

Midlothian Council Minute Volume



**Presented to the Meeting
of Midlothian Council
on Tuesday, 09 May 2023**

1 Minutes of Meetings submitted for Approval

N/A

2 Minutes of Meetings submitted for Consideration

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

Minute of 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 21 February 2023

Minute of Special BTSG 14 February 2023

Minute of BTSG 13 March 2023

Minute of General Purposes Committee 7 February 2023 5 - 6

Minute of Local Review Body of 6 March 2023 7 - 12

Minute of Performance Review and Scutiny Committee meeting of 12 December 2022 13 - 18

Minute of Planning meeting of 28 February 2023 19 - 30

3 Minutes of Meetings submitted for Information

Approved Minutes of Outside Organisations to which Council appoints representatives

Minutes of the MIJB held on 09 February 2023 31 - 40

Minutes of the Special MIJB held on 16 March 2023 41 - 46

Seminars

Minute of Meeting



General Purposes Committee

Date	Time	Venue
7 February 2023	10.00 pm	Virtual via MS Teams

Present:

Councillor Virgo (Chair)	Councillor Alexander
Councillor Bowen	Councillor Drummond
Councillor Imrie	Councillor McKenzie
Councillor McEwan	Councillor Parry
Councillor McCall	Councillor Russell
Councillor McManus	Councillor Curran
Councillor Pottinger	Councillor Smaill
Councillor Winchester	

In attendance:

Alan Turpie, Legal and Governance Manager / Monitoring Officer
Julie Jessop, Service Manager – Health & Social Care (Acting)
Moirra Cartwright, Manager Public Health & Environmental Protection
Derek Oliver, Chief Officer Place
Ross Neill, Democratic Services Team Leader

1. Welcome and apologies

Councillor Virgo welcomed all to the meeting

An apology for absence was intimated on behalf of Councillors Milligan

2. Order of Business

The order of business was as set out on the agenda Declarations of interest

Declaration of interest was submitted by Councillor McCall in relation to item 5.1

3. Minute of Previous Meeting

The Minute of Meeting of 30 August 2022 was submitted was unanimously approved as a correct record.

4. Public Reports

No Items for discussion

Exclusion of Members of the Public

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

- 5.1 Landlord Registration Application Report by Team Manager Public Health and Environmental Protection

Meeting concluded at 10.40am

Minute of Meeting

Local Review Body
Tuesday 17 April 2023
Item No 4.1



Local Review Body

Date	Time	Venue
Monday 6 March 2023	1.00pm	Council Chambers

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Drummond	Councillor McEwan
Councillor McManus	

In Attendance:

Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Janet Ritchie	Democratic Services Officer

1 Welcome, Introductions and Apologies

Apologies for absence were received from Councillor Virgo, Councillor Milligan and Councillor Smail

2 Order of Business

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

3 Declarations of interest

No declaration of interests were received

4 Minute of Previous Meeting

The Minute of the Meeting of 23 January 2023 was submitted and approved as correct record, moved by Councillor McEwan, seconded by Councillor McManus.

5 Reports

Notice of Reviews – Determination Reports by Chief Officer Place

Agenda No	Report Title	Presented by:
5.1	Land at 2 Finlay Place, Mayfield (22/00481/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the change of use from public open space to private garden ground at land at 2 Finlay Place, Mayfield.</p> <p>Planning application 22/00481/DPP for the change of use for the land at 2 Finlay Place, Mayfield was refused planning permission on 24 August 2022; a copy of the decision is attached to this report.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided. He also provided clarity that the ownership of the land is independent from the planning permission and the Local Review Body is only considering the change of use from public open space to a private garden.</p> <p>The Local Review Body in discussing the proposed development and the reasons for its refusal, gave careful consideration to the impact on the area with the loss of open space. The Planning, Sustainable Growth and Investment Manager in responding to a comment confirmed that if planning permission was granted it would give the owner some rights but also highlighted that some developments could trigger the need for another planning application.</p>		

Councillor Cassidy, seconded by Councillor Alexander moved to uphold the review request and grant planning permission.

Decision

The Local Review Body agreed to uphold the review request and to grant planning permission for the change of use from public open space to private garden ground for the following reason:

The proposed change of use would not result in the unacceptable loss of open space and that it would not have a detrimental impact on the setting and character of the local residential area.

Subject to the condition as detailed in the report.

Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.2	40-42 Hamilton Crescent, Newtongrange (22/00720/DPP	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the erection of an extension at first floor level to form three flatted dwellings above existing shop and associated works at 40-42 Hamilton Crescent, Newtongrange.</p> <p>The planning application 22/00720/DPP for the proposed development and associated works at 40-42 Hamilton Crescent, Newtongrange was refused planning permission on 2 December 2022; a copy of the decision is attached to this report.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided.</p> <p>The Local Review Body in discussing the proposed development and the reasons for its refusal, gave careful consideration to the parking, garden space and the impact on the surrounding properties.</p> <p>Councillor Cassidy, seconded by Councillor Alexander moved to uphold the review request and grant planning permission.</p>		
Decision		
<p>The Local Review Body agreed to uphold the review request and to grant planning permission for the following reasons:</p>		

The proposed development would not have an unacceptable adverse impact on the residential surrounding properties and their associated garden grounds and did not agree that parking would be an issue.

Subject to the condition as detailed in the report with an additional condition that the owner is approached to secure a further piece of green space as part of the application.

Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.3	124 Main Street, Pathhead (22/00702/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for: the erection of two storey extension to dwelling house; extension to dwelling house at first floor level; infill of window openings; installation of roof lights; and replacement door and windows at 124 Main Street, Pathhead.</p> <p>Planning application 22/00702/DPP for the proposed developments at 124 Main Street, Pathhead was refused planning permission on 16 November 2022; a copy of the decision is attached to this report.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided</p> <p>The Local Review Body in discussing the proposed development and the reasons for its refusal, discussed the proposed improvements to the rear of this property and agreed this was a positive development.</p> <p>Councillor McEwan, seconded by Councillor McManus moved to uphold the Appeal and grant planning permission.</p>		
Decision		
<p>The Local Review Body agreed to uphold the review request and grant planning permission for the following reasons:</p> <p style="padding-left: 40px;">This development was to the rear of the property and did not agree it would have an impact on the character and appearance of the area and felt that the plans put forward were of a high standard.</p> <p>Subject to the conditions as set out in the report.</p>		
Action		
Planning, Sustainable Growth and Investment Manager		

6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting is scheduled for Monday 17 April 2023 at 1 pm

The meeting terminated at 13.23 pm

Minute of Meeting

Performance Review and Scrutiny Committee
Tuesday 14 March 2023
Item No: 4.1



Performance Review and Scrutiny

Date	Time	Venue
Tuesday 12 December 2022	11.00 am	Council Chambers, Midlothian House

Present:

Councillor Milligan (Chair)	Councillor Drummond
Councillor McCall	Councillor McEwan
Councillor McManus	Councillor Pottinger
Councillor Russell	Councillor Winchester

In attendance:

Kevin Anderson	Executive Director Place
Fiona Robertson	Executive Director Children, Young People and Partnerships
Derek Oliver	Chief Officer Place
Saty Kaur	Chief Officer Corporate Solutions (Acting)
Nick Clater	Head of Adult and Social Care Services
Janet Ritchie	Democratic Services Officer
Andrew Henderson	Democratic Services Officer

1 Welcome, Introductions and Apologies

Apologies for absence were received on behalf of Councillor Curran, Councillor Smaill, Councillor Virgo and the Chief Executive.

2 Order of Business

The Order of Business was as detailed in the Agenda.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

- 4.1 The Minute of the Meeting of the Performance Review and Scrutiny Committee held on the 20 September was submitted and approved as correct record.
- 4.2 The Action Log of the meeting of Performance Review and Scrutiny Committee held on the 20 September was submitted and noted.

5. Reports

Agenda No.	Report Title	Presented by:
5.1	Inspection of Newbyres Village Care Home	Head of Adult and Social Services
Outline of report and summary of discussion		
<p>A Report dated 9 November 2022 was submitted to provide an overview of the recent unannounced Care Inspectorate visit for Newbyres Village Care Home.</p> <p>The Head of Adult and Social Services highlighted the main sections contained within the report in particular with regards to the inspection graded areas and the key messages from the report. He further advised that this was the 6th inspection in the last two years and following a recent visit the Care Inspectorate advised that they were pleased with the progress made and indicated they would be returning either before or after the New Year.</p> <p>Thereafter in response to questions and comments raised by Elected Members the Adult Health and Social Care provided clarity on the expected ratings and that they would expect sustained improvements with each report but highlighted some of the challenges that may have an impact on that. Reference was also made to agency staff and changes in management and the Head of Adult Health and Social Care advised they now had a sustainable management team with a new Service Manager in place but he also confirmed that they do rely on agency staff and that older people services overall struggle to retain permanent staff. In responding to another question he provided clarity on the system for dispensing of medication and the reasons how errors occur, which can be due to the quality of recording, different medication given at different times of the day and medication which is very</p>		

similar in name. All these errors are taken very seriously and training and procedures are put in place to ensure this does not continue to occur.

The Chair highlighted that in the past Inspection reports had a history of previous inspections and this was useful for Elected Members to see any progress made and asked that for future reports include this.

Decision

The Performance Review and Scrutiny Committee noted the report and agreed that future Inspection Reports would include a history of any previous inspections.

Action

Joint Director Health and Social Care Partnership

Agenda No.	Report Title	Presented by:
5.2	Adult Health and Social Care Q2 Performance Report 2022/23	Head of Adult and Social Care Services
Outline of report and summary of discussion		
<p>The Head of Adult Health and Social Care provided an overview of the Q2 Performance Report 2022/23 highlighting the progress in the delivery of the strategic outcomes and provided a summary of the emerging challenges as contained within the report and thereafter responded to questions and comments raised by Elected Members.</p> <p>The Head of Adult Health and Social Care confirmed that CAMHS is not delegated to Health and Social Care therefore he could not provide accurate figures on the waiting list but did comment that the waiting times remain relatively high. With regards to the number of people who have access to Buvidal, he advised that the figures were small but he would confirm the numbers for Midlothian. He then provided clarity regarding Mental Health beds and the systems in place to manage this but with the pause in the primary care funding this was a concern, he also highlighted some of the additional pressures on this service which is very challenging. He further provided some clarity on the OT targets which are set internally and confirmed that the targets are moving in the right direction. With regards to a question regarding Naloxone training he advised on the number of staff to be trained on this and that this would continue to be rolled out throughout 2023. He also advised on the publicity and the different trends and he would provide further details on this.</p>		
Decision		
<ul style="list-style-type: none"> a) The Head of Adult Health and Social Care Services to provide an update on the number of people who have access to Buvidal in Midlothian. b) The Head of Adult Health and Social Care Services to include further details on the publicity and the different trends in relation to drugs. c) To otherwise note the contents of the report. 		
Action		
The Head of Adult Health and Social Care Services		

Agenda No.	Report Title	Presented by:
5.3	Children Services, Partnerships and Communities Q2 Performance Report 2022/23	Executive Director Children, Young People and Partnerships
Outline of report and summary of discussion		
<p>The Executive Director Children, Young People and Partnerships provided an overview of the Q2 Performance Report 2022/23 highlighting the progress in the delivery of the strategic outcomes and provided a summary of the emerging challenges as contained within the report and thereafter responded to questions and comments raised by Elected Members.</p> <p>The Executive Director confirmed that the funding for the Mental Health Service for Children and Young People was not postponed.</p>		
Decision		
To note the contents of the report.		

Agenda No.	Report Title	Presented by:
5.4	Corporate Solutions Q2 Performance Report 2022/23	Chief Officer Corporate Solutions (Acting)
Outline of report and summary of discussion		
<p>The Chief Officer Corporate Solutions (Acting) provided an overview of the Q2 Performance Report 2022/23 highlighting the progress in the delivery of the strategic outcomes and provided a summary of the emerging challenges as contained within the report and thereafter responded to questions and comments raised by Elected Members.</p> <p>The Acting Chief Officer provided clarity on the phone staff in the Contact centre and how the online services will assist in improving this service. The Executive Director Place in responding to a question regarding Scottish Welfare Fund and Self Isolation Grants and the number of successful applicants provided an update regarding the management of applications and confirmed that an analysis had been carried out and details would be provided. In responding to a question from Councillor Russell with regards to the success of the NHS 'Near Me' video, the Acting Chief Officer advised that further information on the success and roll out of this will be provided.</p>		
Decision		
<ul style="list-style-type: none"> a) The Executive Director Place to provide further details on the analysis regarding Scottish Welfare Fund and Self Isolation Grants. b) The Acting Chief Officer Corporate Solutions to provide further information regarding the success and roll out of the NHS 'Near Me' video in Libraries. c) To otherwise note the contents of the report. 		
Action		
Acting Chief Officer Corporate Solutions/Executive Director Place		

Agenda No.	Report Title	Presented by:
5.5	Education Q2 Performance Report 2022/23	Executive Director Children, Young People and Partnerships
Outline of report and summary of discussion		
<p>The Executive Director Children, Young People and Partnerships advised that not all Education performance measures were updated from Q1 to Q2 but the report outlined the significant number of improvement actions that are being taken forward in partnership with the schools and provided an overview of some of the key priorities, progress and challenges for Q2.</p> <p>Thereafter in responding to a question raised with regards to Teachers negotiations and contingency plans, the Executive Director advised that they are guided by National decisions but on a local level they will continue to work closely with Secondary Head Teachers to ensure young people have access to additional support when required. She further advised that the digital devices provided allowed young people to access learning and highlighted that the Digital services team had provided learning activities for children and young people to undertake on the days of the strike action.</p> <p>The Chair highlighted that the layout of this report was exceptionally difficult to read and if possible could this be reviewed for future reports.</p>		
Decision		
<p>a) The Executive Director Children, Young People and Partnerships to review the layout of the report for future reports.</p> <p>b) To otherwise note the contents of the report.</p>		
Action		
The Executive Director Children, Young People and Partnerships		

Agenda No.	Report Title	Presented by:
5.6	Place Q2 Performance Report 2022/23	Chief Officer Place
Outline of report and summary of discussion		
<p>The Chief Officer Place provided an overview of the Q2 Performance Report 2022/23 highlighting the progress in the delivery of the strategic outcomes and provided a summary of the emerging challenges as contained within the report and thereafter responded to questions and comments raised by Elected Members.</p> <p>With regards to the turnaround time on voids the Chief Officer advised that there had been a month on month improvement and that a voids policy was in progress and this would be reported to Council. With regards to Volunteers, the Chief Officer highlighted the importance of Volunteers and the work with the communities and highlighted some of the advantages of working with volunteers and provided a brief overview of how this is monitored and statistics obtained.</p> <p>A comment was also noted on the difficulty to read some of the pages of the report</p>		

Decision
a) The Chief Officer Place to review the layout of the report for future reports. b) To otherwise note the contents of the report.
Action
Chief Officer Place

Agenda No.	Report Title	Presented by:
5.7 & 5.8	Midlothian Council Q2 Performance Report 2022/23 and Half Year Balanced Score Card	Executive Director Place
Outline of report and summary of discussion		
The Midlothian Q2 Performance Report and the half year Balanced Score Card was submitted. The Executive Direct Place in presenting this report highlighted that each of these reports provide a summary of actions in line with the Single Midlothian Plan and complement each of the reports from the individual services also presented today.		
Decision		
To note the contents of the reports.		

6 Private Reports

No items for discussion

7 Date of the Next

The next meeting will be held on Tuesday 14 March 2023 at 11.00 am

The meeting terminated at 12.05 pm

Minute of Meeting

Planning Committee
Tuesday 28 March 2023
Item No: 4.1



Planning Committee

Date	Time	Venue
Tuesday 28 February 2023	1.00 pm	Council Chambers, Midlothian House

Present:

Councillor Imrie (Chair)	Councillor Bowen
Councillor Cassidy	Councillor Curran
Councillor McCall	Councillor McEwan
Councillor McKenzie	Councillor McManus
Councillor Milligan	Councillor Parry
Councillor Pottinger	Councillor Russell
Councillor Scott	Councillor Smail
Councillor Virgo	Councillor Winchester

In Attendance:

Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Alan Turpie	Legal and Governance Manager
Derek Oliver	Chief Officer, Place
Janet Ritchie	Democratic Services Officer

1. Apologies

Apologies for absence were received from Councillor Alexander and Councillor Drummond.

2. Order of Business

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

3. Declarations of interest

Councillor Smaill declared an interest in 5.3 and would leave the meeting during this item.

Councillor Milligan advised that with regards to 5.6 the Applicant and an Objector contacted him and he advised on the planning system but made no comment regarding the application.

Councillor Scott declared an interest in 5.3 and would leave the meeting during this item.

Councillor Smaill also advised that he had received correspondence with regards to 5.6 but made no comments regarding the application.

4. Minutes of Previous Meetings

The minute of the meeting of 10 January 2023 was submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Submitted by:
5.1	National Planning Framework No. 4 (NPF4) Update, MLDP2 Launch and DPS15 Report and Appendices	Chief Officer Place
Outline of report and summary of discussion		
<p>The purpose of this report was to update the Committee on the adoption of the National Planning Framework No. 4 (NPF4) and to advise of the implications for Midlothian of NPF4 adoption, including the formal commencement of the preparation of Midlothian's next Local Development Plan and engagement with communities with regard the preparation of Local Place Plans</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report outlining the main sections contained within the report.</p>		

The Chair expressed his views with regards to the infrastructure and services and that with regards to housing numbers the Council has no option the Scottish Government dictates the housing numbers.

Unfortunately if the Council allow more developments in Midlothian other services should assist with the funding of appropriate infrastructure and services. During further discussion Councillors expressed their views with regards to Housing, Infrastructure and services and developer's contributions.

The Planning, Sustainable Growth and Investment Manager provided clarity on Developer's contributions and that there is a legal framework around this and Midlothian is at the top end of the charge table when charging developer's contributions and also in the recovery of contributions.

It was further highlighted that there is an expectation to take further houses in addition to the houses already agreed throughout Midlothian and the lack of adequate infrastructure and that Midlothian is one of the fast growing Councils but that this is not taken into consideration. Councillor Milligan stressed that the Council needs to oppose any additional housing until the council gets identified and funded solutions for what is required.

The Planning, Growth and Investment Manager provided clarity on the housing numbers and the scale of growth in Midlothian and advising that during the recommended workshops this will be looked at in more detail.

The Planning, Sustainable Growth and Investment Manager also responded to further comments expressed regarding Developer's contributions, key agency discussions, the engagement with local communities and the effect on social housing if further houses were not built.

Decision

The Planning Committee noted the update on NPF4 and agreed to instruct the Planning, Sustainable Growth and Investment Manager to:

1. Commence preparation of the second Midlothian Local Development Plan (MLDP2);
2. Issue invitations to local community groups to prepare Local Place Plans (LPPs) which will help inform production of MLDP2 (Appendix A);
3. Establish a MLDP2 Officer Project Board, comprising senior managers from across the Council services, to ensure the spatial dimensions of other Council strategies are reflected in MLDP2;
4. Arrange a series of workshops between elected members and officers on NPF4 and MLDP2;
5. Publish the Development Plan Scheme for Midlothian no.15 (DPS15)(Appendix B); and
6. Make any non-material changes necessary to the DPS15 and the Local Place Plan invitations prior to publication.

Action
The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.2	Planning Performance Framework Annual Report 2021/22	Chief Officer Place
Outline of report and summary of discussion		
<p>This report provides an update on the progress of work undertaken on the Planning Performance Framework (PPF) for Midlothian. Specifically, it provides feedback from Scottish Government on the Council's submitted PPF for 2021/22.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report outlining the main sections contained within the report highlighting the ratings shown on Appendix A to the report.</p> <p>The Chair expressed his congratulations to the staff.</p>		
Decision		
The Planning Committee noted the feedback from Scottish Government on the Council's submitted Planning Performance Framework (PPF) for 2021/22.		
Action		
The Planning, Sustainable Growth and Investment Manager		

Councillor Scott, Councillor Smaill and Councillor McCall left the meeting at 1.30 pm.

Agenda No	Report Title	Submitted by:
5.3	Land North of 6 Ashbank, Gorebridge - Enforcement Notice Prosecution Report and Appendices	Chief Officer Place
Outline of report and summary of discussion		
<p>This report relates to the non-compliance with the requirements of an enforcement notice served by the Council pursuant to Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended, with regard the change of use of vacant land to a builders' yard (sui generis); siting of shipping containers and associated engineering operations to form a hardstanding at land north of 6 Ashbank, Gorebridge.</p> <p>The enforcement notice required the unauthorised use of the land as a builder's yard to permanently cease and for the shipping containers brought onto the site in associated with that use to be removed from the land. Furthermore, the areas of hardstanding formed on the land to facilitate the unauthorised use shall be removed</p>		

and the land returned to grass. None of these steps have been taken, either by the enforcement notice compliance date of 6 January 2023 or to date (at the time of drafting this report). Non-compliance with an enforcement notice constitutes an offence.

The Planning, Sustainable Growth and Investment Manager presented this report to the committee advising of the key sections contained within the report.

Decision

The Planning Committee agreed to instruct the Planning, Sustainable Growth and Investment Manager (or an alternatively appropriately appointed officer) to refer the case to the Crown Office and Procurator Fiscal Service for consideration of prosecutorial action pursuant to Section 136 of the Town and Country Planning (Scotland) Act 1997 as amended.

Action

The Planning, Sustainable Growth and Investment Manager

Councillors Scott, Smail and McCall re-joined the meeting at 1.34 pm, following discussion of the above item.

Councillor McKenzie declared that the Applicant is in his Ward and that he had correspondence with him regarding the process but did not comment on the Application.

Agenda No	Report Title	Submitted by:
5.4	2 Conifer Road, Mayfield – Enforcement Notice Appeal Decision	Chief Officer Place
Outline of report and summary of discussion		
<p>The purpose of this report was to advise the Committee of an enforcement notice appeal decision with regard the erection of an outbuilding in the side garden of 2 Conifer Road, Mayfield.</p> <p>A retrospective planning application for the erection of an outbuilding at 2 Conifer Road, Mayfield was refused 29 September 2020. Despite the refusal of planning permission and a letter to the occupant dated 26 August 2021 requesting the removal of the outbuilding by 11 October 2021, the outbuilding remained in place. An enforcement notice was issued on the occupier and the owner (Melville Housing Association) on 13 September 2022, with a take effect date of 13 October 2022 and a five month compliance period. The occupier appealed the enforcement notice - a Scottish Government Reporter appointed to determine the appeal dismissed it and upheld the enforcement notice.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report outlining the main sections contained within the report.</p>		

Decision
The Planning Committee noted the enforcement notice appeal decision with regard to the erection of an outbuilding in the side garden of 2 Conifer Road, Mayfield.
Action
The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.5	Land South of Mayfield and East of Newtongrange Report and Plans (22/00027/PPP)	Chief Officer Place
Outline of report and summary of discussion		
<p>This report relates to the application for planning permission in principle for residential development with associated neighbourhood retail, commercial and leisure development and/or community facilities on land to the south of Mayfield and east of Newtongrange, Crawlees Road, Gowkshill, Gorebridge (alternately referred to as the South Mayfield or Lingerwood site).</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report to the committee outlining the main sections contained within the report.</p> <p>The Planning, Sustainable Growth and Investment Manager responded to concerns raised with regards to this site merging Newtongrange, Gowkshill and Mayfield and the possibility of coalescence. He confirmed that the majority of the site was allocated in 2003 and as this application does wrap round Mayfield Industrial Estate it does link these but consideration was given to coalescence and it was judged to be acceptable although there is the recognition of the connection to the existing settlements. He advised that the development will not go right up to boundaries and there will also be green space, woodlands and open space throughout. He also confirmed that there was plans to improve the existing roads and also to incorporate a bus route.</p> <p>Councillor Scott raised concerns with regards the proposed number of houses and the capacity of the existing schools in the area and by continuing to approve these developments without any acknowledgement for the need of a High School in Gorebridge as part of the infrastructure required is against the MP4 policies which emphasises an infrastructure first approach as part of the considerations. Continuing to approve these developments will have an extraordinary impact on the Education provision required for Midlothian.</p> <p>During a lengthy discussion further comments were raised with regards to the building material types and the character of the neighbourhood, Social Housing, the impact if this development was refused, the concerns regarding Crawlees Road and the road infrastructure, the abandoned railway as a possible dividing feature for the area, developers contributions used to rejuvenate Mayfield Town Centre and a</p>		

division of the industrial area from the residential area. Major concerns were also highlighted with regards to the Infrastructure, the loss of natural green space, the individual identities of the villages and the Education provision and the roads infrastructure.

The Planning, Sustainable Growth and Investment Manager in a further response advised that as this is still at the planning in principle stage and a lot of the details have still to be agreed but he noted the concerns raised, he also confirmed there was a 25% policy for social housing for this development. He further advised that due to the size of the site this will be done in phases over a period of time. Councillor Curran, seconded by Councillor Pottinger moved to refuse the planning application in principle.

As an amendment Councillor Imrie, seconded by Councillor McKenzie moved to grant the planning application in principle.

On a vote being taken 4 voted for the Motion to refuse the planning application in principle and 10 voted for the Amendment to grant the planning application in principle, therefore this became the decision of the Committee.

It was also noted that the 6 local Members would get in touch with the Planning Officers to discuss any concerns.

Decision

The Planning Committee agreed that planning permission in principle is granted for the following reasons:

The proposed development site is allocated for housing in the Midlothian Local Development Plan 2017 (MLDP) where there is a presumption in favour of an appropriate form of development. Whilst the proposed development would deliver in excess of the indicative residential unit capacity set out in the MLDP, the submitted EIA has sufficiently demonstrated that the proposed level of development can be achieved, subject to detailed design and subject to securing developer contributions. The proposed ancillary neighbourhood retail, commercial, leisure and community facilities are a welcome additions and contribute to the provision of a sustainable community in accordance with National Planning Framework 4. The presumption for development is not outweighed by any other material considerations.

Subject to the conditions as set out in the report.

Action

The Planning, Sustainable Growth and Investment Manager/Elected Members

Councillor McEwan highlighted that he had received correspondence along with other Councillors regarding the next application but had made no comments.

Agenda No	Report Title	Submitted by:
5.6	Hamilton Waste, Eldin Industrial Estate, Loanhead Report and Plans (22/00345/PPP)	Chief Officer Place
Outline of report and summary of discussion		
<p>This report relates to the application for a change of use of land to a waste transfer site (comprising washer plant to clean and separate soils from waste, and a crusher to break down stone, brick and rubble into aggregate) and the erection of associated plant and machinery. The site is a concrete surfaced yard at Eldin Industrial Estate, Edgefield Road, Loanhead.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report to the committee outlining the main sections contained within the report.</p> <p>The Chair acknowledged that Councillor Parry had called this in therefore gave her the opportunity to speak. Councillor Parry declared that she had also received communication regarding this application and advised that the reason for the call-in was that it would adversely impact on the character of the area. She also highlighted some further concerns regarding the change of operating hours, the impacts on Straiton pond and the wildlife, the proximity on safer routes to schools and the number of recommendations received from communities and that some of these had not been explored or commented on.</p> <p>The Planning, Sustainable Growth and Investment Manager responded to the comments made advising that the all commercial vehicles would not go through residential areas and there was a designated access route on the Edgefield relief road. He further responded to the concerns regarding Straiton pond wildlife and that there was a programme to mitigate dust to keep it within the site and also advised on the restrictions on the hours of operation. Mr Oliver also advised that regarding waste management and dust and this would be monitored by SEEPA.</p> <p>Further comments were made with regards to the proximity to housing and schools but it was also acknowledged that there was a lot of conditions put in place to address the concerns raised.</p> <p>Councillor Virgo, seconded by Councillor Winchester moved to grant permission with the conditions as set out in the report.</p> <p>Councillor Parry, seconded by Councillor McCall moved to continue the application to the next cycle to look at the conditions and also to arrange a site visit.</p> <p>In responding to Councillor Curran's comments regarding the site and dust suppression and the Planning, Sustainable Growth and Investment Manager confirmed that the site was previously a waste transfer site and then a contractor's yard and that SEEPA would monitor the site in terms of compliance.</p>		

On a vote being taken 7 voted for the Amendment to continue the application to the next meeting and 9 voted for the Motion to grant planning permission therefore that became the decision of the Committee.

Decision

The Planning Committee agreed that planning permission be granted for the following reason:

The site forms part of the established economic land supply and the proposed use is in keeping with the scale and character of the surrounding industrial estate where there is a presumption in favour of an appropriate form of development. Appropriate conditions will ensure that the amenity of residential properties in the surrounding area will be safeguarded. The proposal complies with the relevant policies of the Development Plan and the presumption for development is not outweighed by any other material considerations.

Subject to the conditions as set out in the report.

Action

The Planning, Sustainable Growth and Investment Manager

Councillor Parry left the meeting at 14.22 pm

Agenda No	Report Title	Submitted by:
5.7	Land at Robertson Bank, Gorebridge Report and Plans (20/00899/DPP)	Chief Officer Place
Outline of report and summary of discussion		
<p>This report relates to the application for the erection of 14 dwelling houses, formation of access roads and car parking and associated works. The site is situated to the south of Lady Brae, Gorebridge, and to the west of the Borders Rail line.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report to the committee outlining the main sections contained within the report.</p> <p>The Chair acknowledged that Councillor Scott had called this in therefore gave her the opportunity to speak. Councillor Scott declared that she had received communication regarding this application but gave no opinion. Councillor Scott then went on to explain some of the dangers on some parts of Lady Brae and that such a right turn would prove dangerous and did not in her opinion feel that this was the best place for an entrance. She further expanded on some of the other reasons for her objection with regards to Education, flooding, the embankment and the removal of substantial trees and highlighted there is also a historic tunnel which has not been detailed in the report. If this application was approved there is a need for some calming measure on the bend before Lady Brae and if approved would it be possible for a mechanism for the developers to pay for as slope monitor insurance for any damage to residents properties.</p>		

The Planning, Sustainable Growth and Investment Manager advised that land owners have a responsibility and if any damage is done to other land owners properties there is a mechanism for this. With regards to the slope there is a presumption that the house builder will build units safely and responsibly. He responded to the comments with regards to Education and the entrance to the site meets the visibility standards and according to their records there had been no recorded accidents in the last 3 years. He also advised that there would be a mining an intrusive investigation and if a tunnel was there this would be discovered.

Councillor Virgo, seconded by Councillor Winchester moved to grant planning permission.

Decision

The Planning Committee agreed that planning permission be granted for the following reason:

The proposed development site will contribute to the sustainable delivery of housing in compliance with the policies of National Planning Framework 4 and is allocated for housing in the Midlothian Local Development Plan 2017 (MLDP) where there is a presumption in favour of an appropriate form of development. The proposed detailed scheme of development in terms of its layout, form, design and landscape framework 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 set out in the report.

Action

The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.8	Easthouses Primary School Report and Plans (22/00721/DPP)	Chief Officer Place
Outline of report and summary of discussion		
<p>This report relates to the application for the erection of a primary school and nursery; formation of a multi-use games area (MUGA), car parking and associated works on the northern part of the former Newbattle High School site, Easthouses Road, Easthouses.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report to the committee outlining the main sections contained within the report.</p> <p>Councillor Virgo, Seconded by Councillor Pottinger moved to grant planning permission.</p>		

Councillor Pottinger commented on safer route to schools and the Chair advised the Planning, Sustainable Growth and Investment Manager to pick this up with the relevant Planning Officer to ensure that safer routes to school would be considered.

Decision

The Planning Committee agreed that planning permission is granted for the following reason:

The site is located within the settlement boundary of Easthouses and on a site with an established educational and community use and as such there is presumption in favour of an appropriate educational use development. The proposed detailed scheme of development in terms of its layout, form, design and landscape framework is acceptable and as such accords with development plan policies. The presumption for development is not outweighed by any other material considerations.

Subject to the conditions as set out in the report.

Action

The Planning, Sustainable Growth and Investment Manager

6. Private Reports

No items for discussion

7. Date of Next Meeting

The next meeting will be held on Tuesday 28 March 2023 at 1.00pm

The meeting terminated at 14.36 pm

Midlothian Integration Joint Board

Midlothian Integration Joint Board
Thursday 13 April 2023
Item No 4.1



Meeting	Date	Time	Venue
Midlothian Integration Joint Board	Thursday 9 February 2023	2.00pm	Virtual Meeting held using Microsoft Teams.

Present (voting members):

Val de Souza (Chair)	Angus McCann	Cllr Kelly Parry
Cllr Pauline Winchester	Cllr Stuart McKenzie (substitute for Cllr Colin Cassidy)	Cllr Kelly Drummond (substitute for Cllr Derek Milligan)

Present (non-voting members):

Morag Barrow (Chief Officer)	Joan Tranent (Chief Social Work Officer)	Claire Flanagan (Chief Finance Officer)
Rebecca Green (Clinical Director)	Wanda Fairgrieve (Staff side representative)	Grace Chalmers (Staff side representative)
Hannah Cairns (Allied Health Professional)	Miriam Leighton (Third Sector)	

In attendance:

Andrew Fleming (NHS Lothian)	Nick Clater (Head of Adult & Social Care)	Grace Cowan (Head of Primary Care and Older Peoples Services)
Patricia Fraser (Audit Scotland)	Robert Dick (Audit Scotland)	Duncan Stainbank (Chief Internal Auditor)
Sarah Hall (NHS Lothian)	Debbie Marklow (NHS Lothian)	Gill Main (Integration Manager)
Alan Turpie (Standards Officer)	Elouise Johnstone (Programme Manager for Performance)	Mike Broadway (Clerk)

Apologies:

Cllr Colin Cassidy	Cllr Derek Milligan	Cllr Willie McEwan (proxy for Cllr Derek Milligan)
Keith Chapman (User/Carer)	Fiona Stratton (Chief Nurse)	Johanne Simpson (Medical Practitioner)
Jordan Miller (Staff side representative)		

Midlothian Integration Joint Board

Thursday 9 February 2023

1. Welcome and introductions

The Chair, Val de Souza, welcomed everyone to this virtual Meeting of the Midlothian Integration Joint Board.

2. Order of Business

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

3. Declarations of interest

No declarations of interest were received.

4. Minute of previous Meetings

4.1 The Minutes of Meeting of the MIJB Board held on 15 December 2023 were submitted and approved as a correct record.

4.2 The Minutes of Meeting of the MIJB Strategic Planning Group held on 24 November 2023 were submitted and noted.

5. Public Reports

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
5.1 Chair's Update - Presented by Val de Souza Val de Souza commented on the considerable systems pressure experienced again this year, commending all staff for their efforts during the very busy winter period. Val then went on to remark on the unprecedented budgetary pressures being faced by both partners and the potential challenges this would likely present not just for them but for the IJB also.	To note the Chair's update	All To Note	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
The possible need to review the timing of the June Board meeting was also raised and discussed.			
<p>5.2 Chief Officers Report – Presented by Morag Barrow, Chief Officer</p> <p>This report provided a summary of the key service pressures and service developments which had occurred during the previous month across health and social care, highlighting in particular a number of the key activities, as well as looking ahead at future developments.</p> <p>Having heard from the Chief Officer, Morag Barrow in amplification of her report, the Board echoed her concerns about the pressure that the Health and Social Care system was under across Scotland, and welcomed the actions being taken by HSCP services in collaboration with colleagues to help reduce avoidable admissions where possible and treat patients back in the community.</p> <p>Members also discussed the winter vaccination programme, the challenges posed by hard to reach groups, and long Covid numbers and how it was being treated.</p>	To note the content of the Chief Officer's Report.	All to Note.	
<p>5.3 Midlothian IJB Performance Framework - Paper presented by Elouise Johnstone, Performance Manager</p> <p>The purpose of this report was to provide the Board with a draft of the Performance Framework for 2023-2024.</p>	<p>(a) To note the draft Performance Framework for 2023-2024; and</p> <p>(b) To note the process and schedule for completion, approval, and publication of the full Performance Framework for 2023-2024.</p>	All to note	Ongoing

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>The report explained that a Performance Framework was a summary of all the measures used to determine how well an organisation was meeting its aims. The Performance Framework would be completed following confirmation of the Directions for 2023-24 and would be subject to parallel internal governance processes. This approach would ensure approval of the Framework to permit its publication in support of the timeline for publication of Directions 2023-24.</p> <p>Having heard from Performance Manager, Elouise Johnstone, in amplification of the report, the Board discussed the draft Performance Framework for 2023-24, and the challenges posed by current data sharing arrangements given the need to access data from multiple systems, not yet used consistently across the partner organisations.</p>			
<p>5.4 Primary Care GP activity data - Paper presented by Rebecca Green, Clinical Director</p> <p>The purpose of this report was to update the Board on current Primary Care GP activity data and provide assurance that appropriate actions were being taken to maintain and improve access for patients to general medical services, including unscheduled care.</p> <p>The report advised that 62% of people report that they have had a positive experience of the care provided by their GP practice, however this is lower</p>	<p>(a) To note the data provided on local demand, capacity, and activity in primary care in Midlothian, including the higher clinical activity than across the rest of Lothian;</p> <p>(b) To recognise the disparity between the objective evidence presented and the often unhelpful narrative portrayed in the lay media and some anecdotal reports/opinion;</p> <p>(c) To note the significant pressure on local GP practices which is impacting on resilience and risks the future provision of sustainable general medical services; and</p>	All to note.	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>than in previous years, and lower than the average in Scotland. Primary Care and GP appointments represent excellent value for money in providing healthcare for patients close to home. Access to an appropriate primary care professional or service ('right person right time right place') is therefore a priority for local residents, the wider health & social care system, and for the Scottish Government.</p> <p>Clinical Director, Rebecca Green was heard in amplification of the report, following which she responded to Members questions and comments. The Board warmly welcomed the progress being made in improving the follow of data from GP practices as it was felt it gave a much truer picture of the invaluable nature of the service which they provided to local communities and the support they offered to the wider health & social care system.</p>	<p>(d) To note the potential need to 'invest to save' to support resilience of local practices to be able to continue to provide the high-value care for patients in the community and close to home.</p>		
<p>5.5 Midlothian IJB Directions End of Year Update 2022-23, and Proposed Directions 2023-24 - Paper presented by Gill Main, Integration Manager and Elouise Johnstone, Performance Manager</p> <p>The purpose of this report was to share with the Board the end of year report on progress towards the Directions issued in 2022-23 and present the first draft of MIJB Directions for 2023-24.</p> <p>Having heard from Integration Manager, Gill Main in amplification of the report, the Board in discussing the end of year report acknowledged the progress</p>	<p>(a) To note the end of year performance updates for the 2022-23 Directions;</p> <p>(b) To note the recommendations from SPG to progress Directions as Complete, Revised, or Revoked; and</p> <p>(c) To note the first draft Directions for 2023-24.</p>	Chief Social Work Officer	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
which had been made towards each Direction. The Board also welcomed the more strategic focus taken in reducing the proposed number of Directions to be issued by the Board for 2023-24.			
<p>5.6 Midlothian IJB Mainstreaming Equalities Report and Action Plan - Paper presented by Gill Main, Integration Manager</p> <p>With reference to paragraph 5.6 of the Minutes of 11 February 2021 there was submitted a report the purpose of which was to provide the Board with key updates on progress against the 2021-23 Mainstreaming and Equalities Outcomes report action plan and proposes a new set of actions for 2023-25.</p> <p>The report advised that Midlothian IJB was subject to the Public Sector Equality Duty (PSED) and must report on the progress towards mainstreaming equality to date and set out plan for 2023-25.</p> <p>The Board, having heard Integration Manager, Gill Main in amplification of the report, discussed the proposed actions for 2023-25 and associated resource and capacity implications. Whilst acknowledging the importance of equalities work, it was generally felt that perhaps more work was needed to properly quantify accurately what was required in order to deliver the intended outcomes.</p>	<p>(a) To note the status of actions outlined in the Equalities Outcomes and Mainstreaming Report for 2021-2023;</p> <p>(b) To note the proposed actions for 2023-2025;</p> <p>(c) To note the resource and capacity implications;</p> <p>(d) To note specifically the requirement for the IJB to develop, implement, monitor and review a system for completing Integrated Impact Assessments for all its all new and revised strategies, policies and plans, provisions, practices, and activities, and the resource implications of this.</p>	All to note	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>5.7 Midlothian Integration Joint Board Standing Orders - Paper presented by Alan Turpie, Standards Officer</p> <p>With reference to paragraph 5.4 of the Minutes of 15 December 2022 there was submitted a report the purpose of which was to set out for the Board's consideration proposed amendments to the Board's Standing Orders in order to ensure that the Standing Orders remain fit for purpose.</p> <p>Having heard from Standards Officer, Alan Turpie in amplification of the report, following which he responded to Members question and comments, the Board discussed the proposed amendments. Particular consideration being given to the possibility of a meeting continuing to deal with non-decision making business in the absence of a formal quorum. Alan Turpie confirmed that this would be an option available should that position arise but that it would be up to those present at the meeting to decide if they wished to proceed in this manner.</p>	<p>(a) To note the review of the Standing Orders;</p> <p>(b) To approve the proposed amendments to the Standing Orders; and</p> <p>(c) To note the requirement for the completion of an Integrated Impact Assessment (IIA).</p>		
<p>5.8 Finance Update – Quarter 3 2022/23 - Paper presented by Claire Flanagan, Chief Finance Officer</p> <p>The purpose of this report was to set out the results of the MIJB's partner's (Midlothian Council and NHS Lothian) quarter three financial reviews and considered how these impacted on the projected financial position for the IJB for 2022/23.</p>	<p>To note the quarter 3 financial reviews undertaken by partners.</p>	<p>Chief Finance Officer</p>	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>Chief Finance Officer, Claire Flanagan was heard in amplification of the report and responded to Members question and comments.</p> <p>With regards the arrangements for monies due to be passed onto the IJB as a result of the national revenue funding to support all Council staffing budgets with the costs of the pay deal, which included staff within budgets delegated to the IJB, discussions with Midlothian Council were ongoing.</p>			
<p>5.9 Midlothian IJB Performance Report - Paper presented by Elouise Johnstone, Performance Manager</p> <p>The purpose of this report was to update the Board on progress towards achieving the current IJB performance goals (2022/23).</p> <p>Performance Manager, Elouise Johnstone was heard in amplification of the report following which there was a general discussion about the some of the progress that had been made and the challenges that remained.</p>	To note the performance against the IJB Improvement Goals for 2022/23.	All to note.	
<p>5.10 Midlothian IJB Internal Audit Arrangements & Plan 2022/23 - Paper by Duncan Stainbank, Chief Internal Auditor</p> <p>The purpose of this report was to present the new arrangements which had been put in place for the provision of a Chief Internal Auditor for MIJB and</p>	To note the arrangements in place for the Provision of a MIJB Chief Internal Auditor, and the progress with the Internal Audit Plan for 2022/23 for the MIJB.	All to note	

Midlothian Integration Joint Board

Thursday 9 February 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>provide an update on the progress with the MIJB Internal Audit Plan for 2022/23.</p> <p>Chief Internal Auditor, Duncan Stainbank was heard briefly in amplification of the report following which there was a general discussion on the new Internal Audit arrangements and the progress being made with the Internal Audit Plan.</p>	.		
<p>5.11 Midlothian Community Justice Annual Report 2020 - Paper by Nick Clater, Head of Adult Services</p> <p>The purpose of this report was to provide a summary of the April 2021/2022 Annual Report prepared for Community Justice Scotland by the Midlothian Community Justice Partnership. The report highlighted key aspects of community justice activities, outcomes and improvements carried out by the Community Justice Partnership in Midlothian during 2021/2022. A copy of the April 2021 - 2022 Annual Report was appended to the report.</p>	To note the contents of the report.		

6. Private Reports

No private business to be discussed at this meeting.

7. Any other business

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

Midlothian Integration Joint Board

Thursday 9 February 2023

8. Date of next meeting

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

- | | | |
|--------------------------|-----|--|
| • Thursday 16 March 2023 | 2pm | Special Board Meeting/Development Workshop |
| • Thursday 13 April 2023 | 2pm | Midlothian Integration Joint Board |

(Action: All Members to Note)

The meeting terminated at 4.05 pm.

Midlothian Integration Joint Board

Midlothian Integration Joint Board
Thursday 13 April 2023
Item No 4.2



Meeting	Date	Time	Venue
Special Midlothian Integration Joint Board	Thursday 16 March 2023	2.00pm	Virtual Meeting held using Microsoft Teams

Present (voting members):

Val de Souza (Chair)	Andrew Fleming	Angus McCann
Cllr Derek Milligan	Cllr Kelly Parry	Cllr Pauline Winchester
Peter Knight (substitute for Nadin Akta)	Cllr Stuart McKenzie (substitute for Cllr Colin Cassidy)	

Present (non-voting members):

Morag Barrow (Chief Officer)	Joan Tranent (Chief Social Work Officer)	Claire Flanagan (Chief Finance Officer)
Rebecca Green (Clinical Director)	Fiona Stratton (Chief Nurse)	Grace Chalmers (Staff side representative)
Hannah Cairns (Allied Health Professional)	Miriam Leighton (Third Sector)	

In attendance:

Cllr David Virgo	Kevin Anderson (Executive Director Place)	Craig Marriott (Director of Finance)
Nick Clater (Head of Adult & Social Care)	Kay Jenks (Audit Scotland)	Gill Main (Integration Manager)
Elouise Johnstone (Performance Manager)	Fergus Grierson (Communications Officer)	Mike Broadway (Clerk)

Apologies:

Cllr Colin Cassidy (Vice Chair)	Nadin Akta	Johanne Simpson (Medical Practitioner)
Keith Chapman (User/Carer)	Wanda Fairgrieve (Staff side representative)	Jordan Miller (Staff side representative)

Midlothian Integration Joint Board

Thursday 16 March 2023

1. Welcome and introductions

The Chair, Val de Souza, welcomed everyone to this virtual Special Meeting of the Midlothian Integration Joint Board.

2. Order of Business

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

3. Declarations of interest

No declarations of interest were received, however statements of transparency were made by Councillors Milligan, Parry, Winchester and McKenzie all of who had been involved in setting the Midlothian Council's budget.

4. Public Reports

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
4.1 Chair's Update - Presented by Val de Souza Val de Souza reported the appointment of Andrew Fleming as a MIJB Voting Member and Peter Knight as a Proxy Voting Member for Nadin Akta, and welcomed both to the meeting. Val then went on to remark on the unprecedented budgetary pressures being faced by both partners and the potential challenges this was likely to present not just for them but for the IJB also.	(a) To endorse the appointment of Andrew Fleming as a MIJB Voting Member and Peter Knight as a Proxy Voting Member for Nadin Akta; and (b) To otherwise note the Chair's update	All To Note	
4.2 Midlothian Council Finance Update - Verbal update from Kevin Anderson, Executive Director Place, Midlothian Council The Board heard from Kevin Anderson, Executive	To note the update.		

Midlothian Integration Joint Board

Thursday 16 March 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
Director Place regarding the budget position facing the Council. He emphasised that the formal budget offer to the MIJB should be considered in the context of an extremely challenging financial climate, forecasted expenditure and the resulting financial gap.			
4.3 NHS Lothian Finance Update - Verbal update from Craig Marriot, Director of Finance, NHS Lothian The Board, then heard from Craig Marriott, Director of Finance regarding the budget positions facing NHS Lothian. He sought to emphasise that whilst work on the formal budget offer was progressing, the indicative position should similarly be considered in the context of a no less challenging financial climate than that facing the Council, forecasted expenditure and the resulting financial gap	To note the update.		
4.4 Financial Update – Budget Offers from Partners for 2023/24 - Paper presented by Claire Flanagan, Chief Finance Officer The purpose of this report was to provide the Board with confirmation of the formal Midlothian Council budget offer to the MIJB and an update on the current indicative proposed budget offer and principles for 2023/24 from NHS Lothian. Further to this the report also set out the IJBs updated medium term financial plan projections and the financial recovery plans and assumptions to support the IJB balancing its budget in 2023/24. A	(a) Agreed to defer consideration of the formal budget offers from Partners for 2023/24 to the April MIJB Board meeting; (b) Agreed to enter into discussions with both Partners regarding their budget offers and to explore in particular possible alternative options to address the remaining financial gap of £1.3m for 2023/24 and the resultant recurring funding gap;	Chief Finance Officer	

Midlothian Integration Joint Board

Thursday 16 March 2023

Report Title/Summary	Decision	Action Owner	Date to be Completed/Comments
<p>position of the IJB reserves was included covering both general and earmarked reserves. Finally, the reports asked the IJB to agree to request options for the remaining financial gap of £1.3m for 2023/24 be developed further and brought to April's IJB meeting.</p> <p>The Board heard from Chief Finance Officer, Claire Flanagan, who in acknowledging the challenging financial landscape, sought to address the "fair and adequacy" measure used by the Board when considering the partners' budgetary offers.</p> <p>The Board, in considering the offers made by its partners, discussed how the remaining financial gap of £1.3m for 2023/24 had arisen; ways in which it could potentially be addressed; and the most appropriate way to proceed in terms of governance.</p>	<p>(c) Agreed to seek further clarity on the Scottish Government's funding requirements for IJBs in view of the current funding offers;</p> <p>(d) Agreed to share draft letter to Scottish Government with IJB members; and</p> <p>(e) To otherwise note the current report.</p>		
<p>4.5 Midlothian IJB Directions 2023/24 - Paper presented by Gill Main, Integration Manager</p> <p>With reference to paragraph 5.5 of the Minutes of 9 February 2023 there was submitted a report the purpose of which was to present the proposed MIJB Directions for 2023-24.</p> <p>The Board, having received an overview from Integration Manager, Gill Main who responded to Members' questions and comments, discussed the proposed MIJB Directions for 2023-24.</p>	<p>(a) Approved the Directions for 2023/24; and</p> <p>(b) Agreed to delegate authority to the Chief Officer to issue the Directions for 2023/24 to the Chief Executives of NHS Lothian and Midlothian Council on 31st March 2023.</p>	Integration Manager/ Chief Officer	

Midlothian Integration Joint Board

Thursday 16 March 2023

5. Private Reports

No private business to be discussed at this meeting.

6. Date of next meeting

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

- Thursday 13th April 2023 2pm Midlothian Integration Joint Board
- Thursday 11th May 2023 1pm Development Workshop

(Action: All Members to Note)

The meeting terminated at 3.50 pm.

Minute of All Elected Member Seminar



Beeslack Community High School and Penicuik High School Learning Estate Investment Programme

Date	Time	Venue
25 April 2023	9.30 am	Virtual – MS Teams

Present:

Councillor Scott (Chair)	Councillor Alexander
Councillor Cassidy	Councillor McKenzie
Councillor Milligan	Councillor McCall
Councillor McManus	Councillor McEwan
Councillor Parry	Councillor Pottinger
Councillor Russell	Councillor Smaill
Councillor Virgo	

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director Children, Young People and Partnerships	Fiona Clandillon, Head of Development
Derek Oliver, Chief Officer Place	David Gladwin, Acting Chief Finance Officer (Section 95 Officer)
Mark Bedwell, Executive Business Manager	Andrew Souter, Project Manager
David Brown, Depute Principal – University of Edinburgh	Craig Biddick, Head Teacher, Penicuik HS
Lisa McGlade, Depute Head Teacher, Beeslack CHS	Liz Schoter, Personal Assistant (note)

1. Welcome and Apology for Absence

Councillor Ellen Scott, Cabinet Member for Education, welcomed everyone to the meeting and the external attendees from the University of Edinburgh and the respective Head Teachers, she invited officers in attendance to provide a progress update on the Learning Estate Investment Programme (LEIP) and specifically the funded projects in Midlothian for the Beeslack Community High School replacement & Penicuik High School refurbishment projects and share the presentation.

Apologies were received from Councillor Curran.

2. Presentations

Learning Estate Strategy Delivery - Replacement of Beeslack Community High School and Refurbishment and Expansion of Penicuik High School (Attached).

3. Questions

Councillor Scott thereafter led the questions from members to officers.

Questions and Answers

Q) Councillor Parry – Has there been any thought as to how relationships will evolve between the curriculum and economy and how it will work between partnerships.

A) David Brown referred to the experiential learning classroom at Easter Bush which has been used for a number of years, when children visit it can be seen that they think differently, i.e. how they can perform remote experiments that can be done from their classrooms. Next steps would be to look at what's been achieved at Newbattle Centre of Excellence and to be guided and lead by the council to think how we get the experiential learning, how we combined projects, how we build on the experiential lab outcomes that we've already got and how to expand this into our wider education portfolio.

Q) Councillor Virgo – How will we manage to decant if trying to deliver both projects by 2026.

A) FR – We are developing a number of options to look at whether we can undertake the refurbishment work with part of the school in situ or whether we need to take the whole school out. In order to deliver both projects we will have to adjust our plan in terms of the original intent which was to move the Penicuik HS pupils into Beeslack CHS after they had moved into their new

school building. That is now looking highly unlikely so looking at alternative options.

Q) Councillor Smaill – Are we in dialogue with Scottish Government regarding decant if the datelines are not met for these projects and the need for a Plan B.

A) FR – In regards to communication with Scottish Government we are due to provide an update to Scottish Futures Trust (SFT) on both projects. Regular updates are provided to SFT. Any delay in the projects will be built into our risks and regular updates provided.

Councillor McManus shared his positive views regarding the future plans of Penicuik High School and Beeslack CHS, as a former student at Penicuik HS it is really welcome and he felt that the students will really welcome and benefit from it too. He also thanked everyone involved for the work done.

Councillor Cassidy thanked the University for having faith to come in and join Midlothian Council in the project and noted his thanks, and also that he is looking forward to the opening.

Q) Councillor Scott – If we don't build a swimming pool, will there be an option to build one at a later date if required.

A) KA – The intentions is to go out to public consultation first however there are other community considerations in both projects.

Councillor Scott - Thanked all and conveyed her thanks regarding the opportunity to progress with the plans.

Councillor McKenzie – In terms of the reference to Newbattle High School mentioned during the presentation, as ward Councillor, he expressed how at times during the project it will be tough going with difficult decisions however he highlighted the achievements gained from Newbattle Campus and the academical outcomes achieved there, and to use this ambition to drive the project forward as it has a positive impact on people lives.

Councillor Alexander – Stated that she is delighted that the school is now going ahead and is glad of the ambition that is being shown and hope it goes even further. Councillor Alexander asked if we are progressing with an outdoor swimming pool.

A) FC answered that this was not part of the brief.

Q) Councillor Virgo – Is it still the intention to build the school to Passivhaus standard?

A) FC advised that the pricing we have reflects a building that's built to LEIP band A standards, which are not at Passivhaus level.

Councillor Smaill endorsed Councillor Alexander's idea of wild swimming and highlighted the need to increase public access to Gladhouse Reservoir including both of the new schools so that they can enjoy wild outdoor swimming and suggested that a car parking facility that could also be used by the schools would be welcomed.

Councillor Scott thanked everyone for taking part in the meeting and closed the meeting at 10:19am.

4. Summary/Conclusions/Future Action

Paper to be submitted to Midlothian Council to endorse:

- i. Scope of Projects
- ii. Revised Heads of Terms for Beeslack CHS replacement
- iii. Decant Strategy for Penicuik HS
- iv. Total development costs for each project
- v. Capital Expenditure Budget allocation in General Services Capital Plan

Note - University of Edinburgh Paper to be submitted to the University of Edinburgh Estates Committee on 15th May 2023 and License to Occupy agreement required to enable Council school site and construction works to progress.