

# Minute of Meeting



Cabinet  
Tuesday 4 March 2025  
Item No 4.1

## Cabinet

Date	Time	Venue
Tuesday, 5 November 2024	11:00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith and MS Teams

### Present:

Councillor Parry (Chair)	Councillor Alexander (Virtual)
Councillor Cassidy	Councillor McKenzie
Councillor Scott	

### In attendance:

Dr Grace Vickers, Chief Executive
Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director Children, Young People & Partnerships
Nick Clater, Head of Adult Services and Chief Social Work Officer
Rebecca Hooton, Chief Officer Children's Services, Partnerships and Communities. Deputy Chief Social Work Officer
Saty Kaur, Chief Officer Corporate Solutions
Derek Oliver, Chief Officer Place
Michelle Strong, Education Chief Operating Officer
Laura Gunning, Principal Officer Public Health
Fiona Kennedy, Service Manager - Health and Social Care
Hannah Forbes, Democratic Services Officer
Janet Ritchie, Democratic Services Officer

## 1 Welcome, Introductions and Apologies

The Chair welcomed everyone to the meeting of Cabinet. Apologies were submitted by Anne-Theresa Lawrie and Councillor McManus. The Chair wished Councillor Russell a happy birthday on behalf of the Cabinet.

## 2 Order of Business

The order of business was as detailed within the agenda. The Chair highlighted that the additional Education Appointment Committee minute would be noted under item 4.3.

## 3 Declarations of interest

No declarations of interest were received.

## 4 Minutes of Previous Meetings

- 4.1 The Minute of the Meeting of Cabinet held on the 17 September 2024 was submitted and approved as a correct record.
- 4.2 The Action Log was noted.
- 4.3 The Private Minute Volume was submitted for approval and approved as correct record.

## 5. Reports

Agenda No.	Report Title	Presented by:
5.1	Strathesk Primary School and Nursery Class Inspection Report	Education Chief Operating Officer
<b>Outline of report and summary of discussion</b>		
<p>The Education Chief Operating Officer presented the report which outlines the inspection of Strathesk Primary School and Nursery Class. In June 2024, a team of inspectors from Education Scotland visited Strathesk Primary School and Nursery Class. The report was published on 1 September 2024 and is available on the Education Scotland website.</p> <p>Cabinet is recommended to</p> <ol style="list-style-type: none"><li>(i) Note the content of the summary of the inspection report.</li><li>(ii) Congratulate the pupils, parents and staff connected with this report.</li><li>(iii) Pass this report to the Performance, Review and Scrutiny Committee for noting purposes.</li></ol> <p>The Chair thanked the Education Chief Operating Officer for the report and opened for questions.</p>		

Congratulations were passed to all the pupils and staff for another rewarding inspection. Cabinet felt confident that any areas marked for improvement will be improved.

**Decision**

Cabinet noted the contents of the report.

Agenda No.	Report Title	Presented by:
5.2	Anti-Bullying Policy	Executive Director Children, Young People and Partnerships

**Outline of report and summary of discussion**

The Executive Director Children, Young People and Partnerships presented the report. They advised that the review of the Midlothian Anti-Bullying Policy comes ten years after the adoption of the current policy and the report reflects new guidance from the Scottish Government, including recent research into the reasons for bullying and the ongoing impact. It has been created by a working group made up of representatives from schools, and Officers responsible for Children’s Rights, Additional Support Needs, Care Experienced Young People, and parents and pupil voices. The report is designed as a model policy for schools to adopt, with aspects which can be adapted according to individual school contexts. The policy includes clear definitions, roles and responsibilities in an attempt to clarify best practice when dealing with incidents of bullying behaviour. A suite of support and guidance materials, aligned with a professional learning programme will support the implementation of the policy over the coming year, based on information from schools as they review their existing practice and procedures. The policy sits within the Relational Approaches Framework which has been introduced to schools, and will, in further iterations, reflect key messages from the Inclusion Framework which is under development.

Cabinet was asked to approve the adoption of the Anti-Bullying Policy, and the proposal to continue with consultation activity around the policy and development of guidance materials as schools embed practice within their settings.

The Chair thanked the Executive Director Children, Young People and Partnerships for the report and opened it up for questions.

Cabinet advised that they are happy to approve the report. A question was raised in relation to SEEMiS, and the length of time records are kept. It was highlighted as a possible concern that these records may not always be appropriate to keep for the full duration of a child’s time in education. It was also asked what work will be undertaken to ensure that SEEMiS is going to be user friendly for pupils to access this information.

The Executive Director Children, Young People and Partnerships explained that the records on a child’s profile on SEEMiS will be on there for the duration of their time in education and that all activity will be monitored.

**Decision**

Cabinet approved the recommendations as detailed in the report.

Agenda No.	Report Title	Presented by:
5.3	Education Performance Report Quarter Two 2024/2025	Education Chief Operating Officer
<b>Outline of report and summary of discussion</b>		
<p>The Education Chief Operating Officer presented the report, highlighting the salient points of the report, noting progress in the delivery of strategic outcomes, the challenges and risks. The Education Chief Operating Officer thanked the staff for the continued hard work to make this improvement possible. The report was for noting.</p> <p>The Chair thanked the Education Chief Operating Officer for the report and opened for questions.</p> <p>Cabinet noted the amazing work improving attendance from the Midlothian Aligned Officer who had only started in August 2024. The Learners Conference was described as a great experience and thanks was passed to the Communities Lifelong Learning and Employability Team for their hard work over this weekend.</p> <p>The Chief Officer Children's Services, Partnerships and Communities advised that there was an article detailing bonfire activities published which can be shared with Cabinet after this meeting.</p>		
<b>Decision</b>		
The report was noted by Cabinet.		
<b>Action</b>		
The Chief Officer Children's Services, Partnerships and Communities to share the published article relating to bonfire activities with Cabinet.		

Agenda No.	Report Title	Presented by:
5.4	Children Services, Partnerships and Communities Performance Report Quarter Three 2024/2025	Chief Officer Children's Services, Partnerships and Communities
<b>Outline of report and summary of discussion</b>		
<p>The Chief Officer Children's Services, Partnerships and Communities presented the report highlighting the salient points of the report and the typing error in the title that should be Quarter Three, and noted progress in the delivery of strategic outcomes, the challenges and risks. It was noted by the Chief Officer Children's Services, Partnerships and Communities that the highest risk has been changed to parental mental health.</p> <p>The Chair thanked the Chief Officer Children's Services, Partnerships and Communities for the report and opened for questions.</p>		

The Chief Officer Children’s Services, Partnerships and Communities was asked about the main reasoning for the change from domestic violence to mental health as the highest risk and if this has any relation to the cost of living crisis. The waiting list for Child and Adolescent Mental Health Services (CAMHS) was also raised as a concern with the current waiting list being at 1408 people. Cabinet asked if the waiting list correlates to adult mental health issues and highlighted the importance of having facilities for young people.

The Chief Officer Children’s Services, Partnerships and Communities explained that the data needs to be examined in relation to mental health, with specific emphasis on people who have been diagnosed with mental health or have poverty related concerns. This could be a combination of both, and the workforce needs to investigate this further. It was also explained that adult mental health may be triggered by children with neurodiversity diagnosis challenges, however the Chief Officer Children’s Services, Partnerships and Communities advised that they do not have an answer for if this correlates into adult mental health.

The Chief Officer Children’s Services, Partnerships and Communities highlighted that the number of 1408 on the waiting list is people waiting for an assessment, but this does not mean that they will be diagnosed. There has been a cultural change in the understanding of neurodiversity which has caused an increase in the numbers on the waiting list.

Cabinet asked if people who are on the waiting list are still able to seek financial support without a diagnosis. The Chief Officer Children’s Services, Partnerships and Communities advised that the Department for Work and Pensions will now allow some change to support depending on the evidence that is provided to them.

**Decision**

Cabinet noted the report.

Agenda No.	Report Title	Presented by:
5.5	Adult Social Care Services Performance Report Quarter Two 2024/2025	Head of Adult Services and Chief Social Work Officer

**Outline of report and summary of discussion**

The Head of Adult Services and Chief Social Work Officer presented the report and highlighted a change in formatting to make this clearer. The Head of Adult Services and Chief Social Work Officer advised Cabinet that for the next meeting, figures will be brought back in relation to adult ADHD assessments. The progress in the delivery of strategic outcomes, the challenges and risks were highlighted. The Head of Adult Services and Chief Social Work Officer advised Cabinet of the increase in challenges in adult mental health and ongoing changes in the drug world. The report was for noting.

The Chair thanked the Head of Adult Services and Chief Social Work Officer for the report and opened it up for questions.

Cabinet discussed the contents of the report, including the Community Payback Order (CPO), and asked if it is likely that more resources will be needed around that and what the financial implications are. Cabinet also discussed alcohol related illnesses and the importance of their dangers being communicated to the public. Cabinet asked if the volume of alcohol sales in Midlothian is known.

The Head of Adult Services and Chief Social Work Officer advised that the Section 27 grant from the Scottish Government received each year is currently being reviewed. The Head of Adult Services and Chief Social Work Officer highlighted ongoing drug problems, including the cost of drugs and the inexpensiveness of synthetic drugs which has a strong link to criminality. It was advised that the ongoing work around alcohol use has not had the same focus as drugs and there can be more work done around on this.

The Chief Officer Place explained that the volume of sales relating to alcohol is not something Council keeps a record off. They highlighted that the Scottish Government has increased the per unit price to try discourage spend on alcohol as much as possible

The Chair asked if legal highs still exist, and if they have the potential of cropping up in the future. Cabinet also discussed alcohol deaths and asked for clarity regarding how records on this are kept and if they are recorded different to West Lothian.

The Head of Adult Services and Chief Social Work Officer advised the Chair that legal highs have almost disappeared in Midlothian, and the main issue is synthetic drugs. Alcohol deaths are recorded nationally. West Lothian has had a significant increase, and the Head of Adult Services and Chief Social Work Officer advised they can check why that would be.

#### Decision

Cabinet noted the report.

#### Action

The Head of Adult Services and Chief Social Work Officer to bring back figured in relation to adult ADHD assessments.

Agenda No.	Report Title	Presented by:
5.6	Place Performance Report Quarter Two 2024/2025	Chief Officer Place

#### Outline of report and summary of discussion

The Chief Officer Place presented the report, highlighting the important points of the report including progress in the delivery of strategic outcomes and the challenges and risks.

The Chair thanked the Chief Officer Place for the report and opened for questions.

Cabinet noted the great progress with school meals and how children are engaging with the changed menu, and asked if there would be any benefit for the school meals to be accessible through a digital platform with a pre-order function with more information relating to the nutrition of the meals.

The Chief Officer Place stated that there is a Food Nutritionist who can detail those important factors in the school meals. The pre-order function is something that can be investigated in the future.

Cabinet highlighted the sport and leisure innovation regarding the offers in place and asked about the conversion rate of people taking out memberships with the offer and if that membership is sustained afterwards. Cabinet noted concerns that housing issues with homelessness does not seem to be getting any better. The Chief Officer Place was asked to explain what the process is for the closure of restaurants by Environmental Health.

The Chief Officer Place explained that there is a growth in memberships relating to the offers. They further explained that the impact on the housing stock, with ensuring the voids turn around, is completed at the same time. The Voids Team are working very hard to ensure their turn around is complete. The Chief Officer Place advised that in relation to the closure of restaurants by Environmental Health, a further survey takes place and once that issue has been resolved the restaurant is able to open again.

#### Decision

The report was noted by Cabinet.

Agenda No.	Report Title	Presented by:
5.7	Corporate Solutions Performance Report Quarter Two 2024/2025	Chief Officer Corporate Solutions

#### Outline of report and summary of discussion

The Chief Officer Corporate Solutions presented the report, highlighting the salient points from the report, noting the library visits, delivery of the outcomes against the Council's strategic objectives, the Transformation Blueprint and the sign up for direct debit for garden waste. The roll out of Microsoft 365 and the new intranet development phase will be launched in January 2025.

The Chief Officer Corporate Solutions thanked all the staff in Corporate Solutions for what has been achieved under really challenging circumstances and recognised the other services who have supported Corporate Solutions in delivering its priorities. The report was for noting.

The Chair thanked the Chief Officer Corporate Solutions for the report and opened it for any questions.

Cabinet highlighted feedback received regarding the way the public are contacting Midlothian Council.

The Chief Officer Corporate Solutions advised that the best communication method is through digital platforms such as social media and the library. It was noted that more work needs to be done regarding communications, and feedback is always welcome. The Chief Officer Corporate Solutions also explained that the service platform and system upgrades are costing more, however this will result in a saving in the future.

**Decision**

Cabinet noted the report.

Agenda No.	Report Title	Presented by:
5.8	Midlothian Council Report Quarter Two 2024/2025 and Balanced Scorecard	Chief Executive
<b>Outline of report and summary of discussion</b>		
<p>The Chief Executive presented the report together with the Balanced Scorecard which provides a summary of actions in line with the Single Midlothian Plan, further complementing the reports presented from each of the services during the meeting. The report was for noting.</p> <p>The Executive Director Children, Young People and Partnerships, Chief Officer Children's Services, Partnerships and Communities and Councillor Alexander left the meeting at 12:45.</p> <p>No questions were asked and the report was noted.</p>		
<b>Decision</b>		
The report was noted by Cabinet.		

Agenda No.	Report Title	Presented by:
5.9	Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2023/2024	Chief Officer Place
<b>Outline of report and summary of discussion</b>		
<p>The Chief Officer Place advised that the purpose of this report is to inform Cabinet of the Council's statement of compliance with its statutory climate change reporting duties for 2023/2024, a copy of which is available in the CMIS Members' Library. The report recommends its submission to Scottish Government by the due date of 30 November 2024.</p> <p>It is recommended that Cabinet:</p>		



- (a) approves the Council's Report on Compliance with the Public Bodies Climate Change Duties for 2023/24; and
- (b) agrees to the submission of the report to Scottish Ministers by 30th November 2024.

The Chair thanked the Chief Officer Place and noted that this was a very interesting report. There were no questions presented to the Chief Officer Place and the report was approved.

#### Decision

Cabinet approved the recommendations as detailed in the report.

Agenda No.	Report Title	Presented by:
5.10	Private Water Supplies – Grant Funding Report	Chief Officer Place

#### Outline of report and summary of discussion

The Chief Officer Place spoke to the purpose of the report which is to provide information on a proposal for additional grant criteria in order for Midlothian Council to be able to support private water supply users in securing improvements to their supplies to protect public health.

Cabinet is recommended to:

- i. Note that Midlothian has 67 private drinking water supplies, 40 of which are 'regulated' (incorporating commercial activity) and 27 which are 'type B' (owner occupied domestic only).
- ii. Note the provisions of the Private Water Supplies (Grants) (Scotland) Regulations 2006, in particular Regulation No. 8, permitting Midlothian Council to approve grant assistance in respect of works likely to improve the nature or quality of a private water supply. The maximum grant is currently up to £800.00 per property.
- iii. Note that this level of current grant assistance has not increased since 2006 and increased costs of living over this time risks a decline in the supply maintenance, which may pose a public health risk to supply users.
- iv. Note that Regulation 8(2) of the Private Water Supplies (Grants) (Scotland) Regulations 2006 permits Midlothian Council to pay grant in excess of £800 where an eligible person could not, without undue hardship, finance the expense of improvement works.
- v. Approve the proposed criteria for approval of additional grant (appendix C) and the maximum amount of grant payable to a property eligible for additional assistance as £3,400.00 (initial £800 plus up to £2,600.00 additional discretionary grant).
- vi. Acknowledge that grant funds are reclaimable in full (plus any Midlothian Council administration costs) from the Drinking Water Quality Regulator (DWQR), a public body responsible for nationally monitoring Scotland's private water supplies and advising Scottish Ministers. The approval of

additional grant will be subject to the continuation of funding availability from DWQR.

The Chief Officer was thanked for the report and the Chair opened for any questions.

Cabinet discussed the different types of water supplies that owners may have for their properties. The Chief Officer Place explained that there is a duty of care for any private water supply to be investigated to ensure any improvements can be made. It was highlighted there is a reclaimable grant up to £800.00 per property and Cabinet are being asked to agree to expand on the current policy position.

The Principal Officer Public Health stated that a risk assessment will be undertaken to assess if the works are eligible to improve the quality of the water supply.

#### Decision

The report was approved by Cabinet.

Agenda No.	Report Title	Presented by:
5.11	Lothian Street, Bonnyrigg – Disposal of Land Report	Chief Officer Place

#### Outline of report and summary of discussion

The Chief Officer Place advised that this report details that double yellow lines were approved by Cabinet in October 2023 to be extended along the length of Lothian Street to mitigate pedestrian and road safety concerns and challenges for movement of buses and other large vehicles. Consequently, there has been vehicle displacement into neighbouring residential streets from both residents and visitors to Lothian Street. A business owner on Lothian Street submitted a planning application to form a car park on land adjacent to 103 Lothian Street at the junction with Waverley Crescent. The application was initially refused under delegated authority but subsequently granted planning permission by the Council's Local Review Body (LRB) at its meeting in October 2024. With the Council being landowner, it is in a position to offer the land for lease on the open market.

It is recommended that Cabinet:

- (i) Note the challenges for Lothian Street resident and visitor parking since the introduction of extended double yellow lines on the grounds of pedestrian road safety and traffic flow improvement
- (ii) Note the Local Review Body Decision (24/00062/DPP) to permit the formation of car parking and associated works on land adjacent to 103 Lothian Street, at the junction with Waverley Crescent, Bonnyrigg
- (iii) Approve to lease on the open market the area of land adjacent to 103 Lothian Street, at the junction with Waverley Crescent

The Chair thanked the Chief Officer Place for the report. No question were raised and the report was approved by Cabinet.

<b>Decision</b>
The report was approved by Cabinet.

## **6 Private Reports**

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None discussed.

## **7 Date of the Next Meeting**

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The date of the next meeting was noted as Tuesday 20 January at 11:00.

The meeting terminated at 12:58.