

Minute of Meeting



Midlothian Council

Date	Time	Venue
27 September 2016	2pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

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

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

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

In attendance:

1. Apologies

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

2. Order of Business

- 2.1 The order of business was confirmed as outlined in the agenda that had been circulated with the exception that item 8.15 – Strategic Development Plan for Edinburgh and South East Scotland – Report by Head of Communities and Economy – would be heard after item 8.3.

3. Declarations of interest

- 3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.
3.2 At this point the Provost declared an interest in item 7.1

4. Deputations

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

5. Minutes of Previous Meetings

- 5.1 Prior to the minutes of the previous Council meeting being approved, Councillor Bryant confirmed he had omitted to submit apologies on behalf of Councillor Beattie in respect of this meeting. The minutes of the meeting as amended of Midlothian Council on 16 August 2016 were then submitted and approved as a correct record so moved by Councillor Bryant and seconded by Councillor Constable.
- 5.2 The addendum to the minutes of the meeting of Midlothian Council on 16 August 2016 were submitted and approved as a correct record so moved by Councillor Constable and seconded by Councillor Johnstone.
- 5.3 The minutes of the Cabinet meeting of 31 May 2016 were presented to the Council for noting and consideration of any recommendations therein.
- 5.4 The minutes of the Special Cabinet meeting of 31 May 2016 were presented to the Council for noting and consideration of any recommendations therein.
- 5.5 The minutes of the Performance, Review and Scrutiny meeting of 26 April 2016 were presented to the Council for noting and consideration of any recommendations therein.
- 5.6 The minutes of the Special Performance, Review and Scrutiny (1) meeting of 8 June 2016 were presented to the Council for noting and consideration of any recommendations therein.

- 5.7 The minutes of the Special Performance, Review and Scrutiny (2) meeting of 8 June 2016 were presented to the Council for noting and consideration of any recommendations therein.
- 5.8 The minutes of the Police and Fire and Rescue Board meeting of 24 May 2016 were presented to the Council for noting and consideration of any recommendations therein.

6. Questions to the Leader of the Council

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

Sederunt – The Provost made a personal statement in relation to his comments at the Performance, Review and Scrutiny Committee held on 7 September 2016. Following this the Provost handed the Chair of the meeting to the Depute Provost and left the Chamber.

7. Notices of Motions

Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	Councillor Wallace	Councillor Milligan	Councillor Muirhead

Motion:

At a meeting of the Council's Performance and Scrutiny Committee held on Tuesday 7th September, when discussing a report from the Head of Adult Social Services on a Scottish Government cut to funding for the Mid and East Lothian Drug and Alcohol Project (MELDAP), Councillor Joe Wallace launched an unwarranted and highly inappropriate attack on veterans.

Council believes that this directly contradicts his role as Veteran's Champion which requires the post holder to actively promote the welfare of our veterans and consequently makes his position as Veteran's Champion and indeed Provost completely untenable.

Therefore Council agrees that

- 1 Councillor Wallace is no longer fit to continue in his role as Veteran's Champion and he should resign with immediate effect;*
- 2 His role as Provost, given the ceremonial responsibilities of that post, particularly in relation to armed forces based in Midlothian, is also untenable and he should resign as Provost with immediate effect;*
- 3 If Councillor Wallace fails to acknowledge these points and resign from both roles voluntarily, Council removes him from both posts with immediate effect.*

Summary of discussion

Prior to the debate, the Depute Provost asked the Monitoring Officer to confirm his proposal as to how this item should be handled by the Council in line with the requirements as per the Council's Standing Orders. The Monitoring Officer duly provided his suggestion that the debate for the motion should be taken in its entirety which the voting for each of the component parts of the motion should be voted for separately in the interests of clarity. Further he confirmed that as per the Council's Standing Orders that for parts 1 and 2 of the motion the outcome would be decided by simple majority and in relation to part 3, the motion would be carried if ten Members voted in favour of it. Further he clarified that if parts 1 and 2 were not carried, there would be no need to vote in respect of part 3.

The Depute Provost asked the Chamber whether they were in agreement with this proposal which the Elected Members present confirmed that they were.

The Council then heard from Councillor Milligan who moved the motion and spoke of his reasons for doing so.

The Council then heard from Councillor Muirhead who in seconding the motion also spoke of his reasons for doing so.

The Council then heard from Councillor Johnstone who moved the direct negative of the motion.

Further the Council heard from Councillor Constable who seconded Councillor Johnstone's move of the direct negative of the motion.

Then Councillor then heard from Councillor Baxter who confirmed he would not support the motion moved by Councillor Milligan .

Councillor Milligan then summed up the motion.

Then Council then voted in relation to the motion:

In relation to Part 1, eight Members voted in favour of the motion moved by Councillor Milligan and seconded by Councillor Muirhead and nine voted against.

In relation to Part 2, eight Members voted in favour of the motion moved by Councillor Milligan and seconded by Councillor Muirhead and nine voted against.

The Depute Provost confirmed that as the first two parts to the motion had been defeated there was no requirement to proceed with a vote on the third part. This was confirmed by the Monitoring Officer.

Decision

The Council did not agree to parts 1 and 2 of the motion, therefore the motion was defeated in its entirety.

Sederunt – The Provost returned to the Chamber and assumed the Chair of the meeting.

Motion No.	Motion Title	Proposed by:	Seconded by:
7.2	Aberfan Disaster	Councillor Bennett	Councillor Russell

Motion:

21 October 2016 marks the 50th Anniversary of the Aberfan disaster, which saw 116 children and 28 adults tragically lose their lives when a coal bing collapsed and destroyed houses and the school in the village.

Council agrees to write to the Mayor of Merthyr Tydfyl on behalf of the people of Midlothian, a former mining area, to offer our ongoing condolences and assurance that their grief has not been forgotten.

Summary of discussion

The Council heard from Councillor Bennett who presented and moved the motion which was then seconded by Councillor Russell.

Decision

The Council agreed the motion and agreed to write to the Mayor of Merthyr Tydfyl

Action

Provost

Motion No.	Motion Title	Proposed by:	Seconded by:
7.3	Rio Olympics	Councillor Montgomery	Councillor Imrie

Motion:

Midlothian Council congratulates Team GB on their achievements in the Olympic and Paralympic Games in Rio de Janeiro, with Scotland 's athletes making a major contribution towards the record medal haul including a silver from our own County's Para breast stroke swimmer Scott Quin.

Summary of discussion

The Council heard from Councillor Montgomery who presented and formally move the motion which was then seconded by Councillor Imrie.

Councillor Parry was then heard in support of the motion and moved that the Council write to Scott Quin to congratulate him.

Decision

The Council approved the motion and agreed to write to Scott Quin to congratulate him.

Action

Provost

8. Reports

Agenda No.	Report Title	Presented by:
8.1	Revision of the Council's Standing Orders and associated documents	Director, Resources

Outline of report and summary of discussion

The report was presented by the Director, Resources which presented the Council with proposals for the revision of the Council's Standing Orders and associated documents (Scheme of Administration and Scheme of Delegation) to the Council.

Councillor Johnstone moved that the Council agree the recommendations and welcomed the update of the governance arrangements for the Council.

Councillor Milligan was then heard in agreement of the proposals, but moved that the issue of papers should be no less than five days (proposed Standing Order 7.8) and suggested some further minor amendments should be made to tidy up historical errors in the documents.

Councillor Johnstone accepted Councillor Milligan's suggestion and following this the Monitoring Officer sought clarification that at least ten Members were voting in favour of the revised documents in line with the existing Standing Orders. The Provost clarified that the approval of the Council with Members in the Chamber and the recommendations were thereby approved.

Decision

The Council agreed to:

- a) Approve the revised Standing Orders and associated documents subject to minor amendments;
- b) Instruct the Director, Resources to publish the revised Standing Orders and associated documents; and
- c) Instruct the Director, Resources to bring forward a review of the Council Standing Orders and associated documents to the Council meeting prior to the summer recess on an annual basis.

Action
Director, Resources

Report No.	Report Title	Presented by:
8.2	Local Government Boundary Commission for Scotland Fifth Statutory Review of Electoral Arrangements	Chief Executive

Outline of report and summary of discussion
<p>The Council heard from the Chief Executive who presented the report which sought to inform Members of the final decision made by Scottish Ministers in regard to Midlothian in the Fifth Statutory Review of Electoral Arrangements carried out by the Local Government Boundary Commission for Scotland.</p> <p>Councillor Johnstone moved that the recommendations contained within the report were accepted and this was seconded by Councillor Constable.</p> <p>Councillor Baxter expressed his concern in relation to the basis that the Boundary Commission made their decision citing the balance of voter rolls.</p>

Decision
<p>The Council agreed to:-</p> <p>a) Note the “<i>Local Government Boundary Commission for Scotland Fifth Statutory Review of Electoral Arrangements – Final Recommendations</i>” in respect of Midlothian which have been accepted by Scottish Ministers and which accord with the earlier decision of Midlothian Council made on 12 May 2015</p>

Report No.	Report Title	Presented by:
8.3	Audit Committee Chair’s Annual Report	Director, Resources

Outline of report and summary of discussion
<p>The Council heard from the Director, Resources who presented the Audit Committee Chair’s Annual Report for 2015/16.</p> <p>Councillor Parry moved the recommendations contained in the report which were subsequently agreed by the Council.</p>

Decision
<p>The Council agreed to:</p> <p>a) Note the Annual report of the Independent Chair of the Audit Committee which was approved by the Audit Committee.</p>

Report No.	Report Title	Presented by:
8.3a	Strategic Development Plan for Edinburgh and South East Scotland – Proposed Plan	Head of Communities and Economy

Outline of report and summary of discussion

The Council heard from the Head of Communities and Economy who delivered a report which presented an update on the issues raised by Members following the previous report to Council on 16 August 2016 and subsequent seminar for Members on 30 August 2016. Specifically, the report presented an update on the issues raised in respect of infrastructure to serve and support development in Midlothian.

The Council then heard from Councillor Bryant who was heard in support of ratifying the plan citing that there was no provision for additional new sites in Midlothian in respect of housing and further, ratification would not increase the pressures of infrastructure. Ratification would also incorporate the action programme which would support projects to improve infrastructure across the region. In conclusion the Councillor expressed his concern that delay or non ratification would have significant and adverse consequences.

Councillor Johnstone agreed with Councillor Bryant and suggested that the Council accept the recommendations.

Councillor Milligan was then heard in opposition of the recommendations citing his concerns in relation to healthcare, education provision, transport and infrastructure as key issues that he felt were not resolved within the plan.

Councillor Baxter was heard in support of Councillor Milligan's concerns, re-affirming his position that there was no indication of the long term needs of the infrastructure particularly in relation to heavy and light rail.

Councillor Montgomery asked for clarification in relation to the lifespan of the plan which the Head of Communities and Economy provided. Following this, Councillor Montgomery confirmed his view that he felt that Midlothian was not getting much out of the plan and further expressed his position in relation to the rail link to Penicuik.

Following further debate involving Councillors Muirhead, Johnstone and Rosie the Council then proceeded to a vote in relation to the recommendations.

Councillor Milligan moved that the recommendations were not accepted which was seconded by Councillor Muirhead.

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

Nine Councillors voted against accepting the recommendations and nine Councillors voted in favour of accepting the recommendations. The Provost then cast his second vote in favour of accepting the recommendations which therefore became the decision of the Council.

Decision

The Council agreed:

- a) To ratify the Proposed Strategic Development Plan for Edinburgh and South East Scotland.

Action

Head of Communities and Economy

Report No.	Report Title	Presented by:
8.4	Financial Strategy 2017-18 to 2020-21	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who provided the Council with an update on the Financial Strategy encompassing the years 2017/18 to 2021/22 which included:

- An update on future years Scottish Government Grant prospects;
- Updated budget projections rolled forward for 2017/18 to 2021/22;
- A sensitivity analysis reflecting the potential impact of different scenarios;
- An update on the existing and proposed change programmes aimed at addressing the projected budget shortfalls;
- An update on reserves.

Councillor Parry moved that the recommendations were approved by Council and following a short and at times heated discussion involving Councillors Milligan, Parry, Muirhead and Coventry, the Council agreed the recommendations within the report.

Decision

The Council agreed to:

- a) Note the update in respect of the Scottish Government Grant Settlement as set out in section 2;
- b) Note the implication associated with the Council Tax reforms and the gap that will exist between revenues generated in the County and resources provided to Midlothian Schools;
- c) Note the updated projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 and continue to endorse the key assumptions on which the budget projections are based;
- d) Note the uncertainties and the potential impact of differing scenarios as set out in section 6;

- e) Note the role the current and developing strands of the Change Programme and relevant impact on the Financial Strategy as set out in tables 6 and 7;
- f) Note that the strands of the Change Programme will provide the means to identify options to address projected budget shortfalls;
- g) Note that the updated projections at this time indicate that a budget gap of £5.867 million for 2017/18 rising to £ 31.712 million by 2021/22, though these are heavily dependent on the assumptions detailed in the report;
- h) Otherwise note the contents of the report.

Action
Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.5	Reserves Strategy	Head of Finance and Integrated Service Support

Outline of report and summary of discussion
<p>The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to update the Council on the useable reserves and set out a Reserves Strategy for the Council's consideration.</p> <p>Councillor Parry moved the recommendations with the following addendum:</p> <p><i>'(e) In respect of recommendations (a) and (b), the Council reserves the right to revisit these again during the 2017/18 budget setting cycle given the continued uncertainty in respect of the grant settlement from Government; and</i></p> <p><i>(f) Otherwise note the Reserves Strategy set out in the report.'</i></p> <p>Councillor Johnstone seconded the recommendations as amended by Councillor Parry.</p> <p>Councillor Milligan then moved that the recommendations as tabled in the report should be accepted which was seconded by Councillor Baxter.</p> <p>There followed a short discussion in relation to the Financial Strategy following which there followed a vote in relation to the recommendations.</p> <p>Nine Members voted in favour of the recommendations as contained in the report and Nine voted in favour of the recommendations as amended by Councillor Parry and seconded by Councillor Johnstone. The Provost cast his second vote in favour of the recommendations as amended by Councillor Parry and seconded by Councillor Johnstone which then became the decision of the Council.</p>

Decision

The Council agreed to:

- a) Retain the General Fund contingency level at £8.000 million which is approximately 4% of net expenditure;
- b) Earmark a total of £4.000 million to support change, which will incorporate the current sums set aside for Council Transformation;
- c) Note that subject to recommendations (a) and (b) £2.783 million of General Fund Reserves would be available to utilise;
- d) Maintain the current arrangements for capital receipts and the Capital Fund;
- e) In respect of recommendations (a) and (b), the Council reserves the right to revisit these again during the 2017/18 budget setting cycle given the continued uncertainty in respect of the grant settlement from Government; and
- f) Otherwise note the Reserves Strategy set out in the report.

Action

Head of Finance and Integrated Service Support

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

Outline of report and summary of discussion

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

Councillor Parry moved that the recommendations were approved by the Council, following which the Council agreed to approve the recommendations.

Decision

The Council agreed to:

- a) Note the content of the report

Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.7	General Services Capital Plan 2016-17 to 2020-21	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

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

- An update of the General Services Capital Plan incorporating the rephasing of projects from the 2015/16 outturn position and new projects approved since the previous report to Council on 08 March 2016;
- Information on further additions to the Capital Plan for approval;
- Information on the projected performance of the General Services Capital Plan against budget for 2016/17;
- Forecast expenditure and income for the General Services Capital Plan for 2016/17 through to 2021/22.

Councillor Parry then moved that the recommendations contained within the report were approved following which the Council agreed to approve the recommendations.

Decision

The Council agreed to:

- Note the General Services Capital Plan Quarter 1 monitoring position for 2016/17;
- Approve the projects as outlined in Section 2.3 to be added to the General Services Capital Plan;
- Approve the allocated expenditure and funding in the General Services Capital Plan 2016/17 to 2021/22 (as shown in appendices 2 and 3);
- Note that based on the current forecasts and provisional sums, that the level of debt outstanding is forecast to be £124.000 million at 31 March 2022;
- Note that the capital receipts associated with the EWIM Phase 3 project shall be credited to the Capital Fund and therefore a technical adjustment is required to amend the cap on the level of debt outstanding to £124.000 million (from £114.000 million).

Action

Head of Finance and Integrated Service Support

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

Outline of report and summary of discussion

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

- An update on the Housing Revenue Account (HRA) Capital Plan and Revenue Budget for 2016/17 – 2021/22;
- An update on the projected outturn against budget for 2016/17.

Councillor Parry moved the recommendations were approved following which the Council agreed to move the recommendations.

Decision

The Council agreed to:

- Approve the revised HRA Capital Plan for 2016/17 to 2021/22 as detailed in Appendix 1;
- Approve the revised HRA Revenue Budget for 2016/17 and note the Indicative Revenue Budget for 2017/18 to 2021/22 as detailed in Appendix 2;
- Note the Projected Outturn against revised Budget for The HRA Revenue Account and Capital Plan for 2016/17.

Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.9	Midlothian Integration Joint Board – Financial Assurance Update	Head of Finance and Integrated Service Support

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided the Council with a final update on the financial assurance work carried out in relation to the delegation of resources to the Integration Joint Board from 1 April 2016..

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

Decision

The Council agreed to:

- a) Note this final update on the financial assurance process in relation to the delegation of financial resources to Midlothian Integration Joint Board; and
- b) Note that ongoing work on financial assurance will be subsumed as business as usual within the Financial Services team.

Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.10	Borders Rail Update - Maximising Economic Benefit in Midlothian.	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who provided the Council with an update on the Borders Railway in relation to maximising the economic benefit within Midlothian. Further the Chief Executive sought approval for additional funding to support a range of projects which can directly contribute to maximising the long-term economic benefits of the railway to Midlothian.

Following commentary in relation to strategic significance of the railway and the development of the current service, Councillor Bryant then moved that the Council accept the recommendations contained within the report.

Councillor Imrie subsequently sought clarification in relation to whether communities not immediately alongside the railway could apply for grants from the Blueprint Leadership Group to support them realise the benefit of the railway. Further Councillor Imrie confirmed his concerns in relation to the number of carriages on the railway and, including the proposals to increase this, expressed his belief that this wouldn't be sufficient to support the demand for the service. Further Councillor Imrie confirmed his disappointment in relation to the failure of the Midlothian Explorer Tourist Bus. In conclusion, Councillor Imrie moved that the Chief Executive and the Leader of the Council approach Abellio and articulate the rationale for more carriages on the line and the possibility of increasing the number of trains on the service.

In response the Chief Executive confirmed that the projects that are being developed to benefit from the Blueprint Fund will specifically focus on communities close to line. In relation to the issue of passenger numbers, the Chief Executive confirmed that it was his intention to maintain the pressure on Scotrail and in relation to the Tourist Bus the Chief Executive confirmed that lessons need to be learned.

The Council then heard from Councillor Milligan who spoke in relation to his disappointment in respect of the Tourist Bus and his view that the money could have been better spent to support communities. Further Councillor Milligan

expressed his concern in relation to the proposed increase of carriages as not being sufficient to support the demand. In conclusion Councillor Milligan expressed his view that the implementation of the railway had been a success and was to be welcomed, despite the various performance issues.

Councillor Coventry was then heard in support of the benefits of the Waverley Line specifically in relation to positive destinations and supporting young people to attend college. Coupled with this Councillor Coventry confirmed his view that the railway benefits all the communities in Midlothian.

Following input from Councillor Rosie in relation to the Tourist Bus, the Council agreed the recommendations contained within the report including the Chief Executive's commitment to maintain the dialogue with Abellio in relation to the rail service.

Decision

The Council agreed to:

- a) Note progress in seeking to maximise the economic benefits of the Borders Railway;
- b) Note the commitment from Abellio/Scotrail to address current operational matters in the running of the rail service;
- c) Approve a supplementary estimate from the available General Fund Reserve of £200,000 as the Council's contribution to master planning work in Midlothian (£150,000) and to provide revenue funding in respect of ongoing project development work (£50,000);
- d) Approve the allocation of a provisional budget of £250,000 in the General Services Capital Plan to provide the Council's funding contribution to other Borders Railway related economic development projects; and
- e) Require regular reports on progress with the operation of the Borders Railway and the related projects.

Action

Chief Executive

Director, Resources

Sederunt – At this point the Provost called a ten minute recess

Report No.	Report Title	Presented by:
8.11	Lothian Buses – CEC dividend request - update	Head of Commercial Operations

Outline of report and summary of discussion

The Council heard from the Head of Commercial Operations who provided the Council with an update on the discussions held with City of Edinburgh Council, East and West Lothian Councils and Lothian Buses following the Council meeting on Tuesday 22 March 2016.

Councillor Johnstone was then heard proposing that the recommendations were accepted.

Councillor Rosie sought clarification in relation to the next meeting of Lothian Buses which the Head of Commercial Operations provided.

Councillor Imrie was then heard expressing his concern in relation to the future of Lothian Buses. Further he suggested that the Council should make representation to the Lothian Buses Board to explain our concern in relation to the service.

Following further input from Councillors Constable, Milligan, Rosie and Baxter, the Council resolved to agree the recommendations contained within the report.

Decision

The Council agreed to:

- a) Note the discussions that have taken place to date;
- b) Note the comments from both Lothian Buses and City of Edinburgh Council that meeting City of Edinburgh Council's request for an extraordinary dividend could only happen if it did not affect the operation of Lothian Buses; and
- c) Agree that the Director Resources will provide a further update report when information is available.

Action

Head of Commercial Operations

Report No.	Report Title	Presented by:
8.12	2016-17 Pre winter update	Head of Commercial Operations

Outline of report and summary of discussion

The Council heard from the Head of Commercial Operations who provided the Council with an update on the plans in place for the forthcoming winter season and advises of the financial implications of providing the current level of service.

In moving that the Council approve the recommendations, Councillor Rosie expressed his view that residents should support each other during the winter months.

Councillor Imrie expressed the need for collaboration and consultation with communities and confirmed the need for this policy be circulated within communities with a view to seeking feedback. This was seconded by Councillor Young.

Following contributions from Councillors Montgomery, Pottinger and Constable, the Head of Commercial Operations confirmed that the documents that had been circulated were 'living' documents and were subject to change by Elected

Members and Communities and as such was a under continual review. Further the Head of Commercial Operations offered to write to the Midlothian communities to confirm the winter priorities.

Councillor de Vink wished to congratulate the Head of Commercial Operations for the work that his team do over the winter months to ensure the communities in Midlothian continue to be accessible and re-iterated the need for communities to work together in adverse weather conditions.

Councillor Rosie moved that the recommendations were accepted with the proviso that the Head of Commercial Operations write to the communities in Midlothian to confirm the winter priorities which the Council agreed.

Decision

The Council agreed to:

- a) Adopt and publish the Winter Service Policy and Operational Plan for the 2016/17 winter season; and
- b) The Head of Commercial Operations to write to the Midlothian Communities to confirm the winter priorities.

Action

Head of Commercial Operations

Sederunt – Councillor Beattie left the chamber at 4.45pm

Report No.	Report Title	Presented by:
8.13	Update on the Implementation of Self Directed Support in Midlothian	Joint Director, Health and Social Care

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who provided the Council with an update on the progress made with the implementation of Self Directed Support (SDS) in Midlothian.

Councillor Johnstone was heard in support of the recommendations which were seconded by Councillor Constable.

Decision

The Council agreed to:

- a) Note the progress being made with the implementation of Self Directed Support in Midlothian

Report No.	Report Title	Presented by:
8.14	New Social Housing – Progress Report – Phase 2 and Phase 3	Head of Property and Facilities Management

Outline of report and summary of discussion

The Council heard from the Head of Property and Facilities Management who following the last update report to Cabinet on 23 August 2016, described to Council in more detail the way forward for the Council House Building Programme Phase 2 and outlines new proposals for Phase 3.

Councillor Parry was heard in support of the development proposals and moved that the recommendations were accepted which was seconded by Councillor Rosie.

Councillor Muirhead asked for clarification in relation to the Newbyres Crescent development which the Head of Property and Facilities Management confirmed was part of the phase 2 development programme.

Councillor Russell expressed concern in relation to the number of houses proposed on the site of the old Dalkeith High School and requested that this was revisited. The Head of Property and Facilities Management confirmed that this did not represent the total number of homes to be built on this site and would be developed further in phase 3.

Following further questions and discussion involving Councillors Montgomery, Bennett, Baxter and de Vink and responses from the Head of Property and Facilities Management, the Head of Communities and Economy, and the Group Manager Housing Strategy and Performance the Council agreed the proposals.

Decision

The Council agreed to:

- a) Agree to the extension to the Phase 2 Framework;
- b) Agree to the anticipated timeframes as set out in section 3.2;
- c) Approve progress of site investigative works and surveys;
- d) Authorise the Director to review the list of preferred sites should there be any restrictions which impact the effectiveness of any of the initial listed sites for development; and
- e) Approve the proposed procurement arrangements as set out in the report.

Action

Head of Property and Facilities Management

Report No.	Report Title	Presented by:
8.16	Scottish Child Abuse Inquiry	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who provided an update on the progress made by Midlothian Council in preparing for the Scottish Child Abuse Inquiry and to raise awareness of the financial impact of the Proposed Draft (Limitation (Childhood Abuse) (Scotland) Bill.

Councillor Constable moved that the recommendations were accepted and this was agreed by Councillor Johnstone.

Decision

The Council agreed to:

- a) Note the significant work already carried out in Midlothian;
- b) Note the future need for additional resources; legal advice; administrative duties; compensation claims; media management; victim witnesses supports, all of which are unknown at this stage; and
- c) Note that members of the Project Team will continue to engage with the appropriate national and local forums.

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.17	Proposed Development of a Play Strategy for Midlothian	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who provided an update on the progress of developing a Play Strategy for Midlothian and to agree to the Play Strategy being produced.

Councillor Constable moved that the recommendations were accepted along with proposing that Councillor Johnstone accept the position of Play Champion.

The Council then heard from Rev. Ruth Halley who confirmed that the General Assembly of the Church of Scotland had instructed its Education Committee to encourage Local Authorities to consider how schools could be used as a community resource. The Church of Scotland is mindful of the contribution of the Church facilities within the Community. In conclusion Rev. Ruth Halley commended the Council for its approach in relation to a Play Strategy.

Councillor Rosie seconded Councillor Constable's proposals and Councillor Coventry commented on the excellent briefing for Members in respect of the Play Strategy.

Following this, the Council agreed to the recommendations and the nomination of Councillor Johnstone as the Play Champion.

Decision

The Council agreed to:

- (a) Note the content of this report;
- (b) Agree in principle contents of the Midlothian Play Strategy and Action Plan;
- (c) Agree the monitoring and reporting structure for the Play Strategy and Action Plan; and
- (d) Councillor Johnstone to assume the role of Play Champion.

Action

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
8.18	Additional Essential Works at Pentland House Penicuik	Group Manager Housing Strategy and Performance

Outline of report and summary of discussion

The Council heard from the Group Manager Housing Strategy and Performance who presented a report which sought to inform the Council of unforeseen essential works required to be carried out as part of the current refurbishment project at Pentland House, Penicuik. Further the report advised on the technical and financial implications of the proposed works including additional resources and materials required and details the anticipated time scales.

Councillor moved that the recommendations were accepted which was seconded by Councillor Rosie.

Following a brief question and answer session, the Council resolved to approve the recommendations.

Decision

The Council agreed to:

- (a) Approve Option 3 within the report as the most effective and best safeguard to address the issues detailed in the report.

Action

Group Manager Housing Strategy and Performance

Report No.	Report Title	Presented by:
8.19	Consultation on a Child Poverty Bill for Scotland	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report to inform the Council of the Scottish Government's Consultation on a Child Poverty Bill for Scotland and seek approval for the Council's response.

Councillor Constable was heard in support of the recommendations which were seconded by Councillor Johnstone.

Decision

The Council agreed to:

- a) Welcomes the Scottish Government's proposals to develop a Child Poverty Bill for Scotland; and

- | |
|---|
| b) Approves the Councils response to the Child Poverty Bill for Scotland, as set out at Appendix 1 of the report. |
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Action
Director, Education, Communities and Economy