local Development Plan 2017. The proposed detailed scheme of development in terms of its layout, form and design is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.

Subject to the conditions as detailed within the report.

Action

Planning Manager

6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting will be held on Tuesday 14 January 2020.

The meeting terminated at 1.20 pm

Appendix

Conservation Area Character Appraisal & Management Plan November 2019

CONSERVATION AREA	APPRAISAL & MANAGEMENT PLAN STATUS
Borthwick & Crichton	Draft prepared 2006/7. Updating required.
Broomieknowe	Draft prepared 2006/7. Updating required.
Carrington	Draft prepared 2006/7. Updating required.
Dalhousie & Cockpen	None
Dalkeith House & Park	Character Appraisal and Management Plan published 2007. Available on website. Updating required as pre-dates TH/CARS
Dewartown	Draft prepared 2006/7. Updating required.
Edgehead	Draft prepared 2006/7. Updating required.
Eskbank & Ironmills	Character Appraisal published 2007. Available on website. Updating required due to 2014 boundary changes.
Fala	Draft prepared 2006/7. Updating required.
Fala Dam	Draft prepared 2006/7. Updating required.
Gorebridge	Character Appraisal & Management Plan adopted November 2019
Howgate	Character Appraisal published 2007. Available on website. Updating required
Lasswade & Kevock	Character Appraisal published 2007. Available on website. Updating required due to 2014 boundary changes.
Mavisbank	Character Appraisal published 2006. Available on website. Updating required due to 2014 boundary changes.
Newbattle	Draft prepared 2006/7. Updating required.
Newlandrig	Draft prepared 2006/7. Updating required.
Newtongrange	Draft prepared 2006/7. Updating required.
Pathhead & Ford	Draft prepared 2006/7. Updating required.
Penicuik	Character Appraisal & Management Plan adopted May 2018
Roslin	Initial draft. Updated draft underway (November 2019)
Temple & Arniston	Draft prepared 2006/7. Updating required.

Minute of Meeting



Cabinet

Date	Time	Venue
26 November 2019	11.00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

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

Religious Representatives:

Mr Vic Bourne	
Mrs Elizabeth Morton	

1 Apologies

Apologies had been received for Councillor Curran.

2 Order of Business

The Order of Business was as detailed within the Agenda circulated:

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minute of the Meeting of the Cabinet held on 3 September 2019 was submitted and approved as a correct record.

5. Reports

Agenda No.	Report Title	Presented by:						
5.1	Update on Midlothian Residential Service Provision	Chief Officer, Children's Services, Partnerships and Communities						
Outline of report and summary of discussion								
<p>The report outlined the staffing and rota changes in response to the redesign of Midlothian Council's residential services for young people. The report also highlights that these changes are in line with the staffing requirements of the Care Inspectorate.</p> <p>The report advised that Midlothian Council undertook a review of Residential Service for young people in 2015 and at that point had a residential unit of 8 beds which were known as Midfield and located in the Lasswade area and a 4 bedded unit in Gorebridge. As a result of that review the Council moved from the idea of Residential Units to more small family friendly houses of 4 beds.</p> <p>Two new residential houses were built in Woodburn and Penicuik to meet the needs of our young people and our total provision in Midlothian was 12 places. A further review of the provision was undertaken and we now have more young people with complex care needs who could not be accommodated within Midlothian due to their disabilities and we have reconfigured our Residential Houses and staffing to meet that need.</p> <p>Following a successful collaboration with the 3rd Sector and the redesign of the current houses, Midlothian Council's residential provision for children and young people was:</p> <table><tr><td>Dalkeith</td><td>5 beds</td></tr><tr><td>Gorebridge</td><td>4 + 1 emergency bed</td></tr><tr><td>Penicuik (Barnados)</td><td>4 beds for complex care</td></tr></table> <p>The report also advised that the opportunity had been taken to commission an external organisation Barnado's to deliver the level of care our children with complex needs required and use Penicuik house for the delivery of this due to it being DDA compliant and on one level.</p>			Dalkeith	5 beds	Gorebridge	4 + 1 emergency bed	Penicuik (Barnados)	4 beds for complex care
Dalkeith	5 beds							
Gorebridge	4 + 1 emergency bed							
Penicuik (Barnados)	4 beds for complex care							

The Chief Officer, Children's Services, Partnerships and Communities was heard in amplification of the report after which she responded to questions from elected Members.

Decision

(a) To note that up to 4 children and young people with complex needs could be accommodated within Penicuik House supported by Barnado's.

(b) To note that the Residential homes in Dalkeith and Gorebridge would provide accommodation for up to ten children who were 'looked after away from home' - this includes the emergency bed.

(c) The staffing structures in the Residential homes had been reconfigured to reflect both the needs of the young people and Care Inspectorate feedback.

Action

Chief Officer, Children's Services, Partnerships and Communities

Agenda No.	Report Title	Presented by:
5.2	Parking Cross-Party Working Group – update and recommendations	Executive Director: Place
Outline of report and summary of discussion		
<p>The report advised that the cross-party working group had been considering proposals to expand parking enforcement to improve access and amenity for all and made recommendations on the three parking related matters listed below:</p> <ul style="list-style-type: none"> • Residential parking in Dalkeith • Workplace parking levy • Possible future parking charges in Midlothian. <p>The Executive Director: Place was heard in amplification of the report after which there was a general discussion on the content of the report.</p>		
Decision		
To continue consideration of this matter in order to hold a Seminar of Midlothian Council to fully explore all options available within this area.		
Action		
Executive Director: Place		

Agenda No	Report Title	Presented by:
5.3	Regional Education Improvement Collaborative: Update on the South East Improvement Collaborative (SEIC).	Chief Officer, Children's Services, Partnerships and Communities
Outline of report and summary of discussion		
<p>The report provided an update on the work of the South East Improvement Collaborative (SEIC) and the engagement of Midlothian practitioners, as a result of the publication of the updated Phase 2 plan in September 2019.</p> <p>The report advised that an increasing number of Midlothian practitioners were involved in the added value that SEIC had brought through collaborative working.</p>		

Many Midlothian schools had established networks through either facilitating or attending SEIC events. Others had made their own connections working collaboratively on an area of improvement.

The progress of improvement within SEIC was being monitored against a set of measures that had been based on the Scottish Government's chosen key measures for closing the attainment gap. These measures had been chosen to identify progress against the National Improvement Framework. SEIC was currently developing a scorecard based on these measures which reflected the local context of the region and aligned with Scottish Government key measures. This scorecard would be used to monitor the implementation of the SEIC 3 year strategic plan moving forward. The Chief Officer, Children's Services, Partnerships and Communities was heard in amplification of the report after which there was a general discussion on this.

Decision

- (a) To note the content of the report;
- (b) To note the progress of the work to date and the next steps;
- (c) To approve the updated version of the SEIC Plan Phase 2.

Agenda No	Report Title	Presented by:
5.4	Adult Social Care Quarter 2 Performance Report 2019/20	Service Manager, Disabilities
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Adult Social Care was submitted. The Service Manager, Disabilities highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.5	Children's Services Quarter 2 Performance Report 2019/20	Chief Officer, Children's Services, Partnerships and Communities
Outline of report and summary of discussion		
The Quarter 2 2019/20 Performance Report for Children's Services was submitted. The Chief Officer, Children's Services, Partnerships and Communities highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report. Thereafter she answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.6	Customer and Housing Services Quarter 2 Performance Report 2019/20	Housing Services Manager
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Customer and Housing Services was submitted. The Housing Services Manager highlighted progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.7	Communities and Economy Quarter 2 Performance Report 2019/20	Director, Education, Communities and Economy
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Communities and Economy was submitted. The Director, Education, Communities and Economy highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.8	Education Q2 Performance Report 2019/20	Director, Education, Communities and Economy
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Education was submitted. The report highlighted the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report.		
Thereafter the Director, Education, Communities and Economy responded to questions and comments raised by members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.9	Commercial Operations Q2 Performance Report 2019/20	Executive Director: Place
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Commercial Operations was submitted. The Executive Director: Place highlighted the progress in the delivery of strategic outcomes and a summary of the emerging challenges as detailed within the report and thereafter answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.10	Finance and Integrated Service Support Quarter 2 Performance Report 2019/20	Executive Director: Place
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Finance and Integrated Service Support was submitted. The Executive Director: Place highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed within the report and thereafter answered questions raised by elected Members.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.11	Property and Facilities Management Quarter 2 Performance Report 2019/2020	Executive Director: Place
Outline of report and summary of discussion		
The Quarter 2 Performance Report 2019/20 for Properties and Facilities Management was submitted. The Executive Director: Place highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Thereafter he responded to questions and comments raised by members of the Cabinet.		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.12	Midlothian Council Quarter 2 Performance Report 2019/20	Chief Executive
Outline of report and summary of discussion		
<p>The Quarter 2 Performance Report 2019/20 for Midlothian Council was submitted detailing the delivery of Midlothian Council's priorities through the Community Planning Partnership and the Single Midlothian Plan. The report highlighted that the 3 top priorities for 2019-22 were:</p> <ul style="list-style-type: none"> • Reducing inequalities in learning outcomes • Reducing inequalities in health outcomes • Reducing inequalities in economic circumstances <p>The Chief Executive was heard in amplification of the report during which she highlighted the 9 Key Drivers for Change as well as the public consultation visionary exercise supporting development of the MTFS which had highlighted the following key priorities for what Midlothian should be like in 2040:</p> <ul style="list-style-type: none"> • A sense of belonging Pride in communities, working in partnership, transparency in decision making and accessibility in service provision. • A balanced infrastructure Manageable housing numbers, vibrant towns, protected green spaces, a clean, carbon neutral environment and improved community transport. • Learning and working together High quality education and training, jobs close to where people live, a main provider of local food production, maximising technological solutions. • Intergenerational opportunities Reimagined older people services, being able to grow old in the one community, with support and good access to health and social care. 		
Decision		
To note the content of the report.		

Agenda No	Report Title	Presented by:
5.13	Balanced Scorecard Indicators – Half Year Report 2019/20	Chief Executive
Outline of report and summary of discussion		
<p>The report was presented using the Balanced Scorecard approach. The four Balanced Scorecard perspectives and key areas of focus were detailed within the report along with the associated key indicators drawn from across the Councils services.</p> <p>The Chief Executive was heard in amplification of the report during which she confirmed that she would arrange to have the details of the Sickness Absence statistics per Service for Q1 2017/18 – Q2 2019/20 circulated to the Members of the Cabinet.</p>		

Decision
<p>(a) That the details of the Sickness Absence statistics per Service for Q1 2017/18 – Q2 2019/20 be circulated to the Members of the Cabinet; and</p> <p>(b) To otherwise note the content of the report.</p>
Action
Chief Executive/Elaine Johnston

Agenda No	Report Title	Presented by:
5.14	Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2018/19	Director, Education, Communities and Economy
Outline of report and summary of discussion		
<p>The purpose of the report was to inform Cabinet of the Council's statement of compliance with Climate Change Duties for 2018/19, a copy of which was available in the CMIS Member's Library and to recommend its submission to Scottish Government by the due date of 29 November 2019.</p> <p>The Director, Education, Communities and Economy was heard in amplification of the report after which she responded to questions from elected Members.</p>		
Decision		
<p>(a) To approve the proposed report as the Council's Report on Compliance with the Public Bodies Climate Change Duties for 2018/19;</p> <p>(b) To agree submission of the report to Scottish Ministers by 29 November 2019; and</p> <p>(c) To refer the report to the Performance Review and Scrutiny Committee for its information.</p>		
Action		
Director, Education, Communities and Economy		

Agenda No	Report Title	Presented by:
5.15	Lothian Joint Health Protection Plan 2018-2020	Director, Education, Communities and Economy
Outline of report and summary of discussion		
<p>The report sought ratification of the Lothian Joint Health Protection Plan (JHPP) for the period 2018/2020. An error in having the finalised report issued to the local authorities had delayed the opportunity for consideration. The Plan was attached as an appendix to the report and the associated detailed reference document had been made available in the CMIS Members' Library.</p> <p>The Director, Education, Communities and Economy was heard in amplification of the report after which she responded to questions from elected Members.</p>		

Decision
(a) To ratify the Lothian Joint Health Protection Plan 2018/20, and
(b) To remit the JHPP to the Chief Executive to sign off.
Action
Director, Education, Communities and Economy/Chief Executive

Exclusion of Members of the Public

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

Agenda No	Report Title	Presented by:
6.1	Minute of Education Appointment Committee of 4 October 2019 – Depute Head Teacher (Curriculum), Lasswade High School	Executive Director: Place
Decision		
Cabinet noted the appointment of A Mitchell as detailed in the report.		

The meeting terminated at 12.45pm.

Minute of Meeting



Audit Committee

Date	Time	Venue
Tuesday 3 December 2019	11.00am	Council Chambers, Midlothian House, Dalkeith, EH22 1DN

Present:

Mike Ramsay (Independent Chair)
Councillor Hardie
Councillor Milligan
Councillor Muirhead
Councillor Smail
Councillor Alexander (Substitute)
Councillor Cassidy (Substitute)

In attendance:

Grace Vickers	Chief Executive
Kevin Anderson	Executive Director Place
Joan Tranent	Chief Officer, Children's Services, Partnerships and Communities
Alison White	Head of Adult Health and Social Care
Gary Fairley	Head of Finance and Integrated Service Support
Alan Turpie	Legal Services Manager/Monitoring Officer
Grace Scanlin	External Auditor, EY
Jill Stacey	Chief Internal Auditor
Chris Lawson	Waste, Risk and Resilience Manager
Janet R Ritchie	Democratic Services Officer

1. Welcome and Apologies

The Chair, Mike Ramsay welcomed everyone to the meeting, following which there was a round of introductions.

Apologies were received from Councillor Baird, Councillor Parry and the Independent Member, Peter de Vink.

2. Order of Business

The order of business was confirmed as that outlined in the agenda with an additional item to be added under A.O.B with regards to the Chair's absence at the January meeting.

3. Declarations of interest

No declarations of interest were received.

4. Minutes of Previous Meetings

- 4.1 The minute of the meeting of 24 June 2019 was submitted and approved as a correct record having been proposed by Councillor Muirhead, seconded by Councillor Hardie.
- 4.2 The Action log was submitted and the following agreed:
- 1) 'Treasury Management Training Session' - This training Session took place on Tuesday 5 November 2019 – closed.
 - 2) 'Report on "Where does a Councillor go if they lose faith in Senior Officers?" – The Legal Services Manager provided an update on this item and after a lengthy discussion it was acknowledged the Chief Executive would follow up with informal discussions with COSLA. It was agreed that this item would now be closed to this committee. – closed.
 - 3) 'Lothian Buses Pension Fund' The Risk Manager advised that after discussion with the Head of Finance and Integrated Service Support it would be included in the Q3 Risk Management update. - closed.
 - 4) Proposed Change to the Scheduled Meeting dates from December 2019 – December 2020 – This was approved at Council on 12 November 2019 – closed.

5. Public Reports

Report No.	Report Title	Presented by:
5.1	Internal Audit Mid-Term Performance Report 2019/20	Jill Stacey, Chief Internal Auditor
Outline of report and summary of discussion		
The Chief Internal Auditor presented this report advising that the purpose of this report was to inform the Audit Committee of the progress Internal Audit has made,		

in the first 6 months of the year to 30 September 2019, towards completing the Internal Audit Annual Plan 2019/20. It also summarises the statutory obligations for Internal Audit and requirements of the Public Sector Internal Audit Standards.

She highlighted that Appendix 1 to this report provides details of the half yearly progress by Internal Audit with its programme of work and explained the impact the fraud investigation had during the first half of the year on staff resources. Details of the most significant variations from the Plan to 30 September 2019 are detailed within the report and the Chief Internal Auditor explained that the remaining planned audit work will require additional Internal Audit resources within this period to deliver the Internal Audit Plan 2019/20 in full.

Decision

The Audit Committee:

- a) Noted the progress Internal Audit has made with activity in the Internal Audit Annual Plan 2019/20 by the mid-year point; and
- b) Acknowledged the additional auditor resources for the second half of the year to enable full delivery of the approved Internal Audit Annual Plan 2019/20.

Report No.	Report Title	Presented by:
5.2	Internal Audit Work to October 2019	Jill Stacey, Chief Internal Auditor
Outline of report and summary of discussion		
<p>The Chief Internal Auditor presented this report advising that the purpose of this report was to provide members of the Audit Committee with details of the recent work carried out by Internal Audit and the findings and recommended audit actions agreed by Management to improve internal controls and governance arrangements.</p> <p>The Chief Internal Auditor highlighted the main sections of the report and updated the Committee on the Final Internal Audit Report on EU Funded Programme Tyne Esk LEADER (arising from the legislative and other compliance audit), including audit objective, findings, audit opinion on the compliance with the Service Level Agreement and the recommendations which are detailed in Appendix 1.</p>		
Decision		
<p>The Audit Committee:</p> <ul style="list-style-type: none"> a) Noted the Final Internal Audit Report issued in the period from 1 September to 1 November 2019 associated with the delivery of the approved Internal Audit Annual Plan 2019/20. b) Noted the Internal Audit Assurance work in progress and Internal Audit Consultancy and Other Work carried out in accordance with the Internal Audit Charter, Strategy and Plan. c) Acknowledged the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work. 		

Report No.	Report Title	Presented by:
5.3	Internal Audit Recommendations Progress Report 2019	Jill Stacey, Chief Internal Auditor
Outline of presentation and summary of discussion		
<p>The Chief Internal Auditor presented this report to the Committee explaining that the purpose of this report was to inform the Audit Committee of the number of recommendations raised by Internal Audit over the last 4 years and the Council's performance in addressing these issues by the agreed implementation dates. The report focusses on actions still open and the Chief Internal Auditor highlighted that this year was very positive in comparison to previous years with 9 actions (2%) which are detailed in Appendix 1 to the report.</p> <p>She further advised that discussion had taken place with regards to the overdue Internal Audit recommendations and the reasons why they were not completed on the original due date and the risk mitigations in place in the interim and in accordance with the new Protocol, revised due dates for completion of these have been proposed by relevant Management, discussed at CMT and agreed by Internal Audit based on the further work required to implement.</p> <p>Thereafter Officers provided assurances when responding to questions and comments raised by members of the Committee with regards to the overdue recommendations. It was also noted that on a request from Councillor Hardie a breakdown of staff debt would be provided as an appendix to the minute.</p>		
Decision		
<p>The Audit Committee:</p> <ul style="list-style-type: none"> a) Acknowledged the progress made by Management in implementing Internal Audit recommendations to improve internal controls and governance, and mitigate risks. b) Noted that Internal Audit will continue to monitor for completion the outstanding recommendations and will provide update reports to the Audit Committee. 		
Action		
Executive Director Place Chief Internal Auditor		

Report No.	Report Title	Presented by:
5.4	Risk Management Q2 Update for 1 July 2019 – 30 September 2019	Chris Lawson, Waste, Risk and Resilience Manager
Outline of presentation and summary of discussion		
<p>The Risk Manager presented a report dated 15 November 2019 providing the Audit Committee with the 2019/20 quarter 2 strategic risk management update, covering the period 1 July 2019 to 30 September 2019. The Audit Committee had previously requested regular reports on the Council's Strategic Risks.</p>		

The Strategic Risk Profile sought to provide a strategic look at the current issues and future risks and opportunities facing the Council.

The Risk Manager highlighted the main sections contained within the report and members of the committee raised questions and comments with regards to the Strategic Risks for the Council summarised in table 2 within the report.

In a response to a questions raised by Councillor Muirhead, Joan Tranent confirmed that within table 2, Scottish Abuse Inquiry and Historic Abuse Claims project were two different things and she provided an explanation on both of these, she also confirmed that he was correct that Historic should be removed from the Abuse Claims project and this would be amended.

In response to questions raised with regards to Climate Change the Risk Manager highlighted that work was underway on the consultation of a new Climate Strategy and this would be presented to Council in due course. The Chief Executive also highlighted that at the Community Planning Partnership development day the key theme was Climate emergency and sustainability and this will also be reported back to Council on how this influences the Single Midlothian Plan in the year ahead.

Decision

Audit Committee noted the quarter 2 2019/20 Strategic Risk Profile report and considered the current response to the issues, risks and opportunities highlighted.

Report No.	Report Title	Presented by:
5.5	Treasury Management Mid-Year Review 2019 – 20	Gary Fairley, Head of Finance and Integrated Service Support
Outline of presentation and summary of discussion		
<p>The Head of Finance and Integrated Service Support presented this report to inform members of the Treasury Management activity undertaken during the first half of 2019/20, an update to the Treasury and Prudential Indicators for 2019/20 and the link across to the Council's Capital Investment Strategy.</p> <p>He then explained that this report ideally should have been presented to the Audit Committee prior to being presented to Council but due to timing of meetings it was presented to Council on 12 November 2019 prior to this meeting. He provided a summary of the contents of the report and highlighted the recommendations in section 9 of the report.</p> <p>Thereafter he responded to questions and comments raised by members of the Committee and confirmed that with regards to the information Councillor Smail had previously requested from Alan George from Link he would follow this up.</p>		

Decision
<p>The Audit Committee;</p> <ul style="list-style-type: none">a) Noted that this report had been presented to Council on 12 November 2019 and that the recommendations contained within the report had been agreed.b) To otherwise note the report.

6. Private Reports

No private reports were submitted.

7. Date of Next Meeting

The next meeting will be held on Tuesday 28 January 2020 at 11 am

A.O.B:

The Independent Chair, Mike Ramsay highlighted to the Audit Committee that he would not be present at the next meeting in January and it was agreed by the Committee to nominate a Chair for this meeting.

Councillor Smaill was nominated by Councillor Hardie and seconded by Councillor Cassidy as Chair for the Audit Committee meeting scheduled for 28 January 2020.

The meeting terminated at 12.15 pm

Appendix to Minute with reference to Item 5.3

Table 1 below summarises the current debt position

Table 1

	No of Employees	Debt currently outstanding (£)
Direct payroll deductions in place	103	£485,863.85
Other payment arrangements in place, including Sherriff Officers	60	£72,861.62
Arrangements yet to be secured	27	£198,330.26
The Total	190	£757,055.73

The original data match in March 2014 identified employee debt at £898,766.66. New start debt checks since then has identified debt for new employees joining the Council of £1,266,316.81. Accordingly the total employee debt identified through the original data match and for new recruits since April 2015 if no action was taken amount to £2,165,083.48

Note that where debt is identified for potential new starts it does not prohibit their recruitment but there is a requirement for a payment arrangement to be put in place before they join the Council. Our employee code of conduct states makes it clear that failure to make and keep to an arrangement for the repayment of monies due to the Council would be considered to be breach of the code and so dealt with as a disciplinary matter.

As table 1 identifies the current debt outstanding stands at £757,055.73 which represents a reduction of £1,408,027.75 or 65% over the period since March 2014. This comes from £846,023.56 collected on mandate and £562,004.19 paid direct to the Council/Sheriff Officer etc

It should be noted that the debts reported includes all debt types, although mainly Council Tax. Analysis highlights that the vast majority of the debt is due by employees who are at the lower end of our pay and grading structure (grade 4 or less) and or part time staff. As such earnings can be too low to attract any or sufficient deductions from an earnings arrestment. When discussing a payment arrangement with a new staff member with an earnings arrestment in place with Walker Love, we would normally cancel it and replace with our own staff mandate.

There are currently 27 cases with an average debt of £7,345.57 where further action is being investigated.

I hope this additional information provides greater clarity on the action which has and continues to be taken in respect of employees who also debtors to the Council. “

