

# Minute of Meeting



## Midlothian Council

Date	Time	Venue
9 May 2023	11.00 am	Council Chambers, Midlothian House

### Present:

Provost McCall (Chair)	Depute Provost Bowen
Councillor Parry – Council Leader	Councillor Cassidy – Depute Council Leader
Councillor Alexander	Councillor Imrie
Councillor Drummond	Councillor McKenzie
Councillor McEwan	Councillor Milligan
Councillor McManus	Councillor Russell
Councillor Pottinger	Councillor Smail
Councillor Scott	Councillor Winchester
Councillor Virgo	

### In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Morag Barrow, Joint Director Health and Social Care	Michelle Strong, Education Chief Operating Officer
Alan Turpie, Monitoring Officer	David Gladwin, Acting Chief Financial Officer (Section 95 Officer)
Joan Tranent, Chief Officer Children's Services, Partnerships and Communities	Saty Kaur, Acting Chief Officer Corporate Solutions
Derek Oliver, Chief Officer Place	

Ross Neill, Democratic Services Team Leader (Minutes)
Hannah Forbes, Assistant Democratic Services Officer
Janet Ritchie, Democratic Services Officer

## Religious Representatives:

Mrs Anne-Marie Lawrie	
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### 1. Welcome and Apology for Absence

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The Provost welcomed everyone to the meeting, advising that this meeting was a public meeting and would be webcast live. Democratic Services confirmed apologies had been received for Councillor Curran and Mrs Elizabeth Morton.

The Provost sent her condolences to his Grace the Duke of Buccleuch on the recent passing of his wife the Duchess of Buccleuch and Queensferry.

The Provost informed the Council of the passing of Peter De Vink who served Midlothian East as Councillor from 2012 to 2017 and expressed condolences to the family at this time.

### 2. Order of Business

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Order of business to include an emergency motion, all other business as per the agenda.

### 3. Declarations of interest

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No declarations of interest.

### 4. Deputations

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None.

### 5. Minutes of Previous Meetings

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Report No.	Report Title	Report by:
5.1	Minute of Council 21 March 2023 for approval	Executive Director Place
Outline of Report and Summary of Discussion		
Moved by Councillor Parry Seconded by Councillor McManus		
Decision		
The Minute was unanimously approved and the Provost was authorised to sign as a true record of the meeting.		
Action		
None		

Report No.	Report Title	Report by:
5.2	Minute Volume Index Midlothian Council 21 March 2023	Executive Director Place
Outline of Report and Summary of Discussion		
Meeting		Date of Meeting
Minute of Business Transformation Steering Group (BTSG)		28 November 2022
Minute of Special BTSG		12 January 2023
Minute of Special BTSG		19 January 2023
Minutes of Special BTSG		9 February 2023
Minute of Special BTSG		14 February 2023
Minute of Special BTSG		21 February 2023
Minute of BTSG		13 March 2023
Minute of General Purposes Committee		7 February 2023
Minute of Local Review Body		6 March 2023
Minute of Performance Review and Scrutiny Committee meeting		12 December 2022
Minute of Planning meeting		28 February 2023
Minutes of the MIJB		09 February 2023
Minutes of the Special MIJB		16 March 2023
Note of Seminar Learning Estate Investment Programme (LEIP)		25 April 2023
Moved Councillor Parry Seconded Councillor McManus		
Decision		
N/a		
Action		
N/a		

Report No.	Report Title	Report by:
5.3	Action Log	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
Action log was agreed by all Councillors		
<b>Decision</b>		
All to note.		
<b>Action</b>		
N/a		

## 6. Questions to the Leader of the Council

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None received

## 7. Notices of Motion

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Report No.	Report Title	Report by:
7.1	Lothian Buses lack of consultation with elected members	Councillor Imrie and Councillor Parry
<b>Outline of Report and Summary of Discussion</b>		
<p>The emergency motion was as follows:</p> <p>Midlothian Council is disappointed that the recently proposed changes announced by Lothian Buses did not allow for any democratic input by elected members. These proposed changes were made without any prior knowledge whatsoever to Councillors, passengers or the general public. It was only by constituents raising their significant concerns with elected members that they became aware of the proposed changes.</p> <p>At a time when there is unprecedented growth within Midlothian this is a lost opportunity to do a root and branch review of the public transport offer within Midlothian, taking account of links to Edinburgh and East Lothian.</p> <p>With both a Scottish Government and Midlothian Council policy which is to encourage people out of cars and onto public transport these changes do absolutely nothing to implement this policy.</p> <p>As the changes to Lothian Buses will have a major effect on the corridor from Rosewell through Bonnyrigg and beyond, Midlothian Council resolves to request an urgent meeting with Lothian Buses to discuss these changes and put forward alternatives that will better serve our communities. This meeting is to consist of the appropriate officers and the six elected members for Midlothian West and Bonnyrigg.</p> <p>Moved by Councillor Imrie. Seconded by Councillor Parry.</p> <p>Members agreed to amend the proposed motion to request Lothian Buses delay the implementation of the new routes until after the meeting has occurred.</p> <p>Members agreed unanimously to support the motion and the amendment as outlined.</p>		
<b>Decision</b>		
Midlothian Council to request an urgent meeting with Lothian Buses representatives to delay implementation of the new routes and to discuss the		

changes and alternatives. The elected members of Midlothian West and Bonnyrigg will be part of the meeting along with appropriate Council officers.

#### Action

Arrange an urgent meeting with Lothian Buses and request a delay in implementing the new routes - Executive Director, Place

## 8. Reports

Report No.	Report Title	Report by:
8.1	Midlothian Integration Joint Board – Appointment of Vice-Chair	Joint Director Health and Social Care
<b>Outline of Report and Summary of Discussion</b>		
<p>This report invites Council to nominate an elected member to act as Vice-Chair of the Midlothian Integration Joint Board (MIJB).</p> <p>Ms Barrow introduced the report and its recommendations to nominate a Vice-Chair and recommend that the nominated individual accede the post of Chairperson in August 2023.</p> <p>Councillor Parry nominated Councillor McManus and agreed the recommendations outlined in the report. Councillor Cassidy seconded.</p> <p>Councillor McManus was confirmed as the Vice-Chair of the MIJB.</p>		
<b>Decision</b>		
<p>Midlothian Council agreed :-</p> <ul style="list-style-type: none"> <li>To appoint Councillor McManus to act as Vice-Chair until the eighth anniversary of the establishment of the Midlothian Integration Joint Board in August 2023;</li> <li>Councillor McManus as the Vice-Chair acceding to the post of Chairperson of the Midlothian Integrated Joint Board in August 2023; and</li> <li>Note the schedule of Board meeting dates for 2023 at Appendix 2.</li> </ul>		
<b>Action</b>		
MIJB to be informed of the appointment – Democratic Services		

Report No.	Report Title	Report by:
8.2	Hybrid meeting protocol – interim arrangements	Executive Director, Place
<b>Outline of Report and Summary of Discussion</b>		
<p>This report outlines the proposed approach to hybrid meetings of Council and its Committees and presents a draft hybrid meeting protocol for approval.</p>		

Ms Kaur spoke to the report and invited questions from members.

Members questioned the requirement for 24 hours' notice to attend remotely, and raised concerns about connectivity and power outages during votes or debates.

Officers confirmed attempts would be made to bring Councillors back into the meeting should connectivity be lost, however meetings require a cut-off point to allow business to continue.

Officers confirmed that in exceptional circumstances less than 24 hours' notice would be accommodated as reasonably practical.

Officers confirmed that this was an interim protocol to be reviewed later in the year once piloted, and the Standing Orders Working Group can review arrangements at regular intervals.

Council voted unanimously to accept the recommendations.

#### Decision

Midlothian Council agreed to:-

- Adopt the draft hybrid meeting protocol on an interim basis until the review of Standing Orders is concluded; and
- Approve the phased implementation plan for hybrid meetings as outlined in sections 3.5 to 3.7.

#### Action

All to note.

Report No.	Report Title	Report by:
8.3	Proposed Revised Schedule of Meeting Dates for January to June 2024	Executive Director, Place
<b>Outline of Report and Summary of Discussion</b>		
<p>Good governance requires that the Council forward plan dates of its governance meetings. The schedule of dates has been developed taking into consideration school holidays and this schedule is now presented to Council for approval.</p> <p>Members requested that the February budget Council to be moved from 20 February 2024 to 27 February 2024.</p> <p>Proposed by Councillor Drummond. Seconded by Councillor Parry.</p> <p>Report and amendment unanimously passed by members.</p>		
<b>Decision</b>		
<p>Midlothian Council agreed to approve the Schedule of Meeting Dates for January to June 2024 as detailed in Appendix B.</p>		

**Action**

February budget Council to be changed to 27 February 2023 – Chief Officer Corporate Solutions (Acting).

Report No.	Report Title	Report by:
8.4	Cost of living crisis - Cost of the school day	Education Chief Operating Officer, Education

**Outline of Report and Summary of Discussion**

This paper outlines the steps that are being taken locally by Midlothian Council and key partners to respond to the Cost of Living Crisis faced by our communities, with a focus on the cost of the school day and in particular school meals.

Council is asked to approve the development of Cost of the School Day Guidance and a School Meal Debt Policy for consideration and approval by Cabinet.

Council is also asked to approve a one-off write-off of school meal debt, currently estimated at circa £32,000, in response to the current Cost of Living Crisis.

Ms Strong spoke to the report highlighting work of the taskforce and child poverty groups.

Members discussed many of the issues facing Midlothian residents including food and fuel poverty. Members felt a seminar focused on the cost of living and, in particular, the cost of a school day would be helpful. It was acknowledged that Midlothian cannot combat poverty on its own, wider changes are required.

Councillor Parry moved the report.  
Councillor Scott seconded.

Councillor Milligan proposed an amendment that includes a seminar to be held on the cost of living/cost of a school day prior to the next meeting of Council on 27 June 2023.

Seconded by Councillor Cassidy.

The recommendations and the amendment were passed unanimously.

**Decision**

Midlothian Council agrees to :-

- Note the ongoing work of the Midlothian Cross Party Cost of Living Task Force, Child Poverty Working Group and the Children, Young People and Partnerships Directorate to tackle child poverty;
- Note that the Child Poverty Action Plan will be presented to September Council for consideration and approval;
- Approve the development of a local authority position and guidance on the cost of the school day and a school meal debt policy for 2023/24 onwards;

- Agree the draft school meal debt policy be presented to Cabinet for consideration and approval; and
- Approve a one-off write-off of school meal debt, currently estimated at circa £32,000, in response to the current Cost of Living Crisis and delegate authority to Executive Director, Place, to apply this as appropriate.

#### Action

Cost of Living/Cost of a school day seminar to be arranged prior to June Council – Executive Director, Children, Young People and Partnerships.

Report No.	Report Title	Report by:
8.5	Community Council Grants 2023-2024	Education Chief Operating Officer, Education
<b>Outline of Report and Summary of Discussion</b>		
<p>The grants scheme for Community Councils is allocated annually basis. Funding of up to £300 is available each year to support administration and general running costs in addition to funding to deliver new projects which benefit local communities. £10,000 is available for period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.</p> <p>This report asks Council to approve the recommendations of the scoring panel for the period 1 April 2023 to 31 March 2024.</p> <p>Ms Strong spoke to the report and invited questions.</p> <p>Councillor McManus moved the report. Councillor Smaill seconded.</p> <p>Unanimously passed by members.</p>		
<b>Decision</b>		
Midlothian Council agrees to approve the allocation of £6,610 for Community Council Grants detailed in Appendix C.		
<b>Action</b>		
None.		

Report No.	Report Title	Report by:
8.6	Midlothian Council Speed Policy Review	Chief Officer, Place
<b>Outline of Report and Summary of Discussion</b>		
<p>The purpose of this report is to advise Council of the speed limits review for 20 mph and 30 mph roads in order to improve road safety.</p> <p>Mr Oliver introduced the report and then invited questions.</p>		



Members welcomed the report and its recommendations.

Councillor Alexander moved the report.

Councillor McKenzie seconded.

Responding to questions Mr Oliver confirmed the recommendations within the report would be implemented imminently. In response to a question from Councillor Milligan that referred to advice provided twelve years earlier he confirmed the recommendations within the report were based on the current advice to make roads safer, and any costs incurred would be closely monitored. Further requests from roads or villages not currently covered would be considered on a street by street basis. A future report on 'Signing and Lining' roads could be brought back to the council if members requested.

Unanimously passed by members.

#### Decision

Midlothian Council agrees to :-

- Approve the development towards implementation of the proposed 20 mph and 30 mph speed limits across Midlothian and the associated action plan; and
- Requests the Chief Officer Place to return to Council with a proposal for roads with other speed limits and an associated action plan for implementation.

#### Action

Return to Council with a proposal for roads with other speed limits and an associated action plan for implementation – Chief Officer Place.

Report No.	Report Title	Report by:
8.7	Rapid Rehousing Transition Plan – Housing First Report	Chief Officer, Place
<p>The purpose of this report is to update Council and outline plans for the delivery of Housing First in Midlothian in 2023/24. The objective of this proposal is to ensure continuity of the service for a further year with a view to incorporating Housing First into a revised tenancy support contract from April 2024.</p> <p>Mr Oliver introduced the report and the recommendations for approval.</p> <p>Responding to questions Mr Oliver confirmed people appear content where they reside, turnaround of void houses is improving and there are reduced waiting times for homeless housing. He added that population growth will continue to add pressure to housing stock. Overall the plan has been very successful.</p>		

Councillor McKenzie moved the report.  
Councillor Scott seconded.

#### Decision

Midlothian Council agreed to :-

- Approve the continuation of Housing First for a fourth year up to 31st March 2024, and
- Approve the proposals for Housing First to be considered as part of the wider Temporary Accommodation and Support Services contract from 1st April 2024.

#### Action

None.

Public section of the meeting concluded at 12.40pm.

## 9. Private

Report No.	Report Title	Report by:
9.1	Health & Safety works at Midlothian House	Executive Director, Place
Outline of Report and Summary of Discussion		
<p>The purpose of the report is to inform Council of the situation arising following failure of building elements of the external façade at Midlothian House and the utilisation of existing resources to cover the current incurred costs and provision for ongoing scaffolding costs.</p> <p>Mr Anderson introduced the report before inviting questions.</p> <p>Responding to various queries Mr Anderson confirmed a further report would be presented to Council in June and will list options for member's consideration. He added that cost can be capitalised as there will be significant improvements to the building, this however would affect the capital plan.</p>		
Decision		
<p>Midlothian Council noted:-</p> <ul style="list-style-type: none"><li>• the requirement for actions taken to date to ensure the safety of public and staff in the environs in and around Midlothian House,</li><li>• the expenditure incurred in relation to the safety works undertaken including ongoing scaffold hire costs, the further opening up investigation works and fees totalling <b>£148,535.17</b> (plus VAT);</li></ul>		

- the appointed contractor will, as part of any subsequent works contract, take over responsibility for the existing scaffold or any changes required to it once the future action is determined,
- an interim report provided on the 27th March recommended further investigation and opening up work to determine the lateral and vertical support in place within the external cladding panels, which were undertaken between the 3rd to 14th April, and
- a further and final report from the structural engineers setting out their findings is expected in May 2023 and this, together with an options appraisal report, is expected to be submitted to Council in June 2023.

#### Action

Report setting out the structural engineers' findings and an options appraisal report to be presented to Council in June 2023 – Executive Director Place

Report No.	Report Title	Report by:
9.2	Midlothian Bereavement Campus including Forensic Pathology Centre	Executive Director, Place
Outline of Report and Summary of Discussion		
<p>This report updates on plans for a crematorium to be located in Midlothian and describes development of a wider Bereavement Campus. The Bereavement Campus seeks to bring together on one site a crematorium, an additional cemetery and a forensic pathology centre including a mortuary.</p> <p>Mr Oliver spoke to the report. He confirmed future reports would be presented covering the Forensic Pathology centre.</p> <p>Responding to questions he advised that it was envisaged one campus would be preferred but it may need to be adapted to two separate campuses.</p> <p>Councillor Parry moved the report. Councillor Cassidy seconded.</p>		
Decision		
<p>Midlothian Council agreed to :-</p> <ul style="list-style-type: none"> <li>• approve council officers to continue to work with interested stakeholders to develop a crematorium in the area over the medium term;</li> <li>• approve council officers continue to work up a business case to develop a Forensic Pathology Centre for east Scotland area with partners such as NHS Lothian, Crown Office and neighbouring local authorities,</li> <li>• the cemetery provision be included as part of the Local Development Plan with a view to reducing the number of active cemeteries as they become full and instead utilising spare capacity in other parts of the local authority area;</li> <li>• note that there is no funding requirement from Council at this stage; and</li> <li>• note the contents of this report.</li> </ul>		

Action
None.

Private section of the meeting concluded 1.05pm.

**Date of Next Meeting**

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The next meeting will be held on Tuesday 27 June 2023 at 11am.