

Minute of Meeting



Midlothian Council

Date	Time	Venue
29 August 2017	11am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Provost Montgomery	Depute Provost Russell
Councillor Milligan – Council Leader	Councillor Muirhead – Depute Council Leader
Councillor Alexander	Councillor Baird
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Imrie	Councillor Johnstone
Councillor Lay-Douglas	Councillor McCall
Councillor Munro	Councillor Parry
Councillor Smail	Councillor Winchester

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

Mr V. Bourne	

In attendance:

Note – Prior to the commencement of the meeting, the Provost invited the attendees to observe a minutes silence in memory of the victims of the recent terrorism acts in Barcelona and also to mark the death of Maureen Anderson who was a former Councillor of Midlothian.

1. Apologies

1.1 No apologies were received from Members in relation to this meeting.

2. Order of Business

2.1 The order of business was confirmed by the Clerk as that which was outlined in the agenda that had been circulated with the following amendments:

- The Provost agreed that item 9.4 – The Future of the Kabin, Loanhead would be heard as urgent business due to the publication time of the report. Further this item would now be heard in the public agenda as item 8.20;
- Members were asked to note that a replacement paper had been circulated in relation to item 9.1 – Independent Appointments to Audit and Standards Committees.

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 Councillor Milligan declared a non-pecuniary interest in item 8.14 in his capacity as Secretary of the Bonnyrigg Community Events Committee. Further Councillor Milligan confirmed that he would take part in the debate of the item.

3.3 In addition Councillor Russell declared a non-pecuniary interest in item 8.14 in her capacity as Secretary of the Dalkeith Festival Committee. Further Councillor Russell confirmed that she would take part in the debate of the item.

4. Deputations

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

5. Minutes of Previous Meetings

5.1 The minutes of the meeting of Midlothian Council which took place on 27 June 2017 were submitted for approval. The Council approved the minute as a correct record so moved by Councillor Milligan and seconded by Councillor Muirhead.

5.2 The minutes of the special meeting of Midlothian Council which took place on 19 July were submitted for approval. Councillor McCall confirmed that she was on holiday when this meeting was called and had an out of office

response which she requested was accepted as an apology for her non attendance at the meeting. The Chief Executive suggested the apologies were accepted retrospectively and recorded. Councillor Johnstone further commented that she had submitted apologies to the meeting which weren't noted. The Council then approved the minute as a correct record.

6. Questions to the Leader of the Council

6.1 The following questions were submitted for consideration by the Council Leader.

Question No.	Question Title	Question raised by:
6.1	Homelessness	Councillor Johnstone

Question
<p><i>Under the current system for people presenting as homeless how many persons have (a) low support needs, (b) medium support needs and (c) high support needs? What proportion of a, b, and c will be housed at Pentland house? What are the current options for those who have medium to high support needs?</i></p> <p><i>How many persons presenting as homeless are being turned away daily? How many of those meets criteria for assistance and needs? How many persons are being asked to phone daily to request availability for emergency housing? And of these how many are single persons?</i></p> <p><i>Will the council leader look to put in place immediate improvements to the current system to ensure the number of people in Midlothian sleeping rough does not increase?</i></p>

Leader Response
<p>The Leader provided a written response which was circulated to Members and is attached as Appendix 1 to this minute.</p>

7. Notices of Motions

Motion No.	Motion Title	Proposed by:	Seconded by:
7.1	Baby Boxes	Councillor Cassidy	Councillor Baird

Motion:

Midlothian Council welcomes the Scottish Governments introduction of Baby Boxes.

This new scheme means that every baby due in Scotland on or after 15th August 2017 will receive a Baby Box full of practical and useful items which will help tackle inequality and deprivation, improve health and support parents. The boxes will include materials which aim to promote the best possible outcomes for children and the will also provide a safe space for babies to sleep near their parents, which in turn will help to nurture and promote bonding and early attachment. Midlothian welcomes that from January 2018 all Baby Boxes will be delivered 4 weeks before the baby's due date, ensuring all families are provided with this vital resource in preparation for their new arrival.

Summary of discussion

Councillor Cassidy moved the motion which was seconded by Councillor Baird.

Councillor McCall was heard in support of the motion stating that she felt that this represented the type of country our children should grow up into.

Councillor Winchester was then heard expressing her view in relation to the cost of the boxes. Further Councillor Winchester was heard expressing her concern that this was a national issue and not one that Midlothian Council could influence.

Councillor Parry was then heard confirming that boxes would be accessible by application. Further Councillor Parry confirmed that the boxes would be delivered to the people of Midlothian and stated that it was important that awareness was raised in relation to the boxes being available to the people in Midlothian and suggested it would help to reduce inequality.

Following this the Council agreed to accept the motion.

Decision

The Council agreed to accept the motion

Motion No.	Motion Title	Proposed by:	Seconded by:
7.2	Period Poverty	Councillor Johnstone	Councillor McCall

Motion:

Midlothian Council commits to addressing period poverty by providing free sanitary protection products in all schools and Council workplaces in order to ensure women who are menstruating are not adversely impacted or unable to attend school or work because they are unable to afford the heavily taxed products every month.

Summary of discussion

The Council heard from Councillor Johnstone who moved the motion and cited a pilot in Aberdeen where a food bank issued period products. Further Councillor Johnstone confirmed that she had spoken to a food bank in Midlothian who had confirmed they could assist with this necessity.

In seconding the motion Councillor McCall expressed her concern in relation to the impact of period poverty on girls and women in Midlothian. In support of her concern she referred to research that had been carried out by various organisations in relation to period poverty.

The Provost then confirmed that an amendment to the motion had been received which he would accept. This was circulated to Members.

The Council then heard from the Depute Provost who moved the amendment as follows:

Midlothian Council congratulates Monica Lennon MSP, Shadow Minister for Inequality, on her work raising awareness of and campaigning against period poverty; agrees that the Council will respond positively to her consultation and calls on the Scottish Government to fully fund any outcomes from that consultation.

Council supports in principal the provision of free sanitary products for pupils and asks the Director of Resources to prepare a detailed report on the costs involved.

Councillor Hackett seconded the amendment and in doing so expressed his hope that Midlothian would support the national campaign in relation to period poverty – specifically in relation to the impact to school pupils. Further he commented on the work that has been done on a UK scale specifically in relation to the reduction of VAT on sanitary products.

The Council then heard from Councillor Parry who commented on the North Ayrshire programme in relation to period poverty.

Councillor Munro was then heard in relation to the taxation on sanitary products which he confirmed was set by the Scottish or UK Governments but one that was set from the European Union. Further Councillor Munro confirmed his position that ideally the taxation on sanitary products was abolished.

In summing up Councillor Johnstone confirmed she hoped that Midlothian Council would be progressive in relation to the provision of free sanitary products which she hoped would not only be made available in Midlothian schools but also in Midlothian Council workplaces which would set an example to other employers.

Following this the Council voted.

Six Councillors voted in favour of the motion and twelve Councillors voted in favour of the amendment to the motion which then became the decision of the Council.

Decision

The Council agreed to accept the amendment to the motion

Action

Director, Resources

8. Reports

Agenda No.	Report Title	Presented by:
8.1	Representation on Outside Bodies	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report which sought nominations from the Council to fill various vacancies that have arisen in the Council's representation on Penicuik First (BIDs) Ltd.

The Council heard from the Council Leader who moved that Councillors Hardie and McCall become Directors of Penicuik First (BIDs) Ltd and Councillor Montgomery to become a Member.

Following this the Council agreed to accept the Leader's proposal.

Decision

The Council agreed to:

- (a) Councillors Hardie and McCall becoming Directors of Penicuik First (BIDs) Ltd.; and
- (b) Councillor Montgomery to become a Member of Penicuik First (BIDs) Ltd.

Action

Democratic Services

Report No.	Report Title	Presented by:
8.2	Seminar Requests	Director, Education, Communities and Economy

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a report which recommended that the Council requests seminars to be held in relation to the Learning Estate Strategy, the Midlothian Local Development Plan and Education Governance.

In moving the recommendations be accepted, Councillor Muirhead further moved an additional recommendation:

To amend Standing Orders to allow the Chairs of Committees to call for seminars without having to come back to full Council.

Councillor Parry was then heard in support of the recommendations and the additional recommendation.

Following this the Council agreed to accept the recommendations including the additional recommendation.

Decision

The Council agreed to:

- (a) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of the Learning Estate Strategy to take place during the week prior to the next Council meeting in September 2017;
- (b) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of the Midlothian Local Development plan to take place during the week prior to the next Council meeting in September 2017;
- (c) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of Education Governance; and
- (d) To amend Council Standing Orders to allow the Chairs of Committees to call for seminars without having to come back to full Council.

Action

Director, Education, Communities and Economy/Democratic Services.

Report No.	Report Title	Presented by:
8.3	New Governance – Midlothian Community Planning Partnership Board	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which invited the Council to approve the proposed new governance arrangements for the Community Planning Partnership Board following the passage of the Community Empowerment (Scotland) Act 2015.

Following a brief discussion, the Council resolved to approve the recommendations in relation to stage one of the governance review of the Community Planning Partnership Board.

Decision

The Council agreed:

- (a) To approve the proposed revised arrangements as set out in the report.

Action

Democratic and Document Services Manager/ Community Planning Manager

Report No.	Report Title	Presented by:
8.4	Midlothian Council Local Scrutiny Plan 2017/18	Chief Executive

Outline of report and summary of discussion

The Chief Executive presented a report which sought to inform the Council of the Local Scrutiny Plan 2017/18 as produced by Audit Scotland.

Following this the Council agreed to the recommendations as set out in the report.

Decision

The Council agreed to:

- a) Note the Local Scrutiny Plan 2017/18.

Report No.	Report Title	Presented by:
8.5	Impact of Exiting the European Union	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which set out a follow-up assessment of the potential impacts on Midlothian of the decision to leave the European Union, following on from the initial report presented to Council in October 2016.

The Council heard from Councillor Parry who highlighted the impact of exiting the European Union to the people of Midlothian, specifically in relation to funding and rights of citizens. Following this, Councillor Parry proposed an additional recommendation to those contained within the report as follows:

For the Council to support the Scottish Government in its opposition for withdrawing from the European Union and the single market and to support the Scottish Government in securing the best possible economic outcome for Scotland and Local Authorities.

Following contributions from Councillors Smaill, Cassidy and Munro, Councillor Milligan moved that the recommendations as set out in the report were accepted by the Council and this was seconded by Councillor Muirhead.

Councillor Parry then moved that her additional recommendation be included and this was seconded by Councillor Johnstone.

Following this the Council voted in relation to the motions. Six Councillors voted for Councillor Parry's motion and twelve voted for Councillor Milligan's motion which therefore became the decision of the Council.

Decision

The Council agreed to:

- a) Note this updated analysis of the potential impacts on Midlothian of the UK leaving the European Union;
- b) Note the need for the Council to continue to monitor the impact on Midlothian as the future position clarifies, assembling relevant data and evidence and using this as appropriate to lobby the UK and/or Scottish Governments in respect of any particular identified interests either on its own part or through COSLA; and
- c) Ensure that the risks to Midlothian by the exit process are recorded and managed through the Corporate Risk Register.

Action

Chief Executive

Report No.	Report Title	Presented by:
8.6	Midlothian Equality Plan 2017-2021 and Midlothian Equality Progress Reports 2015-2017	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which advised Council of the new Midlothian Equality Plan 2017 – 2021 and Midlothian Equality Outcomes & Mainstreaming Progress Reports 2015 – 2017 as required to meet statutory requirements as set out in the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

Councillor Parry raised her concern in relation to Members access to Equality Impact Assessments particularly in relation to key policy decisions. The Chief Executive confirmed that the Member's role in relation to Equality Impact Assessments had been included in the recent Member Induction. Coupled with this the Chief Executive urged any Member who had concerns in relation to specific Equality Impact Assessments to raise this with Officers.

Following this the Council agreed the recommendation contained within the report.

Decision

The Council agreed to:

- a) Note the contents of the Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes and Mainstreaming Progress Reports 2015 – 2017

Report No.	Report Title	Presented by:
8.7	Election of Elected Member Equality Champion	Chief Executive

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which invited Council to nominate an Elected Member as the Equality Champion for Midlothian Council and further agree the scope of the role.

Councillor McCall nominated Councillor Parry for the role and Councillor Johnstone seconded the nomination.

Councillor Lay-Douglas nominated Councillor Winchester and Councillor Hardie seconded the nomination.

Following this the Council voted in relation to the nominations.

Six Members voted for Councillor Winchester and nine Members voted for Councillor Parry.

Councillor Parry was duly elected as the Equalities Champion for Midlothian Council.

Decision

The Council agreed to:

- a) Nominate Councillor Parry as the Equalities Champion for Midlothian Council; and
- b) Agreed to the scope of the role of Equalities Champion as set out in the report.

Action

Chief Executive/ Democratic Services

Report No.	Report Title	Presented by:
8.8	Financial Monitoring 2017-18 – 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 sought to provide Council with information on performance against revenue budget in 2017/18 and details of the material variances.

The Council Leader expressed his concern in relation to the final position – specifically in relation to the £2.5m overspend in its final outturn for last year and at the end of the first quarter for this financial year is reporting a £1.2m overspend. Councillor Milligan also expressed concern in relation to the variances from some areas of the Council coupled with the reserve position of the Council. Councillor Milligan concluded by urging Members to focus on the challenge in relation to the financial position.

Councillor Parry was then heard echoing that the focus of the Council should be in relation to working through the financial challenges and further that it was important that this was done in a transparent way that engaged communities.

Following further contributions from Councillors Hackett, Cassidy, Milligan and Smaill the Council resolved to agree the recommendations contained within the report.

Decision

The Council agreed to:

- a) Note the contents of the report;
- b) Note that along with the Chief Executive assurance is being sought from Heads of Service that remedial action is being taken to address the projected overspend set out in appendix 2 of the report; and

- c) Consider the financial position in the context of the next Financial Strategy report scheduled to be presented to Council on 26th September 2017.

Report No.	Report Title	Presented by:
8.9	Housing Revenue Account – Revenue Budget and Capital Plan 2017-18	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 sought to provide Council with a summary of expenditure and income to 7th July 2017 for the Capital Plan and a projected outturn for both the Housing Revenue Account (HRA) and Capital Plan for 2017/18.

The Council agreed to approve the recommendation as set out in the report.

Decision

The Council agreed to:

- (a) note the contents of the report

Report No.	Report Title	Presented by:
8.10	General Services Capital Plan 2017-18	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 sought to provide Members with:

- An update of the General Services Capital Plan incorporating rephasing of projects 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 against budget for 2017/18;
- Update on the capital fund and the projected debt outstanding.

Councillor Smail requested further information in relation to cutting capital spend to which the Head of Finance and Integrated Service Support responded.

Following this the Council resolved to agree the recommendations as set out in the report.

Decision

The Council agreed to:

- a) Approve the projects as outlined in Section 2.3 of the report to be added to the General Services Capital Plan;
- b) Approve the allocated expenditure and funding in the General Services Capital Plan 2017/18 to 2021/22 (as shown in appendices 1 and 2 of the report);
- c) Note the General Services Capital Plan Quarter 1 monitoring position for 2017/18; and
- d) Note that based on the current forecasts and provisional sums, that the level of debt outstanding is forecast to exceed the £124.000 million cap.

Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.11	Community Policing Teams	Head of Customer and Housing Services

Outline of report and summary of discussion

The Council heard from the Head of Customer and Housing Services who presented a report which sought to bring the Council recommendations which set out the remit and operation of Council funded Community Policing Teams, following the motion approved at Council on 23 May, 2017.

Councillor Curran was then heard expressing his concern in relation to anti-social behaviour in Midlothian. Coupled with this Councillor Curran commented about his concern in relation to increase of crime within his ward. Further Councillor Curran commented on the proposed Service Level Agreement and the positive impact of the proposed activity. In conclusion Councillor Curran moved that,

The Council note and agree the financial implications and that the Council reinstates the funding for the 14 Police Officers to form Community Action Teams and further delegate to Council Officers in consultation with the Council Leader to finalise the Service Level Agreement.

Councillor Muirhead seconded Councillor Curran's motion.

The Council then heard from Councillor McCall who confirmed she was against the re-instatement of the Community Action Teams particularly in light of the financial position. Councillor McCall further cited the positive impact of the Bonnyrigg Problem Solving Partnership and suggested that what was required related to culture change across all services and communities and suggested the expansion of the Problem Solving Partnership model across Midlothian.

Councillor Hardie was then heard in relation to the specifics of the Service Level Agreement – specifically in relation to s.4.1 of the SLA and requested further clarification in relation to the Policing numbers. Further in relation to s.9.4 of the SLA, Councillor Hardie suggested that the length of time for other duties of the Community Action Teams should be reduced to three days with a reasonable explanation being provided.

Councillor Baird expressed his concern that this approach was re-active to anti-social behaviour where his view was that more focus should be placed on prevention work. Further expressed his concern at the financial context.

Councillor Hackett was then heard expressing his view that the role of a Councillor was to protect the people of Midlothian particularly in working communities where crime and anti-social behaviour is more prevalent.

The Council then heard from Councillor Parry who spoke of the work of the Fire Service who also provide support in relation to anti-social behaviour and whilst not opposing the proposal in principle felt that there had been a missed opportunity in developing the proposal.

Councillor Johnstone raised a question in relation to Council staff who support communities in relation to anti-social behaviour – specifically what would happen to them. The Head of Customer and Housing Services confirmed that the proposals had been designed in relation to the motion of the Council and at this stage couldn't comment on the impact to Council staff.

Councillor Milligan was then heard in support of the report and further commented that the work of the Community Action Teams was vital in protecting the people of Midlothian. Further the Council Leader queried as to whether there was scope for VAT exemption on this part of the service. The Head of Finance and Integrated Service Support confirmed that he would check the implications.

Councillor Muirhead was then heard in support of Councillor Curran's motion and further confirmed that the Council would monitor the operation of the Service Level Agreement to ensure that the commitments were being delivered upon. In conclusion Councillor Muirhead stated it was important the Council worked with communities to get buy in and echoed the sentiments that the Council had a role to protect its communities.

Councillor McCall then re-iterated her comments and position on the subject following which Councillor Curran confirmed the cost basis for the re-introduction of the Community Action Teams and concluded by agreeing to include Councillor Hardie's comments that the Council ensure it is fourteen additional Police Officers and to reduce the abstraction time to 72 hours.

Following this the Council voted in relation to the recommendations as moved. No Councillors voted against the motion and twelve voted in favour of the motion where therefore became the decision of the Council.

Decision

The Council agreed to:

- a) The Council note and agree the financial implications and that the Council reinstates the funding for the 14 Police Officers to form Community Action Teams and further delegate to Council Officers in consultation with the Council Leader to finalise the Service Level Agreement subject to clarification that the SLA would include 14 additional Police Officers to be deployed under the agreement and further that the abstraction time within the SLA would be reduced to 72 hours with an explanation being provided to the Council.

Report No.	Report Title	Presented by:
8.12	Midlothian Policing Plan 2017-2020	Head of Customer and Housing Services

Outline of report and summary of discussion

The Council heard from the Head of Customer and Housing Services who presented a report which sought Elected Members approval for the Midlothian Local Police Plan 2017-2020.

The Council agreed to the recommendation as set out in the report.

Decision

The Council agreed to:

- a) Approve the Midlothian Local Police Plan 2017-2020.

Action

Head of Customer and Housing Services

Report No.	Report Title	Presented by:
8.13	Day Services Policy	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 presented a report which sought approval for a Day Services Policy intended to ensure a stronger approach to the equitable provision of Day Services.

The Council heard from the Council Leader who commented that there had been good involvement from all stakeholders in relation to the revised policy and confirmed that he was happy to move the recommendations.

Following this the Council agreed to the recommendations as set out in the report.

Decision

The Council agreed to:

- a) Approve the Day Services Policy; and
- b) Note the development and consultation work on the Day Service Strategy.

Action

Joint Director, Health and Social Care

Report No.	Report Title	Presented by:
8.14	Christmas Light Funding Options	Director, Resources

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report which invited the Council to consider the following options in relation to Christmas light funding:

- A. Whether it wishes to continue to fund the supply, erection, maintenance, and take down of Christmas Lights and trees at the various towns across Midlothian including support Switch on Events
- B. Consider an option to reduce this funding over a phased period (of up to five years) subject to local communities bridging the funding gap and taking responsibility for the funding to provide Community Christmas lights in the future.
- C. Cease the supply, erection, maintenance and the take down of all Christmas lights and trees across Midlothian from Winter 2017.

Councillor Hackett was then heard in relation to the importance of Christmas lights within Midlothian communities and proposed that the Council agree a budget for Christmas 2017 and to allow a full review and engagement with Midlothian Communities in relation to Christmas lights to include other civic functions over the festive period.

Councillor Curran seconded this proposal.

Following Councillor Winchester's comments in relation to her experience of Christmas lights in Rosewell, the Council resolved to accept the proposal moved by Councillor Hackett.

Decision

The Council agreed to:

- a) The budget for Christmas 2017 to allow a full review and engagement with Midlothian Communities in relation to Christmas lights to include other civic functions over the festive period.

Action

Director, Resources

Report No.	Report Title	Presented by:
8.15	Midlothian Council Tenant Satisfaction Survey and Tenant Participation and Customer Engagement Strategy	Head of Customer and Housing Services

Outline of report and summary of discussion

The Council heard from the Head of Customer and Housing Services who presented a report which sought to convey the key findings of the Tenant Satisfaction Survey which was undertaken during 2016/17. Coupled with this the report recommends the Consultative Draft of Midlothian Council's Tenant Participation Strategy for publication and consultation.

Councillors Curran, McCall and Baird were all heard in support of the report, following which the Council agreed to accept the recommendations within the report.

Decision

The Council agreed to:

- a) Note the contents and recommendations of the Tenant Satisfaction Survey Report; and
- b) The Consultative Draft Tenant Participation and Customer Engagement Strategy to be published for consultation with tenants and service users.

Action

Head of Customer and Housing Services

Report No.	Report Title	Presented by:
8.16	General Services Capital Plan – A701 Relief Road and A702 Spur Road	Head of Communities and Economy

Outline of report and summary of discussion

The Council heard from the Head of Communities and Economy who presented a report which sought confirmation from Council for the expenditure of developer contributions on preparatory works towards implementation of proposals for the new A701 Relief Road and A702 Spur Road.

Councillor Cassidy was heard in support of the report following which the Council agreed to approve the recommendation

Decision

The Council agreed to:

- a) Approve a provision for expenditure of £1,425,500, fully funded from collected developer contributions, into the General Services Capital Plan in 2017/18 and 2018/19 to cover costs associated with the Council's approved proposals for the A701 Relief Road and A702 Spur Road.

Action

Head of Communities and Economy

Report No.	Report Title	Presented by:
8.17	Proposed Restricted Roads (20mph Limit) (Scotland) Bill	Head of Commercial Operations

Outline of report and summary of discussion

The Council heard from the Head of Commercial Operations who presented a report which asked Council to consider a Midlothian Council response to the 'Proposed Restricted Roads (20mph Limit) (Scotland)' Bill.

The Council heard from Councillor Hardie who expressed his concern that he felt the response didn't go far enough in relation to supporting the benefits of the current 30mph speed limits to the people of Midlothian and further did not recognise the full implications of implementing the changes. In conclusion Councillor Hardie confirmed that he opposed the recommendations as set out in the report.

The Council then heard from Councillor Hackett who expressed his view that it was important to respond to the consultation and recognised the differing views of the recommendations. In conclusion Councillor Hackett requested that there was reference to the Scottish Government taking full responsibility for the costs involved should the legislation be passed.

Following this the Council voted in relation to the recommendations as set out in the report.

Five Councillors voted against the recommendations and thirteen Councillors voted in favour of the recommendations which thereafter became the decision of the Council.

Decision

The Council agreed to:

- a) Consider the consultation paper and proposed response detailed in Appendix 1 of the report; and
- b) Authorise Director, Resources to submit the response on behalf of the Council.

Action

Head of Commercial Operations

Report No.	Report Title	Presented by:
8.18	Consultation on the Relocation of St Mary's Roman Catholic Primary School	Head of Education

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought Council's approval to relocate St Mary's Roman Catholic Primary School to a new school campus on the former Hopefield Primary School site on Rosewell Road in Bonnyrigg.

The Council heard from Victor Bourne who spoke in favour of the recommendations follow which the Council resolved to approve the recommendations as set out in the report.

Decision

The Council agreed to:

- a) The relocation of St Mary's Roman Catholic Primary school from its current location on Polton Street to the new campus on Rosewell Road, with effect from completion of the new school building, planned for August 2019;
- b) The maintenance of strong communication links between the staff of both St Mary's and Burnbrae Primary Schools and Council officers to ensure a smooth transition into the new campus, including the formalisation of a clear plan on shared campus working;

- c) The review of school travel plans and parking arrangements so that appropriate enhancements are in place for the opening of the new school campus; and
- d) The commitment to involve pupils and staff in the design and layout of internal and external spaces at the new school campus.

Action

Head of Education

Report No.	Report Title	Presented by:
8.19	Consultation on the Relocation of Nursery and Primary 1 of Burnbrae Primary School to a New School Campus	Head of Education

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought the Council's approval to relocate the Nursery and Primary 1 of Burnbrae Primary School to the new school campus to be built on Rosewell Road in Bonnyrigg.

Councillor Lay-Douglas was heard requesting that parent councils and parents alike were involved in the projects to which the Head of Education confirmed that they would be fully involved.

Councillor Milligan was then heard in support of Councillor Lay-Douglas's comments. Further the Council Leader welcomed the fact that this report and the previous report allowed the projects to progress. Councillor Milligan also confirmed that it was important that in the design of both projects sufficient and creative thinking was given in relation to traffic management. Coupled with this Councillor Milligan suggested that the residents in the area were also involved in this aspect of the project. The Head of Education agreed to take these points on board.

Following this the Council resolved to agree the recommendations as set out in the report.

Decision

The Council agreed to:

- a) The operation of Burnbrae Primary School over two sites under the management of one headteacher, accommodating all nursery and Primary 1 pupils at the new Rosewell Road campus site and accommodating all Primary 2 to Primary 7 pupils on the existing school site on Burnbrae Road, with effect from completion of the new school campus, planned for August 2019;

- b) The significant collaboration between all stakeholders to ensure that Burnbrae Primary School maintains its identity as one educational establishment under the leadership of one Headteacher;
- c) The maintenance of strong communication links between the early learning and childcare teams, the staff of both Burnbrae and St Mary's Primary Schools and Council officers to ensure a smooth transition into the new campus, including the formalisation of a clear plan on shared campus working;
- d) The review of school travel plans and parking arrangements so that appropriate enhancements are in place for the opening of the new school campus;
- e) The use of bespoke modular units at Burnbrae Primary to ensure that there is adequate capacity for all pupils until the new school building is ready for occupation; and
- f) The commitment to involve pupils and staff in the design and layout of internal and external spaces at the new school campus.

Action
Head of Education

Report No.	Report Title	Presented by:
8.20	The Future of the Kabin in Loanhead	Head of Education

Outline of report and summary of discussion
<p>The Council heard from the Head of Education who presented a report which sought to:</p> <ul style="list-style-type: none"> a) To inform elected members of the current situation with the Kabin; and b) For elected members to agree that officers continue to work with the Lottery to explore alternative use for the Kabin building. <p>Councillor Imrie commenced the debate by expressing his shock in relation to the events surrounding the Kabin and in doing so proposed an additional recommendations as follows:</p> <p><i>Council further agrees to write to the Scottish Government and National Lottery asking them to instigate an investigation into the activities and management of the Kabin as a matter of urgency.</i></p> <p>Councillor Imrie confirmed that he felt this was necessary so as that there was an understanding of what had happened and the Board's part in relation to this – specifically in relation to the fact that staff had raised concerns to the Board. Further Councillor Imrie expressed his concern in relation to the loss of service</p>

- a) To inform elected members of the current situation with the Kabin; and
- b) For elected members to agree that officers continue to work with the Lottery to explore alternative use for the Kabin building.

to the community and the impact to the staff who had been involved in the operation.

The Council then heard from Councillor Winchester who supported Councillor Imrie's comments in particular the fact that staff at the Kabin had informed the Board of their concerns.

Councillor Parry was then heard expressing her view that this is a massive blow to the community. Further Councillor Parry confirmed that the focus should now be in relation to what can be done with the Kabin and engaging stakeholders with this move forward. In conclusion Councillor Parry confirmed that she moved the recommendations as set out in the report were agreed by Council.

The Council Leader was then heard echoing the concerns of Councillor Imrie and spoke in more detail of the financial context of the operation of the Kabin. Councillor Milligan echoed the sentiment that the Kabin is a fantastic facility and action should be taken by Officers to support the community in exploring a solution for the future of the facility.

Councillor Cassidy was then heard in support of an inquiry and Councillor Smaill was heard expressing concern in relation to the building – specifically in relation to the risk of vandalism.

Following this the Council voted in relation to the motions presented to them.

Six Councillors voted in favour of the recommendations as outlined in the report and twelve Councillors voted in favour of the recommendations as set out in report along with the additional recommendation moved by Councillor Imrie which thereby became the decision of the Council.

Decision

The Council agreed to:

- a) Note the current situation with the Kabin and specifically it's adverse trading position;
- b) Note that Officers continue to work with the Lottery to provide assistance with the Kabin;
- c) Note that further updated reports will be presented to Council as appropriate; and
- d) Write to the Scottish Government and National Lottery asking them to instigate an investigation into the activities and management of the Kabin as a matter of urgency.

Action

(a) to (c) Director, Education, Communities and Economy

(d) Democratic Services

9. Exclusion of Members of the Public

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

9.1 – Independent Appointments to Audit and Standards Committees – report by Chief Executive – Approved

9.2 – Appointment of Joint Director, Health and Social Care, report by Chief Executive – Approved

9.3 – Supported Bus Service 39 – report by Head of Commercial Operations – Approved.