![East Lothian Council logo]

MINUTES OF THE MEETING OF
EAST LOTHIAN COUNCIL

TUESDAY 31 OCTOBER 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

1

Committee Members Present:

Provost J McMillan (Convener)
Councillor S Akhtar
Councillor L Bruce
Councillor S Currie
Councillor F Dugdale
Councillor J Findlay
Councillor A Forrest
Councillor N Gilbert
Councillor J Goodfellow
Councillor N Hampshire

Councillor J Henderson
Councillor G Mackett
Councillor K Mackie
Councillor C McGinn
Councillor P McLennan
Councillor K McLeod
Councillor F O'Donnell
Councillor B Small
Councillor T Trotter
Councillor J Williamson

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
Mr D Small, Director of East Lothian Health & Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Head of Development
Ms F Robertson, Head of Education
Mr T Shearer, Head of Communities and Partnerships
Ms S Fortune, Service Manager – Business Finance
Mr C Grilli, Service Manager – Legal and Procurement
Ms P Homer, Childcare Development Officer
Ms J Mackay, Media Manager
Ms K MacNeill, Service Manager – Licensing, Admin & Democratic Services
Ms E Shaw, Service Manager – Corporate Finance
Mr P Vestri, Service Manager – Corporate Policy and Improvement
Ms E Wilson, Service Manager – Economic Development and Strategic Investment

Visitors Present:

Ms G Woolman, Audit Scotland

Clerk:

Mrs L Gillingwater

Apologies:

Councillor W Innes
Councillor S Kempson

Prior to the commencement of business, the Provost welcomed Gillian Woolman of Audit Scotland to the meeting, and Annette Bruton of Edinburgh College and the East Lothian Partnership, who was also in attendance.

1. MINUTES FOR APPROVAL

The minutes of the Council meeting specified below were approved:

East Lothian Council – 22 August 2017
Matter arising: Item 10 – Councillor Currie referred to his query as regards Council representation on the Brunton Theatre Trust. The Provost advised that officers were awaiting clarification on this matter.

East Lothian Council – 12 September 2017

2. MINUTES FOR NOTING

The minutes of the Local Review Body meeting of 31 August 2017 were noted.

3. EAST LOTHIAN COUNCIL 2016/17 ANNUAL AUDIT REPORT

The Provost welcomed Gillian Woolman of Audit Scotland to the meeting.

Ms Woolman provided a detailed presentation of the 2016/17 Annual Audit Report, confirming that the Council's accounts had been signed off in September and that the Council had been given an unqualified opinion on the accounts. She highlighted the key aspects of the report and directed Councillors to the Action Plan and the significant risks identified during the audit process.

In response to a question from Councillor Akhtar about trends identified during the audit work, Ms Woolman advised that a financial overview report would be published in November 2017 which would illustrate trends and comparisons across Scottish local government; a further report would be published in March 2018 which would focus on performance and service delivery.

Councillors McLennan and Small asked questions in relation to long-term financial planning. Ms Woolman pointed out that a number of the Council's borrowing arrangements already went beyond 10 years, and that there were a number of other factors that were certain. She accepted that long-term budgeting was speculative; however, she believed that it was important to have long-term financial plans in place.

On the promotion of trust funds, Ms Woolman advised that officers were considering how best to take these funds forward.

Councillor O'Donnell raised a number of matters as regards the IJB, particularly in relation to the transfer of funding from the NHS to community-based services. Ms Woolman commented that it was still early days for the IJB, but that the transfer of resources from acute to community services had not worked out as expected in 2016/17.

Councillor Bruce asked Ms Woolman for her views on the Council's scrutiny committees. She reminded Members that the Schemes of Administration for those committees had recently been amended to ensure that meetings were quorate; however, she added that continuing with the current situation was not desirable.

Responding to questions from Councillor McLeod, Jim Lamond (Head of Council Resources) advised that the capital balance on the PPP contract had reduced slightly. As regards fraud investigations that had not yet been reviewed, Ms Woolman noted that the Internal Audit work was ongoing, and would be completed in February 2018. Councillor McLeod also asked about the status of Musselburgh Joint Racing Committee (MJRC), and was advised that the MJRC was included in the report as it formed part of the Council's group accounts. She informed Members that the Accounts Commission was currently preparing a report on ALEOs.

Referring to the risks associated with Universal Credit, Councillor Currie commented that the 6-week wait for money experienced by some claimants was the main issue. Ms Woolman advised that there had been challenges early on in the rollout of the new system and this was what was referred to in the report. She accepted that debt provision had been increased and noted the financial consequences of this, adding that the situation had been reported back to the Accounts Commission. Councillor Currie also made reference to a recent court judgement on how developer contributions could be used, and asked if this would be looked at by Audit Scotland in view of the scale of new housing developments in East Lothian. Ms Woolman indicated that officers would take this forward in 2017. On risks associated with the slippage of capital projects, she reiterated the importance of the Council preparing longer-term financial plans in order that the intended capital investment is achieved.

Councillor Henderson opened the debate by highlighting the importance of including all organisations within the group accounts in the Council's scrutiny plans in order to maintain good governance.

Councillor Akhtar welcomed the report, remarking that the Council had a good track record of service delivery and effective financial management. She paid tribute to Council staff for their efforts in managing their budgets whilst delivering high quality services.

Councillor Currie commented that the report highlighted the challenges faced by local government. He called on the Council to ensure that capital projects are delivered, and spoke in favour of longer-term financial planning for capital programmes. He expressed concern about the Council's ability to deliver the infrastructure required to support the Local Development Plan, and also about the outcome of the Barclay Review into non-domestic rates. However, he was confident that the Council could meet the anticipated challenges.

Councillor Hampshire thanked staff in the Finance service for their support to all Council services and the Administration. He shared Councillor Currie's concerns as regards the use of developer contributions, remarking that new developments could not be delivered without the accompanying infrastructure.

The Provost concluded the debate by thanking Ms Woolman for her report and presentation.

Decision

The Council agreed to note the 2016/17 Annual Audit Report.

4.   2016/17 EAST LOTHIAN COUNCIL ANNUAL REPORT

A report was submitted by the Chief Executive providing Members with the 2016/17 East Lothian Council Annual Report.

Paolo Vestri, Service Manager – Corporate Policy and Improvement, presented the report, advising that it had already been presented to the Policy & Performance Review Committee and had been lodged in the Members' Library. He drew attention to the key aspects of the report, such as benchmarking, noting that the Council had 40% of indicators in the top quartile. He pointed out that of the commitments included in the 2012-17 Council Plan, all had been delivered or were at an advanced stage. He also highlighted the results of the Residents' Survey. Mr Vestri advised of the intention to produce a summary report of the results.

Referring to the Council's Economic Development Strategy and the Council Plan, Councillor McLennan asked about job creation in East Lothian. Douglas Proudfoot, Head of Development, advised that it was difficult to assess the number of new jobs. He highlighted the figures as regards jobs and business growth, as well as a number of economic development initiatives, such as the City Region Deal, the Innovation Park and the development of the former Cockenzie Power Station site. The Provost added that the Economic Development Strategy would shortly be reviewed and that job creation would be considered as part of that review.

Councillor Gilbert asked how the level of rent arrears in 2016/17 compared to that of previous years. Mr Vestri indicated that the level of rent arrears was increasing, with the impact of Universal Credit being a factor. He predicted that this figure would increase further.

In response to a question from Councillor Akhtar about broadband coverage, the Provost advised that the Scottish Government had committed £120m to achieve 100% coverage by 2022; however, the Council had not yet been advised of the funding or timescales for East Lothian. Esther Wilson, Service Manager – Economic Development and Strategic Investment, noted that East Lothian currently had 95-96% coverage.

Councillor Findlay questioned attainment in numeracy and literacy in primary schools. Fiona Robertson, Head of Education, reminded Members that the data in the report was 'experimental data' and could not be used for benchmarking purposes. She advised that the 2016/17 data would be reported to the next meeting of the Education Committee.

Councillor Small commented on the large number of key performance indicators, remarking that it was important to look further at those that were considered to be the most important. He suggested that the scrutiny committees should consider this in future.

Councillor O'Donnell congratulated officers for their work in securing the former Cockenzie Power Station site, and looked forward to further consultation on the future use of the site. She also congratulated Annette Bruton on her role with the East Lothian Poverty Commission, and former councillor Donald Grant for his work on day centre service contracts. She paid tribute to staff working within the Health and Social Care Partnership for delivering services to older people, and also highlighted the role of the Citizens' Advice Bureau during the rollout of Universal Credit.

On Education, Councillor Akhtar drew attention to the £500,000 investment in the Red School, Prestonpans, the Tots and Teens initiative, the development of early years' education provision and the recent Excellence in Teaching Award for Windygoul Primary School. She also pointed out that eleven graduates had secured modern apprenticeships within the Council, 1000 school pupils had undertaken work experience, and 93.5% of school leavers went on to positive destinations, which was above the national average.

Councillor Currie spoke of the importance of focusing on outcomes and the progress made by the Council over the past 20 years. He paid tribute to Council staff and communities within East Lothian, especially those involved in voluntary work.

Councillor Hampshire echoed the comments made by other Members, adding that the Council had performed well during challenging financial times.

Decision

The Council agreed to approve the 2016/17 East Lothian Council Annual Report.

5.   FINANCIAL PROSPECTS – 2018/19 AND BEYOND

A report was submitted by the Depute Chief Executive (Resources and People Services) providing the Council with an update on the financial outlook for 2018/19 and beyond, setting out forecasts of the Council's anticipated costs pressures and changes to funding over the medium term, and setting out proposed changes to the budget planning framework for 2018 to 2023.

The Head of Council Resources, Jim Lamond, presented the report, providing an update on the current year's budget and approved financial plans for 2017-2020. He went on to advise Members of the financial challenges facing the Council, anticipating that the ongoing period of austerity would continue for some years to come. He noted the uncertainty as regards local government funding, and the impact this would have on longer-term financial planning. Mr Lamond informed Members that scenario-based financial modelling had been carried out across a five-year period (set out in Section 3.10 of the report), indicating that, based on these predictions, the Council would have to make some very difficult decisions in the coming years in order to balance budgets. Mr Lamond highlighted proposed changes to the budget development process, as outlined in Section 3.12 of the report.

In response to questions from Councillor Currie, Mr Lamond warned that Scenario 3 (which provided for savings of £39 million across the five-year period) was, in his opinion, realistic, unless there was a significant shift in priorities at government level. Mr Lamond noted that provision of only 1% for pay awards for each of Years 1-3 had been included in the current approved financial plans at a time when both the UK and Scottish Governments were signalling a change in public sector pay policy that would create pressure for higher awards. As regards the PPP contract, he advised that through contract monitoring and reviews, the Council had benefited from a number of refunds; he added that the contract payments were subject to a degree of indexation. On financial planning, Mr Lamond noted the desire of Audit Scotland for councils to move to a five-year budget process, and despite the obvious and varied challenges brought by uncertainty, he suggested that forward thinking and planning was now more important than ever. As regards the budget process for the coming year, he anticipated that the Administration's draft budget would be presented to Cabinet in January, after which the other political groups would be given the opportunity to propose amendments to the draft budget. He advised that there would be a budget briefing for all Members in December, and that officers were in the process of preparing an extensive range of options for consideration as regards reducing costs, increasing income streams, and redesigning services.

Councillor Small asked Mr Lamond if he was confident that the Transformational Change/Efficiency Programme would be achieved. Mr Lamond pointed out that the Council was, broadly speaking, on target at the end of the first financial quarter, and that there would be an update on the Quarter 2 position presented to Cabinet in November. He advised that realising planned savings for Years 2 and 3 would be a challenge.

Responding to questions from Councillor O'Donnell on the funding for health and social care, Mr Lamond advised that the Council's share of the additional £130 million revenue support grant included in the 2017/18 local government settlement amounted to c. £2.3m, and that for now, he was working on the assumption that this funding was baselined. As regards the

funding of new policies/burdens, he noted that negotiations between Ministers and CoSLA were ongoing, but that the financial modelling undertaken assumed that any new burdens would be fully funded.

Councillor Williamson asked if 100% of the Pupil Equity Fund was given to schools using the prescribed formula. Mr Lamond pointed out that there was guidance on the use of this funding, with the majority of it going to schools, but with some being used for support services, such as school support, finance and HR. The Head of Education, Fiona Robertson, added that the Council worked with head teachers to ascertain their requirements, and that some of the funding had been used to develop the Curriculum for Excellence monitoring and tracking tool.

Councillor McLennan asked if consideration would be given to shared services. Mr Lamond confirmed what he said earlier, suggesting that partnership working and other collaborative approaches would typically form part of the thinking undertaken by officers when considering budget reduction options that would be suggested to councillors.

Councillor Small urged caution as regards the level of efficiency savings that could be realised through the Transformational Change Programme.

Councillor Currie highlighted the importance of protecting frontline services and other services which added value to East Lothian. He made reference to the health and wellbeing of staff, and the impact of public sector pay restraint. He recognised the challenges facing the Council; however, he was optimistic that the Council was well placed to meet these challenges and to make further improvements to services.

Councillor Hampshire accepted that it would not be easy to deliver balanced budgets going forward, and welcomed proposals from Members of all political groups in order to demonstrate the required savings. He stated that the Administration would work to protect education and social care services, and spoke of the importance of being open and honest with the public during the budget development process.

Councillor Akhtar concluded the debate by calling on Members to campaign to protect public services.

Decision

The Council agreed:

i.   to note the content of the report, including the financial prospects for 2018/19 through to 2022/23;

ii.   that advance work on budget development for 2018/19 onwards should commence in accordance with the potential scenarios outlined within the report; and

iii.   to approve the new budget development process, set out in Section 3.12 of the report.

6.   **EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION (ESESCR) DEAL**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval to establish a joint committee for the purpose of progressing and implementing the Edinburgh and South East Scotland City Region Deal, and to delegate authority to the Chief Executive to enter into a minute of agreement. The report also

updated the Council on the Project Management Office (PMO) arrangements to support the continued development of the Deal.

The Head of Development, Douglas Proudfoot, presented the report, advising of the need to establish a joint committee in order to progress the City Region Deal. He drew attention to Appendix 1 to the report, which set out the proposed powers of the joint committee, and sought authority to delegate to the Chief Executive (in conjunction with the Council Leader/Depute Leader) to negotiate the minute of agreement for the joint committee.

The proposals were welcomed by Members.

Decision

The Council agreed:

i.   to approve the establishment of a joint committee under Section 57 of the Local Government (Scotland) Act 1973 with the City of Edinburgh, Fife, Midlothian, West Lothian and Scottish Borders Councils, representatives from the higher education and further education sector, and business, to oversee the governance arrangements for the Edinburgh and South East Scotland City Region Deal;

ii.   to approve the arrangements that would inform the proposed minute of agreement establishing the joint committee, as detailed in Appendix 1 to the report;

iii.   to approve that the Leader of the Council, or Depute Leader in his absence, be appointed to represent the Council on the joint committee;

iv.   to delegate authority to the Chief Executive, in consultation with the Leader/Depute Leader of the Council, to negotiate and agree the minute of agreement establishing the joint committee, in line with the principles stated in Appendix 1 to the report, and any financial and resource contributions, if required; and

v.   to note that the Project Management Office would be enhanced as partners enter the implementation phase and that contributions would be sought from councils to fund this.

7.   **EDUCATION GOVERNANCE NEXT STEPS: REGIONAL IMPROVEMENT COLLABORATIVES**

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the announcement of the agreed position between local government and the Scottish Government on implementing Regional Improvement Collaboratives. The report also sought approval for East Lothian Council to be a member of the South East Alliance and to progress with a South East Regional Improvement Collaborative Plan to add value to the Council's current improvement activities and support the Council to achieve its vision for children and young people.

The Head of Education, Fiona Robertson, presented the report, advising that the Scottish Government and Local Government Steering Group had now reached an agreed position as regards implementing Regional Improvement Collaboratives (RICs). She drew Members' attention to the report appendices, noting that further partnership working arrangements would be developed, particularly in conjunction with the City Region Deal. She also pointed out that the implications for staff in the Education service and the implications of the Education Bill were as yet unknown.

Councillor Mackie asked if the proposed arrangements would help raise attainment levels in East Lothian, and if the Council would have an equal voice in the RIC. Ms Robertson advised that the agreed position between the Scottish Government and Local Government had changed and that the Council would now be in a position to ensure that the South East RIC added value to the Council's current improvement activities and priorities. She noted that she would represent the Council, and there would also be head teacher and quality improvement officer involvement. She added that she had been involved in shaping the starter paper (Appendix 3 to the report) with her counterparts in the other local authorities and that East Lothian had an equal voice in the process.

Councillor Forrest asked if there had been any feedback from head teachers. Ms Robertson reported that head teachers had been involved throughout the development of the starter paper and were fully aware of the purpose of the RIC. Head teachers had shown a desire to participate in delivery groups to ensure that value was added to East Lothian's activities and that current levels of support would continue.

Councillor O'Donnell expressed concern that, in order to close the attainment gap, resources would be concentrated in areas of higher deprivation. Ms Robertson assured her that this would not happen.

On financial implications, Ms Robertson was unable to confirm at this time whether funding would be provided to implement the changes, but stressed that it was important to ensure that East Lothian support was not diminished.

Responding to a question from Councillor Akhtar on the potential additional burden on head teachers, Ms Robertson spoke of the importance of having clarity on improvement planning and the improvement cycle in order to ensure that there was no additional bureaucracy for head teachers.

Councillor McLeod questioned the effectiveness of the structure of the RIC. Ms Robertson was of the view that improvement plans would be developed around the Council's priorities, and that she did not see any conflict of interest for the RIC Lead Officer. She added that there would be a review of the arrangements after six months of operation.

The Chief Executive welcomed the change in position, and recognised the merits in sharing good practice with partner authorities. She indicated that chief executives would determine the priorities in line with the needs being identified in each local authority area. She noted that the discussion about resources was ongoing, and that the need for support to head teachers had been made clear to the Scottish Government and Education Scotland.

Councillor Akhtar spoke in support of the revised proposals, and thanked the Chief Executive and Ms Robertson for their efforts in relation to ensuring that the democratic link between councils and education was retained. She highlighted the importance of the Council having equal representation and the required level of resources to support schools.

Councillor Currie also welcomed the agreed position between the Scottish Government and Local Government, and commented on the importance of positive outcomes. He was confident that, through the Chief Executive and Ms Robertson, East Lothian would be well represented and that the Council's good practices could be shared.

Councillor Small indicated that he had been reassured by Ms Robertson, and noted the need to ensure that head teachers had the capacity, resources and support to deal with their new duties and responsibilities.

Decision

The Council agreed:

i.   to note the contents of the report;

ii.   to note the contents of the draft South East Regional Improvement Collaborative Starter Paper;

iii.   to approve East Lothian Council's membership of the South East Alliance Regional Improvement Collaborative;

iv.   to delegate to the Chief Executive, East Lothian Council's participation in the development of the South East Alliance Regional Improvement Collaborative and Regional Improvement Plan; and

v.   to note that update reports would be brought to the Education Committee outlining progress with the development of the South East Regional Improvement Collaborative and Improvement Plan.

8.   **EXPANSION OF EARLY LEARNING AND CHILDCARE TO 1140 HOURS – DRAFT IMPLEMENTATION PLAN**

A report was submitted by the Depute Chief Executive (Resources and People Services) presenting the draft Early Learning and Childcare Implementation Plan (attached as Appendix 1 to the report) for approval. The report also provided an update on the submission of the draft Early Learning and Childcare Implementation Plan and financial template to the Scottish Government on 5 October 2017, and provided the Council with an overview of East Lothian's vision and proposed model of delivery to meet the requirements of the expansion programme.

The Head of Education, Fiona Robertson, presented the report, advising of the work carried out to date to develop the draft Implementation Plan and proposed delivery model. She highlighted the benefits of the proposed delivery model, as set out in Section 3.5.6 of the report, and the implications for both the workforce and school estate. She also noted the estimated costs of implementing the expansion programme and the Scottish Government's intention of funding the programme in full.

Responding to questions from Councillors Gilbert and Goodfellow, Ms Robertson advised that there were a number of options in the plan to meet demand, including a 38-week model, a 50-week model and the utilisation of outdoor space; she stressed that flexibility was a key principle. She also pointed out that there was no catchment area policy for nurseries, but that most children attended nurseries within their school cluster area.

Councillor McLeod raised the issue of funding and of agreements with private partner nurseries. Ms Robertson advised that she was awaiting further information from the Scottish Government. In the event that the programme was not going to be funded in full, the Implementation Plan would require alteration. As regards private partners, she advised that service level agreements, which were subject to modification, were in place with those partners, and that one-year plans could be incorporated into future agreements.

Commenting on the impact on school staff, Councillor Findlay asked what arrangements were being made for eligible two-year-olds. Ms Robertson explained that there was a dedicated officer to take forward the arrangements for those children. She accepted there

would be an impact on the school workforce, as two-year-olds had different needs compared to older children.

The proposals were welcomed by a number of Members, who spoke in favour of providing greater flexibility. However, there were concerns expressed about the funding of the programme.

Decision

The Council agreed:

i.   to approve the draft Early Learning and Childcare Implementation Plan;

ii.   to acknowledge that the draft Early Learning and Childcare Implementation would be subject to the Scottish Government's stated intention that the implementation of the expansion would be fully funded and that the submission of the Plan was the first step towards confirming the funding that would be made available; and

iii.   to note that, once the Scottish Government confirms funding levels, the draft Early Learning and Childcare Implementation Plan would be revised to reflect this and a further update would be provided to Council at that time.

9.   **HOUSING LAND AUDIT 2017 AND HOUSING LAND SUPPLY: INTERIM PLANNING GUIDANCE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) notifying the Council of the current five-year effective housing land supply position within East Lothian, based on the agreed 2017 Housing Land Audit; providing guidance to the Council on how the Housing Land Supply: Interim Planning Guidance should now be used in view of approval of the Council's finalised proposed Local Development Plan (LDP) on 6 September 2016 and the agreed Housing Land Audit; seeking approval that the revised Housing Land Supply: Interim Planning Guidance be a material consideration to be taken into account when determining planning applications for housing sites within the agreed 2017 Housing Land Audit and the proposed Local Development Plan – the associated revision would be to ensure that the five-year effective housing land supply is 'maintained', rather than in the previous version of the guidance where the intention was to seek to provide an adequate supply of such land; and advising the Council of the status that SDP1 Policies 6 and 7 should now be given when determining all other applications for planning permission for residential development on land not allocated for this purpose by the East Lothian Local Plan 2008, or that would be allocated for this purpose by the proposed East Lothian Local Development Plan, should it be adopted in the format proposed.

The Service Manager – Planning, Iain McFarlane, presented the report, advising that, if approved, the guidance would be used a material consideration in determining applications on sites not allocated by the East Lothian Local Plan 2008. He pointed out that the guidance also took account of monitoring land supply through the housing land audit process, and that the 2017 Housing Land Audit, as agreed with Homes for Scotland, representing the housing industry, demonstrated that the Council had a 6.2-year housing land supply, thereby meeting the terms of the Strategic Development Plan and Scottish Planning Policy. He reported that the only sites currently needed to maintain the 5-year housing land supply were those set out within the audit and the proposed LDP. He suggested that the Council should seek to resist development on land deemed not suitable for that purpose, unless included in the housing land audit and the LDP.

In response to questions from Councillor Goodfellow, Mr McFarlane anticipated that on completion of the 2018 housing land audit, the Council should have a housing land supply of 5-6 years. He informed Members that there were currently two sites being appealed and that material had been submitted to those appeals which corresponded to the approach set out in the report.

Councillor Currie asked about the number of sites in the proposed LDP that will not have been granted planning permission by the time the LDP is adopted, and about the delivery of associated infrastructure. Mr McFarlane advised that decisions on a number of significant sites will not have been taken by that stage. As regards infrastructure, he explained that where sites had been approved or were subject to a Section 75 Agreement, there was a requirement to make a contribution and deliver the agreed infrastructure requirements. He noted that further transport modelling was being carried out to identify when major strategic infrastructure changes should be delivered. He was of the opinion that the proposed interim planning guidance and having a 5-year housing land supply would provide a robust defence against planning applications for sites not included in the proposed LDP. He also anticipated that the Council would not have to make significant allocations in LDP2, subject to the housing requirements of the second Strategic Development Plan not being increased by the Reporter or Scottish Government.

Councillor Hampshire commented that the Council was in a stronger position now than it had been previously as regards the housing land supply. However, he voiced his concern as to the timing of the delivery of infrastructure to support developments. Referring to a recent court judgement in Aberdeen on the delivery of infrastructure, Mr McFarlane advised that the Council's Developer Contribution Framework would be reviewed in light of this and the previous judgement before the LDP was brought to Council for adoption.

Councillor Findlay questioned the definition of 'robust, defensible boundaries'. Mr McFarlane noted that the Reporters had not been consistent on this issue when considering appeals, and he provided an example of where it would be inappropriate to have such a boundary.

Responding to a question from Councillor McMillan, Mr McFarlane indicated that the Council had powers to direct the timescale for commencement of development, but that this could be challenged by the developer.

Councillor Currie expressed concern about applications for developments not included in the LDP coming forward. He made reference to a number of sites that had not been developed and the effect this had had on those communities.

Councillor Hampshire welcomed the proposed guidance, which he felt would put the Council in a stronger position.

Decision

The Council agreed:

i.   to use the approved finalised proposed Local Development Plan as a material consideration that gives additional weight in favour of 'the general principle' of housing development on sites included within that emerging plan when it determines planning applications under the Housing Land Supply: Interim Planning Guidance. The approved finalised proposed Local Development Plan should be taken into account on a case-by-case basis with other material considerations as appropriate;

ii.   that SDP1 Policy 7 should only be applied when and where it is specifically needed 'in order to maintain an adequate five years' supply of effective housing land'. The only location where SESplan SDP1 Policy 7 should now be applied within East

Lothian is to bring forward appropriate sites that are included within the finalised proposed LDP and the agreed 2017 Housing Land Audit, and thus the finalised proposed Local Development Plan; and

iii.   to use the advice set out in the report and the factors set out in the Housing Land Supply: Interim Planning Guidance (attached as Appendix 1 to the report) as material considerations in the assessment of relevant planning applications for housing against SDP1 Policy 7 where such proposals are made for land not allocated for this purpose by the East Lothian Local Plan 2008.

10.   AMENDMENTS TO STANDING ORDERS – SCHEME OF ADMINISTRATION

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of proposed changes to the Scheme of Administration for the Petitions Committee, to include community asset transfer reviews.

The Clerk presented the report, advising of the need to establish a means by which to review community asset transfer requests. She proposed that such reviews should be dealt with by the Petitions Committee, and that the committee be renamed the Petitions and Community Empowerment Review Committee.

Decision

The Council agreed:

i.   to approve that community asset transfer reviews should be incorporated into the Petitions Committee;

ii.   to approve the proposed changes to the Scheme of Administration for the Petitions Committee (set out in Appendix 1 to the report); and

iii.   to approve changing the name of the Petitions Committee to the Petitions and Community Empowerment Review Committee.

11.   APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES – FOLLOW-UP REPORT

A report was submitted by the Depute Chief Executive (Resources and People Services) requesting the Council to approve the appointment of Councillor Henderson to represent the Council on the East Lothian Local Access Forum, replacing Councillor Goodfellow.

The Clerk presented the report, advising that Councillor Goodfellow was relinquishing his position on the East Lothian Local Access Forum, and that the Administration was nominating Councillor Henderson as his replacement.

Decision

The Council agreed to approve the appointment of Councillor Jane Henderson to represent the Council on the East Lothian Local Access Forum, replacing Councillor Jim Goodfellow.

12.   SUBMISSIONS TO THE MEMBERS' LIBRARY, 15 AUGUST – 18 OCTOBER 2017

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of the reports submitted to the Members' Library since the last meeting of the Council.

Decision

The Council agreed to note the reports submitted to the Members' Library Services between 15 August and 18 October 2017, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Council unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

Application to Haddington Common Good Committee

A private report seeking approval of an application for funding from Haddington Common Good Fund was approved by the Council.

East Lothian
Council

MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY

**THURSDAY 21 SEPTEMBER 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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Committee Members Present:
Councillor J McMillan (Chair)
Councillor L Bruce
Councillor J Findlay

Advisers to the Local Review Body:
Mr P Zochowski, Planning Adviser to the LRB
Mr C Grilli, Legal Adviser/Clerk to the LRB

Others Present
Mr K McLennan, Agent (Item 2)
Mr and Mrs C Chatham, Applicants (Item 2)
Ms K Towler (Item 2)

Committee Clerk:
Mrs F Stewart

Declarations of Interest
None

Apologies
Councillor Trotter
Councillor Findlay

Councillor McMillan, elected to chair the meeting by his colleagues, welcomed everyone to the meeting. He also advised that Members would today consider two planning applications refused by planning officers and outlined the procedure for the East Lothian Local Review Body (ELLRB) meetings.

A site visit for both applications had been carried out prior to the meeting.

1. **PLANNING APPLICATION 17/00483/P – REVIEW AGAINST DECISION (REFUSAL) REPLACEMENT WINDOWS AT 9 FORTH STREET, NORTH BERWICK, EH39 4HX**

Paul Zochowski, Planning Adviser, stated that this application was for replacement windows on the front and side elevation of a 2-storey house which he described as a building of character in a Conservation Area. The proposed double glazed sash and case style windows with white coloured uPVC woodgrain effect frames would replace vertically sliding timber framed sash and case type windows. The Planning Adviser stated that Members would be aware that proposals had to comply with policies ENV4 and DP8 of the adopted East Lothian Local Plan 2008. A number of exceptions were provided for in policy DP8 but the Case Officer considered that the exceptions did not apply in this case. The Local Authority Planning Department also had to give due regard to statutory regulations and the desirability of enhancing and preserving the character and appearance of the property. The Planning Adviser advised Members that the applicant had received planning permission to install uPVC windows to the rear of the property in March 2017. One objection had been received in relation to today's application and the reason for refusal of the application was that the proposed windows would be harmful to the character and appearance of the property and the character and appearance of the North Berwick Conservation Area.

The Chair invited questions from Members. Councillor Findlay enquired, should the decision to refuse the application be overturned, if windows would have to be installed exactly as per the planning application and was advised by the Planning Adviser that they would. In response to questions from other Members, the Planning Adviser explained technical differences between the present windows and the proposed windows and advised that he was not aware of any non-timber window products acceptable to the Planning Authority for a quality building of this character. On energy efficiency, the Planning Adviser stated that he could not quote figures on the difference in heat loss which could be expected between the present windows and the proposed uPVC windows.

The Chair asked his colleagues if they had sufficient information to proceed to determine the application today and they confirmed that they had. Comments from Members followed.

Councillor Findlay stated that the proposed new windows had merit and would open in the same way as sash and case style windows. He also considered that the addition of the sash horn gave the impression of wood. In addition, he had observed on the site visit that a number of other properties in the area had uPVC windows and it could be argued that the streetscape had already been harmed. He would therefore vote to overturn the decision of the Case Officer.

Councillor Bruce agreed with the comments of his colleague but stated that the planning guidelines were quite clear. He stated that it was questionable whether other properties had gained appropriate planning permissions, and in his view, planning policies should be observed. He would therefore vote to uphold the decision of the Case Officer to refuse the application.

The Chair, Councillor McMillan, acknowledged that there were a number of different window styles in the vicinity but stated that it was important to remember that the property was in a Conservation Area. He had found the site visit helpful and had been given an opportunity to see an example of the proposed uPVC windows. However, he considered that the front of the property was highly visible and to allow the proposed windows would set a precedent. He would therefore vote to uphold the decision of the Case Officer on the grounds that a change to the present design of windows would have an impact on the Character of the Conservation Area.

Decision

The ELLRB agreed by a majority of 2:1 to uphold the original decision of the Planning Officer for the reasons given in the Decision Notice dated 19 July 2017.

A Decision Notice would be issued within 21 days.

2   PLANNING APPLICATION 16/00973/PP – REVIEW AGAINST DECISION (REFUSAL)   PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF ONE HOUSE AT 6 THE HAWTHORNS, GULLANE

Paul Zochowski, Planning Adviser, stated that the application was for planning permission in principle for the erection of a house at 6 The Hawthorns. At this stage, no details were available, only the location of the house. He advised that a grouping of trees in the garden ground of this property were protected by Tree Preservation Order (TPO) 42 and in the course of determining the planning application, the Case Officer had consulted the Council's Landscape Projects Officer. A tree survey was also included in the papers. The Planning Adviser stated that this was the second planning application from the applicant for a house in the garden ground of his property. An earlier application submitted in July 2016 had been withdrawn. He advised that Section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application was determined in accordance with the development plan unless material considerations indicated otherwise. Observing this, the Case Officer had considered that the principle of development on the site for the erection of one house conflicted with policies DP7, DP14 and NH5 of the adopted East Lothian Local Plan 2008. Copies of the relevant policies were included in the papers for Members' information.

The Planning Adviser advised that the Case Officer stated in his report that the application site was part of the curtiledge of the residential property of 6 The Hawthorns, Gullane and development of the site would be urban infill housing development, the principle of which was supported by the Scottish Government.   The principle determining factors, therefore, of this application, was fitting the proposed house into the application site, the impact on neighbouring properties and the adverse impact on trees (TPO 42). The Case Officer had concluded that it was possible to design a house, providing it complied with planning policies. The Planning Adviser stated that the main determining issue was the trees, and the Landscape Project Officer had considered that the loss of this group of trees would result in a detrimental visual impact on the landscape character and appearance of the area. The Case Officer's reason for refusal was that the application conflicted with planning policies DP7, DP14 and NH5. Three representations had been received in relation to the planning application.

The Chair invited questions from Members. Councillor Bruce referred to the applicant's appeal statement where it stated that, in 1992, a landscape officer had looked at the trees and had commented that replanting was not necessary.   Councillor Bruce enquired if it was possible to have a different view of the group of trees after 25 years and the Planning Adviser replied that planning officers consider the passage of time since assessments were made when they visit a site. Councillor Bruce asked if the Council needed to give permission for trees protected by a TPO to be taken down and the Planning Adviser confirmed that, when a TPO was in force, permission was required to remove trees. It was, however, not necessary to replace them. He added that the TPO did not 'fall' if a tree was expected to die. It was the amenity effect of the group of trees on this site which was important and some trees might need to be replaced to maintain that effect.

Councillor Findlay asked, if under a group TPO, trees needed to be replaced on the original site or if they could be planted elsewhere on the site and the Planning Adviser advised that replacement trees would have to be planted within the original group.

The Chair asked if a new TPO had been issued and the Planning Adviser advised that TPO138 had been proposed and this Order would go before the Planning Committee on 3 October 2017 for approval. The Chair asked if the Council would enforce a TPO if trees were in a bad condition. The Planning Adviser replied that the Council would still have a TPO in place and could enforce it. The Chair noted from the applicant's statement that policy NH5 did not require the retention of trees regardless of condition or lifespan and allowed for the removal of trees 'in the interests of good tree management'. The Planning Adviser replied that all trees on this site were subject to a TPO. The Chair consulted planning policy DP7 which defined that infill could be accommodated, where 'the scale, design and density of the proposed development would be sympathetic to its surroundings…' He therefore considered that while the policy was supportive of some development, it was 'constrained'.

The Chair asked his colleagues if they had sufficient information to proceed to determine the application today and they confirmed that they had. Comments from Members followed.

The Chair described the site visit as very worthwhile. He had been impressed by the visual impact of the property and garden and could understand why the applicant would wish to build a house in the garden.   He had read carefully the statement by the tree expert and, on the balance of evidence, was minded to agree with the Case Officer's decision.

Councillor Bruce stated that he had reached the same conclusion. Paragraph 4 of planning policy DP7 stated that development would only be supported where there was no material loss of features. He considered the group of trees was an important physical and natural feature and would therefore support the Case Officer's decision to refuse the application.

Councillor Findlay stated that a view on the group of trees on this site was subjective. In his view, the removal of the trees would not have a significant impact on the area because other trees would remain and be seen. Further, he considered that a house on this site would improve the amenity of the area. He would therefore vote to overturn the Case Officer's decision to refuse the application.

Decision

The ELLRB agreed by a majority of 2:1 to uphold the original decision of the Planning Officer for the reasons given in the Decision Notice dated 2 June 2017.

Signed   ....

                   Provost J McMillan
                   Convener of Local Review Body (Planning)

East Lothian
Council

REPORT TO: East Lothian Council

MEETING DATE: 19 December 2017

BY: Depute Chief Executive (Resources and People Services)

3

SUBJECT: Empowering Schools: A Scottish Government Consultation on the provisions of the Education (Scotland) Bill

1   PURPOSE

1.1   To inform the Council of the Scottish Government's publication Empowering Schools: A Scottish Government Consultation on the provisions of the Education (Scotland) Bill.

1.2   To seek the Council's agreement to provide an East Lothian Council response to the detailed policy proposals being taken forward by the Scottish Government in the Education (Scotland) Bill.

2   RECOMMENDATIONS

2.1   The Council is asked to:

   i.   note the contents of this report;

   ii.   note the contents of the Empowering Schools: A Scottish Government Consultation on the provisions of the Education (Scotland) Bill;

   iii.   note that a range of consultation activities will be undertaken to gather the views of stakeholders in relation to the policy proposals set out in the Education (Scotland) Bill; and

   iv.   agree to delegate to the Chief Executive Officer, Leader of the Council and Education Convener, that East Lothian Council will provide a response to the Empowering Schools: A Scottish Government Consultation on the provisions of the Education (Scotland) Bill.

3   BACKGROUND

3.1   In September 2016 the Scottish Government published Empowering teachers, parents and communities to achieve excellence and equity in education: a Governance Review. The Governance Review examined the system changes required to devolve decision making and funding directly to schools and communities. The review also sought views on the governance of education in Scotland and how the Scottish Government can further empower teachers, practitioners, parents, schools and early learning and childcare settings.

3.2   East Lothian Council's Education Service carried out an extensive consultation exercise to gather stakeholder views and inform East Lothian Council's response to the Governance Review which was submitted to the Scottish Government January 2017.

3.3   The Scottish Government published an analysis of the 1154 submissions to the Education Governance Review consultation alongside the publication of Education Governance: Next Steps June 2017. In addition, the Scottish Government launched the Fair Funding Review alongside the Education Governance report setting out its intention to examine the system changes required to deliver future funding to empower schools and decentralise management and support through the encouragement of school clusters and creation of new educational regions. The Scottish Government will report on the outcome of the Fair Funding Review consultation summer 2018.

3.4   In November 2017, the Scottish Government published Empowering Schools: a Consultation on the provisions of the Education (Scotland) Bill given the changes proposed within the Education Governance: Next Steps report will require legislative change.

3.5   The Education (Scotland) Bill seeks views on five key aspects:

- Headteachers' Charter

- Parental and Community Engagement

- Pupil Participation

- Regional Improvement Collaboratives

- Education Workforce Council for Scotland

Headteachers' Charter

3.6   The Education (Scotland) Bill will establish a Headteachers' Charter. The purpose of the Charter is to set out the rights and responsibilities of headteachers that will empower them to be the leaders of learning and teaching in their schools. The Headteachers' Charter will enable headteachers to make decisions regarding the management of the curriculum, improvement, staffing and funding. The Charter will create a new duty on headteachers to work collaboratively with other schools and partners on curriculum design and improving learning and teaching.

3.7   The Charter will also set out the responsibilities that local authorities will fulfil in order to enable headteachers to lead. Local authorities will retain their duty to improve the quality of school education but will be required to achieve this through their participation in the work of the Regional Improvement Collaboratives.

3.8   The Education (Scotland) Bill will change the need for school improvement priorities to align with local authority priorities and enable headteachers to align their improvement priorities with the Scottish Government's National Improvement Framework. The Bill will remove the requirement for local authorities to develop separate improvement plans given the new requirement for a Regional Improvement Plan. This is a significant departure from the Standards in Scotland's Schools Act 2000, as amended by the Education (Scotland) Act 2016.

3.9   Local authorities will remain employers of staff, including headteachers and the allocation of resources to support the provision of Additional Support Needs. Local authorities will continue to address any issues of performance, discipline or grievance. Headteachers will determine staffing and management structures and will not have to consider staff being re-deployed by the local authority. The model of support provision proposed for schools is illustrated in the diagram Appendix 1.

Parental and Community Engagement

3.10   The Scottish Government already has a strong legal basis for parents to be involved in the life and work of their child's school through the Scottish Schools (Parental Involvement) Act 2006. The Scottish Government will strengthen, modernise and extend the provisions of the 2006 Act, including strengthening the duties on headteachers to work collaboratively with their Parent Councils. Proposed changes in legislation include replacing the current duties on headteachers to inform and consult with Parent Councils to a duty to work in a collaborative way with their Parent Council. Other proposed changes include a duty on headteachers to communicate with the wider parent forum and a legal framework that requires headteachers to take appropriate steps to work in partnership with the wider parent forum. East Lothian Council recently published its Parental Engagement and Involvement Strategy setting out its commitment to engaging and involving parents in the life and work of their child's school and education services.

Pupil Participation

3.11   The Scottish Government intends to provide a duty on headteachers to promote and support pupil participation in specific aspects of education and school life. This general duty will be accompanied by key principles to support effective participation.

Regional Improvement Collaboratives

3.12   The Regional Improvement Collaboratives (RICs) will develop a detailed Regional Improvement Plan to be in place by January 2018 and publish an annual report about what has been achieved as a result of the Plan.

The Plan will be approved by the Chief Inspector, Education Scotland and reviewed by an Education Scotland Regional Lead Officer. Local authorities will fully deploy or arrange part-time deployment of existing staff to the RICs. New statutory duties could secure in legislation the status and underpinning framework for RICs.

Education Workforce Council for Scotland

3.13   The Scottish Government will include provisions in the Education Bill to establish an Education Workforce Council which will take on the responsibilities of the General Teaching Council for Scotland (GTCS), the Community Learning and Development Standards Council and register other educational provisions. Currently, teachers must be registered with the GTCS , Social Services Staff with the Scottish Social Services Council. Other professionals, including school learning and additional support staff, school librarians and staff in the higher education sector are not currently required to register with a standard setting body such as GTCS. The Scottish Government think that the new Education Workforce Council for Scotland should be able to register members of the following professions:

- Teachers

- CLD Practitioners

- Classroom Assistants/ASL Assistants

- Early Years Practitioners

- Schools librarians

- College Lecturers and relevant support staff

- Home-School Link Workers

Next Steps

3.14   In line with previous consultations, East Lothian has launched a local consultation which commenced 4 December 2017 and will close 21 January 2018. Respondents can get involved by accessing the East Lothian Council Consultation Hub where they can find the East Lothian Consultation Presentation and click on the link to the East Lothian response document. A public meeting will be held early January 2018 to help respondents to engage with the policy proposals set out in the consultation. Alternatively respondents can respond directly to the national consultations at the following link: https://consult.gov.scot/learning-directorate/education-scotland-bill/ The national survey closes 30 January 2018.

4   POLICY IMPLICATIONS

4.1   There are no immediate direct policy implications associated with this report. Pending the outcome of the Fair Funding Review and Education

(Scotland) Bill consultations, any future policy implications will be subject to a future report to Full Council, as appropriate.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6   RESOURCE IMPLICATIONS

6.1   Financial – The outcome of the Fair Funding Review consultation expected summer 2018 and the Education Bill consultation could have significant implications for the future funding of education at local authority and school level.

6.2   Personnel - The staffing resource required to deliver the pace of change set out within the Education Governance: Improvement Collaboratives paper will be challenging and could impact negatively on the ability of the education authority to deliver the planned actions set out in the Education Service Local Improvement Plan 2017-2018.

7   BACKGROUND PAPERS

7.1   Empowering teachers, parents and communities to Achieve Excellence and Equity in Education A Governance Review https://consult.scotland.gov.uk/empowering-schools/a-governance-review

7.2   Education Governance- Next Steps Executive Summary June 2017 http://www.gov.scot/Resource/0052/00521038.pdf

7.3   Fair Funding to Achieve Excellence and Equity in Education http://www.gov.scot/Publications/2017/06/2057

7.4   Empowering schools: A consultation on the provisions of the Education (Scotland) Bill https://consult.gov.scot/learning-directorate/education-scotland-bill/

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DATE	19 December 2017

Appendix 1 Empowering schools: A Consultation on the Provisions of the Education (Scotland) Bill

The model of support provision proposed for schools.
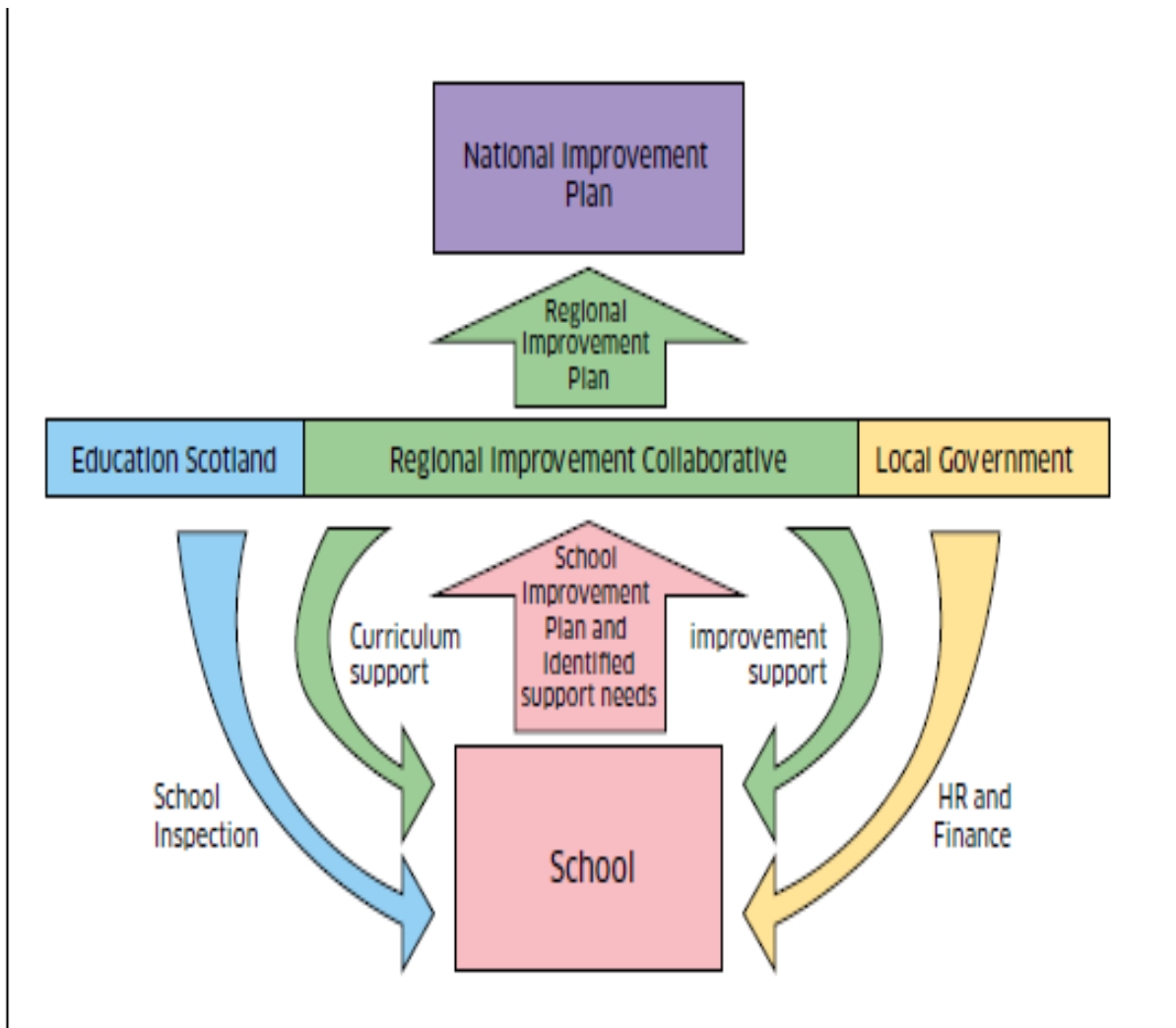
East Lothian Council

REPORT TO: East Lothian Council

MEETING DATE: 19 December 2017

BY: Depute Chief Executive (Resources & People Services)

SUBJECT: Financial Strategy 2018-2023

4

1   PURPOSE

1.1   This report proposes an updated Financial Strategy for the Council, covering a five year period from 2018-2023.

2   RECOMMENDATIONS

2.1   The Council is recommended to:

- approve the Financial Strategy set out in Appendix 1 of this report;

- approve the further refinements to the new budget development process set out in paragraph 3.4 of this report.

3   BACKGROUND

3.1   In recent years the financial strategy has been considered at the annual budget meeting. The current approved Financial Strategy covers the period until March 2020; however, each year the Strategy is refreshed to reflect any changes in the financial planning landscape. As set out in the recent Financial Prospects report considered by Council in October, the proposed Financial Strategy (attached as Appendix 1) has been prepared earlier to better assist with development of financial plans, and has been extended to cover a five-year financial planning period, from 2018 to 2023. The Strategy itself covers both the General Services and also Housing Revenue Account, contains the Reserves Strategy, and sets a clear direction on how the Council will manage its financial resources across the next five years.

3.2 It is important that in developing future budget proposals and related amendments, all councillors have due regard to the direction set within this strategy.

Budget Process

3.3 As already approved by Council in October, the budget development process has been reviewed with the key variables set out below.

- An initial set of <u>DRAFT</u> budget proposals (covering both General Services and HRA) is developed by the Administration and considered by Cabinet on 16 January 2018 covering both revenue and capital budgets.

- Other political groups will have the option to develop any amendments to the Administration budget, with formal proposals to be considered by Council on 13 February 2018, where the Council budget for both General Services, HRA and Council Tax setting will be approved.

3.4 Within this, the framework to support any budget amendments which may arise between the Administration draft budget and the Council budget-setting meeting on 13 February is proposed below:

- Any amendment to be made against the Administration's Draft Budget Proposal approved by Cabinet in January can only be made through Party Group Leaders.

- All amendments must be presented to Council in the form of an alternative budget proposal based around the Administration draft. The amendment must be deemed competent, both in its ability to be delivered as well as ensuring that it can still deliver a balanced budget.

- Political Group Leaders may, during this period, work with the Finance Team on any potential budget changes which may be reflected within proposed amendments. Any final amendments to be considered by Council at the February Special Meeting must be submitted through Group Leaders to the Chief Financial Officer (delegated to the Service Manager, Business Finance) **no later than Tuesday 30 January 2018**.

3.5 Should Council wish to approve this framework for amendments in respect of the budget development process, this will require a specific departure from existing Standing Orders as regards submission of amendments, particularly Standing Order 9.3(ii), and therefore would require the support of two-thirds of those who are present at the meeting.

4   POLICY IMPLICATIONS

4.1   There are no direct policy implications associated with this report, although clearly, the report provides a strategic context and direction within which future financial plans should be considered. Ongoing monitoring and reporting of the Council's financial performance is a key part of the approved Financial Strategy.

5   INTEGRATED IMPACT ASSESSMENT

5.1   The subject of this report does not directly affect the wellbeing of the community or have a significant impact on equality, the environment or the economy.

6   RESOURCE IMPLICATIONS

6.1   Financial – as set out within the strategy

6.2   Personnel - none

6.3   Other – none

7   BACKGROUND PAPERS

7.1   Council 21 February 2017 – Item 1 – Council Financial Strategy 2017/18 – 2019/20

7.2   Council 31 October 2017 – Item 5 – Financial Prospects 2018/19 and Beyond.

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DATE	7 December 2017

Financial Strategy

2018-19 to 2022-23

Financial Strategy 2018-19 to 2022-23

1   Introduction

1.1 The Council is currently facing significant financial challenges in the years ahead resulting from an expected reduction in the level of grant funding which we receive from the Scottish Government at the same time we are seeing a rapidly expanding population.

1.2 The purpose of the financial strategy is to provide clear direction on how the Council will manage its financial resources in the medium to long term to ensure they are deployed effectively to achieve corporate objectives. It plays a vital part of decision-making and forms the basis of the Council's stewardship over tax payers funds.

1.3 Given the extent of financial challenges ahead, the value of such a Strategy is that it enables the Council to develop a better understanding of the wider policy and financial environment within which it operates, and ensure that the Council can identify and respond flexibly to opportunities and threats, and manage and mitigate risks and ensure that financial resources are contributing to achieving Council objectives and outcomes. The principal objectives of the financial strategy are:

- Outline the Council's high level financial position over the years 2018-2023 based on a range of assumptions.

- Highlight the key influential issues that have been considered in developing the strategy.

- Ensure that limited available resources are focused on delivery of the Council's key priorities.

- Provide a financial planning platform for a sustainable revenue budget and capital investment programme which will support the Council's key priorities.

- Ensure that the Council is fully aware of the financial challenges and uncertainties that it faces and is in the strongest possible position to deliver the best possible quality and range of services within available resources.

- Increase both organisational awareness and wider community understanding of the Council's financial position and the challenges it is facing over the medium term in balancing its budget.

1.4 The Strategy also sets out the policy for the utilisation of reserves, including a clear rationale between holding fund balances for specified purposes and making decisions on how much reserves can be utilised when setting the budget.

1.5 The Strategy covers the five year planning period from 2018-19 to 2022-23 and includes both the General Services and Housing Revenue Account (HRA) revenue and capital budgets.

2   Current Economic Context

2.1 The Financial Prospects report which was considered and approved by Council in October 2017 set out the financial context within which we are currently operating and many of the key pressures that may impact on the way in which the Council spends its limited resources.

2.2 With so many external influences currently impacting on the wider economy, forecasting remains very difficult. Progress with Brexit negotiations are ongoing but uncertainty still remains as to what the economic implications will be. If there is either a downturn or further slowdown in economic activity within the UK this could lead to further public sector expenditure restraint beyond that signalled within the UK Chancellor's most recent budget. Furthermore, inflation currently remains at a record high at over 3%, and experts are currently forecasting that inflation will range between 2% and 3% in 2018/19 reducing marginally over the following few years. The cost of inflation places increased pressure on the cost of delivering existing levels of local service.

2.3 In Scotland, as well as any limitations imposed through the UK Budget, the spending available to Scottish Local Government is dependent on the Scottish Government's budget priorities. The Scottish Government have already signalled through their programme of government, continued levels of current investment in health and other public service portfolios such as Policing. Within the context of tight UK budgets, the outcome of this means a continued squeeze on local government services remains most likely.

2.4 The Scottish Government does however have at its discretion a new range of fiscal powers over taxation and welfare, which mean in practice that around 40% of devolved expenditure will now be funded by tax revenues collected in Scotland – a figure that will rise to 50% once VAT revenues are assigned. This makes the determinations of the Scottish Budget significantly more complex than it has been in the past, where in addition to the block grant received from Westminster, the resources available to the Scottish Government will depend on a complex interaction between the revenues from taxes transferred to the Scottish Government and the revenues from the equivalent taxes in the rest of the UK.

2.5 A number of independent commentators from across a wide range of sources including: Fraser of Allander Institute, Government Expenditure and Revenue Scotland (GERS), Office of Budget Responsibility (OBR) and the Improvement Service (IS); are all suggesting a prolonged period of austerity will continue for the public sector and indeed Scottish Local Government at least for the medium term and through until 2021-22.

3   Local Context

3.1 The local environment within which the Council operates has changed significantly in recent years and will alter further in future years due to the impact of national legislation and policy, further economic turbulence, societal changes and developing customer expectations.

Council Plan

3.2 The recently approved Council Plan for 2017-2022, sets the strategic policy direction for the Council, and continues the journey towards realising our vision for an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy that enables our people and communities to flourish. The overarching aim is 'reducing inequalities within and across our communities' with four themes each designed to make the biggest impact in our communities. These are: Growing our Economy, Growing our People, Growing our Communities and Growing our Capacity. The alignment of financial resources to enable the delivery of the Council Plan is a key requirement, working across all Community Planning partners to deliver this shared agenda for the benefit of local people.

Demographics

3.3 The Council is currently experiencing a rapidly expanding population with the number of school age children expected to increase by just under 28% between 2012 and 2037, and the projected number of pensioners expected to increase by over 37%. This will create both opportunities for the Council but also significant financial challenges for providing services to meet these growing demographic changes to ensure that the Council and wider public sector has the appropriate infrastructure to support these growing demands.

Changing Public Sector Landscape

3.4 The public sector landscape continues to evolve as public bodies continue to explore ways to work together to achieve shared outcomes. Some of these changes are driven from legislative requirements, others are driven by local community planning and other collaborative arrangements. The development of new public sector provision presents new opportunities and challenges for the Council as it seeks to ensure that shared outcomes are achieved and that resources are deployed efficiently and effectively.

3.5 The East Lothian Integrated Joint Board (IJB) was formally established in July 2015, and forms a partnership between the Council and NHS Lothian, following the requirements set out in the Public Bodies (Joint Working) Act 2014. The IJB has been designed to integrate how health and social care services are: planned, commissioned and delivered from 1 April 2016. It is a separate legal entity receiving resources from both the Council and NHS partners, and in turn instructs these partner bodies to carry out specific delegated functions and associated resources. It is hoped this partnership will provide both challenge and opportunity in future years, requiring the Council to identify and manage any risks identified through the joint working arrangements with its Health partners. The Council will play an active role within this partnership to help secure the key objectives and outcomes associated with Shifting the Balance of Care and must do what it can to ensure that adequate resourcing follows this mutually accepted policy direction.

3.6 The Community Empowerment (Scotland) Bill received royal assent on 24 July 2015. The Act places new duties on the Council and its partners to provide new rights for community bodies. The Act came into effect in July 2016 and will have a significant impact on the way the Council interacts with the Community.

3.7 The Scottish Government review on Education Governance and proposed Next Steps, places focus on an Education system that is; centred on children and young people, is school and teacher led, focus on the quality of learning and teaching, supports leadership and has a relentless focus on improvement. Part of the Governance review has resulted in the proposed establishment of Regional Improvement Collaboratives, with East Lothian forming part of the South East Regional Improvement Collaborative alongside Edinburgh, Fife, Midlothian and Scottish Borders. The main focus of the South East Collaborative is on Quality Improvement and Raising Attainment, and will place new and changed duties on Local Authorities to work within the Collaborative arrangement to drive forward increased improvement.

4   General Services Revenue Budget – Medium Term Outlook

4.1 The October 2017 Financial Prospects report set out scenario based financial modelling across a 5 year planning horizon. The starting point for these scenarios was the existing approved 3-year revenue budget used as a baseline.

4.2 A summary of the Spending Plans for 2017-18 approved by Council in February 2017 are set out in the table below.

General Fund – Revenue	2017-18	2018-19	2019-20
	£'000	£'000	£'000
Approved Expenditure	232,967	232,589	231,922
Financed by:			
RSG (including NDR)	166,108	164,533	163,320
Other Government Grants	8,945	8,945	8,945
Council Tax	54,318	56,900	59,586
Other	1,066	71	71
Transfer from Reserves	2,530	2,140	0
TOTAL	**232,967**	**232,589**	231,922
Delivery of Planned Efficiencies (contained in above)	**2,124**	**3,447**	**3,492**

4.3 The current spending plans remain crucially dependent on services being able to both manage existing spending commitments within available budgets as well as the delivery of planned efficiency savings. In total the current approved spending plans require that over £9 million of additional efficiencies are delivered between 2017-18 and 2019-20. Within the current financial year, whilst substantial progress has been made, the scale of further savings required over the next few

years does not come without significant challenge. Any delays regarding the implementation and delivery of these recurring savings will create further problems, and ensuring that the Council has resilient plans in place to minimise any potential delays, or accelerate any new efficiency programmes remains critical.

4.4 Effective monitoring of the in-year financial position id also critical and recently has highlighted that some service areas are at risk of overspending and consequently have been asked to develop and implement cost recovery plans with enhanced financial controls and additional monitoring checks are now in place. The ability to address the in-year and crucially the recurring nature of these overspends remains critical in assessing the future financial landscape for the Council.

Scottish Government Grant Funding

4.5 Key to identifying the future financial outlook as well as the Financial Strategy is the level of grant funding which we currently receive from the Scottish Government. The level of general Revenue Support Grant (RSG) currently makes up around 71% of the Council's total available funding, and is therefore an integral part of the overall resources that are used to support the delivery of Council services.

4.6 The Council also receives additional specific revenue grant funding of around £8.9 million from the Scottish Government; including investment in Health and Social Care through the Social Care Fund, Pupil Equity Fund devolved directly to Head Teachers, Criminal Justice Funding as well as additional funding provided to support the delivery of Early Learning and Childcare – 1140 hours expansion. Over the past few years, there has been an increasing level of national policy commitments being funded by grant which can only be used for these specific purposes at the same time as we are facing reductions in the core grant for the provision of other services. The earmarking of these resources, reduces the scope for flexibility in how the Council allocates resources in a way which best meets local priority outcomes.

4.7 In recent years including 2017-18, we have only received one year grant settlement from the Scottish Government and the lack of certainty around future grant awards, significantly weakens longer term planning and continues to place a high degree of volatility around future spending plans.

Council Tax

4.8 Following years of relative stability as a result of the nationally imposed Council Tax Freeze from 2007-08, the projected Council Tax income within the 3 year approved budget includes: anticipated income relating to the change in Council Tax multipliers introduced in 2017-18, increased yield from additional household properties expected to be built in the next 3 years, and an assumed annual Council Tax increase of 3% per annum in line with the cap which was imposed in 2017-18.

4.9 The housebuilding growth across the East Lothian area generates significant opportunities for the Council, but these opportunities must be managed alongside a backdrop of reducing resources and the related growing demand for our

services. The future growth in the Council Tax yield as a result of a growing number of properties, does not match the associated costs of servicing this increased population both in terms of capital infrastructure costs and associated revenue costs across a wide number of Council services including increasing school roll, care for the elderly and more waste collection. The reliance upon shrinking government grants together with the previous Council Tax freeze, and the existing cap on Council tax increases imposed by the Scottish Government means that this additional cost must be met within the existing, limited resources available to fund core council services.

Workforce

4.10   The workforce is the Council's most valuable asset and with this comes significant financial contractual commitments in terms of pay and pensions. The Council is in the process of updating its Workforce Development Plan which will assist in planning the workforce going forward particularly given the future challenges, both around availability of resources as well as changing policy commitments. In recent years, any public sector pay annual increase has been approved broadly in line with public sector pay policy which has been around 1%. The Scottish Government has now set out within its Programme for Government the intention to remove the public sector pay cap, and we have already started to see an increase in pay award above this level from the 2017-18 award which has now been approved for most staff groups (excluding Teachers which is still to be agreed).

4.11   This will inevitably place increased pressure on wider public sector pay claims. Even if future pay awards are contained within 2017-18 levels going forward, this will place an increased recurring pressure on the wider Council budget. As a broad indication every 0.5% increase amounts to around £0.650 million on our annual pay bill, and therefore the potential implications of rising pay awards will be significant.

4.12   All employees working for the Council have access to defined benefit pensions, which means that the Council as employer has substantial unknown future financial liabilities that only materialise when the pensions are actually paid. For teachers, this liability is not established specifically for East Lothian as these costs are part of a national scheme administered by the Scottish Government. For non-teaching staff, there is a statutory requirement that these costs are independently assessed as part of an actuarial valuation of each local pension fund every three years.

4.13   All public sector pension schemes are subject to on-going scheme valuations to establish the financial sustainability of the schemes to ensure that they meet their future liabilities, and set any future employers contribution rates for the scheme for the next few years based on these results. The most recent Local Government Pension (LGPS) actuarial valuation will be affect employers contribution rates from April 2018, with a further valuation ongoing relating to the Teachers Pension Scheme which may impact on contribution rates from April 2019. In relation to the LGPS, the Council previously agreed to participate in a formal Contribution Stability Mechanism which provided a degree of stability in the employers pension contribution rates for future years. This stability mechanism

continues to remain in place, but now requires an increase of 0.5% per annum to current employer contribution rates from 2018-19 onwards. This will place an additional burden in successive financial years of around £260k per annum.

Scenario Planning / Funding Gap

4.14   Despite the many uncertainties facing Scottish local authorities, in particular those arising from reduction in Government funding, the need for medium to longer term financial planning is becoming increasingly important. Councils must ensure that they have robust financial plans in place to mitigate any potential impact arising from a wide range of variables.

4.15   The scenario based financial modelling which was highlighted in the recent Financial Prospects report highlighted three scenarios based on a limited number of key variables (RSG, Pay and non-pay inflation) and different assumptions within these variables based on potential outcomes. These scenarios were modelled on the assumption that the current approved spending plans, including the planned efficiencies, can be delivered. The total estimated level of revenue savings which will be required to be delivered over the next 5 years is therefore over and above the current planned savings, and is summarised in the Table below.

Estimated Funding gap 2018-19 to 2022-23

Scenario	18-19 £'000	19-20 £'000	20-21 £'000	21-22 £'000	22-23 £'000	TOTAL
Existing Planned Efficiencies	3,447	3,492	-	-	-	**6,939**
1	2,200	1,710	2,920	2,830	2,740	**12,400**
2	4,961	4,439	5,530	5,514	5,498	**25,942**
3	9,708	8,671	6,936	6,875	6,814	**39,004**

4.16   All of the scenarios indicate a clear requirement that the Council will require to make large cost savings unless there is a significant improvement in the level of funding provided to Local Government through the next financial settlement and beyond. While the level of savings identified will undoubtedly change as work progresses on developing the Revenue Budget, this provides an indication of the scale of financial challenge potentially facing the Council over the next five years. Reductions on this scale would have a potentially significant adverse impact upon service delivery and it is imperative that early consideration is given to how best this might be minimised. What remains clear however is that if these reductions materialise, the Council will be required to make some difficult choices in order to balance the budget through reducing its cost base and/or increase income streams.

5 General Services Capital Budget – Medium Term Outlook

5.1 The 2017-20 General Service capital spending plans which were approved in February 2017 is summarised in the table below. These spending plans in-year have been subject to re-profiling and updating following the 2016-17 outturn, but in broad terms indicate a continuing growth in the capital plans.

General Fund – Capital	2017-18 £'000	2018-19 £'000	2019-20 £'000
Approved Spend (gross)	47,933	51,582	69,090

Capital Funding

5.2 Funding for the capital plan comes from a range of sources including; Scottish Government (General Capital Grant and Specific Ring-Fenced Capital Grants), Developers contributions, capital receipts from asset disposals, other income such as grant funding from other bodies, and borrowing funded by the loan charges provision in the revenue budget.

5.3 The General Services capital grant funding for Scottish local authorities received from the Scottish Government during 2016-17 had been reduced by £150m with the promise that this would be returned to local authorities over the next spending review period. This was not included within the 2017-18 settlement although there remains a commitment this will be returned to Councils during the period 2018-20.

5.4 Furthermore the uncertain economic conditions places further risk on the funding and delivery of the current and any future capital programme due to the future level of interest rates and associated cost of borrowing as well as realisation of any anticipated capital receipts.

Future Capital Commitments

5.5 The Council has invested significantly in its infrastructure over recent years and this growth is likely to continue with the current plans designed to support the future infrastructure requirements across the Council area. Linked to the growth agenda, the Council now has an approved Local Development Plan (LDP) that is currently undergoing a formal period of representation. When adopted during 2018, this will require the building of an additional 10,050 homes in East Lothian by 2024. The Council's financial plans have now been modified to better reflect the additional enabling infrastructure costs that will fall due to the council. These modifications reflect a new Developer Contributions Framework that has been approved by the Council and is currently subject to a statutory consultation process.

5.6 The Edinburgh and South East City Region Heads of Terms Agreement was signed by all regional partners and UK and Scottish Governments on the 20 July 2017. The Heads of Terms agreement confirmed all partners' joint commitment to achieve full implementation of the deal. Outline business cases now require to be

updated and developed to bring them up to 'Green Book' standard before being approved by partners and then by Government, enabling funding to be released.

5.7 Subject to affordability, the detailed structure of any deal will need to be more fully incorporated within our existing financial plans and a further report to Council can be anticipated. Whilst the majority of these costs are likely to fall outwith the current 3-year approved budget, the financial implications of supporting both any future adopted LDP and emerging City Deal commitments are significant and the Council budgets will need to be updated to reflect the related capital and revenue implications.

5.8 Alongside this, the Council aims to provide a modern, efficient and sustainable operational asset portfolio that meets the needs of its existing and future service users and employees. Key to this is the Corporate Asset Strategy which provides the framework for the efficient management of the Council's core assets. This strategy supports the delivery of the operating model for services, promoting collaborative working with our Community Planning partners, other public bodies and sectors to achieve more effective use of combined assets.

5.9 All of these investment plans are underpinned by financial models that determine their affordability both in terms of capital and revenue budgets. What remains clear is that the affordability plans of future capital investment remains critical in order to ensure that we can continue to maintain appropriate level of investment for the future benefit of the East Lothian area.

6   Reserves

6.1 Holding an adequate level of reserves to meet unexpected costs is a key management tool for delivering the Financial Strategy. It remains the responsibility of the Head of Council Resources in his capacity of the Chief Financial Officer (Section 95 Officer) to advise the Council on the level of reserves which it should hold and ensure that there are clear protocols for their establishment and use.

6.2 In determining medium term financial plans and preparing budgets, the Council needs to consider the establishment and maintenance of reserves in accordance with its statutory powers. Reserves can be held for three main purposes:

- Working balances to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing – this forms part of General Reserves.
- A contingency to cushion the impact of unexpected events or emergencies – this also forms part of General Reserves.
- A means of building up funds often referred to as Earmarked Reserves, to meet known or predicted liabilities.

6.3 The General Services reserves (excluding HRA reserves) available as at 31 March 2017 as per the audited accounts was £20.534 million with more detail around the breakdown of this reserves set out below. It should be noted that the actual available reserves going into 2018-19 will differ as many of these reserves already have commitments against them and will be spent during this year.

	Current Position **1 April 2017**
General Services Reserves	**£'000**
Required to support future budgets	4,670
Civil Emergency	2,000
Cost Reduction Fund	2,767
Earmarked Reserves	
• DSM (Devolved School Management)	258
• MELDAP	303
• Other reserves	431
Insurance Fund	1,723
General Services Capital Receipts Reserves	4,600
Gen Services Capital Fund	3,782
Sub-total General Services Reserves	**20,534**

6.4 Each of these reserves is set out for a specific purpose with the detail of their intended use explained below.

6.4.1 **Requirement to support future budgets**: This balance has already been committed to support the budget in 2018-19 as per approved budget plans in February 2017. If decisions are taken which can deliver a balanced budget without the reliance on this reserve it is recommended that this is transferred to the Capital Fund to support future capital infrastructure requirements and minimise on-going revenue payments.

6.4.2 **Civil Emergency**: This fund should act as a cushion against the costs of any emergency or other unforeseen event should it arise. This is currently retained at a level of £2 million, however the level of this remains under constant review as to the adequacy of this.

6.4.3 **Cost Reduction Fund**: Meeting future financial challenges is likely to mean significant changes in the way in which the Council delivers services. To help make these changes the Council previously established a Cost Reduction Fund. The balance on this Fund currently stands at £2.767 million and is expected to reduce to under £2 million at March 2019 based on current commitments. This fund has largely been used to meet the costs of employee contract severance payments as well as supporting some costs associated with delivering Transformational Change.

6.4.4 **Earmarked Reserves**: These funds are earmarked for specific purposes and include: Midlothian Drug and Alcohol Partnership (MELDAP), balances established from both Primary and Secondary Devolved School Management (DSM) schemes as well as specific carry forward balances for a range of projects including Area Partnership and also balance of funds to support the feasibility plans around the future of Cockenzie.

6.4.5 **Insurance Fund**: The level retained within the Insurance Fund is subject to ongoing fund valuations, and whilst the current level remains in line with current assumptions, there are emerging pressures arising within the fund and the level should be kept under review.

6.4.6 **General Services Capital Receipts Reserve**: This fund has been established from Capital Receipt income which has not yet been applied in year. This Fund can be used to either support capital investment or repay the Principal element of debt repayments. This fund cannot be used to support General Revenue budgets.

6.4.7 **General Services Capital Fund**: The Fund was established in recent years from flexibility from year end underspends, in order to mitigate the impact of the growing capital infrastructure commitments. Unlike the Capital Receipts reserve this Fund does have the flexibility to be transferred to other General Reserves.

Reserves Strategy

6.5 Given the scale of the changes facing the Council and the costs associated with delivering the enhanced transformational programme, it is suggested that the Cost Reduction Fund should be increased by a further £1.5 million to support the delivery of the change agenda and establish a reduced cost base for the Council. Despite continued pressure on future capital infrastructure commitments, the need to support up-front investment to drive forward Transformational change and deliver significant reductions to the Council's cost base remains essential and therefore it is recommended that £1.5 million is transferred to the Cost Reduction Fund from the General Services Capital Fund to support this programme of change, the balances of which had been established in recent years broadly from service underspends.

6.6 In line with the current Financial Strategy, the reliance on the use of reserves to support future revenue budgets is not sustainable and therefore the preferred and more sustainable direction is by having the final year of the three year budget showing balanced income and expenditure without the use of reserves. Borrowing is usually repaid over a longer period than three years, and the best indicator of

whether the future repayments are sustainable is a longer term budget that does not rely on temporary sources of funding such as reserves. In other words, to sustain the capital investment plan the Council needs to demonstrate that there is no structural deficit in its budget by 2020-21.

6.7 Taking into account in year financial performance, it is unlikely that the Council will deliver a surplus contribution to reserves in 2017-18. Furthermore, it is clear that the Council faces significant challenges over the medium term, with continued reductions in funding and increasing demand for many of its services. It will therefore be necessary to maintain balances at an appropriate level to support any future commitments and mitigate future financial risks, and it is recommended that there is now a need to establish a minimum level of uncommitted General Reserve balances which can be used to support any unforeseen / unquantifiable event. This level should equate to a minimum of 2% of the Council's annual running cost (£4.1 million). Taking into account the Civil Emergency Fund (£2 million) and the revised balance following the transfer of £1.5 million to the Cost Reduction Fund of the General Services Capital Fund (£2.282 million) the Council currently meets this minimal required level of balance at just over £4.282 million. In the event that the Reserves are projected to fall below this level then Members must have a clear route for bringing Reserves back up to the level over the subsequent three financial years.

7 General Services Financial Strategy

7.1 Given the potential challenges which lie ahead, over the next three years, the Council's financial strategy will continue to focus upon;

- Delivering an enhanced Transformational Change Programme that will change the way it does things to be more efficient and deliver services more effectively to meet the new demands and pressures in line with the Council's aims and support the realisation of existing planned savings;

- Maximising the income generation available to the Council. This will include ensuring that where the Council has decided to charge, these are where possible based on the principle of full cost recovery, whilst ensuring existing charges are benchmarked against other similar authorities. This will also include the exploration of new opportunities for income generation where it is deemed possible;

- Continue to explore options for the Council to become more entrepreneurial including developing new ways of ensuring service are provided in the most effective way possible. This could include developing new services that can make a 'profit' for the Council.

- Continue to progress opportunities for partnership and collaborative working where there are proven efficiency and or service gains;

- Continuing to constrain cost growth – through effective demand management, good financial control by managers and by effective negotiation with suppliers;

- Continue to focus spend on prevention and early intervention, which is designed to reduce future demand for council services by stopping problems arising or by addressing problems early on;

- Maximising the use of the Council's assets, reviewing our existing asset base to ensure that it meets the new ways of working, and work in partnership with other public agencies to make best use of our assets and provide a more joined up service.

- Continuing to invest where appropriate in the Capital investment programme, ensuring the plans will support the Council's key priorities, and remain affordable based on a clear understanding of both capital and future revenue costs.

- Continuing to manage the General Services Loans Fund balance, maximising the use and application of capital receipts, capital grant, and any flexibility arising from revenue balances, in order to minimise the future impact of debt charges.

7.2 Taking this into consideration, alongside the Reserves Strategy outlined above, it is also recommended that the budgets are developed annually on the following approach:

- Develop a sustainable three year General Services budget avoiding the use of reserves in Year three (2020-21).

- Develop a five year General Services Capital Plan, which seeks to minimise net borrowing requirements and is considered affordable both in terms of prudential limits and within the constraints of the three year revenue budget.

8   Housing Revenue Account

8.1 It has been more than ten years since the achievement of a zero net HRA debt position in 2004-05 – mostly as a result of council house sale receipts in the property boom. Since then, there has been a significant increase in HRA capital spend as both the modernisation and affordable house building programmes have been expanded – and as a consequence, the share of spending on debt charges has also increased.

8.2 The Local Housing Strategy sets out the strategic approach of the local authority and its partners to delivering high quality housing and housing related services across all tenures, to meet identified need.   The Strategy has been prepared within the context of a highly pressured housing market. Against this backdrop, increasing the supply of affordable housing was and continues to be, a corporate priority for East Lothian Council. House prices remain among the most expensive in Scotland and there is significant demand for social rented housing. A high level of homelessness applications persist and the economic climate continues to impact on the ability of households to meet their housing needs.

8.3 A new and updated Local Housing Strategy is currently being prepared for the period 2018-23, with the housing need and demand assessment a key part of the evidence base for the Strategy. The current SESplan housing need and demand assessment was approved by the Scottish Government in March 2015. Within this, the plan indicated the requirement for circa 553 new additional units of housing per annum in East Lothian over the period 2012-30, comprising 370 affordable housing units and 183 units of market housing. The ability to deliver will be dependent upon a combination of affordable housing providers, which includes Registered Social Landlords (RSLs), East Lothian Council and the private sector. It will also be dependent on complex funding models delivering different tenures.

8.4 For the Council, the timing around the delivery of many of the affordable housing sites remains key, coupled against the affordability to deliver the plans. The overall HRA budget is a balancing act between the income raised through rent, the revenue expenditure such as staffing & repairs and the capital spending which is undertaken on modernisation and provision of affordable homes.

8.5 For the HRA, the financial strategy will continue to focus upon the following;

- Ensuring rental income and any future rental increase remains affordable for tenants, whilst benchmarked against national average;

- Continuing to constrain cost growth – through effective demand management and good financial control by managers, focusing spend in line with agreed priorities whilst maintaining high quality service delivery for Council House tenants.

- Ensuring that the HRA can sustainably support the required housing capital programme associated with building new Council Houses and modernising existing homes. This will be delivered working alongside wider RSL partners to deliver the affordable housing needs across East Lothian in line with the objectives of the Council's Local Housing Strategy and LDP requirements and the Scottish Government's aim to deliver an additional new affordable housing;

- Moving towards a position whereby the HRA is self-financing a larger proportion of its capital expenditure – typically by direct funding rather than borrowing;

- Continuing to meet on-going statutory requirements, including; Scottish Housing Quality Standards and EESSH (Energy Efficiency Standard in Social Housing);

- Responding to the challenges arising from recent and proposed UK benefit reforms;

- Reducing rent arrears; an area which has been particularly challenging following the roll out of Universal Credit;

- Delivering the efficiencies required across the housing management and repairs service;

- Ensuring that the Council stays within the recommended upper limit for the ratio of debt charges to income of 40%, maximising the use and application of capital

receipts, capital grant, and any flexibility arising from revenue balances, in order to minimise the future impact of debt charges. This limit maintains an appropriate long term balance between the various elements of the HRA budget;

- Ensuring that the reserve or balance left on the HRA should not fall below £1.0million. This will allow the Council to maintain a cushion against any unexpected increase in costs or loss of income, and to protect against the risks inherent in the UK welfare reform proposals. Given the uncertainty that exists over the timing and scale of capital investment in new affordable housing, there is no upper limit on reserves.

9   Financial Management

9.1 The Council's external operating environment is subject to constant change and therefore budget review and development cannot simply be a once-a-year process. In-year performance monitored against approved financial plans will be kept under constant review with regular quarterly reports made to Cabinet and a year-end report presented to the full Council following submission of the draft accounts for audit.

9.2 As part of our normal financial management support service, monthly and quarterly performance reports are issued to managers with budget responsibility and in addition to that, the overall finances of the Council are subject to detailed annual independent audit review.

9.3 It is vitally important that through the Council Management Team (CMT), the Council maintains a disciplined approach to the implementation of its change programme and does everything possible to deliver the financial efficiencies planned in accordance with that programme and the supporting budgets. Heads of Service will be required to manage within the budgets approved and if at any time spending pressures are not containable within the Business Group, the relevant Service Manager should report this to their Head of Service and Depute Chief Executive. In consultation with their Cabinet Spokesperson, the relevant Depute Chief Executive has the flexibility to move budgets between business groups. Should this not resolve the spending issue, it is the Depute Chief Executives' responsibility to formally report this to the Head of Council Resources. In this situation, the matter may be reported to Cabinet and the Council may be asked to reconsider the policies applying within that Group with a view to reducing services and costs or increasing charges and income. If this cannot be achieved, then the Council may be asked to approve policy changes elsewhere that will yield the necessary savings through service reductions or increased charges.

9.4 Despite the Financial Strategy covering the period until 2022-23, given the uncertainty around the financial planning landscape which the Council operates within, the Strategy will be subject to an annual refresh to ensure that it remains appropriate to respond to the future financial challenges.

10 Summary

10.1   The Council continues to face much uncertainty, a wide range of risks and an increasingly difficult financial environment. For General Services, in the short and medium term expenditure continues to be outstripping income against an increasing demand for services with East Lothian projected to be one of the fastest growing Council areas in Scotland.   With growth comes both expenditure commitments as well as increased opportunities.

10.2   The Council is ambitious in its vision to become the best place to live in Scotland, and if to remain sustainable, the way in which we deliver services to the community must change. The Council will continue to work with the community and wider planning partners to do all that it can to maximise and enhance service delivery within the resources which are available, however reductions on this scale would have a potentially significant adverse impact upon service delivery and it is imperative that we seek to adopt a strategy seeks to address how best this might be minimised. What remains clear however is that if these reductions materialise, the Council will be required to make some difficult choices in order to balance the budget.

East Lothian Council

REPORT TO:	East Lothian Council
MEETING DATE:	19 December 2017
BY:	Depute Chief Executive (Partnerships and Community Services)
SUBJECT:	East Lothian Council Draft Local Transport Strategy

5

1   PURPOSE

1.1   This reports presents Council with the draft Local Transport Strategy and associated plans (subject to consultation and amendment as appropriate)

1.2   To note the consultation on the scoping on the Strategic Environmental Assessment (SEA) accompanying the Local Transport Strategy and associated plans.

2   RECOMMENDATIONS

2.1   To approve the draft Local Transport Strategy and associated plans and supporting supplementary documents for consultation.

3   BACKGROUND

3.1   Transport is a vital part of everyday life for East Lothian and is important for multiple reasons including travel, economic education, health, leisure and access to services among other things. Since the last publication of the Local Transport Strategy, significant change has occurred or is planned to occur throughout East Lothian.

3.2   The updated Local Transport Strategy will reflect these changes and set out how East Lothian Council intends to meet national objectives at a local level and detail actions which will achieve local objectives.

3.3   The Local Transport Strategy is a key component that is instrumental in the delivery of the Local Development plan and adds value, context and evidence to the LDP.

3.4   The Local Transport Strategy is aligned with other strategic Council policies and plans and has been developed to support and encourage the delivery of the Council plan and single outcome agreements. The

Local Transport Strategy provides a clear direction of travel for the Council in the delivery of road services, transport interventions and regulatory change. Accordingly, the publication of the strategy and associated plans is timed in alignment with the Local Development Plan.

3.5 The strategy has been prepared in accordance with the Scottish Transport Appraisal Guidance (STAG). This guidance is objective led so the strategy is based on defined objectives. The strategy is inclusive (it has been consulted on and includes partner organisations), the strategy is based on evidence and is based on a thorough understanding of the problems and opportunities in the area and that the interventions are pragmatic and proportionate to the scale and impact on the area.

3.6 There are five main themes identified within the strategy reflected in four action plans:

Active Travel Improvement Plan (ATIP)

The purpose of the Active Travel Improvement Plan is to improve facilities to accommodate walking and cycling in East Lothian and increase the number of people choosing these forms of active travel. It aims to enable, encourage and support people throughout the county to choose active and sustainable travel for both every day and leisure journeys.

The focus of the plan is to improve health and wellbeing, to reduce carbon emissions and improve air quality, to reduce congestion, to improve access to jobs, services and amenities and create better places for people. The plan identifies a series of interventions to support active travel and supports current good practice.

Parking Management Strategy (PMS)

The purpose of the Parking Management Strategy is to provide a strategic framework of interventions to improve parking performance throughout East Lothian. It aims to provide a balanced and appropriate parking provision to deliver a supply of parking opportunity that meets demand, to support economic, environmental and community objectives and improve accessibility of our towns and villages.

The strategy will apply a hierarchical scale of parking interventions to manage parking on and off street to reduce demand and improve supply by introducing Traffic Regulation Orders to restrict waiting, introduce limited waiting, charging, and new parking provision.

Road Asset Management Plan

The purpose of the Road Asset Management Plan is to provide a suite of maintenance strategies to improve or maintain the performance of the road network by promoting good practice and better value for money techniques.

The Plan promotes an annual programme of assessment to evaluate the performance of the road assets, the value and depreciation of the assets, the assessment of condition and available investment options going forward. The plan considers customer expectations, and future demand through growth and the financial consequences of development over a 20-year period.

Road Safety Plan

The purpose of the Road Safety Plan is to identify the scale and character of road collisions in East Lothian and co-ordinate between partner organisations interventions to manage speed through regulation, provide engineering improvements, educate, and encourage safer road practices.

3.7 In accordance with Section 15(3)(b) of the Environmental Assessment (Scotland) Act 2005 the Council has submitted to Scottish Ministers a scoping plan of the LTS for comment. Feedback from the Consultation Authorities has been positive.

3.8 Full consultation on the Local Transport Strategy, associated plans and supporting documents will commence early January 2018 for a 6-week period. The consultation will involve a series of community-based local workshops and will also be available to the general public via the Council's consultation hub. A consultation report and final draft will be brought back to Council in April 2018 for approval.

4 POLICY IMPLICATIONS

4.1 These proposals will contribute towards The East Lothian Council Plan - 2017-2027 (Local Outcome Improvement Plan) (LOIP) and the Council Plan (2017-2022) objectives and strategic goals - to grow our economy, to grow our people, to grow our communities and our capacity as a Council.

4.2 The Road Safety Plan has been approved by the East Lothian Partnership and the Safe and Vibrant Communities Partnership.

4.3 These proposals will add value to the LOIP supporting businesses, support strong resilient communities, living in high quality environments, and enjoying healthier lives.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report will affect the wellbeing of the community or have a significant impact on equality, the environment or economy. Accordingly, an integrated impact assessment has been completed.

6   RESOURCE IMPLICATIONS

6.1   Financial - The delivery of the interventions necessary to implement the Strategy and associated plans cover a 5-year period is estimated to be a total of £69 million (capital and Revenue). However, it is likely that these will be required over a period of time dictated by the rate of development within East Lothian. Current expenditure on Asset Management – maintenance and renewals £50m, Transport Interventions £5m, parking improvements £3m, Road Safety £1m and £10m for active travel.

6.2   Personnel - None

6.3   Other - None

7   BACKGROUND PAPERS

7.1   The following plans have been lodged in the Members' Library (MLS):

- Active Travel Improvement Plan (MLS Ref. 136/17, Dec 17 Bulletin)

- Parking Management Strategy (MLS Ref. 137/17, Dec 17 Bulletin)

- Road Asset Management Plan (MLS Ref. 138/17, Dec 17 Bulletin)

- Road Safety Plan (MLS Ref. 139/17, Dec 17 Bulletin)

- Environmental Report (MLS Ref. 140/17, Dec 17 Bulletin)

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DATE	12 December 2017

Draft for Consultation

East Lothian Local Transport Strategy

2018 – 2023 Draft

Contents

East Lothian Council

1. Introduction

East Lothian Council

1.1 Strategic Overview

This Local Transport Strategy (LTS) has been prepared by East Lothian Council to cover the period from 2018 - 2023. The strategy sits within a complex planning and delivery hierarchy and has been developed to be compliant with all relevant policies, nestling below both national and regional guidance. Whilst the strategy focuses upon the local context, and issues which the council has the powers to influence and change, it does not ignore the more strategic, long-term issues which will require partnership working with other industry bodies shown below to deliver the objectives set out in the strategy. The main aim of the LTS is to provide a mechanism for clean, green and safe travel patterns across the County and beyond.

Scottish Government	• Transport Policy • Funding
Transport Scotland	• Trunk Road Management & Maintenance • Scotrail Franchise Specification • Major Infrastructure Schemes
Network Rail	• Managing and Maintaining Rail Network
Train Operators	• Operate Franchise Services • Scotrail currently operated by Abellio • East Coast currently operated by an arms length Public Company • Cross Country currently operated by Virgin
Bus Operators	• East Coast, Lothian and Local Operators • Provide Commercial & Subsidised Services
SEStran	• Prepare and deliver the Regional Transport Strategy
East Lothian Council	• Local Road & Footpath Management & Maintenance • Subsidising Local Bus Services • Managing the Core Path Network & Cycle Network

National

- National Transport Strategy
- Scottish Government's National Performance Framework
- Climate Change (Scotland) Act
- Strategic Transport Review
- National Planning Framework 3
- A Long-term Vision for Active Travel in Scotland
- National Walking Strategy
- Cycling Action Plan for Scotland
- Cleaner Air for Scotland

Regional

- SEStran Regional Transport Strategy
- SESplan Strategic Development Plan
- NHS Lothian Health Promotion

Local

- The East Lothian Plan (LOIP) 2017-2027
- East Lothian Council Plan 2017-2022
- East Lothian Health and Social Care Plan
- East Lothian Local Development Plan 2016
- East Lothian Local Economic Development Strategy
- East Lothian Core Paths Plan
- East Lothian Tourism Strategy
- East Lothian Local Transport Strategy
- Road Safety Plan
- East Lothian Parking Management Strategy
- East Lothian Environment Strategy
- Active travel improvement Plan

East Lothian Council

Emerging National Transport Strategy

The current National Transport Strategy NTS was published in 2006 and is now in danger of becoming dated as projects are delivered and policies adapt and change as the world evolves. The NTS is now in the process of being reviewed and refreshed to set out an updated vision for what kind of transport system should be developed in Scotland over the next 20 years, and will set out a road map of how to get there to address key strategic challenges and investment decisions. It was also expected that the NTS be aligned with emerging policy including the independent planning review, Climate change plan, Enterprise & Skills review, City and Region Growth Deals and the Transport Bill. Accordingly, a full and collaborative review was announced by the Minister for Transport and Islands, Humza Yousaf MSP in August 2016.

Transport Scotland has been undertaking an extensive stakeholder exercise giving stakeholders and communities across Scotland a greater say in influencing the development of transport policy at a local, regional and national level. The final phase of consultation is due to close in summer 2017 and could have a major influence on regional and local policies. East Lothian Councils LTS nestles within the policy hierarchy and should support national and regional priorities ensuring consistency. The LTS has been written to support the 2006 NTS, however ELC have participated within the consultation exercise for Transport Scotland and East Lothian Council are confident that our priorities align. ELC will continue to liaise with Transport Scotland and monitor developments of the emerging NTS to ensure consistency of approach.

East Lothian Council
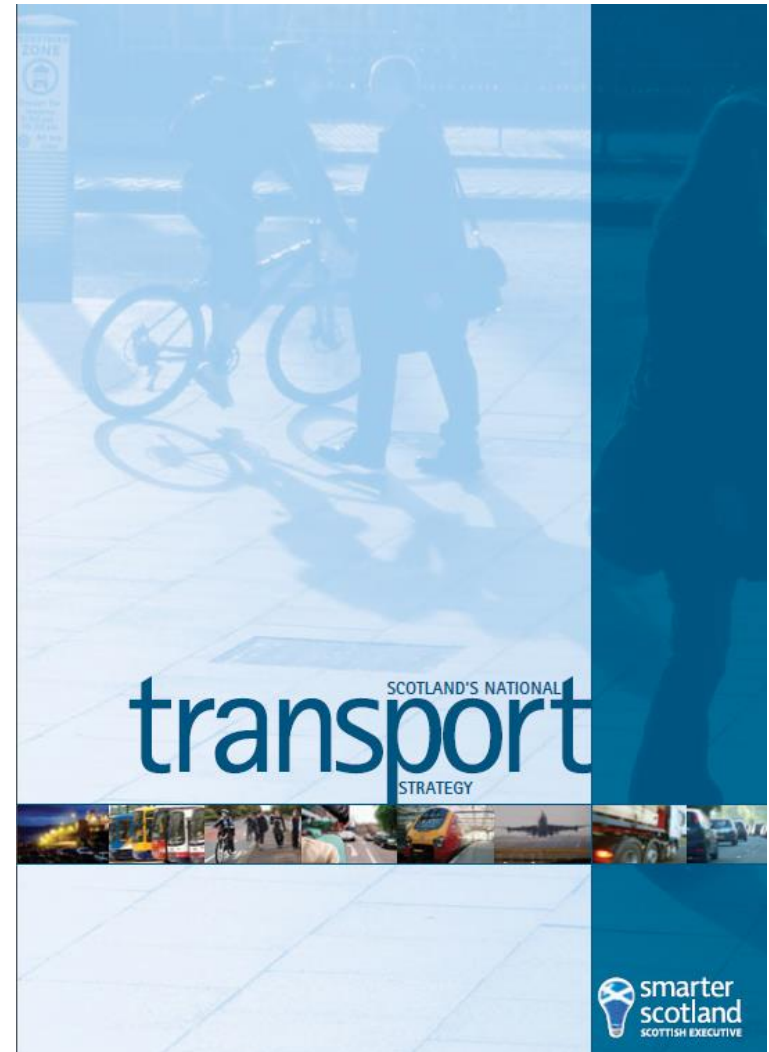
1.2 Context

East Lothian lies immediately to the east of the City of Edinburgh. While it is one of the smaller Scottish local authorities, it nevertheless has one of the fastest rates of population growth. East Lothian's population is forecast to grow at a considerable rate for the foreseeable future. The SESplan Strategic Development Plan sets out a requirement for an additional 10,050 homes in East Lothian up to 2024.

The major east coast Anglo-Scottish transport corridor of the A1 Trunk Road and East Coast Main railway Line (ECML) passes through the county and acts as a major passenger and freight artery for national, regional and local traffic. The A1 to M8 Trunk Road corridor is now approaching capacity in places, for example, at Old Craighall Junction during peak times. Transport Scotland has concerns at the likely implications of further traffic growth in this corridor, including the effects of the development proposed in the Strategic Development Plan, without corresponding capacity improvements.

On the local road network, the Council is responsible for the management and maintenance of 921km of public roads, 425 road bridges and culverts on the local road network (minus 44 bridges owned by Network Rail and private owners) and around 18,000 street lighting columns. There are also 21 footbridges on or adjacent to the road network that the Council is responsible for maintaining.

There are seven stations located at Wallyford, Musselburgh, North Berwick, Prestonpans, Longniddry, Drem and Dunbar.

The transport network of East Lothian is illustrated in the following figure.

1.3 Consultation

This LTS has been subject to extensive consultation during it's development through a public questionnaire and issues paper as well as ongoing engagement and meetings with key stakeholders. This has helped to identify a comprehensive range of issues to be tackled through this updated LTS. A final round of consultation will commence on the content of the LTS and associated plans early in 2018.

> **Transport:** *a system or means of conveying people or goods from place to place.*

East Lothian Council

1. 4 Strategic Transport Network

Stations
1. Musselburgh
2. Wallyford
3. Prestonpans
4. Longniddry
5. Drem
6. North Berwick
7. Dunbar

Legend:
- Core Paths
- National Cycle Route
- Railway
- A Roads
- B Roads

East Lothian Council

1.5 Progress since LTS 2001

The previous LTS was published in 2001 and there is now a need to update it to reflect changes that have occurred since then and the revised policies of the Council. A number of transport schemes were proposed in the previous LTS and their status is summarised to the side.

In addition, schemes that were not included in the original LTS have also been implemented, for example, the Wallyford Park and Choose site opened in 2008 allowing access to bus and train services to/from Edinburgh.

Studies have investigated improved rail links to East Lothian, specifically a local service to Dunbar and new station at East Linton. In 2017, agreement was reached between ELC, SBC and Transport Scotland to deliver two new stations at East Linton and Reston between (2019-2024).

Continue to support the principle of Demand Responsive Transport	• **Not delivered** - service withdrawn due to high cost per passenger carried
Upgrade bus stops with shelters and information points	• **Delivered & Ongoing** - improvements include extending SEStran bus tracker. Priorities set out in East Lothian Bus Passenger Charter
Deliver bus priority in Musselburgh	• **Delivered -** package of measures introduced including new traffic installations, enhanced pedestrian facilities and improvements to bus stops.
Improve accessibility to stations	• **Delivered & Ongoing -** measures introduced include an increase in car park capacities, installation of cycle lockers and improved signing
Increase frequency of train services to North Berwick	• **Not Delivered but remains relevant -** Council has lobbied for an off peak service between Edinburgh and North Berwick
Support GNER franchise bid & Musselburgh parkway station	• **Not Delivered but remains relevant** - franchise competition abandoned in 2001. SRA withdrew support for Musselburgh parkway station in 2004
Re-allocate road space to pedestrian environment	• **Delivered & Ongoing** – numerous schemes implemented e.g. Musselburgh and opportunities continue to be investigated
Investigate local paths as part of the Sustainable Path Network	• **Delivered & Ongoing** - Community path networks being upgraded and extended
Provide cycle lanes and parking	• **Delivered & Ongoing** - Cycle storage lockers installed at five stations and a number of new cycle links created. Opportunities continue to be explored
Traffic calming schemes	• **Delivered & Ongoing** – traffic calming measures introduced at a number of locations and work continues to do so where appropriate
Provide controlled and uncontrolled crossings	• **Ongoing –** pedestrian crossings and dropped kerbs installed across East Lothian
Support A1 Haddington to Dunbar dualling	• **Delivered -** Haddington to Dunbar dualling completed in 2004
Develop decriminalised parking	• **Ongoing** – DPE went live January 2017. Parking Strategy updated to reflect objectives.
Support SEStran multi-modal tickets	• **Delivered -** SEStran 'one-ticket' travel scheme in operation

East Lothian Council

1.6 Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.

A. Travel to Work (% of Journeys)

Categories (top to bottom): Other 2, Rail 1, Bus, Bicycle, Passenger Car/Van, Driver Car/Van, Walking

Legend: All (orange), East Lothian (blue)

B. Car ownership & Usage (% of households / people)

Category	All	East Lothian
People that drive every day	42.2	47.2
Households with access to three or more cars	5.6	6.2
Households with access to two cars	23.0	26.2
Households with access to one car	42.1	45.1
households without access to a car	29.3	22.5

Legend: All (orange), East Lothian (blue)
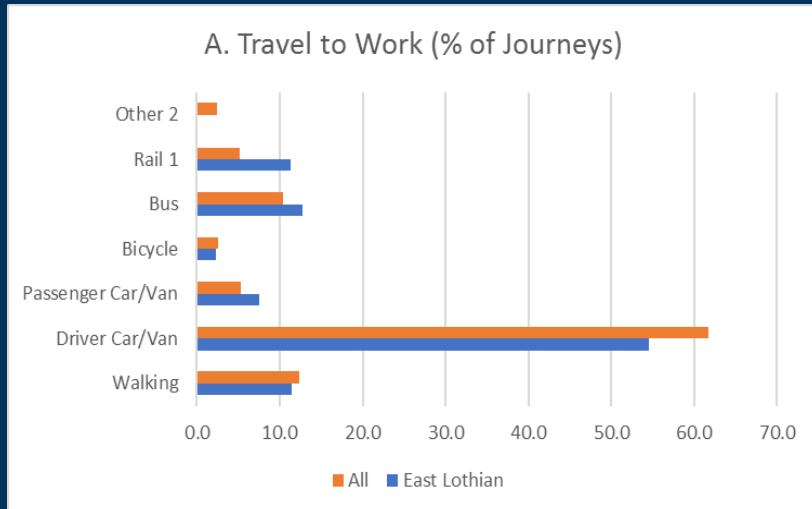
For travel to work, bus and train use is higher in East Lothian than Scotland whilst walking is lower. This reflects East Lothian's position as a focal point for commuters into Edinburgh with more limited local employment. (Scottish household Statistics 2016)
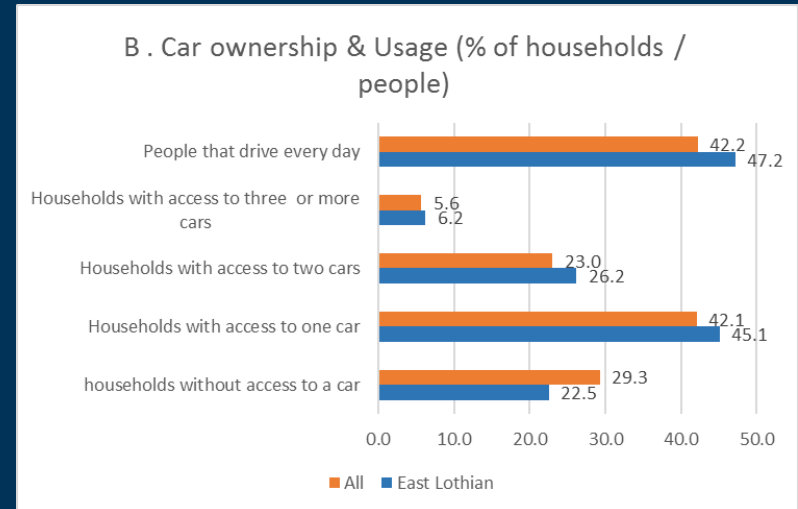
Car ownership levels are above the national average reflecting the rural nature of much of East Lothian and the resulting car dependency that this creates. This also highlights the relative affluence of the area with a third of households having access to more than one car. (Scottish household Statistics 2016)

East Lothian Council

Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.
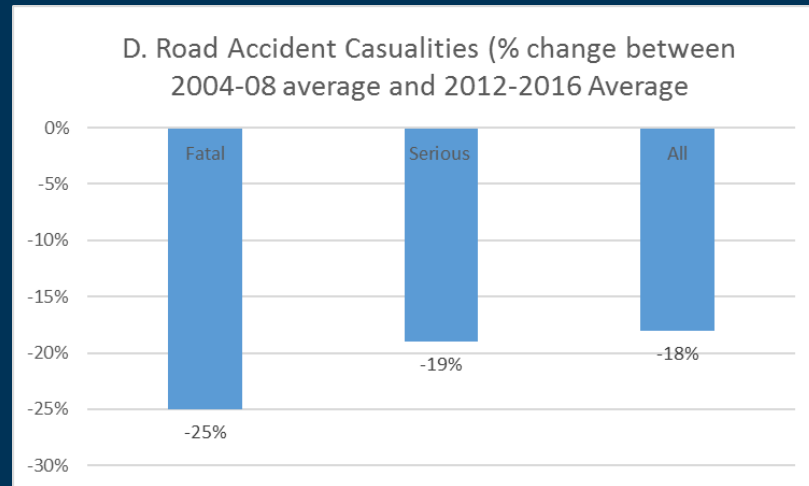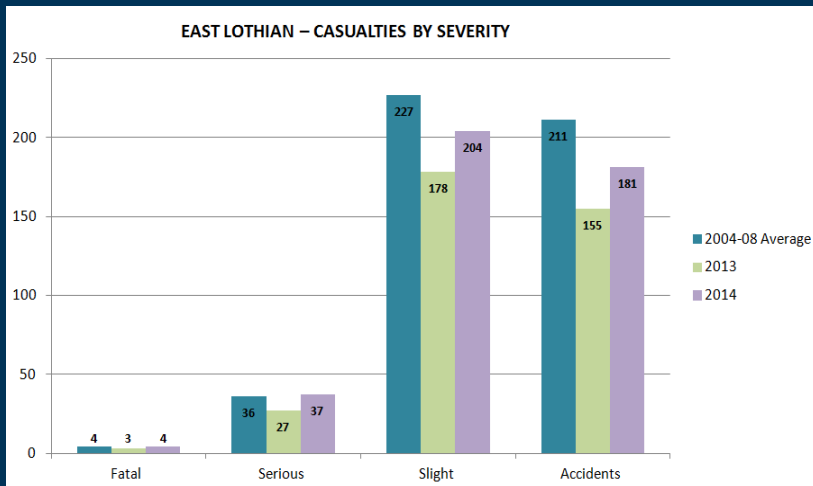
Road accident casualties are declining when compared with the 2004-2008 average which suggests that a general improvement in road safety in East Lothian has been achieved over this time period. However, comparing year on year can be misleading and the longer term trend analysis is a more appropriate indicator of progress (RSP)

With a reduction of 25% of the people killed in road accidents East Lothian is approaching the target of a 40% reduction in the number of people killed by 2020 in comparison to the 2004 – 2008 average. However, with only a 19% reduction in seriously injured casualties East Lothian is still someway behind the target of a 55% reduction in the number of people seriously injured by 2020 in comparison to the 2004 – 2008 average.

Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.


E. Road Network, Traffic Growth & Congestion (%)

- Driver jounrneys delayed due to congestion: 10.1 (east Lothian), 11.7 (all)
- Roads needing repair (RCI 2015-16) % of roads that should be considered for maintenance treatment: 32 (east Lothian), 36 (all)
- Traffic growth between 2006 and 2015: 2.84 (east Lothian), -1.35 (all)

east Lothian | all

F. Public Transport, Walking and Cycling (%)

- People that find public transport convenient: 82.2 (East Lothian), 82.4 (all)
- People that walk regularly as a means of transport: 70.4 (East Lothian), 68.6 (all)
- Households with access to a bicycle: 32.1 (East Lothian), 33.8 (all)

East Lothian | all

Traffic growth has been decreasing over a 10 year period and is below the national average. Levels of congestion are lower than Scotland as a whole, whilst the road network condition is in a better state of repair in East Lothian than the national average. (Scottish Transport Statistics and House hold survey 2016).
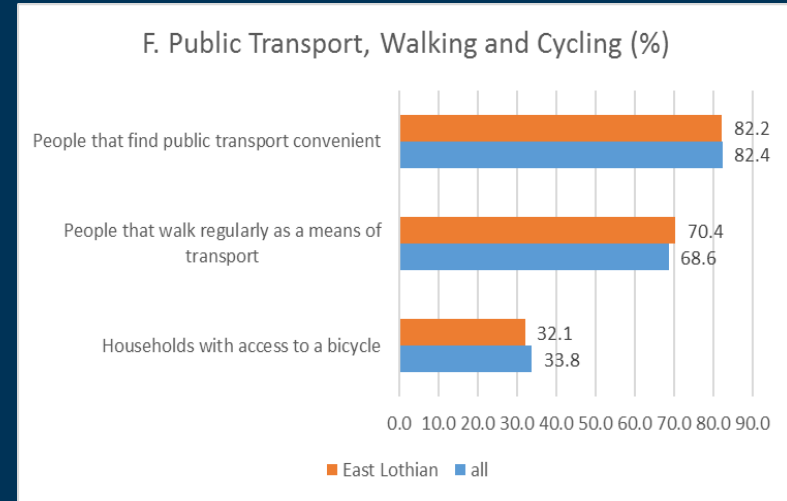
There are high levels of bicycle access in East Lothian however, this is below the national average. The trend is that access to bicycles in East Lothian is declining. People are more inclined to use walking as a mode of transport in East Lothian. This is not backed up by the travel to work data which suggests this is for purposes other than travel to work. Over four fifths of people find public transport convenient but this is marginally less than the national average, suggesting there is scope to improve public transport services in East Lothian. SHS 2016)

East Lothian Council

Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.
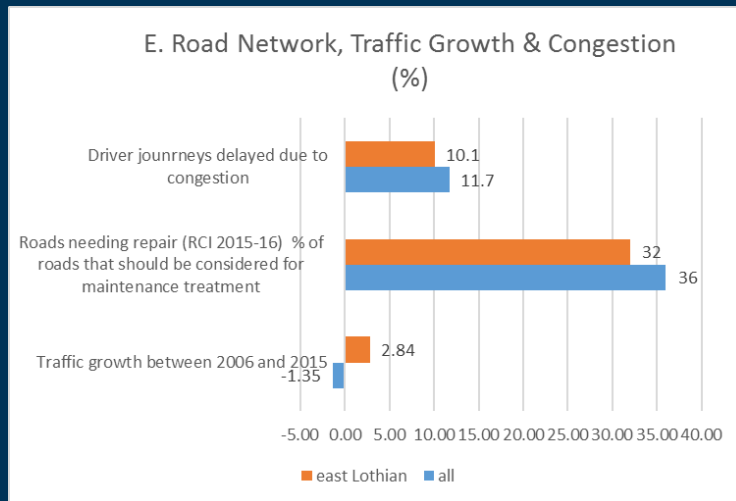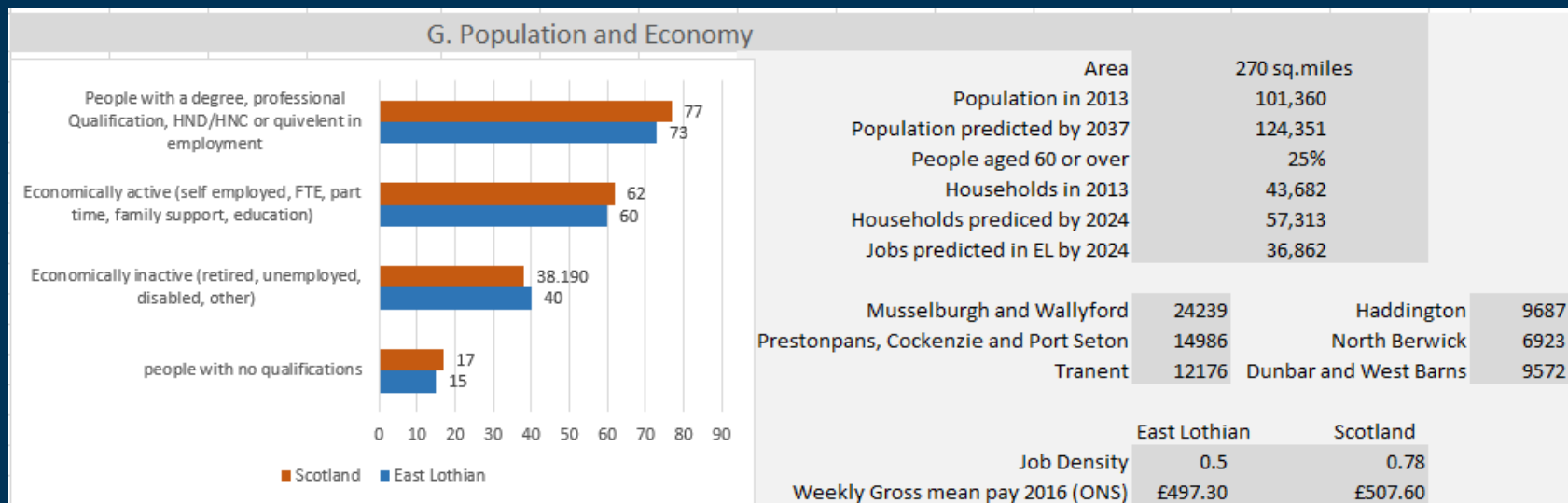
G. Population and Economy

Area	270 sq.miles		
Population in 2013	101,360		
Population predicted by 2037	124,351		
People aged 60 or over	25%		
Households in 2013	43,682		
Households prediced by 2024	57,313		
Jobs predicted in EL by 2024	36,862		

Musselburgh and Wallyford	24239	Haddington	9687
Prestonpans, Cockenzie and Port Seton	14986	North Berwick	6923
Tranent	12176	Dunbar and West Barns	9572

	East Lothian	Scotland
Job Density	0.5	0.78
Weekly Gross mean pay 2016 (ONS)	£497.30	£507.60

Bar chart (Scotland orange, East Lothian blue):
- People with a degree, professional Qualification, HND/HNC or quivelent in employment: Scotland 77, East Lothian 73
- Economically active (self employed, FTE, part time, family support, education): Scotland 62, East Lothian 60
- Economically inactive (retired, unemployed, disabled, other): Scotland 38.190, East Lothian 40
- people with no qualifications: Scotland 17, East Lothian 15

The population of East Lothian is expected to grow by over a fifth over the medium to long-term, which will have knock on impacts on the demand for transport. This will likely put further pressure on facilities such as Park and Ride sites which already experience high demand. The economic data suggests that East Lothian is an affluent area with a highly skilled workforce but that it is dependent on the Edinburgh economy for employment opportunities, given the low jobs density in the area itself. This is reflected in the travel to work data with high levels of rail and bus use highlighting commuting into Edinburgh. However, where possible residents clearly like to make use of local services and amenities when these are available with high levels of bicycle access and walking both pointing towards large numbers of short journeys.

East Lothian Council

Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.
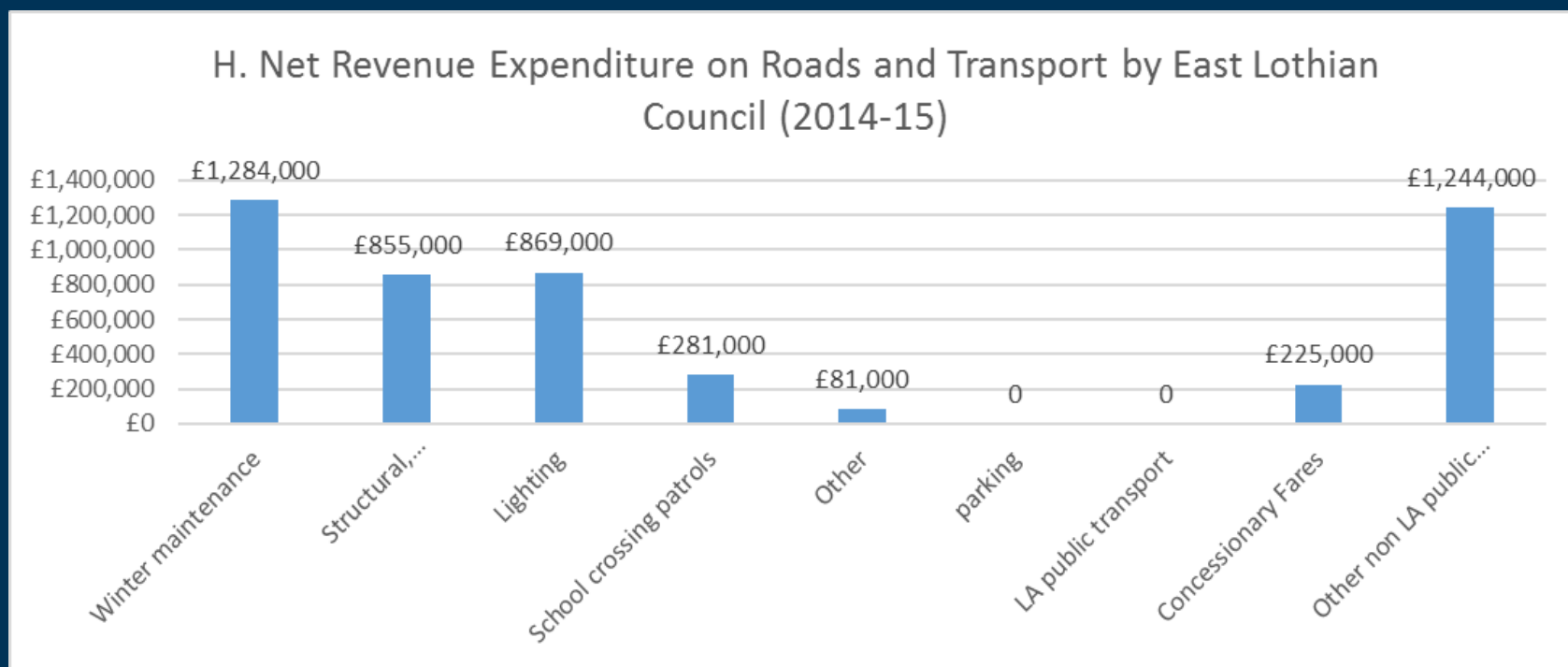

H. Net Revenue Expenditure on Roads and Transport by East Lothian Council (2014-15)

The Council spends half of the revenue on winter maintenance and Structural, Environmental and Safety Maintenance and Routine Repairs. This investment is significantly influenced by external factors i.e. weather, so carries a high risk of unplanned spend considering the overall network condition and aging infrastructure.

East Lothian Council

Key Transport Statistics

The following analysis provides an overview of the current transport trends in East Lothian, how they compare with the national average and how they have changed over time.

I. Park and Ride Provision (spaces)

* Located in Edinburgh
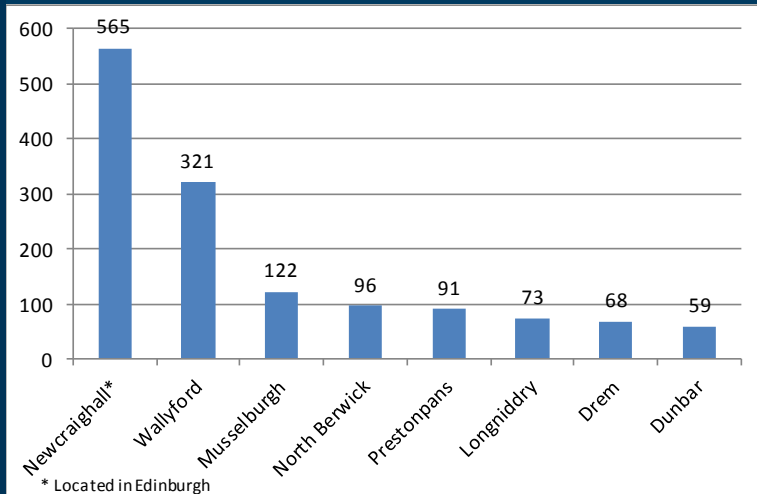
There is a high level of Park and Ride provision at sites near the western boundary of East Lothian, closest to Edinburgh, but less spaces available across the rest of the area affecting accessibility to public transport.

J. Train Station Passengers

Legend: 12-13 Entries & Exits | 13-14 Entries Exits | 14-15 | 15-16 | 16-17

There has been increasing demand for train travel over recent years despite car ownership levels higher than the national average. However, entries now appear to being suppressed in the peak because of platform and train crowding (ORR station usage statistics)

East Lothian Council

1.7 Summary

A range of problems and issues affecting transport in East Lothian have been identified which need to be addressed through the updated LTS. These have been identified from a combination of the consultation activities undertaken, data analysis and through reviewing other relevant strategies, studies and plans.

The findings from this analysis are set out in Chapter 2. The problems and issues have been grouped under four main themes, as shown in the adjacent figure with a number of sub-themes underneath each of these.

They are all related and need to be considered collectively to identify the most appropriate solutions to them.

The Local Transport Strategy is supported by four daughter documents.

1. Road Safety Plan

2. Road Asset Management Plan

3. Active Travel Improvement Plan

4. Parking Management Strategy
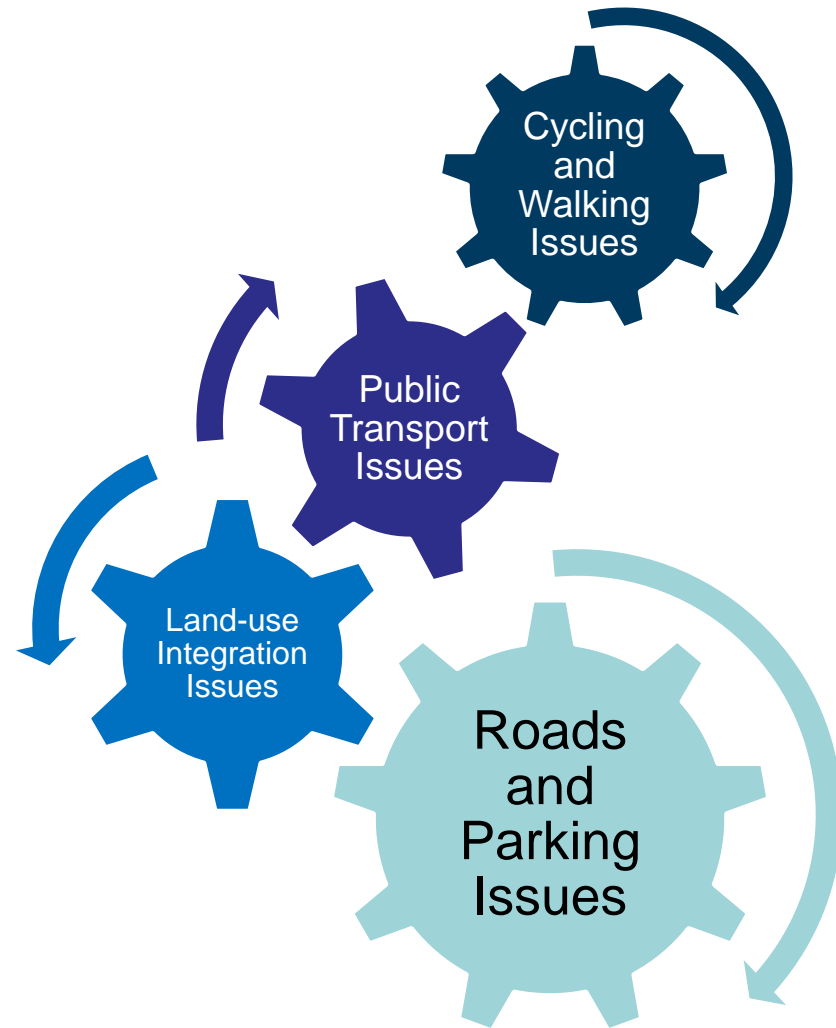
2. Problems & Issues

2.1 Cycling and Walking

Maintenance

In some areas there is poor maintenance of footways and carriageways which can present a barrier to pedestrians and cyclists. This is a particular issue for the mobility impaired. There is limited funding available for maintenance of cycling and walking routes which can exacerbate these problems.

The maintenance requirements of new cycling and walking routes also need to be considered more thoroughly at the project design stage.

Integration and Coverage

The positioning and number of pedestrian crossings is not always appropriate and needs to be kept under constant review to ensure desire lines are being accommodated and safe routes exist.

A lack of integration between walking and cycling routes and public transport has been identified as making journeys by more than one mode of transport difficult in some areas. Links to services and between some settlements are also known to be poor (e.g. villages in Dunbar and East Linton, Spott to Dunbar, Gifford to Haddington).

It is acknowledged that the A1 and East Coast rail line act as barriers to walking and cycling between the coast and the inland areas of East Lothian as it is difficult to cross them along much of their routes.
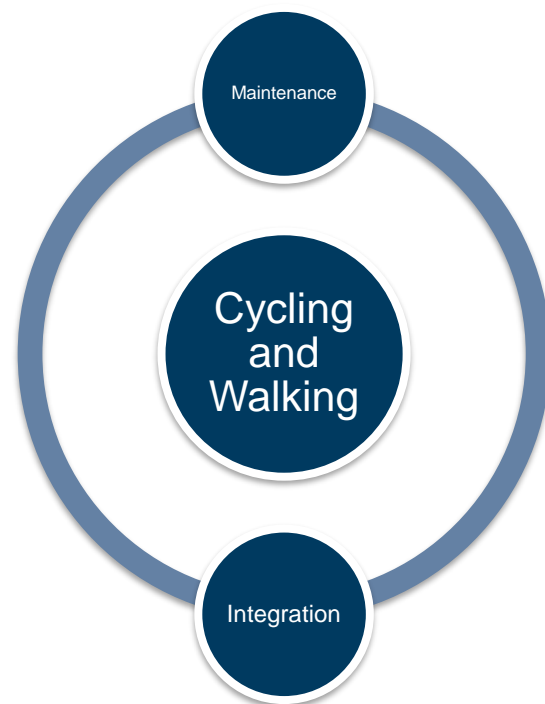
In some instances there is inadequate provision of walking and cycling routes, particularly to schools, which can cause safety concerns and lead to increased car use, such as parents choosing to drive their children to school instead of walking or cycling.

2.2 Public Transport

General Public Transport

Consultation identified that there were levels of dissatisfaction with the coverage, quality, frequency and reliability of public transport in East Lothian. However, this has improved with new services and operators coming into the market.

It was felt that public transport is too expensive with inconsistencies between the distance travelled and fare paid, particularly in relation to fares within the Lothian/East Coast Buses network area, which tend to be cheaper, and those to outlying rural areas, which are often felt to be disproportionately more expensive.

There is a lack of real time journey information at stops and stations meaning people don't have up-to-date information on when services are due to arrive and whether they are delayed.

A lack of integrated ticketing is perceived as a particular barrier to public transport use as people are required to purchase numerous tickets from various operators which is both inconvenient and more expensive. Smart ticketing also benefits passengers who don't carry the exact change to travel.

All buses and taxis are now equipped for wheelchair users.

Overall, it was identified that without adequate public transport alternatives, many people will be faced with no alternative but to drive.
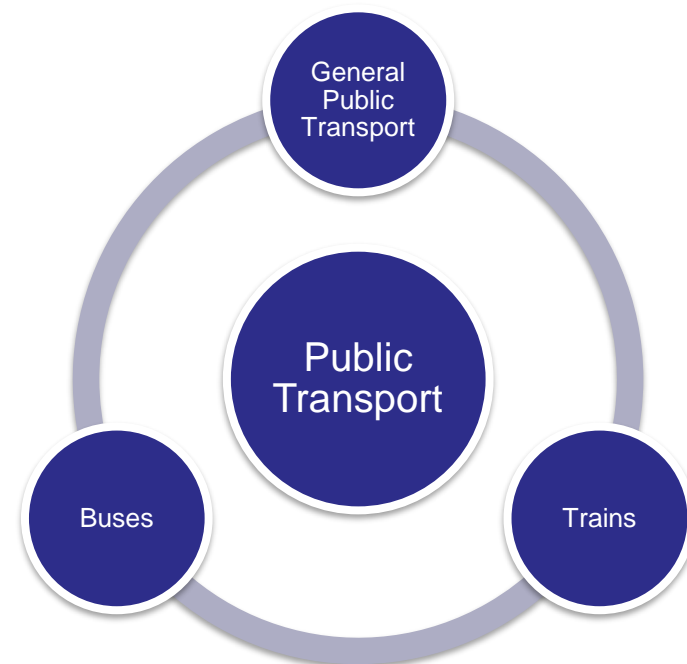
Trains

Many people highlighted a need for more frequent train services to Dunbar and North Berwick. The absence of a local stopping service between Dunbar and Edinburgh was also identified as a problem.

There is also a lack of through train services from East Lothian to locations beyond Edinburgh. Improvements at Waverley station are planned to provide an additional through platform that could improve forward connectivity.

East Lothian Council

Public Transport

Previous public consultation outlined a strong desire for a rail link to Haddington as this was highlighted as a particular deficiency on the rail network. Alongside this, the absence of a rail station at East Linton was also defined as a problem / constraint. Progress has been made in the provision of a new station at East Linton but this remains challenging. Further development work to determine a viable technical solution is ongoing.

Buses

One of the main problems affecting buses has been amendments, reductions and withdrawal of some commercially provided bus services which has required the introduction of subsidised services funded by East Lothian Council to replace them. The provision of these services is limited by the funds available to provide subsidised bus services which can mean some gaps in the network appearing. Historically, this was a factor in the withdrawal of the Gaberlunzie demand responsive bus service due to spiralling costs. The timetabling of subsidised services can also be an issue with some buses running with few or no passengers as they are seen to be inconveniently scheduled.

Other problems affecting buses include concerns about the use of coaches on bus routes which can create accessibility issues for the mobility impaired.

The provision of clock face timetabling between bus and Rail operators has also been identified as an integration issue, which deters users taking sustainable options due to extended waiting and journey times.
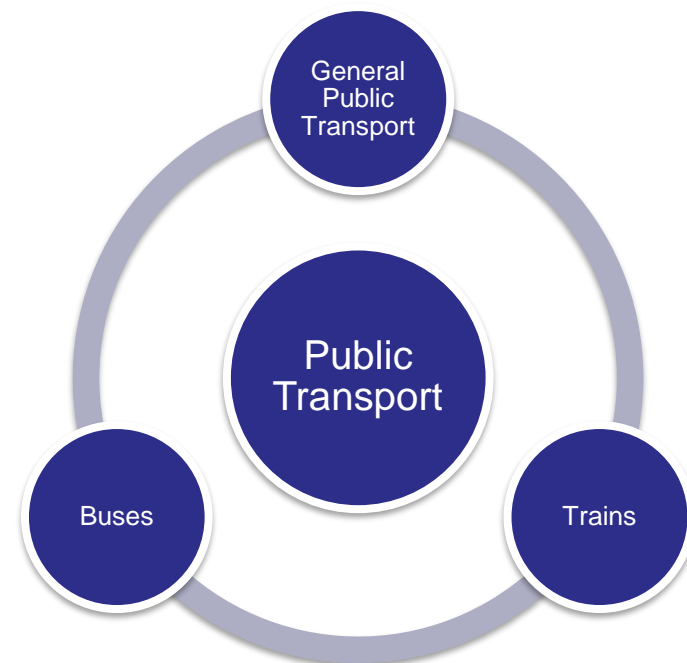
There are also issues relating to community transport. In particular, there is insufficient coordination between volunteer / community groups and public / private organisations meaning vehicles are often under-utilised or services do not entirely meet users needs

Awareness

In some instances there is a lack of public understanding and appreciation of the public transport options that are available to them. In addition, the promotion of sustainable transport options, like walking and cycling, could be improved as both traditional paper based and digital information provision are both lacking in some areas.

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2.3 Land-use Integration
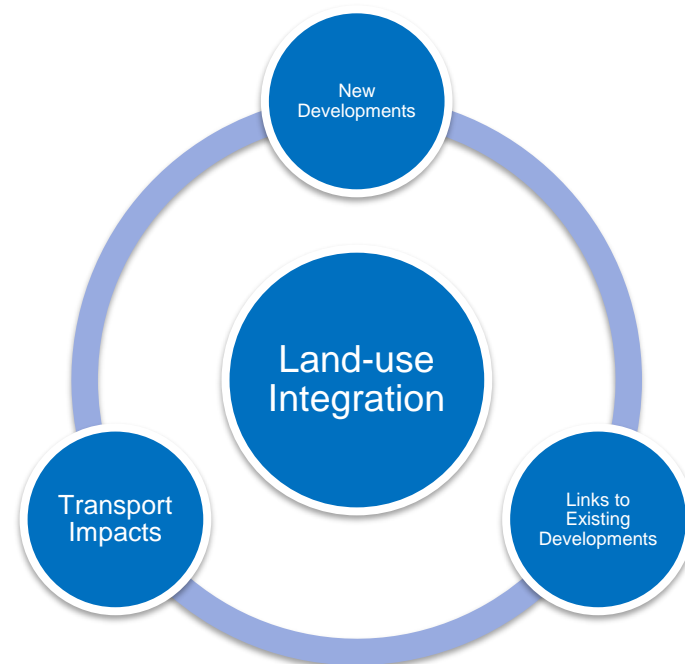
New Developments

There is an ongoing need for integration between new land-use developments and public transport services to ensure people can access them without using a car. Affordable housing in particular has to be located in areas with adequate public transport, cycling and walking links as its residents are often highly dependent upon integrated provision.

There are proposals for significant new developments in East Lothian which will have knock-on effects on transport. A requirement for 10,050 additional housing units to be built in East Lothian by 2024 has been identified in the South East Scotland Strategic Development Plan. This also sets out proposals for development of a new 4,600 dwelling residential development at Blindwells which will require adequate public transport links, potentially including a rail halt. Extensive work to understand the impacts of new development has been undertaken in support of the Local development plan and agreement with Transport Scotland. The Council has prepared a Transport Appraisal in accordance with Transport Scotland Development Planning Management Transport Appraisal Guidance.

Links to Existing Developments

There are high levels of dependency on the Edinburgh economy for employment opportunities and services creating above average levels of dependency on public transport, particularly for work journeys. Some of this dependency has been brought about by a lack of local services which, can means that people are forced to travel longer distances to employment and to access essential services like shopping, healthcare, leisure activities and so forth.

In order to assist in supporting the local economy and stimulate the vibrancy and vitality of East Lothian's towns and villages, reducing the need to travel longer distances, there is a need to tackle congestion and improve town centre parking arrangements to make them more accessible. Providing a range of services in town centres is also essential along with good walking and cycling links.

Transport Impacts

Due to the largely rural nature of the area, parts of East Lothian suffer from high levels of access deprivation meaning people are a long way from services and are likely to experience problems getting to them. The semi-rural geography also means above average car ownership levels which has environmental implications. Climate change will impact on transport via disruptive events like flooding, landslides, drought, and heatwaves. Mitigation measures are therefore required.

East Lothian Council

Land-use Integration

Meeting the Transport Needs of New Development across East Lothian

Musselburgh

Any significant new development in East Lothian that feeds traffic onto the A1 will impact upon the capacity of the road and its junctions. There are particular issues with the capacity of the Old Craighall Junction, particularly the length of slip lane queues, as well as all junctions west of Gladsmuir. There are concerns about the capacity of Musselburgh town centre to accommodate additional traffic and the potential cumulative impact of additional development. Proposals to mitigate constraints at Oldcraighall will have a positive effect of assigning traffic through Musselburgh High Street. However, notwithstanding the introduction of LDP proposed improvements, existing constraints presently limit the performance of the local road network and proposals are planned to mitigate these through committed planned improvements at :

- Salters Road Interchange;
- Musselburgh High Street;
- Signal junction at Ashgrove/Pinkie Road;
- Signal junction at Salters Road/The Loan/Inchview Road;
- Widening of Mall Avenue eastbound lane from Inveresk Road to Bridge Street;
- Signal junction at Salters Road / Drummohr Avenue; and in addition to this, signal optimisation included at the following junctions:
- Newhailes Road/A199 Edinburgh Road;
- Olive Bank Road / Monktonhall Terrace;
- Monktonhall Terrace / Stoneybank Terrace and Mall Avenue / Inveresk Road
- Harbour Road changed to one-way northbound;

and measures to mitigate existing air quality in Musselburgh town centre are proposed with improved parking provision and management and enhanced pedestrian routes and facilities.

Prestonpans

Further development in this area will generate impacts on the key links to the trunk road at the Dolphingstone and Bankton Interchanges and is likely to require improved interchanges and roads leading to them, as well as provision of opportunities for improved public transport.

Particular cognisance of Cockenzie and Ferry Terminal Master Planning needs to be taken into close consideration.

Tranent

Tranent High Street experiences high levels of through traffic which has impacted on amenity and air quality in the town centre. Any significant expansion of Tranent may require an eastern bypass which would provide relief to the High Street. However, this not necessary at this time. A Transport Assessment submitted for housing development on land south of Windygoul suggests that a transport solution for the development of this land exists, and that the traffic impacts could be mitigated without new road supply.

Haddington

The cumulative impact of potential development sites in the west of Haddington may result in significant traffic impact on the west Haddington / B6471 corridor and town centre.

Dunbar

There are concerns about the capacity of Spott Road and Queens Road junction in Dunbar to accommodate additional vehicle flows, being main routes in to the town. Junction improvement will be needed to mitigate the impacts of ongoing development in the area. There are poor pedestrian and cycle links between the northern and southern parts of the town divided by the rail line and these would need improved.

North Berwick

North Berwick experiences significant visitor numbers, particularly during summer months, putting pressure on the town centre road network and parking. However, the most significant issue is the impact that additional development in the area would have on the local road network. A number of these roads also provide access to and through coastal and inland settlements and the impact of the through traffic is a related concern.

Liaison with Neighbouring Authorities

The City of Edinburgh Council and Midlothian Council are building significant infrastructure in the vicinity of our shared boundary. Adequate Cross boundary Officer working will be required to minimise the negative effects of such major development and ensure maximum release of the required mitigation measures.

Cross Border modelling for the whole of the SEStrans Area has also been carried out and the impacts of improving the Sheriffhall roundabout and of the broader City Deal require detailed analysis of the potential impacts in East Lothian.

Further work to identify and promote an integrated public transport corridor into the south east wedge linking East Lothian, Midlothian and the city of Edinburgh will be investigated.

East Lothian Council

Land-use Integration

In addition to committed interventions to mitigate current transport deficiencies East Lothian Council has assessed the impacts of Local Development Plan land use allocations and developed in conjunction with transport consultants, a Strategic Regional Model SRM12 (multi-modal) and a micro-simulation model Musselburgh and Tranent traffic model (MTTM) to undertake a Transport Appraisal of the impacts and implications of housing and economic land allocations on the transport network. An assessment of proposed mitigation and further modelling work concluded that on a strategic and cumulative basis the following interventions would be necessary to maintain the performance of the transport network. Further assessment work on local impacts would be undertaken on a case-by-case basis.

Intervention ID	Description	Estimated Cost
7	PROP T15: Old Craighall A1(T) Junction Improvements	£995,000
6	PROP T17: A1(T) Interchange Improvements (Salters Road Interchange)	£272,000
5	PROP T17: A1(T) Interchange Improvements (Dolphingstone Interchange)	£256,000
10	PROP T17: A1(T) Interchange Improvements (Bankton Interchange) & A198 Dualling north of Bankton Interchange (w/o rail bridge)	£2,185,000
99	PROP T9 + PROP T10: Rail Station Package	£4,369,000
100	PROP T21: Musselburgh Town Centre improvements	£283,000
101	PROP T27 & T28: Tranent Town Centre improvements	£449,000
102	PROP T3: Active Travel Corridor	£23,400,000
11	A198 Meadowmill Roundabout Enhancement (w/o rail bridge)	£747,000
	Total	**£32,956,000**

East Lothian Council

2.4 Roads and Parking

2.4.1 Road Safety

Consultation identified scope for further reductions in casualties but hesitancy about the use of vertical traffic calming measures to achieve this as there is a belief that the negative side effects of these measures often outweigh their benefits.

Respondents also identified a requirement to reduce speeding in some locations, particularly residential areas. A Road Safety Plan has been drafted to broadly cover the same period as this LTS.

2.4.2 Strategic Road Network

The A1 trunk road is a major transport artery through the county but is now approaching capacity in some places. In particular, it is single carriageway south of Dunbar causing congestion and unreliable journey times. In addition, problems have been identified at Bankton and Old Craighall junctions. A cross border Trunk road action group has been lobbying Transport Scotland to dual the A1 to the Scottish border. Transport Scotland are undertaking a Scottish Border Transport corridor study that to assess the economic benefits of corridor improvements that will be considered as part of a wider Strategic Transport Planning Review.

2.4.2 Town Centres

Some town centres suffer from too much traffic creating congestion as well as overspill parking in inappropriate locations. This is heightened by seasonal tourist demand, which is a particular problem in North Berwick .

Town centres were also observed to suffer from too much street clutter and signage in some instances which makes them less attractive places to be. Community led consultation through Town Centre charrettes have highlighted many of the local concerns.

2.4.3 Maintenance

The road network in East Lothian is generally considered in a reasonable state of repair being higher than the national average, however, opinion suggest the condition of the network could be improved.

East Lothian Council

Roads and Parking

2.4.4 Parking and Loading

It has been identified that car parks near town centres and rail stations are often over utilised. Many off-street car parks are often full early in the day, most likely by commuters and traders, with limited capacity left for visitors which affects the economic vibrancy of our town centres.

This problem is partly related to insufficient long stay parking provision with an associated lack of balance between the provision of short stay and long stay parking. This leads to long-stay parking occurring in inappropriate locations.

Currently there is limited enforcement of parking restrictions leading to their frequent abuse. This creates localised bottlenecks from illegal and indiscriminate parking creating congestion. In addition, there is low turnover of on-street parking spaces, especially around key commercial streets, as any restrictions that are in place are not adequately enforced.

Alongside this, a range of loading difficulties have been identified which affect the ability to deliver goods into key commercial locations. This includes too few and / or poorly located loading bays, abuse of loading bays, the need for double parking when receiving deliveries and other general parking problems.

Another common parking problem affecting town centres is a lack of disabled parking provision.

Concern has also been raised over inappropriate parking practices by drivers of articulated lorries near convenience food stores, motorhomes and campervans at coastal carparks and park and rides.

There are also problems in relation to Park and Ride provision at railway stations which is often insufficient and leads to overspill from car parks into neighbouring residential areas creating on-street parking problems.

East Lothian Council

2.5 Changes influencing our behaviour

Over the last 20 years, technology has advanced at a rapid pace, and become integrated in our daily lives. Working patterns have changed as the manufacturing industry declines and more people are employed within the service industry. Technology has however made it possible to work from home, or across offices and locations. As technology develops alongside new 'normal' working and living practices, travel planning and travel requirements evolve.

What has changed during this period to influence how and when we travel?

Internet	Car clubs	Integrated ticketing
Smart phones	Bike hire schemes	Part-time working
Big data	Car insurance costs	4G
Online shopping	Smart ticketing	24hr opening
Satellite navigation	Laptops	Car sharing schemes
Perceived cost of travel	Working from home	Flexible working laws
Real-time information	Video conferencing	Improvement in public transport quality and reliability
Travel planning	Mobile apps	
Health and wellbeing	Sustainable transport investment	Cost of living vs. cost of travel
Urbanisation	Fuel tax	

These major shifts in society, working practices and technology will have a significant effect on not only the way that we travel, but also the need to travel. The LTS has to take account of emerging technologies and travel patterns to ensure we plan appropriately for the people who live and work within East Lothian. In this context, the LTS must be refreshed more frequently to adapt to technological change, which may include automated driverless vehicles, new fuel sources, smart phone integrated ticketing and legislative change.

East Lothian Council

2.6 Constraints & Opportunities

The ability to address the problems and issues identified is hindered by a range of constraints over which the Council has little control. However, there are also opportunities which present additional scope to resolve some of the problems and issues identified. Successful delivery of the LTS will be dependent upon minimising the impact of the constraints and maximising the benefits offered by the opportunities.

Constraints

Issues which the Council has little or no control including train services, bus services and the strategic road network

A largely rural area interspersed with a few larger settlements meaning that a degree of car dependency will always be likely

Limited funding available for transport schemes meaning focus will largely be on smaller infrastructure schemes and behaviour change measures

Support for new paths / cycleways and upgrading current paths / cycleways may not be there

Significant population and housing growth forecasts present scope to facilitate developer contributions to transport infrastructure

Scope to reduce environmental impacts and improve health through more active travel

Public engagement and transparency over where transport spending is directed to ensure it is targeted at the highest priorities

Working collaboratively with partner organisations to deliver schemes and resolve issues which the Council has limited or no control over

Spare capacity within community / voluntary transport which could be made better use of by pooling the vehicle and driver resources.

Opportunities

3. Vision & Objectives

East Lothian Council

3.1 Vision

The vision for the LTS has been defined as:

"East Lothian will have well-connected communities with increased use of sustainable transport modes to access services and amenities."

3.2 Objectives

Drawing upon the overall Vision and taking into account the problems and issues identified a set of seven objectives for the LTS were developed, which are:

1. To deliver a more attractive and safer environment for pedestrians and cyclists;
2. To reduce the overall dependence on the car and the environmental impact of traffic;
3. To promote the availability and use of more sustainable means of travel;
4. To locate new development where it reduces the need to travel;
5. To maximise accessibility for all and reduce social exclusion;
6. To promote integration and interchange between different means of travel; and
7. To maintain the transport network to a suitable standard to ensure it meets the needs of all users.

The LTS objectives are also closely linked to the policy context provided by the Council's overall Vision and Objectives, as shown in the following figure in section 3.3.

East Lothian Council

East Lothian Council Plan 2017-2022

The Councils vision is:

> An even more prosperous, safe and sustainable East Lothian , with a dynamic and thriving economy, that enables our people and communities to flourish

In particular the Council will give people a real say in the decisions that matter most and provide communities with the housing, transport links, community facilities and environment that will allow them to flourish.

The Local Transport Strategy will set out the Councils approach to improving transport links, including the road network, public transport and opportunities for active travel across the County. The Councils current capital programme includes investment totalling £27m over the next five years, plus £1.3m on parking improvements.

The delivery of interventions necessary to implement the Local Transport Strategy and associated plans will require an additional investment of £5m for Transport interventions, £1.8m for parking, £1m for road safety and £10m for active travel.

However, it is likely that these will be required over a period of time dictated by the rate of development in East Lothian.

East Lothian Council

3.3 Links to the Council's Overall Vision

• **2.** To reduce the overall dependence on the car and the environmental impact of traffic
• **3.** To promote the availability and use of more sustainable means of travel
• **5**. To maximise accessibility for all and reduce social exclusion

• **1.** To deliver a more attractive and safer environment for pedestrians and cyclists
• **2.** To reduce the overall dependence on the car and the environmental impact of traffic
• **3.** To promote the availability and use of more sustainable means of travel
• **4.** To locate new development to reduce the need to travel
• **6.** To promote integration and interchange between different means of travel
• **7.** To maintain the transport network to a suitable standard to ensure it meets the needs of all users.

Growing our Economy

Growing our Communities

Grow the capacity of our Council

Growing our People

• **1.** To deliver a more attractive and safer environment for pedestrians and cyclists
• **3.** To promote the availability and use of more sustainable means of travel
• **4.** To locate new development to reduce the need to travel
• **5.** To maximise accessibility for all and reduce social exclusion
• **6.** To promote integration and interchange between different means of travel
• **7.** To maintain the transport network to a suitable standard to ensure it meets the needs of all users.

• **1.** To deliver a more attractive and safer environment for pedestrians and cyclists
• **5.** To maximise accessibility for all and reduce social exclusion
• **6.** To promote integration and interchange between different means of travel

East Lothian Council

4. Strategy

Five Core Policies

The Council has identified five core Policies which provide the overarching framework under which the actions and measures to deliver the Local Transport Strategy all sit. These are closely aligned to the Objectives and are designed to address the identified Problems & Issues.

The five policies are summarised in the adjacent figure which also illustrates how they all, when combined together, form the strategy.

The rest of this chapter describes the Council's policy under each of these headings. It concludes by defining a series of Action Plans that will act as the mechanisms to deliver the key policies set out here and to deliver the Vision and Objectives of the LTS.

4 x Action Plans

East Lothian Council

4.2 Maintenance Strategy & Whole Life Costing (Policy 1)

Why?

Maintenance of the local transport network is essential to ensure that it remains effective, efficient, safe and reliable to meet the needs of all users in East Lothian.

Road Asset Management Plan

The Council is developing a Road Asset Management Plan (RAMP). This provides the means to enable the planning and prioritisation of maintenance work undertaken on the local transport network incorporating local roads, footpaths, cyclepaths, street lighting, bridges and other structures. By applying a systematic approach to asset management the Council can prioritise it's limited resources to address the most critical maintenance requirements first. The RAMP will be reviewed and updated on a regular basis taking into account of annual budgets. It will also ensure that environmental impacts are fully considered through the adoption of appropriate environmental management and pollution prevention measures.

The maintenance of the local road network is a statutory responsibility of the Council covering 921km of adopted roads. This work, along with footway and cycleway maintenance, is undertaken in accordance with Well Managed Highway Infrastructure – A Code of Practice – October 2016".

Road Asset Management Plan

Maintenance

Street Lighting

Well Managed Highways describes sustainability as a core objective of highways maintenance, together with safety, serviceability and customer service. The sustainability core objective comprises economic, social and environmental components. In the economic context, a sustainable approach requires that the costs of providing, operating, maintaining and disposing of an asset are minimised. Whole life costing enables these costs to be evaluated.

Whole life costing seeks to determine the total cost of ownership of an asset by identifying the direct and indirect costs that may occur during its lifecycle.

East Lothian Council

Maintenance Strategy & Whole Life Costing

It provides a basis for comparing alternative maintenance strategies to identify the most economically beneficial approach.

Historically, maintenance decisions have been based upon short-term criteria which often ignore the future costs of operating and maintaining the asset. They also fail to optimise the timing of maintenance interventions to deliver maximum value. A whole life cost approach ensures that consideration is given to the maintenance requirements throughout the asset's lifecycle. Alternative intervention strategies can be evaluated in terms of future cost profiles and asset performance. This ensures that the most beneficial treatments are applied at the right time in order to maximise value and demonstrate long term value for money benefits.

An accurate understanding of the condition of the road network is essential to inform the prioritisation of this maintenance and to allocate resources accordingly. To assist this, road condition surveys are undertaken on a regular basis. Machine based road network surveys are undertaken annually as part of the Scottish Road Maintenance Condition Survey and these are supplemented by visual inspections as necessary.

Structures form an important part of the road network and include bridges, culverts, retaining walls and footbridges. The need for maintenance of a structure is identified through regular inspections at specified intervals. To enable maintenance to bridges and other structures to be carried out, the Council includes a capital allowance in its annual budget

for works such as bridge refurbishment, pointing and major structural enhancements at individual bridges where required.

Winter maintenance is provided to ensure roads and footways are kept as free from ice and snow as is reasonably possible within resource limitations. This is vital in ensuring the network is safe for users and that its efficient operation is maintained during periods of severe winter weather conditions when ELC treat up to 600km of roads and around 30km of footpaths.

East Lothian Council

Maintenance Strategy & Whole Life Costing

Where possible, major roads and important bus routes are treated before ice forms and when it snows. After these, ELC treat secondary routes and finally minor routes, such as those in housing estates. ELC also deal with footpaths on a priority basis. Given the Councils limited resources, footpaths are not normally pre-gritted. In ice and snow, footpaths leading to schools, hospitals, health centres and shopping areas are treated first, along with routes that are heavily used. Main routes to housing follow then footpaths within housing areas.

Finally, the Council undertakes regular routine and cyclical maintenance activities like street sweeping, gully cleaning, grass cutting, pot hole filling, minor patching, etc. This work is carried out on an ongoing and responsive basis as necessary.

Overall, the Council is committed to maintenance of its assets to ensure they remain fit for purpose and meet the needs of residents, businesses and visitors to East Lothian.

Street Lighting

The Council has a duty to provide and maintain lighting for roads including the control, design, delivery and maintenance of street lighting units. An ongoing programme of upgrades and replacements to life expired lighting columns is undertaken on a rolling basis as resources allow.

ELC will pursue the implementation of low energy LED lanterns when replacing life expired street lighting. LEDs offer several benefits in that they have extremely long lives as they do not

have filaments that can quickly burn out and they don't contain toxic chemicals like mercury, unlike traditional high-pressure sodium lamps. LEDs are highly energy efficient as they use 15% of the energy of an incandescent bulb while generating more light per watt. Due to their energy efficiency and long lifespan, LED streetlights are advocated as a means for reducing carbon emissions.

The Council is also exploring the potential to dim streetlights at particular times or in certain places to conserve energy. This is being tested through new sites.

East Lothian Council

4.3 A Safer East Lothian (Policy 2)

Why?

It is of fundamental importance that people are, and feel, safe and secure when using the transport network in East Lothian. That extends to all modes of transport and all members of our community.

Improving Road Safety

The Council will develop, implement, monitor and review on a regular basis a Road Safety Plan. This will help to prioritise investment in road safety measures to ensure they are as effective as possible and address the most problematic areas as a priority, including impacts such as climate change and the risk of flooding . Analysis of road traffic collision data will be undertaken to identify locations where interventions are required.

East Lothian Council apply the principals of the four E's of road safety which are defined as Education, Engineering, Enforcement and Encouragement.

The purpose of the first is to ensure that road safety education and training is delivered to all road users as a spiral curriculum. It deals with ideas and concepts such as hazard perception and management of personal risk in relation to the road environment and the development of coping strategies.

Road safety engineering is considered to be the physical

- Improving Road Safety
- 20mph Limits
- Safe Cycling & Walking Routes
- Accessibility for All

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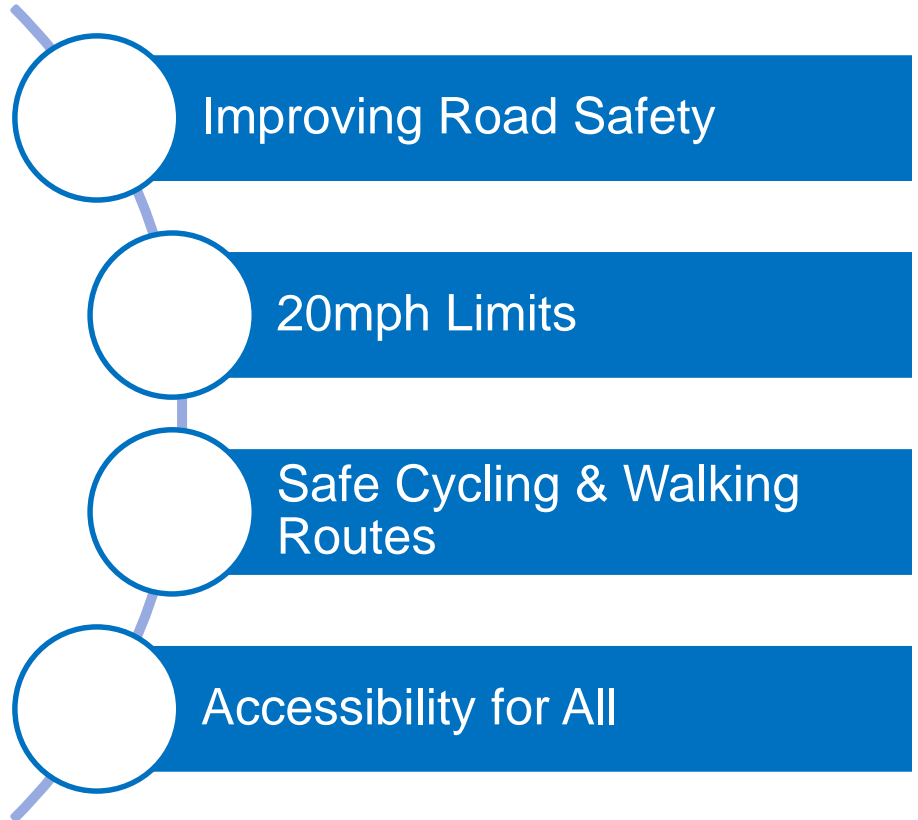
East Lothian Council

construction or alteration of roads whilst endeavouring to create a road environment that is safer for all road users.

Enforcement of the road traffic laws is the responsibility of the Police and the Driver and Vehicle Standards Agency (DVSA) although some areas have been decriminalised and are now the responsibility of east Lothian Council. The aim is to focus upon enforcing the law, promoting road safety, investigating incidents and patrolling streets.

To make a measurable contribution to road casualty reduction, a safety culture must be engendered within the community which encourages individuals to accept responsibility for their own and others safety.

East Lothian council have identified a need to ensure that users take extra care when driving or riding on rural roads, especially in poor weather conditions, as seven out of ten fatal crashes occur in rural locations. In particular, users must be aware that, in certain circumstances, it will be safer to drive at a much lower speed than the speed limit.

This links closely to the Speed Limit Review undertaken by Transport Scotland which identified recommendations to reduce the speed limit across 44 sections of the trunk road network to improve road safety. Since the publication of the recommendations of the Speed Limit Review, Transport Scotland has been working to deliver these speed limit reductions.

20mph Limits

The introduction of measures to reduce speeding is an ongoing commitment of the Council. The Council has introduced experimental Orders to evaluate the effectiveness of 20mph speed limits where these are supported by local residents. It is not proposed that these limits are supported by the introduction of traffic calming measures and are therefore need to be self-enforcing. As a consequence of the Scottish Governments consultation on Proposed Restricted Roads (20mph Limit) (Scotland) Bill further trials will be postponed until a clear direct of travel in known. The introduction of 20mph speed limits is an effective treatment of residential roads but not considered appropriate on main arterial urban roads. A detailed assessment of vehicular speeds, road environment and traffic use in accordance with the Councils Speed limit policy will require to be undertaken to determine appropriate speed limits and interventions as necessary.

East Lothian Council

A Safer East Lothian

Safe Cycling and Walking Routes

Ensuring people have access to safe cycling and walking routes is a key priority for the Council. East Lothian Council will continue to implement measures aimed at delivering these goals such as ongoing reviews of pedestrian crossing locations to ensure that desire lines are being catered for, provision of additional pedestrian crossings and options to potentially lower speed limits on lightly used rural roads to encourage their greater use by cyclists. East Lothian council will also explore opportunities to reallocate road space to pedestrians and cyclists where this can be achieved without significant adverse impacts on the efficiency and performance of the road network. East Lothian Council will also provide and maintain key off-road routes including parts of the Core Paths network and National Cycle Network.

The Council supports and applies the principles of the Scottish Government's 'Designing Streets', its best practice guidance on street design. It puts an emphasis on place making rather than standards based design aimed at accommodating traffic with the needs of pedestrians and cyclists given greater priority. The principles of 'Designing Streets' will be applied to all new developments and a key consideration when designing amendments to existing urban areas. In conjunction with applying national design standards, the Council will take the opportunity to review its own standards for development roads to ensure a consistent message and guidance is available to designers and developers.

Any physical changes to the infrastructure, especially the provision of off-street cycle routes and paths may require negotiation over 3rd party land and where this is necessary the environmental impacts of planned improvements should be given due consideration.

Accessibility for All

It is essential that all members of society have the ability to access services like education, healthcare, shops and leisure facilities to prevent problems of social exclusion and deprivation from developing. East Lothian currently does not suffer from high levels of deprivation but is dependent on the wider Edinburgh city region for many services and, in particular, employment opportunities. This dependence means that good transport links to neighbouring areas are essential with public transport services being vital for those without access to a car.

A key consideration for all, particularly those at most risk of discrimination and social exclusion, is safety and security using our transport network and services. This relates to both road safety and personal security when walking, cycling, waiting at bus stops or trains stations and when on public transport services. Some of the most at risk are those who have no access to private and / or public transport or are restricted from using them by physical or mental impairments. No specific problem with the safety and security of our network or services has been identified but the Council appreciates the need to improve accessibility wherever possible and will continue to deliver enhancements for all and to remove barriers to transport.

East Lothian Council

4.4 Active Travel and Healthy Lifestyles (Policy 3)

Why?

Active travel offers a number of benefits both to the individual through enhanced fitness as part of a healthy lifestyle and at wider level by reducing the number of car journeys taken therefore cutting greenhouse gas emissions and impacts on climate change. Encouraging people to undertake more active travel is consequently a priority and here we set out measures that will help to deliver this.

Travel Plans

Travel behaviour can be influenced by soft measures which encourage people to voluntarily change their travel habits. Travel Plans are one of the most commonly used soft measures. A Travel Plan is a general term for a package of measures tailored to the needs of an organisation aimed at promoting more sustainable travel by reducing reliance on single occupancy car use.

They are frequently used to influence how people access a new development and thereby to minimise traffic and parking demands generated by land-use proposals. The Council may specify the need for a Travel Plan for any development deemed to have significant transport implications and will require one for all developments having undergone a Transport Assessment. They should set realistic targets for sustainable travel and be reviewed regularly to check if these are being delivered.

Travel Plans

Behaviour Change

Cycling & Walking Networks

The Council published its Travel Plan in 2010 but this was never implemented. The Council has now updated its Travel Plan 2017 – 2022 and will introduce this early into the lifetime of the LTS. Its overarching goal is to '*Reduce the impact of Council related travel on the local and global environment.*'

East Lothian Council will also explore opportunities to deliver Personalised Travel Planning (PTP) in East Lothian. PTP is a well-established method that encourages people to make more sustainable travel choices. This is achieved through the provision of information, incentives and motivation.

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East Lothian Council

Influencing Active Travel

Active travel is being promoted as part of a healthy lifestyle and East Lothian Council is committed to delivering behaviour change to reduce the use of cars where walking and cycling can be used instead. The NHS is keenly promoting the benefits of active travel and the ways in which it can be achieved with only minor lifestyle changes.

Making active travel choices can be an easy way to fit activity into your day. It can take a little longer and you may not be able to do it for all your journeys, but you may be surprised where you can swap the car or public transport for two legs or two wheels. If you can walk or cycle instead of driving or taking public transport, it can also be good for your pocket, as well as the environment.

The Council is committed to delivering projects aimed at enabling behaviour change. This is illustrated by the work undertaken with funding awarded from Paths for All 'Smarter Choices, Smarter Places' to deliver two projects promoting active travel. The first involved delivery of a sustainable transport framework for visitors to RSPB events at Levenhall whilst the second focussed upon Local Action Planning through community engagement. This was achieved by a series of mini-conferences at the local level to highlight to the public the travel options available to them and offer personal travel planning service to assist people in making their regular journeys by sustainable transport. They also developed Action Plans with priority measures to improve each area.

When it's local, walk. Whether it's grabbing some milk, picking up the kids, or something you get delivered locally, pick it up instead.
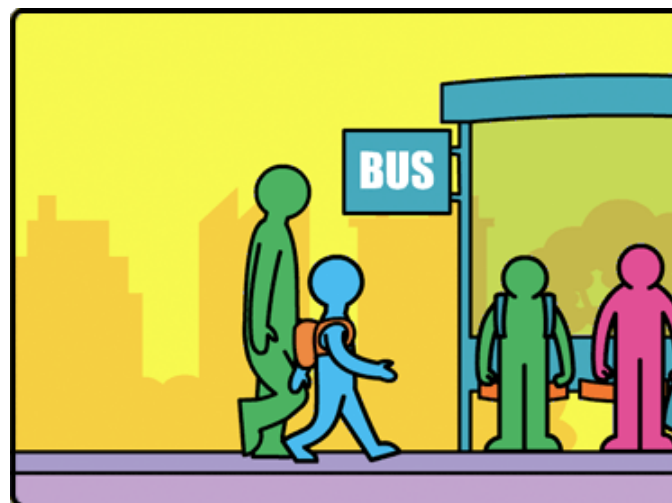
Walk to the next bus stop on from the one you usually get on at.

East Lothian Council

Cycling & Walking Networks

Cycling and walking is an excellent way of delivering a range of health and social benefits by raising life expectancy, increasing workforce productivity, reducing absenteeism and increasing participation in the labour market by decreasing the number of people on incapacity benefit.

East Lothian offers a great range of opportunities for cycling especially for new cyclists or those who want to go out on a leisurely ride with the family. It's mainly flat making it ideal for beginners. The coastal road offers views across the Firth of Forth, where the road follows the sea and the coastal villages, whilst inland routes trail the rolling countryside leading to the Lammermuir hills.

East Lothian is also compact making it easier to visit many places of interest in one day. The Council has created six maps, each one concentrating on the routes in a specific area, to encourage use of the cycle network and highlighting the places of interest, visitor attractions, places to eat and shop. Two routes are designed for the average cyclist seeking a leisurely cycle taking in some attractions. Another has been created to be longer incorporating the 3 main off-road paths linked by minor roads and the John Muir Way. Each route starts in a town and is circular with opportunities to make shorter or longer journeys.

East Lothian Council will continue to develop and enhance our cycle route network within the context of a comprehensive Cycling Strategy linked to regional and national strategies. This will also complement wider work to deliver and support the development of the Central Scotland Green Network. We are investigating an East Lothian Segregated Active Travel Corridor, which would connect our major settlements to Edinburgh and beyond with spurs to local towns and villages.

Any planned improvements to the physical infrastructure will need to be carefully planned and where proposed improvements are likely to impact 3rd party land then it will be essential to ensure that environmental impacts of proposed alterations are considered at an early stage in the design process. Care will also be required in respect of ecological impacts with sensitive mitigation measures considered, where appropriate.
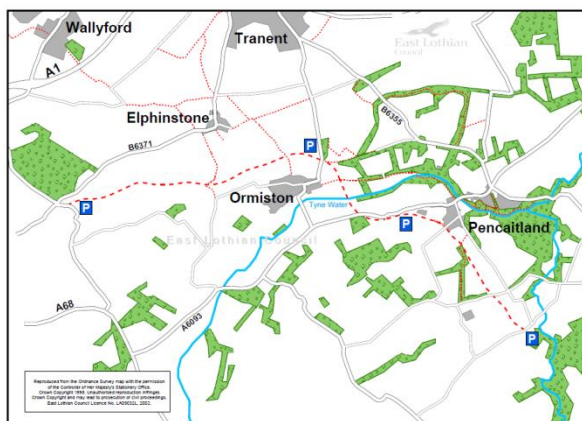
East Lothian Council

Cycling & Walking Networks

The Council has a system of Core Paths forming a basic network in East Lothian linking to the wider network of paths around the county. Core paths can be anything from a tarmac path to a grassy field margin providing a wide variety for users. Whilst each path may only suit particular users, the network as a whole provides for walkers, cyclists, horse-riders and people of varying abilities.

East Lothian offers a great variety of landscapes for walking with the Lammermuir Hills to the south, a coast of beaches and cliffs and an expanse of arable farmland in between. Many paths take in the landscape and features including river valleys, woodlands, bays and historic sites. Leaflets of the walks have been produced. Some of the main walking routes include:

- John Muir Way: a continuous path, which extends for almost 73km, linking us with the City of Edinburgh and the Scottish Borders;

- Pencaitland Railway Walk: a level path that runs for 11km from near West Saltoun to Crossgatehall, near Carberry; and

- Lammermuir Hills: the Scottish Rights of Way Society has produced a leaflet about the hill tracks detailing some longer, more remote walks.

Walking and cycling are also important modes of transport for local journeys and East Lothian Council support their use with appropriate infrastructure like dropped kerbs, signage, pedestrian crossings, cycle lanes, cycle parking and cycle advanced stop lines at junctions. The need for these measures is assessed regularly on a case by case basis. Area wide schemes may also be implemented where benefits can be demonstrated. For example, we are exploring an experimental pedestrian scheme on the eastern end of North Berwick High Street.

4.5 Accommodating Growth and Supporting the Economy (Policy 4)

Why?

There are ambitious growth plans for East Lothian which will see significant new development take place over the lifetime of the LTS and beyond. Parts of our transport network are already under pressure and it is essential that ELC plan to accommodate the transport impacts of this growth to facilitate local economic growth.

Parking Strategy & Enforcement

The Council is implementing a comprehensive Parking Management Strategy to improve efficiency of the current supply and reduce negative impacts of parking on our communities. A 'toolkit' of measures will be applied including:

- Parking Management: interventions to maximise the efficiency and operation of existing parking provision;
- Parking Supply: measures to control the off-street and / or on-street parking provision available;
- Enforcement: measures to control the usage and turnover of parking and restrictions are adhered to;
- Demand Management: intended to reduce parking demand and maximise use of other transport modes.

These will be applied on a sliding scale with settlements experiencing greater problems receiving more actions than those where parking issues are minor. Crucially, implementation will be linked to delivering improved air quality in town centres and reducing carbon emissions.

Parking Strategy & Enforcement

Traffic Management & Road Infrastructure

Rail Services & Infrastructure

Transport for Development

Supporting Regeneration

Environmental Impacts & Appropriate Mitigation

It will be essential to ensure that the suitable siting, design and mitigation techniques are adopted to minimise likely adverse effects on the environment as early in the design process as possible, to ensure that known risks are considered and mitigated early in the process.

East Lothian Council

Accommodating Growth and Supporting the Economy

Traffic Management & Road Infrastructure

The Council supports a number of schemes to enhance the strategic road network serving East Lothian including:

- Dualling of the A1 from Dunbar to the Scottish border;
- Upgrading the A1 Bankton, Dolphingstone and Salter road junctions;
- Upgrading the A1 Old Craighall junction; and
- A1 junction safety improvements south of Dunbar.

These improvements all interface with the Trunk Road network which is the responsibility of Transport Scotland. However, proposals to improve the junction performance at Bankton, Dolphingstone and Salters junctions will be delivery by East Lothian Council as the majority of the intervention lies on the local road network.

Rail Services & Infrastructure

Whilst East Lothian Council has no control over the rail network or the services on it the Council supports improvements to rail services and infrastructure through liaison with rail industry partners like Network Rail, ScotRail and Transport Scotland. In addition, the Council supports improved access to stations through better walking and cycling routes as well as Park & Ride provision and will also continue to support delivery of integrated ticketing schemes.

Rail Services
Provide a local train service to Dunbar
Improve frequency of train services to North Berwick
Provide through train services beyond Edinburgh to destinations like Bathgate
Liaise with operators and Transport Scotland for rail service enhancements

| New Rail Lines & Stations |
| --- |
| Re-open Haddington rail line |
| Provide a new station at East Linton |
| Musselburgh parkway station (linked to Queen Mary University and business land) |
| Station and Park & Ride at Bankton to serve proposed Blindwells development |

East Lothian Council

Accommodating Growth and Supporting the Economy

Transport for Development & Supporting Regeneration

The LTS supports the emerging East Lothian Local Development Plan and its aspiration to deliver up to 10,050 additional housing units by 2024. The Plan has adopted a compact land use dispersion that will largely be focussed along the Strategic Development Area (SDA) shown in the adjacent figure which closely follows the main transport corridors of the A1 and ECML. Transport measures required to support development are set out in the following pages.

Blindwells has been identified as a location with significant long term growth potential. Current allocations could deliver 1,600 homes and 10ha of employment land by 2024. It consequently presents a major opportunity to create a large, accessible, mixed community in the heart of East Lothian but will need supported by appropriate transport infrastructure. Mitigation will be required of the Trunk and local road impacts, including at A1 Old Craighall junction, arising as a result of the cumulative impact of development and the safeguarding of land for a new rail halt together with other measures intended to reduce travel by private car.

East Lothian Strategic Development Area
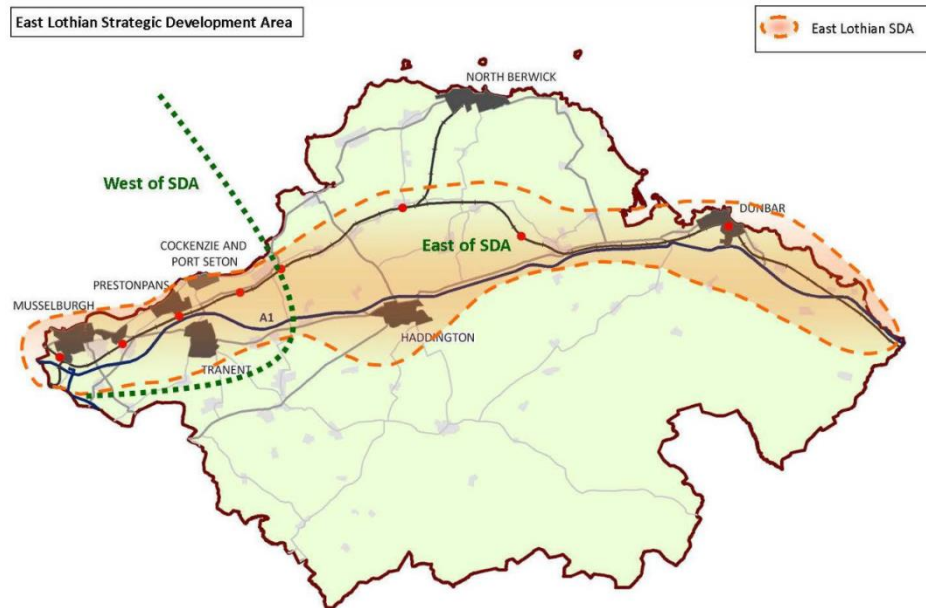
In addition to Blindwells, the ambitious masterplan for the former Cockenzie power station has been developed which proposes key deliverables over the 25-year life cycle including 90,000 sqm of employment space and approximately 3,500 jobs.

Scottish Planning Policy requires development plans to identify a network of town centres as they are an important part of the settlement strategy, being a focus for a wide mix of land uses. The LTS supports the regeneration and economic vitality of town centres through measures to reduce congestion and improve town centre parking. Overall, the Council supports development which minimises car use and maximises opportunities for travel by walking, cycling and public transport.

East Lothian Council

Accommodating Growth and Supporting the Economy

Musselburgh

- Capacity of the Old Craighall Junction, Signal control of A1 off-slip and A720 approaches with local widening.

- QMU All-Ways Interchange. Addition of westbound on and off-slips. The junction providing access to the QMU campus and adjacent employment land will be modified to provide on and off ramps in both directions.

- Salters Road\A1(T) Interchange Improvements. Local widening on Salters Road and optimisation of signal control staging, phasing and timings.

- Signalised controlled junctions at A199/ New Street, A199/ Linkfield Road, and Pinkie road/ Inveresk road to regulate demand in the town centre, measures to mitigate town centre demand, the management of vehicle and indiscriminate parking, the promoting of TRO's and the provision of enhanced walking and cycle infrastructure.

- Provision of an active travel corridor which includes a segregated walk and cycle route extending from Musselburgh to Dunbar, via Blindwells and Haddington.

- Rail station capacity enhancements with extended platforms and possible parking provision at Musselburgh and Wallyford in the longer term.

- Commissioning of a feasibility study to determine and future proof infrastructure requirements to support and enhance active travel choices in Musselburgh

Prestonpans

- Mitigation of impacts at Old Craighall Junction and improvements to Bankton interchange.

- Bankton Interchange\A1(T) Interchange Improvements and A198 Link Improvements. Signal control of northern roundabout with local widening. Redesign of southern roundabout with local widening. Dualling of A198 from Bankton northern roundabout, tapering back to single before Meadowmill roundabout.

- Provision / safeguarding land for a new rail halt at Blindwells.

- Meadowmill Roundabout Junction Improvements. Redesign of roundabout and local widening

- Potential for new road connections over land at and around Cockenzie Power Station and its former coal handling yard in support on masterplan.

- Provision of active travel corridor which includes segregated walk and cycle route extending from Musselburgh to Dunbar via Prestonpans station, Blindwells and Haddington.

- Rail station capacity enhancements with extended plafforms and parking at Longniddry and Prestonpans ,short and medium term respectively.

Tranent

- Mitigation of impacts at Bankton interchange.

- Dolphingstone\A1(T) Interchange Improvements. Local widening and optimisation of signal control staging, phasing and timings

- Traffic impacts of housing allocations will be mitigated by introduction of a one-way system in town centre.

- Tranent may benefit from the introduction of any new rail facilities at the Blindwells development.

East Lothian Council

Accommodating Growth and Supporting the Economy

Haddington

- Development in Haddington may result in some traffic impact on the local road network, including town centre. The LDP cumulative traffic assessment indicates limited impacts. East Lothian Council's Road Service can facilitate any more detailed modelling exercise if this should be required.

- Provision of active travel corridor which includes segregated walk and cycle route extending from Musselburgh to Dunbar, via Blindwells and Haddington.

- Work on a Town Centre Access Strategy and externally funded Streetscape Project commenced in early 2017.

- The development of a local transport based micro-simulation model to predict and model traffic demand in the Haddington area.

Dunbar

- At East Linton a new rail station is being supported with commitment to it's delivery from East Lothian Council and the Scottish Government.

- Provision of additional pedestrian and cycle access route under the ECML linking northern and southern parts of the town will be required in association with any new development.

- Provision of active travel corridor which includes segregated walk and cycle route extending from Musselburgh to Dunbar via Blindwells and Haddington.

- The holding of a Town Charrette was to establish local plan priorities and list intervention measures to promote sustainable travel options.

- The development of a local transport based micro-simulation model to predict and model traffic demand in the Dunbar area.

North Berwick

- Traffic and parking management measures are being considered to accommodate the significant visitor numbers the town experiences, particularly during the Summer.

- Development in the area may have an impact on the local road network dependant upon scale. Appropriate mitigation measures may be required.

- A Town Charrette was carried out in 2017 and list of intervention measures to promote more sustainable travel has been compiled for future implementation which is currently unfunded.

- The development of a local transport based micro-simulation model to predict and model traffic demand in the North Berwick area.

East Lothian Council

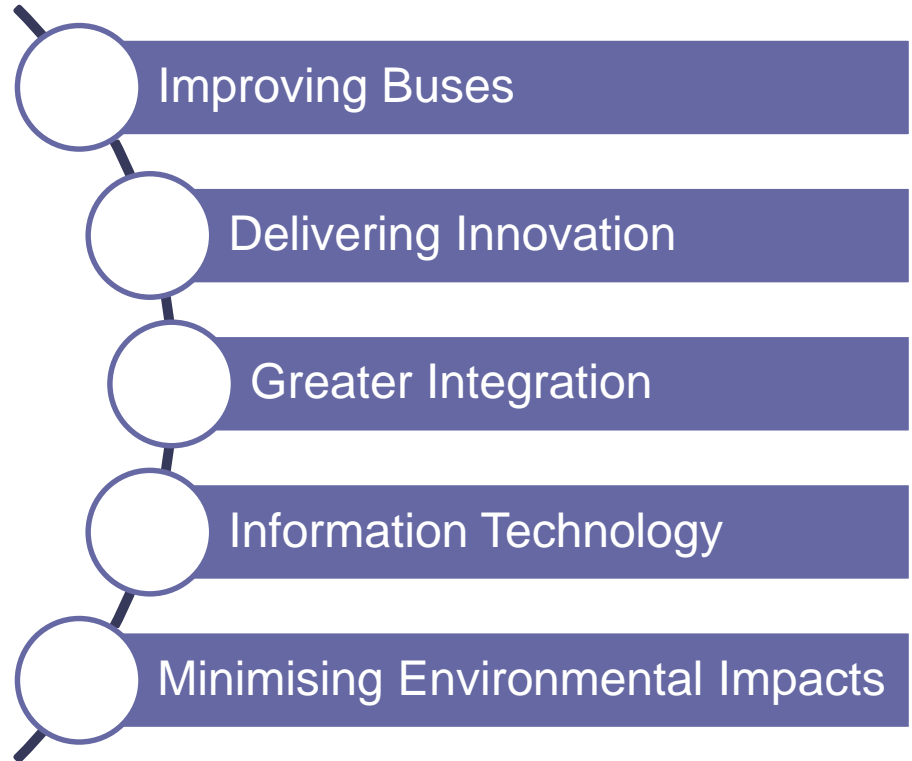## 4.6 Encouraging Sustainable Travel (Policy 5)

Why?

Encouraging more sustainable travel patterns is crucially important to address global climate change issues. To do this there is a need to ensure that people have access to alternatives to car use and information about how to use them. In addition, application of transport innovations can also play a key role in encouraging sustainability.

Improving Buses

Bus services are provided on a commercial basis by bus operators, shown opposite, with some services deemed necessary for social inclusion purposes that are not provided commercially being subsidised by the Council. East Lothian Council is committed to maintaining Council supported bus services where it can be demonstrated that these are offering value for money for the public by supporting social inclusion and accessibility. It is recognised that long term viability of routes is extremely challenging considering budgetary pressures and hard choices might have to be taken to prioritise routes. In this regard the Council will prioritise limited resources to support the services which will deliver the greatest benefits.

Delivering wider improvements to the bus network in East Lothian will require close partnership working with bus operators and ELC will continue to liaise closely with them to ensure the network has adequate coverage and is fit for purpose. The Council has statutory powers in the form of Quality Partnerships and, more binding, Quality Contracts

Improving Buses

Delivering Innovation

Greater Integration

Information Technology

Minimising Environmental Impacts

Bus Operators		
E&M Horsburgh	Lothian Buses	Prentice Coaches
Eve Coaches	Border Buses	East Coast Buses

East Lothian Council

EAST LOTHIAN BUS PASSENGER CHARTER

Bus Companies will ensure
- Fares are easy to understand and easily available before boarding
- Timetables and route maps are up to date, clear and easily available
- For less frequent services, timetables are displayed in buses and are available from drivers on request
- Drivers are courteous, helpful and professional
- Buses are accessible and drivers trained to offer reasonable assistance to those who need it
- Buses are clean, comfortable and reliable
- Feedback procedures are publicised on company timetables and websites
- Stakeholders are consulted about developing or changing services
- For 'hail and ride' services passengers will be picked up or dropped off where it is safe to do so

Passengers will
- Be courteous to the driver and to other passengers
- Take litter home, not leave it on the bus
- Respect the bus stop structures and environment
- Adhere to the driver's requests and instructions
- Refrain from distracting the driver when the bus is moving

East Lothian Council will ensure
- Bus stop structures are clean and welcoming
- Timetable displays at all major and most minor bus stops are up to date
- Clear, route information such as maps or diagrams is available at all major stops
- Major bus stops are prominently located and identifiable
- Bus stops are marked on all maps of the area produced by ELC
- Bus travel is prioritised over car travel when giving directions to its facilities on its websites or in literature
- That buses have been allocated adequate space to pull in and out and that passengers can board safely

East Lothian Council, Bus Companies and Passenger Groups will work together to
- Consult users regularly about bus services and hold meetings at which bus users can have a say
- Co-operate towards providing integrated bus timetables at appropriate bus stops
- Agree a main bus stop or public transport information hub in each major town
- Ensure that all services stop at these hubs to facilitate service interchange
- Improve communication with the public
- Promote public transport benefits to increase patronage
- Promote partnership working and encourage innovation
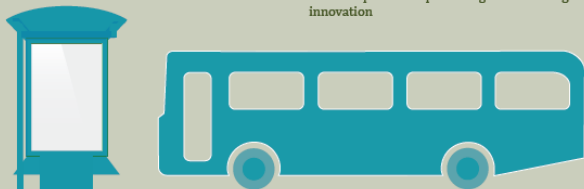
that can be used to facilitate improved bus services from operators in return for commitments from the Council to enhance infrastructure like shelters and bus priority measures. East Lothian Council will explore the implementation of a Quality Partnership as a mechanism to enhance bus services and infrastructure.

This would build upon the partnership work undertaken to develop the East Lothian Bus Passenger Charter. It launched in April 2014 and represents a partnership between the Council, five local bus operators and RELBUS (Rural East Lothian Bus Users). The aim of the charter is to provide a clear commitment to passengers of the standards of service required and provided by bus services across the county. Ensuring ongoing adherence to the charter is one of our key priorities in relation to bus service provision.

The Council funds demand responsive transport (DRT) for people with mobility restrictions through the Dial-a-Bus and Dial-a-Ride service. Dial-a-Bus provides transport from home to local shopping centres for people who can't travel by ordinary bus whilst Dial-a-Ride provides door-to-door transport for people with limited mobility. There are currently no DRT services for the general public following the withdrawal of the Gaberlunzie service. Analysis undertaken for the Council identified there may be merit in introducing DRT services in the rural parts of East Lothian and ELC will continue to keep the case for this under review. In addition, there may be scope to deliver improved local transport through more coordinated and integrated provision of community transport by pooling the vehicles available across the current Council and voluntarily provided schemes. We will continue to explore these opportunities and to support community transport schemes.

East Lothian Council

Encouraging Sustainable Travel

The Council also has responsibility for ensuring that bus infrastructure is of a suitable standard including maintenance and renewal of bus shelters and associated bus stop facilities. East Lothian Council will upgrade bus stop infrastructure where necessary and funding permits to improve passenger experience. This will include measures such as new shelters, seats, information panels and lighting. Where congestion can be proved to be impacting on bus journey times and their reliability ELC will also explore the potential for introducing bus priority measures. In addition, ELC will seek to deliver enhanced bus integration and interchange facilities on key corridors and in main town centres including interchange with other bus services and between buses and trains.

Delivering Innovation

East Lothian Council will support the implementation of infrastructure to encourage the use of electric vehicles and where appropriate, hydrogen storage facilities for public and/or commercial use and assist Transport Scotland in the delivery of public charging points. There are currently six charging points in East Lothian and East Lothian Council will seek to expand this as resources allow. The Council has also, through funding provided by Transport Scotland, provided three electric vehicles for the car club scheme provided through Carplus. Car clubs provide pay-as-you-drive access to vehicles on an hourly or daily basis, 24 hours a day, 7 days a week. Members book cars online, by mobile app, or over the phone and access car club vehicles via a smart card and are billed for their use monthly in arrears. East Lothian Council will continue to support the further provision of electric car club vehicles where practicable and funding permits.

The Council, working in partnership with SEStran, has also delivered an online lift sharing service which can be accessed at www.tripshareeastlothian.com. Tripshare has been created so that you may actively search for other members who are doing similar journeys at similar times. It has the capability of matching all types of journeys including car journeys but also allows people to share taxi journeys and to choose to cycle and walk together.

TripshareEastLothian.com
start the day with a pick me up

East Lothian Council

Encouraging Sustainable Travel

East Lothian Council will explore the feasibility of introducing a bike hire scheme in our main towns. Such a scheme would see a number of bikes located around the local authority area which can then be rented for as little as half an hour or for a period of 24 hours or longer. A similar scheme has recently been introduced in Glasgow and has been hugely successful. Whilst any scheme in East Lothian would obviously be designed to meet the needs of smaller towns and its more rural setting the lessons learned and best practice from the experience in Glasgow, elsewhere around the UK and beyond can nonetheless be applied.

To reduce the need to travel ELC will seek to encourage alternative work patterns like working from home, compressed working hours, peak spreading and creation of local workplace 'hubs' to minimise the need to travel to centralised offices.

The Council will support improvements to information provision on all modes of transport.

Greater Integration

East Lothian Council have identified a need to improve integration between all modes of transport in East Lothian but, in particular, to ensure that our public transport services are seamlessly linked and that our local walking and cycling routes feed into the public transport network and link to key local services like schools, shops and GPs through interventions like the Segregated Active Travel Corridor. East Lothian Council will work with bus operators to deliver integration between bus services and the wider transport network wherever possible and will keep our walking and cycling networks under review to identify opportunities where integration could be improved.

The Council encourages integrated ticketing schemes and, in partnership with Transport Scotland, SEStran, Abellio, ScotRail and bus operators will continue to support appropriate technologies and initiatives going forward.
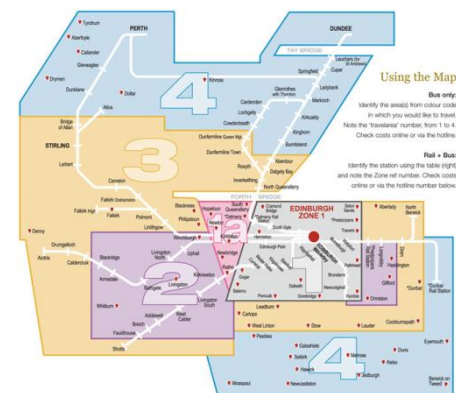
Encouraging Sustainable Travel

Information Technology

Journey planners like Traveline Scotland allow comparison between a variety of modes of transport for a given journey. These services are also now making use of mobile phone apps. The award-winning Traveline Scotland app, shown adjacent, provides comprehensive journey planning information. ScotRail, Lothian Buses and First East Scotland all offer free mobile phone apps allowing users to check travel times, disruptions to services and, for some, buy tickets online.

Social media is also a powerful tool to inform people about their travel choices and up to date with incidents on the transport network. Many transport operators have Twitter and Facebook feeds including Lothian Buses, East Coast Buses, ScotRail, Transport Scotland and Traffic Scotland. Social media is consequently becoming an important way to keep people informed about their journeys.

It is also being used to encourage active travel and healthy lifestyles. Active East Lothian is the Council's one stop shop for all things sport and activity. Along with a website, it uses Twitter to promote events and encourage people to take part in sport and activities.

Improvements in the quality and coverage of public transport information may also stimulate modal shift from car use. For buses, real-time information systems that check if buses are running on time and display this information to passengers at stops can be installed.

The Council will continue to use and explore further opportunities to use IT measures to improve information delivered to the public and encourage the use of sustainable travel as a result.

TWEETS	FOLLOWING	FOLLOWERS
795	183	479

TWEETS	FOLLOWING	FOLLOWERS
103K	6,992	92.8K

Lothian Buses
Public transportation

Like   + Follow   Message

Timeline   About   Photos   Reviews   More ▾

East Lothian Council

Encouraging Sustainable Travel

High Street, Musselburgh (Newbigging to The Mall) - Air Quality Management Area

Minimising Environmental Impacts

The measures and policies outlined to encourage sustainable travel will play an important role in helping the Council deliver in relation to its obligations defined in the National Air Quality Strategy. Emissions are a key consideration in relation to climate change and it is important to take steps to minimise them wherever possible. The air quality in Scotland is generally better now than it has been at any time since before the Industrial Revolution. These improvements have been achieved through the introduction of legislation enforcing tighter controls on emissions of pollutants from key sources, notably industry, domestic combustion and transport. East Lothian Council recognise the need to continue to deliver improvements in air quality through minimising transport related emissions.

At a local level an Air Quality Management Area (AQMA) has been declared in Musselburgh and covers the area around the High Street (A199) from its junction with Newbigging and extending westwards to the junction with Bridge Street and Mall Avenue. The order declaring an air quality management area came into effect on 13th November 2013. This followed monitoring of the air quality which revealed that levels of nitrogen dioxide (NO_2) were slightly above the average annual level specified in the national air quality objectives. The main source of the NO_2 pollution is from road traffic and the Council will consider ways in which the traffic related air pollution can be reduced. Monitoring of nitrogen dioxide continues within this area and an Action Plan will be produced in due course.
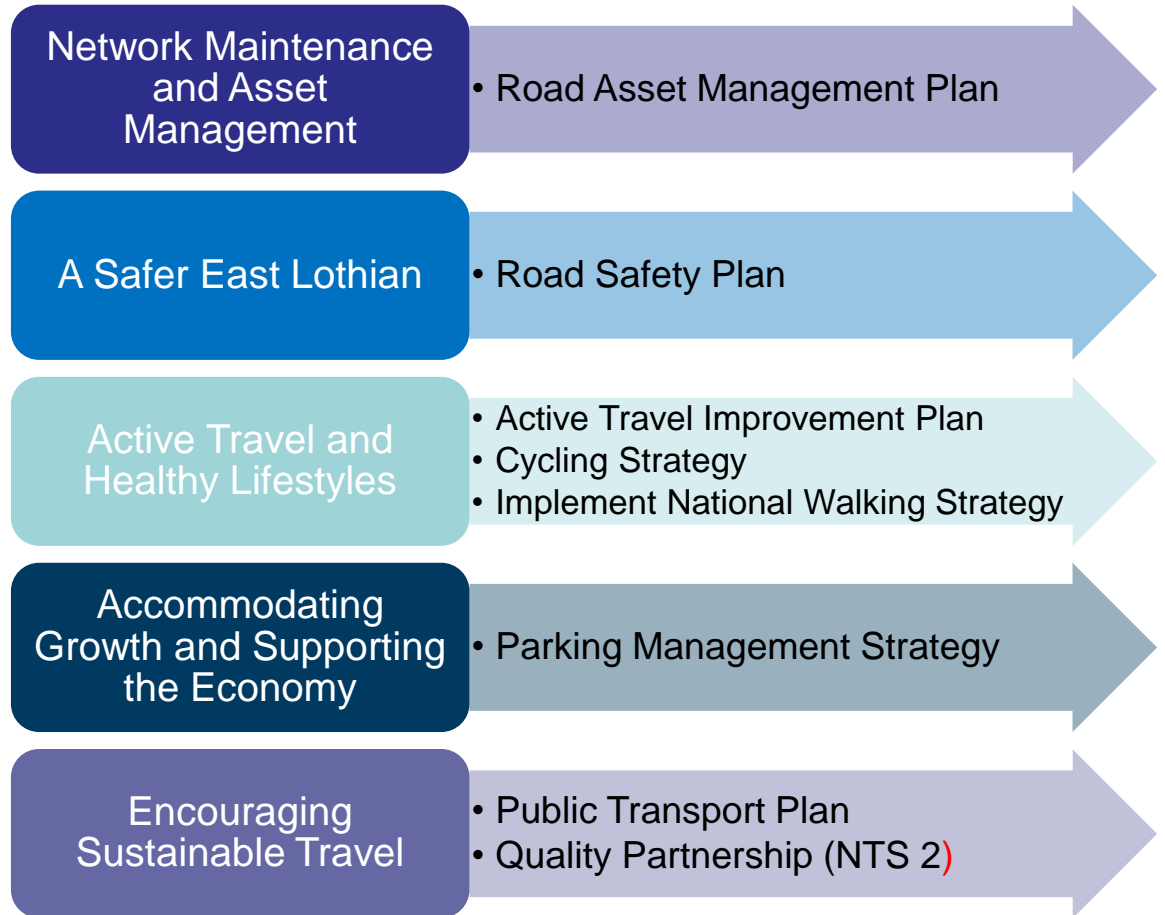
East Lothian Council

4.7 Action Plans

Strategy Implementation

To deliver each aspect of the strategy outlined previously the need for a series of distinctive Action Plans has been defined. These are outlined in the adjacent figure.

Each Action Plan will deliver a specific element of the LTS and, cumulatively, they will ensure that the strategy is implemented as a whole. The decision to develop these Action Plans was based upon the need to translate policy into deliverable solutions and recognition that the responsibility for delivering various aspects of the LTS will be devolved to many different teams and individuals within the Council and, in some instances, involve external organisations like transport operators as well. It is essential therefore that each responsible group can take ownership of delivering their own elements of the LTS.

Theme	Action Plan
Network Maintenance and Asset Management	• Road Asset Management Plan
A Safer East Lothian	• Road Safety Plan
Active Travel and Healthy Lifestyles	• Active Travel Improvement Plan • Cycling Strategy • Implement National Walking Strategy
Accommodating Growth and Supporting the Economy	• Parking Management Strategy
Encouraging Sustainable Travel	• Public Transport Plan • Quality Partnership (NTS 2)

The Action Plans will accompany the Strategy. All will remain live and constantly under review during the lifetime of the LTS to ensure their relevancy is maintained and is up to date. The development of a Public Transport Plan and Quality Partnership will be based on possible legislative changes being considered with regard to the NTS. Linked to the Active Travel Improvement Plan, it is also intended to develop a Cycling Strategy to support the LTS.

East Lothian Council

5. Monitoring & Evaluation

East Lothian Council
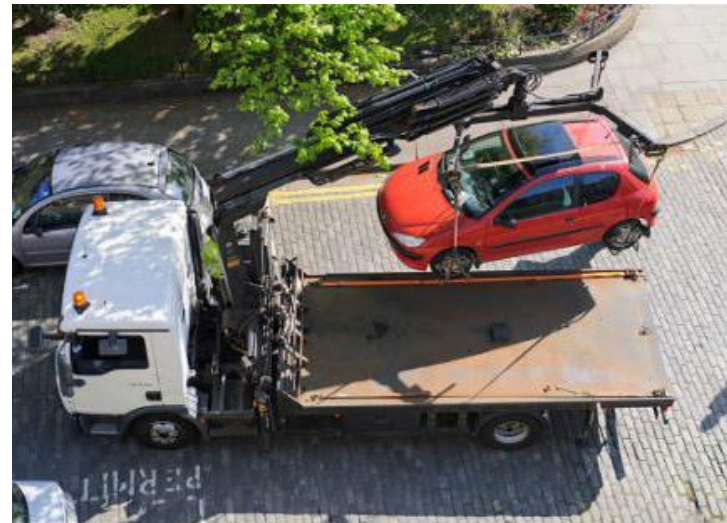
5.1 Indicators and Targets

It is essential that East Lothian Council monitor the success of the LTS to determine whether it is achieving the Vision and Objectives ELC set out in Chapter 3. To undertake this ELC have defined a series of Indicators and Targets linked to the Objectives that will allow this progress to be measured. These are set out in the following table.

Indicator	Target	Baseline	Obj 1	Obj 2	Obj 3	Obj 4	Obj 5	Obj 6	Obj 7
1. Modal share for travel to work.	Reduce levels of car use and increase use of sustainable modes including walking, cycling and public transport by 2024.	Key Statistics Section A		✓	✓				
2. People that drive every day.	Reduce people that drive every day to at least align with the national average (currently 42%) by 2024.	Key Statistics Section B	✓	✓	✓	✓			
3. Traffic growth over a 10 year period.	Reduce rate of traffic growth over a rolling 10 year period to at least align with the national average (currently 8.3%) by 2024.	Key Statistics Section E	✓	✓	✓	✓			
4. Roads needing repair.	Reduce percentage of roads needing repair to 30% by 2024.	Key Statistics Section E	✓		✓				✓
5. Households with access to a bicycle.	Increase households owning a bicycle to 55% by 2024.	Key Statistics Section F	✓	✓	✓	✓	✓	✓	
6. People that walk regularly as a means of transport.	Increase people that walk regularly as a means of transport from 75% to 80% by 2024.	Key Statistics Section F	✓	✓	✓	✓	✓	✓	
7. Fatal, serious and total road accident casualties.	In comparison to the 2012-2016 average, achieve a: • 40% reduction in people killed by 2024; and • 55% reduction in people seriously injured by 2024.	Key Statistics Section C	✓						✓

East Lothian Council

Indicator	Target	Baseline	Obj 1	Obj 2	Obj 3	Obj 4	Obj 5	Obj 6	Obj 7
8. Park and Ride provision.	Increase official Park and Ride spaces by a minimum of 10% by 2024.	Key Statistics Section I		✓	✓		✓	✓	
9. Train station passengers.	Increase patronage at all train stations on a year on year basis up to and including 2024.	Key Statistics Section J		✓	✓		✓		
10. Supported bus services spend.	Reduce expenditure on supported bus services on a year on year basis up to and including 2024 whilst maintaining adequate bus service coverage.	Contracts covering 13 routes costing over £850k per annum.		✓	✓	✓	✓		
11. Community transport initiatives operating.	Maintain as a minimum current geographical and passenger coverage of Community Transport initiatives up to and including 2024.	5 existing Community Transport Schemes		✓	✓	✓	✓		
12. Pedestrians using town centres.	Increase pedestrians using town centres on a year on year basis up to and including 2024.	No baseline data	✓		✓				✓
13. Parking turnover in town centres.	Increase parking turnover in town centres on a year on year basis up to and including 2024.	No baseline data	✓				✓	✓	
14. Areas amongst the most deprived in Scotland.	Maintain and, if possible, reduce the number of datazones within the 15% most deprived in Scotland up to and including 2020.	3 of 976 datazones in 15% most deprived in Scotland (SIMD 2012)				✓	✓		
15. Housing completions by area.	Ensure all new housing developments are accessible by a range of transport modes not just by car up to and including 2020.	Not Applicable		✓	✓	✓	✓	✓	
16. People claiming jobseekers allowance.	Maintain existing levels as a minimum and seek to reduce proportion of people claiming jobseekers allowance by 2020.	Key Statistics Section G					✓		
17. People economically active.	Maintain existing levels as a minimum and seek to increase the proportion of people economically active by 2020.	Key Statistics Section G					✓		

East Lothian Council

5.2 Timescales and Reporting

The progress towards achieving the Targets and delivering the Objectives will be monitored on a regular basis throughout the lifetime of the LTS. Each Action Plan will contain further Performance Indicators specific to their theme.

The data required to undertake this analysis is mostly readily available through existing sources, although some will need to be collected by the Council. However, some of the readily available data is only collected or updated every couple of years. The Council will therefore undertake monitoring and evaluation on a biannual basis as this will enable a sufficiently regular assessment to be carried out to identify whether the LTS is successfully delivering what it set out to achieve whilst still providing enough time for the necessary data to be collected and updated.

The monitoring and evaluation will incorporate both a Process Evaluation and an Outcome Evaluation. The Process Evaluation is primarily concerned with how well the strategy has been implemented whilst the Outcome Evaluation examines performance against Targets.

The results will be published in a **Monitoring & Evaluation Report** which will set out:

- Analysis against the Indicators and associated Targets;
- A review of the factors that have resulted in this performance;
- Any corrective measures required to achieve the desired policy outcomes; and
- An assessment of how well the Objectives, outcomes and policy aspirations have been achieved along with lessons learnt for the future.

In addition, the Action Plans will also be monitored to ensure they remain consistent with the LTS and are contributing towards delivering its Objectives. This will be carried out on an ongoing basis and in a more informal basis reflecting their more functional purpose.

East Lothian Council

East Lothian Council

REPORT TO: East Lothian Council

MEETING DATE: 19 December 2017

BY: Depute Chief Executive (Resources and People Services)

6

SUBJECT: Amendments to Standing Orders – Scheme of Administration

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1   PURPOSE

1.1   To seek approval of proposed changes to the Scheme of Administration in order to strengthen the Council's governance arrangements, and to address recommendations made by Audit Scotland in their East Lothian Council 2016/17 Annual Audit Report, which was presented to Council on 31 October 2017.

2   RECOMMENDATIONS

2.1   Council is asked to approve the proposed changes to the Council's Scheme of Administration, as set out in Appendix 1 to the report.

3   BACKGROUND

3.1   Nominations for membership of Council committees were initially sought from the three political groups at the Council meeting of 23 May 2017, and at that meeting the Council appointed members to the various committees. At that time, the SNP Group indicated that it was not in a position to make nominations to certain committees, most notably the Council's two scrutiny committees. The SNP Group was afforded more time to make its nominations, but to date has not done so.

3.2   The Council recognised that this highly unusual and unanticipated situation meant that it was unable to satisfy the governance arrangements set out within the Scheme of Administration to the Standing Orders that requires political balance in the membership of its scrutiny committees. That political balance could not be achieved as a result of the SNP Group's lack of nominations.

3.3 As a result of this situation, a report was presented to the Council at its meeting of 12 September 2017 seeking approval of changes to the quorums for the Audit & Governance Committee and Policy & Performance Review Committee, in order to reduce the risk of meetings of these scrutiny committees being inquorate. The proposed changes were approved by the Council.

3.4 In addition, in its Annual Audit Report (presented to Council on 31 October 2017), the Council's external auditor, Audit Scotland, highlighted concerns as regards appointments to committees, in particular the membership and quorum of the Council's scrutiny committees. Recommendation 5 of Audit Scotland's Action Plan for the Council states:

> 'The Council should review its Scheme of Administration for the two scrutiny committees to ensure they are fit for purpose. There is a risk that the scrutiny committees may not operate as intended by the Council due to the lack of political balance as members from one of the opposition parties are no longer represented. The result is less effective scrutiny.'

3.5 A review of the Scheme of Administration has now been undertaken, and officers have also taken the opportunity to consider the membership and quorum of all committees and sub-committees. Proposed changes to the Scheme of Administration are set out in Appendix 1.

3.6 It is anticipated that the proposed changes to the Scheme of Administration will further reduce the risk of meetings being inquorate and will also allow for greater flexibility as regards appointing Members to committees when places have not been taken up by specific political groups.

4   POLICY IMPLICATIONS

4.1 None.

5   EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6   RESOURCE IMPLICATIONS

6.1 Financial – none

6.2 Personnel – none

6.3 Other – none

7   BACKGROUND PAPERS

7.1   East Lothian Council Standing Orders

7.2   Report to Council, 31 October 2017 – East Lothian Council 2016/17 Annual Audit Report

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	6 December 2017

COUNCIL AND COMMITTEES

EAST LOTHIAN COUNCIL

A   Remit and Powers

Business shall be delegated to Committees, as specified in the Scheme of Administration. However, the Council alone shall have power to decide upon the following items of business, which are excluded from delegation to any Committee.

1.   The setting of a budget and determination of any local tax or rate

2.   The setting of rent levels for property held on the Housing Revenue Account

3.   Agreeing the Single Outcome Agreement

4.   Agreeing East Lothian Council's Council Plan

5.   Expenditure, either capital or revenue, not included in the current revenue estimates, except in cases of urgency or emergency under Standing Order 15 – Emergencies: Delegation to Members and Chief Officials

6.   Standing Orders of the Council or other procedural matters regarding the organisation and discharge of the Council's business

7.   Licensing, registrations and so on under various statutory terms which are not the responsibility of any committee

8.   The functions of the Council under the Representation of the People Acts

9.   The committee structure of the Council

10.   Consideration, amendment and approval of the Local Development Plan and Strategic Development Plan, as specified under the Town and Country Planning (Scotland) Act 1997

11.   The appointment of all Statutory Officers

12.   The approval and monitoring of Police and Fire & Rescue Service Plans, in accordance with the Police and Fire Reform (Scotland) Act 2012.

B   Membership

1.   The membership of the Council shall include a Convener and a Depute Convener. The Council shall determine the membership of the Council.

C   Quorum

1.   ~~Half the membership + 1~~Six (one quarter of the whole number of members of the Council, as set by the Local Government (Scotland) Act 1973. Note: the Act makes provision for the quorum where there are vacancies.)

D   Substitutes

1

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

F   Reporting Arrangements

1.   The clerk shall be responsible for taking minutes of the meetings of the Council.

2.   Minutes shall be presented to the Council for approval.

G   Miscellaneous

1.   As set out in Standing Order 3 – Committees, Sub-Committees and Associated Committees, the Council may:

(a)   appoint other Committees, Sub-Committees or Associated Committees and amend the structure of Committees
(b)   appoint special member groups to report and advise on matters specified by remit
(c)   subject to the provisions of the Acts of 1973, 1989 and 1994, and any other relevant Acts, appoint persons who are not Members of the Council to Committees, other than Committees regulating and controlling the finances of the Council, provided that at least two-thirds of the Members of each Committee are Members of the Council
(d)   subject to the provisions of the Acts of 1973, 1989 and 1994, and any other relevant Acts, appoint Advisory Committees on any matter relating to the discharge of their functions, of such persons (whether Members of the Council or not) and for such term as the Council determines.

CHIEF OFFICER AND HEAD TEACHER APPOINTMENTS SUB-COMMITTEE

A   **Remit and Powers**

1.   The Chief Officer and Head Teacher Appointments Sub-Committee shall have the authority to appoint to the positions of Chief Executive, Depute Chief Executive, Head of Service, Jointly Accountable Officer and Head Teacher.

B   **Membership**

1.   An Appointments Sub-Committee will be drawn from a cross-section of Councillors for all Chief Officer and Head Teacher appointments.

2.   As regards the appointment of the Chief Executive, the Appointments Sub-Committee will consist of the Council Leader, Provost and three cross-party Councillor members (at least one of which should be from the largest Minority Group). The Sub-Committee may be advised by an Independent HR Adviser and the Service Manager – HR and Payroll.
      Note: only Councillors who have undertaken the Council's Recruitment and Selection training will be eligible to participate in the appointment of the Chief Executive.

3.   As regards the appointment of Depute Chief Executives and Heads of Service, the Appointments Sub-Committee will consist of three Councillors, i.e. two Councillors from the Administration and one Councillor from the largest Minority Group. The Sub-Committee may be advised by the Chief Executive, an Independent HR Adviser and the Service Manager – HR and Payroll. In the case of a Head of Service appointment, the Panel may also be advised by the Depute Chief Executive of the Service in which the vacancy exists.
      Note: only Councillors who have undertaken the Council's Recruitment and Selection training will be eligible to participate in the appointment of Depute Chief Executives and Heads of Service.

4.   As regards the appointment of Jointly Accountable Chief Officers, the Appointments Sub-Committee will consist of the Council members and partner members of the (Shadow) Board. The Sub-Committee will be advised by the Chief Executives of the organisations involved, HR advisers from those organisations and, where appropriate, an independent external adviser.
      Note: only Councillors who have undertaken the Council's Recruitment and Selection training will be eligible to participate in the appointment of Jointly Accountable Officers.

5.   As regards the appointment of Head Teachers, the Appointments Sub-Committee will consist of two Elected Members (including the Convener or Depute Convener of the Education Committee (Chair) and, usually, at least one from the Ward in which the vacancy arises), two Parent Council members from the school to which the appointment is being made* and two officers nominated by the Depute Chief Executive (Resources and People Services). Where the appointment relates to a Roman Catholic school, a representative of the Catholic Church (who sits on the Education Committee) will be appointed to the panel in addition to those groups listed above. All Councillors who have undertaken the Council's Recruitment and Selection training will be eligible to take part in the appointment of Head Teachers.

* Should there be no Parent Council member(s) interested in participating in the process, the Parent Council may nominate a representative to participate on their behalf from outwith the Parent Council, but their nominee must have undertaken the Council's Recruitment and Selection Training for Head Teacher Appointments. Should the Parent Council decline the offer to participate, the recruitment process will continue in their absence.

In the event of a shared Headship, one Parent Council member from each school will be eligible to participate.

C Quorum

1. The quorum for the appointment of Chief Officers is set out in B1-4.

2. The quorum for the appointment of Head Teachers shall be four for non-denominational schools and five for Roman Catholic schools.

D Substitutes

1. As regards the appointment of Chief Officers, there shall be no substitutes.

2. As regards the appointment of Head Teachers, substitutes shall be permitted, on a like-for-like basis.

E Meetings

1. Meetings shall be called by Notice issued by the Chief Executive. The Notice shall specify the agenda for the meeting and shall be accompanied by the relative documentation to be discussed at the meeting.

2. The agenda shall, whenever possible, be issued seven days prior to the meeting.

3. Meetings of the Chief Officer and Head Teacher Appointments Sub-Committee will be held in private.

F Reporting Arrangements

1. Minutes of the meetings in relation to the appointment of Chief Officers shall be presented to the Council for noting.

2. Minutes of the meetings in relation to the appointment Head Teachers shall be presented to the Education Committee for noting.

G Miscellaneous

1. All permanent vacancies will be advertised publicly and in accordance with the Council's Recruitment and Selection Policy and Procedures applicable at that time, unless arising as a result of an internal restructure.

4

AUDIT & GOVERNANCE COMMITTEE

A   **Remit and Powers**

The following business and functions are delegated by the Council to the Audit & Governance Committee:

1.   *Risk and Internal Controls*

(a)   promote Council policy on risk management by reviewing the delivery of the Risk Management Strategy, reviewing the business and strategic risk assessment arrangements and procedures and the Corporate Risk Register;

(b)   promote, review and monitor internal controls, financial and otherwise, within the Council in order to provide reasonable assurance of the effectiveness and efficiency of operations and compliance with relevant statutes, directions, guidelines and policies;

(c)   develop an anti-fraud culture within the Council to ensure the highest standards of probity and public accountability;

(d)   approve the annual Internal Audit assurance report and the statement of internal controls for inclusion in the annual accounts;

(e)   approve Internal Audit's Terms of Reference.

2.   *Review of Audit Functions*

(a)   determine the scope of the annual audit plan and ensure it is directed in accordance with the approved business risk assessment;

(b)   examine and review the External Audit Planning Memorandum and review the overall performance with regard to quality, productivity and the fees charged;

(c)   review the activities of the Internal Audit function and monitor overall performance in terms of quality, productivity and effectiveness;

(d)   ensure that the Internal Audit function is sufficiently resourced to provide a systematic review of internal controls and a full assessment of significant investigations;

(e)   examine Internal and External Audit reports, and ensure weaknesses identified are adequately addressed by management and recommendations are actioned;

(f)   ensure that there are effective relationships between Internal and External Audit and inspection agencies, and that the value of the audit process is actively promoted.

3.   *Financial Matters*

(a)   review the Council's financial performance as contained in the annual statement of accounts;

(b)   review the audit certificate/wording of any matters reported;

(c)   review the annual report to Members from the External Auditor;

(d)   review the implementation of audit recommendations;

(e)   ensure that issues raised in previous financial years have been addressed; and

(f)   review and monitor treasury management arrangements.

4.   *All matters relating to the performance of the Departments and Council as a whole, including, but not limited to*:

Community
- Strategic vision and direction setting by Members
- Integration of strategic vision, direction and community planning priorities and actions into internal planning mechanisms
- Public performance reporting and public accountability
- Transparency of decision-making processes
- Consultation and communication with communities

Service Delivery Arrangements
- Corporate planning approach and performance against corporate actions and targets, including financial position and performance and asset management
- Performance management system and corporate performance information monitoring
- External scrutiny/assessment recommendations and resulting action planning
- Management of joint working
- Best Value reviews and option appraisal
- Contracting issues

Structures and Processes
- Monitoring of decision-making structures and mechanisms
- Monitoring of policy development and implementation
- Clarity of key roles and responsibilities

Governance
- Corporate Governance
- Annual Governance Statement

B   Membership

1.   The membership of the Audit & Governance Committee shall include a Convener and a Depute Convener.   The Council shall determine the membership of the Audit & Governance Committee.   Membership of the Committee should be drawn only from non-Cabinet Members of the Council. In appointing Members to the Committee, the Council shall seek to achieve political balance,. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of reducing the number of places on the Committee, or by appointing members of any political

group/independent councillors to the vacant places. although Regardless of the political composition of the Committee, it should act with political neutrality.

2. In the absence of the Convener and Depute Convener at a meeting the other Members of the Committee shall appoint an alternative Chairperson for the duration of that meeting.

C   Quorum

1. Half + 1 of the places filled

D   Substitutes

1. There shall be no substitutes.

E   Meetings

1. Meetings shall take place in accordance with Standing Order 4.

F   Reporting Arrangements

1. The clerk shall be responsible for taking minutes of the meetings of the Audit & Governance Committee.

2. Minutes shall be presented to the Audit & Governance Committee for approval.

G   Miscellaneous

1. Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolved that a particular item of business should be referred to the council for decision.

2. The External Auditor will have the right to request that items of business are presented to the Committee.

CABINET

A   Remit and Powers

The following business and functions are delegated by the Council to the Cabinet (without prejudice to the Scheme of Delegation):

1.   The development, determination and review of Council policy and strategy

2.   Financial reporting

3.   Partnership working

4.   Initiating, confirming and making of statutory orders

5.   Funding to external organisations

6.   Introducing new charges for Council services

B   Membership

1.   The membership of the Cabinet shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Cabinet.

C   Quorum

1.   Half the membership + 1

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

F   Reporting Arrangements

1.   The clerk shall be responsible for taking minutes of the meetings of the Cabinet.

2.   Minutes shall be presented to the Cabinet for approval.

G   Miscellaneous

1.   Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council for decision.

EMPLOYEE APPEALS SUB-COMMITTEE

A   Remit and Powers

1.   The Employee Appeals Sub-Committee shall consider:

i.   Stage 3 Disciplinary and Grievance cases and shall determine accordingly, in accordance with the Council's Discipline and Grievance Policies; and

ii.   Appeals against dismissal of employees not related to discipline/grievance appeals.

B   Membership

1.   The membership of the Employee Appeals Sub-Committee shall consist of five councillors – the Leader of the Council (Chair), the Provost (Vice-Chair), the Depute Provost, the Leader of the Opposition, and the Cabinet member for the relevant area. include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Employee Appeals Sub-Committee.

C   Quorum

1.   3 Members

D   Substitutes

1.   Members of the Employee Appeals Sub-Committee shall be entitled to nominate substitute members to attend any meeting of the Employees Appeals Sub-Committee (in accordance with Standing Order 6.4).

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

2.   Meetings of the Employee Appeals Sub-Committee shall be held in private, due to the confidential nature of the business.

F   Reporting Arrangements

1.   The Clerk shall be responsible for taking minutes of the meetings of the Employee Appeals Sub-Committee.

2.   Minutes shall be presented to the Employee Appeals Sub-Committee for approval.

G   Miscellaneous

LICENSING SUB-COMMITTEE

A   Remit and Powers

1.   The Licensing Sub-Committee shall consider all matters in relation to Civic Government Licensing, Licensing of matters other than where covered by the Licensing (Scotland) Act 2005 and the Gambling Act 2005, Houses of Multiple Occupation and Registration of Private Landlords.

B   Membership

1.   The membership of the Licensing Sub-Committee shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Licensing Sub-Committee. In appointing councillors to the Sub-Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Sub-Committee by way of reducing the number of places on the Sub-Committee or by appointing members of any political group/independent councillors to the vacant places. Regardless of the political composition of the Sub-Committee, it should act with political neutrality.

C   Quorum

1.   3 Members

D   Substitutes

1.   Members of the Licensing Sub-Committee shall be entitled to nominate substitute members to attend any meeting of the Licensing Sub-Committee (in accordance with Standing Order 6.4).

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

F   Reporting Arrangements

1.   The Clerk shall be responsible for taking minutes of the meetings of the Licensing Sub-Committee.

2.   Minutes shall be presented to the Licensing Sub-Committee for approval.

G   Miscellaneous

1.   The Licensing Sub-Committee shall be entitled to adopt a scheme of delegation to officers in respect of licensing matters within its remit.

HOMELESSNESS APPEALS SUB-COMMITTEE

A   Remit and Powers

1.   The Homelessness Appeals Sub-Committee shall deal with the determination of appeals against decisions of the Council relating to homelessness.

B   Membership

1.   The membership of the Homelessness Appeals Sub-Committee shall include a Convener, to be appointed at each meeting.   The membership of the Homelessness Appeals Sub-Committee shall reflect the membership of the Council and shall ensure that the Panels hearing appeals have a different composition from the Committees determining matters in the first instance.

C   Quorum

1.   3 Members

D   Substitutes

1.   Members of the Homelessness Appeals Sub-Committee shall be entitled to nominate substitute members to attend any meeting of the Homelessness Appeals Sub-Committee (in accordance with Standing Order 6.4).

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

2.   Meetings shall be called by Notice issued by the Chief Executive. The Notice shall specify the agenda for the meeting and shall be accompanied by the relative reports to be discussed at the meeting. No additional business shall be discussed.

3.   The agenda shall, whenever possible, be issued seven days prior to the meeting.

4.   Meetings of the Homelessness Appeals Sub-Committee shall be held in private, due to the confidential nature of the business.

F   Reporting Arrangements

1.   The Clerk shall be responsible for taking minutes of the meetings of the Homelessness Appeals Sub-Committee.

2.   Minutes shall be presented to the Homelessness Appeals Sub-Committee for approval.

G   Miscellaneous

COMMON GOOD COMMITTEES

A   Remit and Powers

1.   Common Good Funds are the assets and income of some former Burghs of East Lothian.   They represent a substantial portfolio of land, property and investments and by law continue to exist for the Common Good of the inhabitants of the former Burghs to which they relate.

2.   East Lothian Council has a wide discretion over the use of its Common Good Funds so long as they are applied for the benefit of the community using reasonable judgement and having regard to the interests of the inhabitants of the former Burgh.

3.   Council will approve an annual budget for each of the Common Good Funds that will include provision for the maintenance of assets and any committed items of expenditure.

4.   The Common Good Committee for each area will administer its own Common Good Funds with support from officers.

5.   Each Common Good Committee has authority to:

   - Award a grant of up to £10,000
   - Approve revenues expenditure of up to £10,000 for the maintenance of the assets of the fund provided that can be met within the approved budget.

6.   Each application for a grant will be considered on its own merits.   The Committee must consider whether or not it is a reasonable judgement for them to consider making a disbursement of funds from the Common Good Fund for the benefit of the Community.   This can, for example, include expenditure on:

   - The expense of civic ceremonies and of the provision of suitable hospitality on appropriate occasions and for appropriate persons and guests
   - Applications from individuals and groups where the grant of the application would benefit the community as a whole
   - Firework displays, where appropriate

   Note – this list is representative only and does not preclude other awards that are thought appropriate.

7.   The Common Good Committees can make recommendations to the Head of Council Resources in relation to expenditure over £10,000.   The Head of Council Resources, on receipt of the recommendation, will prepare a report for Council.   Council will make the decision on any matter involving expenditure of more than £10,000.

8.   No officer of the Council has delegated power to commit Common Good Funds.

B   Membership

1.   Each Common Good Committee will consist of all the Councillors for those areas, namely:

   Musselburgh – all 4 Musselburgh Councillors

Haddington – all 4 Haddington and Lammermuir Councillors
North Berwick – all 3 North Berwick Coastal Councillors
Dunbar – all 3 Dunbar and East Linton Councillors

C   Quorum

1.   For the Musselburgh and Haddington Common Good Committees the quorum is 3.   For the North Berwick and Dunbar Common Good Committees the quorum is 2.

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Each Common Good Committee will meet quarterly, although it may meet more or less frequently as business dictates.

2.   ~~Meetings of the Common Good Committees will generally be held in a venue located within the area to which the Common Good Fund relates, but may be held elsewhere.~~

F   Reporting Arrangements

1.   A six-monthly report detailing all discretionary grant awards for each fund will be prepared by the Head of Council Resources and will be lodged in the Members' Library and made available electronically to all Members of the appropriate Common Good Committee.

G   Miscellaneous

1.   The Chair will be appointed by a vote at the start of the first meeting following the local government election and will hold that post until the next local government election.

2.   Decisions of the Committee will be taken by a simple majority of those present following a show of hands. In the event of a tie, the Chair will have a casting vote.

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EDUCATION COMMITTEE

A   Remit and Powers

1.   The development, determination and review of policy and associated matters relating to Education.

B   Membership

1.   The membership of the Education Committee shall include a Convener and, if desired, a Depute Convener. It shall also include religious representatives and a trades union representative, who shall have full voting rights. The Council shall determine the membership of the Education Committee, ensuring that the membership reflects the political balance of the Council..   In appointing councillors to the Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of reducing the number of places on the Committee, or by appointing members of any political group/independent councillors to the vacant places.

C   Quorum

1.   Half the membership + 1 of the places filled.

2.   9 Councillor Members where a resolution to dismiss a teacher is to be considered

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4..

F   Reporting Arrangements

1.   The clerk shall be responsible for taking minutes of the meetings of the Education Committee.

2.   Minutes shall be presented to the Education Committee for approval.

G   Miscellaneous

1.   Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council for decision.

EDUCATION APPEALS COMMITTEE

A   Remit and Powers

1.   The Education (Scotland) Act 1980 set a duty on local authorities to set up and maintain Education Appeals Committees to consider:

(i)   appeals from parents who have had their placing requests for a specific school for their children refused; and

(ii)   appeals from parents whose child has been excluded from school.

B   Membership

1.   The membership of the Education Appeals Committee shall comprise one Elected Member from among the membership of the Council (but usually the Cabinet Spokesperson for Education & Children's Services), one person from a list comprising parents with pupils of school age nominated by the Parent Councils, and one person selected from a list comprising persons with experience in education or who are acquainted with educational conditions in East Lothian, nominated by the Depute Chief Executive (Resources and People Services).

C   Quorum

1.   3 Members

D   Substitutes

1.   Members of the Education Appeals Committee shall be entitled to nominate substitute members provided that they are eligible in terms of (B) above, and in accordance with Standing Order 6.4.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

2.   Meetings of the Education Appeals Committee shall be held in private, due to the confidential nature of the business.

F   Reporting Arrangements

1.   The Clerk shall be responsible for taking minutes of the meetings of the Education Appeals Committee.

2.   Minutes shall be presented to the Education Committee for noting.

G   Miscellaneous

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LOCAL REVIEW BODY (PLANNING)

A   Remit and Powers

1.   *The following business and functions are delegated by the Council to the Local Review Body:*

To conduct reviews in accordance with Section 43A(8) of the Town and Country Planning (Scotland) Act 1997, where the Service Manager - Planning as the appointed person for the purpose of determining applications for 'Local Developments' as defined under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2008:

(a) Has refused an application for planning permission or for consent, agreement or approval,
(b) Has granted it subject to conditions, or
(c) Has not determined it within such period as may be prescribed by regulations or a development order

The Local Review Body shall at all times conduct its affairs in accordance with the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

B   Membership

1.   The membership of the Local Review Body shall comprise up to five members of the Council drawn from the Planning Committee who have not expressed a prior view on the application. Local Members shall be permitted to sit on a Local Review Body that is considering an application affecting land in their Ward.

2.   Where a Local Review Body considers an application on more than one occasion, the same members must make up the Local Review Body each time the application is considered.

C   Quorum

1.   3 Members

D   Substitutes

1.   Substitutes (from among the members of the Planning Committee) shall be permitted.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

2.   A Planning Adviser and a Legal Adviser shall attend all meetings of the Local Review Body to provide planning and legal advice relevant to the business before the Local Review Body. The Planning and Legal Advisers should not have had direct prior involvement with the application that is subject to review.

3.   The Local Review Body may appoint an 'assessor' to sit with it at any meeting in order to advise it on any specialist matters arising.

4. The Local Review Body may, other than where they consider that the review documents provide sufficient information to enable them to determine the review without further procedure, determine the review by:

    a. means of written submissions,
    b. holding one or more hearing sessions
    c. means of a site inspection, or
    d. a combination of these procedures

5. The purpose of the review by the Local Review Body is to reassess the decision on the application taken by the 'Appointed Person'. Normally reviews will be undertaken and completed by means of considering only the material available and considered by the appointed officer who determined the application and the statement submitted by the Appellant setting out reasons for requesting the review. New material will only be allowed at the discretion of the Local Review Body and then only in exceptional circumstances.

6. The Local Review Body may decide to hold a Hearing if this is required, but in such event this will only be to consider those matters upon which the Local Review Body requires further information.

7. Other than at a hearing, there shall be no automatic right for the Appellant or interested parties to address the Local Review Body.

F   Reporting Arrangements

1. The clerk shall be responsible for taking minutes of the meetings of the Local Review Body.

2. Minutes shall be presented to the Council for noting.

G   Miscellaneous

1. *Site Visits*

    (a) Site visits will be held as standard for all applications and will take place prior to the Local Review Body considering the application.

    (b) The purpose of site visits is to provide Members with an opportunity to make themselves aware of the land and/or buildings subject of the application or which might be affected by the application – there will be no presentation by the parties or discussion of the merits of the application.

    (c) All members of the Local Review Body must attend the site visit. A minute will not be taken.

    (d) Appellants and interested parties who have submitted individual written representations may be invited to attend the site visit, where appropriate, on the understanding they do so solely to point out to Members relevant features of the application site or the land/buildings which might be affected by the application.

    (e) Where a petition has been submitted the organiser of the petition will be advised of the site visit – individual signatories will not be advised.

PETITIONS AND COMMUNITY EMPOWERMENT REVIEW COMMITTEE

A   Remit and Powers

Petitions

1. The remit of the Committee in respect of petitions shall be to consider petitions raised by local residents or organisations, which relate to either:

   (i)   Council services or activities; or
   (ii)   the general well-being of the East Lothian community

2. Petitions shall be referred to the Committee if the issue has not been resolved by any other means. The Committee shall consider the merits of each petition received. Where the Committee considers that action should be taken in respect of a petition, it shall refer the matter to the appropriate committee or Chief Officer for further consideration and possible implementation. In such cases the outcome of the matter shall be reported back to the next meeting of the Petitions and Community Empowerment Review Committee.

Community Asset Transfer Reviews

3. The remit of the Committee in respect of community asset transfer reviews shall be to consider requests for reviews of asset transfer decisions submitted by community transfer bodies where:

   (i)   the Council has refused the request;
   (ii)   the request has been agreed, but the terms and conditions in the decision notice are significantly different from those in the request; or
   (iii)   no decision notice has been issued by the Council within the required period.

B   Membership

1. The membership of the Petitions and Community Empowerment Review Committee shall consist of the Provost (Convener) and the leaders of all political groups.include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Petitions and Community Empowerment Review Committee.

C   Quorum

1. Half the membership + 1

D   Substitutes

1. Members of the Petitions and Community Empowerment Review Committee shall be entitled to nominate substitute members from within their own political group to attend any meeting of the Committee (in accordance with Standing Order 6.4).

E   Meetings

1. Meetings shall take place in accordance with Standing Order 4.

2. Where a petition is to be considered by the Committee, the organiser of the petition will be invited to attend and be offered the opportunity to address the Committee – individual signatories will not be invited. Invitations will be sent no later than the date the agenda is issued.

3. Anyone wishing to address the Committee should advise the Clerk no later than three working days before the meeting so that seating, timetable and other arrangements can be made.

4. Petitioners will be allowed five minutes to address the Committee – this period may be extended at the discretion of the Convener.

5. Where a petition is continued until a future meeting of the Committee the same rights to attend and speak at the meeting shall apply.

6. Where a community asset transfer review is to be carried out by the Committee, further information may be sought from interested parties in advance of the meeting; this information will be published on the Council's website. The Committee may invite interested parties to the meeting, if required. Invitations will be sent no later than the date the agenda is issued.

F   Reporting Arrangements

1. The clerk shall be responsible for taking minutes of the meetings of the Petitions and Community Empowerment Review Committee.

2. Minutes shall be presented to the Petitions and Community Empowerment Review Committee for approval.

3. Where a petition has been accepted, the outcome shall be reported to the organiser of the petition on approval of the minutes.

4. The terms of the decision notice for a community asset transfer review shall be determined by the Committee and reported to the community asset transfer body. It shall also be published on the Council's website.

G   Miscellaneous

1. Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council or another committee for decision.

2. As regards community asset transfers, appeals can be submitted to Scottish Ministers by community asset transfer bodies where:

    (i)   they are unhappy with the outcome of the Council's review; or
    (ii)   following agreement to an asset transfer request, the Council has not concluded the contract within the agreed time period, as set out in Appendix 3 of the East Lothian Council Community Asset Transfer Policy and Guidance. Requests for appeals must be made in writing to Scottish Ministers within 20 working days from the date of the decision notice of the review. The procedures for appeals are set out in Section 20 of the Asset Transfer Guidance for Community Transfer Bodies.

PLANNING COMMITTEE

A   Remit and Powers

The following business and functions are delegated by the Council to the Planning Committee.

The development, determination and implementation of policy and associated matters relating to:-

1.   *Planning Applications*

    (a)   determination of planning applications and related consents and the taking of any actions required for the enforcement of planning control as provided for under the Town and Country Planning Acts and related legislation;

    (b)   hearing of appeals against a refusal to grant a Relaxation under the Building (Scotland) Acts;

    (c)   confirmation of orders under Section 10 and 13 of the Building (Scotland) Acts.

2.   *Pre-determination Hearings*

    (a)   The holding of Pre-Determination Hearings where required in terms of S38A of the Town and Country Planning (Scotland) Act 1997 and associated regulations.

3.   *Pre-application Discussions of Major Applications*

    (a)   The holding of formal pre-application discussions of major and national applications, in accordance with Scottish Government/CoSLA guidance and the Council's procedures for these.

4.   *Tree Preservation*

    (a)   determination of confirmation of Tree Preservation Orders where there are outstanding objections.

B   Membership

1.   The membership of the Planning Committee shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Planning Committee. In appointing councillors to the Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of reducing the number of places on the Committee, or by appointing members of any political group/independent councillors to the vacant places. Regardless of the political composition of the Committee, it should act with political neutrality., ensuring that the membership reflects the political balance of the Council.

2.   For the purposes of carrying out Pre-Determination Hearings, the Planning Committee shall comprise all Members of the Council.

C   Quorum

1.   Half the membership + 1 of the places filled

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

2.   All letters of representation will be made available to all Councillors in advance of an application being submitted to Committee.

3.   Where an application has been referred to Committee, applicants/agents and third parties who have submitted individual written representations will be advised that they are welcome to attend the Committee meeting, but restrictions on addressing the Committee will apply, as set out below:

- There will be a maximum of three representatives speaking in favour of an application, including the applicant/agent (who will get priority)
- There will be a maximum of three representatives speaking in opposition to an application. A 'first come, first served' approach will be adopted, with all those who have submitted representations being advised that they will need to call the clerk at a certain time on a certain day to register their intention to address the committee. The first three requests received will be granted*, and any subsequent requests will be refused.

    * In addition to the representations outlined above, Community Councils will be given the opportunity to address the Committee, where they have made a request to do so.

4.   Those applicants/agents and third parties who have been invited to address the Committee will be allowed five minutes to address the Committee – this period may be extended at the discretion of the Convener.

5.   Where several parties share a view on an application they will be invited to elect a single representative to speak on their behalf.

6.   Applicants will be invited to make a single presentation rather than calling a sequence of professional advisers.

7.   Where an application is continued until a future meeting of the Committee the same rights to attend and speak at the meeting shall apply.

8.   Pre-determination hearings, which consider major developments, will continue to include representations from applicants, agents and individuals as this is a statutory part of that particular process.

9.   Pre-application discussions of major applications will include representation from applicants. Site visits will be held as part of the normal site visit schedule. Councillors will discuss proposals in accordance with the terms of the Councillors' Code of Conduct.

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F **Reporting Arrangements**

1. The clerk shall be responsible for taking minutes of the meetings of the Planning Committee.

2. Minutes shall be presented to the Planning Committee for approval.

G **Miscellaneous**

1. Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council for decision.

2. *Site Visits*

   (a) Site visits will be held in advance of the meeting of the Planning Committee.

   (b) The purpose of site visits is to provide Members with an opportunity to make themselves aware of the land and/or buildings subject of the application or which might be affected by the application – there will be no presentation by the Appointed Officer or staff or discussion of the merits of the application.

   (c) Site visits will not form part of the formal business of the Committee, i.e. there will be no requirement for a quorum nor will a minute be taken.

   (d) Applicants/agents will be invited to attend the site visit, but only for the purpose of answering questions from Members.

   (e) Third parties who have submitted individual written representations will be advised that site visit will be taking place for the purpose of Members familiarising themselves with the site, but those individuals/groups will not be invited to attend the site visit.

   (f) It will be assumed that Members who do not attend the site visit will be familiar with the site or will take other steps to ensure they have sufficient knowledge to make an informed decision.

POLICE, FIRE AND COMMUNITY SAFETY SCRUTINY COMMITTEE

A   Remit and Powers

1.   The following business and functions are delegated by the Council to the Police, Fire and Community Safety Scrutiny Committee:

- To carry out scrutiny of the performance of the Police and Fire & Rescue Services in East Lothian, with specific reference to each organisation's Local Plan

- To receive and comment on local quarterly performance reports from Police Scotland and the Scottish Fire & Rescue Service

- To engage in the development of Police Scotland and the Scottish Fire & Rescue Service Local Plans and joint working with the Police and Fire & Rescue Services

- To consider and respond to national and local level strategies and policies of Police Scotland and the Scottish Fire & Rescue Service

- To scrutinise and monitor the Service Level Agreement between the Council and Police Scotland

- To receive and comment on reports on the performance of any other services performing a community safety function in East Lothian.

B   Membership

1.   The membership of the Police, Fire and Community Services Scrutiny Committee shall include a Convener and a Depute Convener. The Council shall determine the membership of the Police, Fire and Community Services Scrutiny Committee. In appointing councillors to the Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of reducing the number of places on the Committee, or by appointing members of any political group/independent councillors to the vacant places., ensuring that the membership reflects the political balance of the Council.

2.   In the absence of the Convener and Depute Convener at a meeting the other Members of the Committee shall appoint an alternative Chairperson for the duration of that meeting.

C   Quorum

1.   Half the membership + 1 of the places filled

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

F   **Reporting Arrangements**

1. The clerk shall be responsible for taking minutes of the meetings of the Police, Fire and Community Services Scrutiny Committee.

2. Minutes shall be presented to the Police, Fire and Community Services Scrutiny Committee for approval.

3. The Committee can refer any item of business to the Council, in which case a report shall be placed on the agenda of the next appropriate meeting.

G   **Miscellaneous**

1. The Police, Fire and Community Services Scrutiny Committee will be entitled to appoint ad hoc (short-life) sub-committees. The Committee or its sub-committees will be entitled to undertake reviews of policies and/or performance relating to Community Safety matters, to call upon the Council and Council officials for reports, and to require the attendance for the purpose of questioning, of any Cabinet Spokespersons and/or officials of the Council on any matter relevant to the issue under consideration by them.

2. The Committee will be entitled to invite representatives of other public agencies, local communities, the private and voluntary sectors, trade unions and academic institutions to assist with reviews of policies and/or performance. Also, it will be entitled to call appropriate expert witnesses, commission appropriate research and hold evidence gathering meetings.

3. The Committee will have the power to comment on, and make recommendations on matters insofar as relevant to its authorised remit, where appropriate, to the Council.

POLICY & PERFORMANCE REVIEW COMMITTEE

A   Remit and Powers

The following business and functions are delegated by the Council to the Policy & Performance Review Committee:

1.   *All matters relating to the performance of all the Council's services including, but not limited to:*

- Vision and direction setting by Members
- Integration of vision, direction and community planning priorities and actions into internal mechanisms (including service plans)
- Mechanisms and initiatives for improvement (e.g. benchmarking)
- Public performance reporting and public accountability
- Consultation and communication with communities
- Planning and performance against actions and targets including financial position and performance, priority/risk based resource management and asset management
- Mainstreaming of equality issues and sustainable development
- External scrutiny/assessment recommendations and resulting action planning
- Management of joint working
- Best Value reviews and option appraisal
- Contracting issues
- Scrutiny of policies identified through an annual work plan or other aspect of its work

B   Membership

1.   The membership of the Policy & Performance Review Committee shall include a Convener and a Depute Convener. The Council shall determine the membership of the Policy & Performance Review Committee. Membership of the Committee should be drawn only from non-Cabinet Members of the Council. In appointing Members to the Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of reducing the number of places on the Committee, or by appointing members of any political group/independent councillors to the vacant places. Regardless of the political composition of the Committee, it should act with political neutrality.

2.   In the absence of the Convener and Depute Convener at a meeting the other Members of the Committee shall appoint an alternative Chairperson for the duration of that meeting.

C   Quorum

1.   Half + 1 of the places filled

D   Substitutes

1.   There shall be no substitutes.

E   Meetings

1.   Meetings shall take place in accordance with Standing Order 4.

F   Reporting Arrangements

1.   The clerk shall be responsible for taking minutes of the meetings of the Policy & Performance Review Committee.

2.   Minutes shall be presented to the Policy & Performance Review Committee for approval.

3.   The Committee can refer any item of business to the Council, Cabinet or the relevant Committee, in which case a report shall be prepared by the relevant officer and placed on the agenda of the next appropriate meeting.

G   Miscellaneous

1.   The Policy & Performance Review Committee will be entitled to debate the terms of reports insofar as relevant to its authorised remit. No formal votes will be taken and the Committee will attempt to reach a consensus, or failing that, a majority view.

2.   The Committee will be entitled to appoint ad hoc (short life) sub-committees. The Committee or its sub-committees will be entitled to undertake reviews of policies and/or performance, to call upon the Council and Council officials for reports, and to require the attendance for the purpose of questioning, of Committee Conveners and/or Depute Conveners and/or Cabinet Spokespersons and/or officials of the Council on any matter relevant to the issue under consideration by them.

3.   The Committee will be entitled to invite representatives of other public agencies, local communities, the private and voluntary sectors, trade unions and academic institutions to assist with reviews of policies and/or performance. Also, it will be entitled to call appropriate expert witnesses, commission appropriate research and hold evidence gathering meetings.

4.   The Committee will have the power to comment on, and make recommendations on, matters insofar as relevant to its authorised remit to the relevant Committee, the Cabinet or, where appropriate, to the Council.

5.   The Convener or other nominated representative of the Committee will be entitled to speak to reports of the Committee submitted to the relevant Committee, the Cabinet or, as appropriate, the Council.

JOINT CONSULTATIVE COMMITTEE

A   Remit and Powers

The functions of the Joint Consultative Committee (JCC) shall be:

1.   to provide a means of regular consultation between the Council and employees, providing a forum for the discussion of matters of mutual interest provided that no question of an individual's pay, wage, grading, discipline, promotion or efficiency shall be within the scope of the JCC;

2.   to consider and offer observations on any proposals made by the Council involving substantial administration re-organisation on the extent to which it affects the pay and conditions of employment of the employees of the Council;

3.   to consider reports on any matter, which may be referred to the JCC by the Council or by any employee organisation. The Committee shall have the right to invite the attendance of any officer of the Council, or any other person or persons to act in an advisory capacity to any meeting of the Committee. It shall be within the discretion of either side to refer to the appropriate National Joint Council or other negotiating body for advice and guidance on any matter brought before the Committee;

4.   to act as a consultative forum on matters pertaining to equal opportunities in employment insofar as they concern the Council's HR Policies and Procedures and its statutory duties, taking advice and guidance from the appropriate statutory bodies as required.

B   Membership

1.   The Joint Consultative Committee shall appoint from amongst its members a Convener and Depute Convener who will alternate their duties on an annual basis. If the Convener appointed is one of the Council's representatives, the Depute Convener shall be one of the employee representatives and vice versa. The Convener and, in his/her absence, the Depute Convener shall preside at the meetings of the JCC. In the absence of both, the members present shall elect one of the members to preside. The Convener of the meeting shall not have a casting vote.

2.   The membership of the JCC shall be 8 representatives appointed by the Council and 14 representatives (who shall be employees of the Council) of the Trades Unions recognised by the Council as follows: Unison – 7; Unite – 1; GMB – 1; UCATT – 1; EIS – 3; NASUWT/SSTA – 1.

3.   The Council shall determine the councillor membership of the JCC. In appointing councillors to the Committee, the Council shall seek to achieve political balance. In the event that this cannot be achieved, the Council may adjust the membership of the Committee by way of appointing members of any political group/independent councillors to the vacant places.

43.   The members representing the staff shall be appointed amongst the employees of the Council in accordance with the rules of the participating Trades Unions

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for the making of such appointments. All staff representative members of the JCC shall cease to hold office on leaving the employment of the Council.

54. Any vacancy on the JCC shall be filled by the appointing organisation.

65. The employee representatives shall appoint an Employee Side Secretary to the JCC from amongst their members.

C   Quorum

1. 3 members from the Council side
    3 members from the Union side from not less than 2 Unions

D   Substitutes

1. Members of the JCC shall be entitled to nominate substitute members to attend any meeting of the JCC. Substitute members representing the Council must be members of the Cabinet. Substitute members representing the Staff Side must be from the relevant Trades Union and be a Council employee. Substitute members shall be identified at the beginning of any meeting they attend.

E   Meetings

1. Meetings shall take place in accordance with Standing Order 4.

2. An Agenda Sub-Committee, at Officer/Trades Union level, shall be established to facilitate the work of the JCC.

3. The JCC may establish sub-committees to facilitate consideration of specific matters.

4. Meetings of the Joint Consultative Committee shall be held in private, due to the confidential nature of the business.

F   Reporting Arrangements

1. The Clerk shall be responsible for taking minutes of the meetings of the Joint Consultative Committee.

2. Minutes shall be presented to the JCC for approval.

G   Miscellaneous

1. Matters relating to Local and National agreements/procedures which are specific to a group or groups of employees must, at the request of the Trades Union(s) concerned, be considered by a sub-committee of the JCC, with the Trades Union side consisting only of the Trades Union(s) recognised and represented on the relevant National Joint Council. Agreements made at such sub-committees shall be a matter only of reporting to the JCC prior to reporting to the Council or relevant Committee.

2. Employee members of East Lothian JCC will be granted paid leave for meetings of the JCC and for pre-meetings of the Staff Side. Where required, cover will be in addition to the 'Policy for Time-Off for Trades Unions Duties and Activities'. The Council shall provide the necessary accommodation for

meetings of the JCC, JCC sub-committees and Staff Side pre-meetings of the JCC.

3. The Council shall provide the necessary accommodation for meetings of the JCC and also facilities for requests for time off work from employee representatives of the JCC.

MUSSELBURGH JOINT RACING COMMITTEE

A **Remit and Powers**

To provide, organise, safeguard, maintain, develop and improve, or assist in the provision, organisation, safeguarding, maintenance, development and improvement of horse racing and facilities for horseracing at Musselburgh Links and the adjoining reclaimed land, to manage and organise horseracing on that land, and to carry out other related and ancillary functions, as appropriate, including:

1. fixing dates of race meetings to be held on Musselburgh Racecourse (subject to the approval of British Horse Racing Authority);

2. fixing prize money amounts to be paid in respect of racing events at Musselburgh Racecourse;

3. supervising the collection of income and the disbursement of expenditure in connection with race meetings;

4. fixing admission and parking charges on land in the control of the Committee at times when race meetings are held;

5. agreeing the recruitment and remuneration to be paid to employees in connection with race meetings and generally in the operation of Musselburgh Racecourse;

6. making arrangements for the provision of catering, the letting and hiring of sales stances and the display of advertisements within the enclosure and for general publicity;

7. making arrangements for carrying out improvements to land managed by the Committee and for general maintenance and upkeep of the land and buildings, stands, rails, posts, fences and other apparatus erected on the land; and

8. seeking to maximise use of the buildings used for the purposes of the Racecourse, and associated income, for non-racing purposes, except where this would detract from or interfere with the operation of the Racecourse for its primary purpose.

B **Membership**

1. The membership of the Musselburgh Joint Racing Committee shall comprise 4 members appointed by the Council and 3 members appointed by the Lothian Racing Syndicate Ltd. The Chair of the Committee will be appointed by the Council.

C **Quorum**

1. 4 members, including any 3 Council representatives

D **Substitutes**

1. There shall be no substitutes.

E   Meetings

1.   Meetings shall be called by the Chief Executive of the Council. The notice shall specify the agenda for the meeting and shall be accompanied by the reports to be discussed at the meeting. Meetings may also be called by the Syndicate, by means of a written request to the Chief Executive.

2.   The agenda shall, whenever possible, be issued seven days prior to the meeting.

3.   Meetings of the Musselburgh Joint Racing Committee will be held in private.

F   Reporting Arrangements

1.   An official of the Council shall be responsible for taking minutes of the meetings of the Musselburgh Joint Racing Committee.

2.   Minutes shall be presented to the Musselburgh Joint Racing Committee for approval.

G   Miscellaneous

1.   In the event of a tied vote, the Chairperson will have a casting vote.

2.   The constitution and remit of the Committee shall not be amended without the agreement of at least five of the members of the Committee. Any such amendment shall also require the approval of the Council.

3.   In the absence of the Chairperson at a meeting, the Council members of the Committee will nominate a substitute Chairperson from among the remaining Council members present.

REPORT TO: East Lothian Council

MEETING DATE: 19 December 2017

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Appointments to Outside Bodies

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1 PURPOSE

1.1 To request the Council to approve the appointment of a representative to an outside body.

2 RECOMMENDATIONS

2.1 That the Council approves the appointment of Councillor Jim Goodfellow to represent the Council on the East Lothian Community Justice Partnership.

3 BACKGROUND

3.1 The recently formed East Lothian Community Justice Partnership has invited the Council to appoint an Elected Member to represent the Council on the Partnership. The Administration have nominated Councillor Jim Goodfellow as the Council's representative. It should be noted that Councillor O'Donnell represents the Integration Joint Board on the Partnership.

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – none.

6.2 Personnel – none.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 East Lothian Council's Standing Orders

AUTHOR'S NAME	Lel Gillingwater
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CONTACT INFO	lgillingwater@eastlothian.gov.uk x7225
DATE	6 December 2017

MOTION TO EAST LOTHIAN COUNCIL
19th December 2017

RBS CLOSURES IN DUNBAR AND NORTH BERWICK

East Lothian Council is highly concerned by the planned closure of RBS branches in North Berwick and Dunbar within the Council area.

Despite changes in banking practices in recent years, the social and community **8** impact on North Berwick and Dunbar communities of these branch closures will be substantial.

Both communities are experiencing population growth through large scale housing developments. Yet in contradiction to the normal expectations of growing communities RBS is choosing to close branches as the population in each town expands.

These RBS announcements come in the wake of the closure of the Bank of Scotland branch in Gullane earlier this year, which was quickly followed by the closure of the Gullane Post Office.

Small businesses in East Lothian that are core to the local economy rely on face to face banking services and financial advice provided by these RBS branches.

Local accessible banking services is also critical to many members of our community who are not comfortable with or confident in dealing with their bank online.

These factors of population growth, demographics of the community and demands of the local economy do not seem to have been considered in the closure decision.

The risk of jobs being lost in the county resulting from the branch closure is also of great concern.

East Lothian Council demands that the Westminster government as a 75% owner of RBS initiates a further review of the decision to close branches in North Berwick, Dunbar and across Scotland.
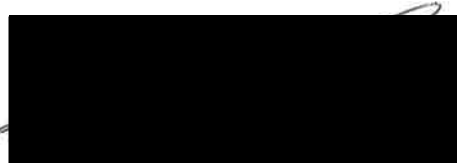
With the trend of branch closures in recent months, the government must intervene to establish a minimum provision of local banking services, which is aligned to the population, and the needs of the local economy.
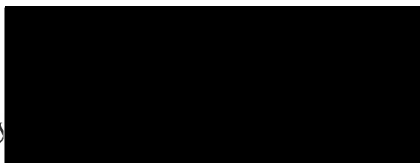
Proposed by   Seconded by

Date: 7th December 2017   Date: 7th December 2017

REPORT TO: East Lothian Council

MEETING DATE: 19 December 2017

BY: Depute Chief Executive (Resources and People Services) **9**

SUBJECT: Submissions to the Members' Library Service
                            19 October – 6 December 2017

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1   PURPOSE

1.1   To note the reports submitted to the Members' Library Service since the last meeting of Council, as listed in Appendix 1.

2   RECOMMENDATIONS

2.1   Council is requested to note the reports submitted to the Members' Library Service between 19 October and 6 December 2017, as listed in Appendix 1.

3   BACKGROUND

3.1   In accordance with Standing Order 3.4, the Chief Executive will maintain a Members' Library Service that will contain:

        (a)   reports advising of significant items of business which have been delegated to Councillors/officers in accordance with the Scheme of Delegation, or

        (b)   background papers linked to specific committee reports, or

        (c)   items considered to be of general interest to Councillors.

3.2   All public reports submitted to the Members' Library are available on the Council website.

4   POLICY IMPLICATIONS

4.1   None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – None

6.2 Personnel – None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 East Lothian Council's Standing Orders – 3.4

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager - Democratic & Licensing
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DATE	6 December 2017

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
19 October – 6 December 2017**

Reference	Originator	Document Title	Access
121/17	Head of Infrastructure	Sale of 26 sqms of land, Macmerry	Private
122/17	Head of Infrastructure	Sale of 34 sqms of land, Longniddry	Private
123/17	Head of Development	Scottish Government Consultation on Proposals for a new Climate Change Bill	Public
124/17	Head of Council Resources	Establishment Changes for August to October 2017	Private
125/17	Head of Infrastructure	Building Warrants Issued under Delegated Powers, 1-31 October 2017	Public
126/17	Head of Communities and Partnerships	Museums Service Volunteer Policy	Public
127/17	Head of Education	Empowering Schools: a Consultation on the Provisions of the Education (Scotland) Bill	Public
128/17	Chief Executive	East Lothian and Midlothian Public Protection Committee Annual Report 2016/17	Public
129/17	Head of Infrastructure	Grant of Servitude Rights to Lay and Maintain Electricity Cables over Land at the Aubigny Sports Centre, Mill Wynd, Haddington	Private
130/17	Head of Infrastructure	Excambion of and Realignment of Boundary at Parsonspool, Dunbar	Private
131/17	Head of Infrastructure	Proposed Demolition of Former Church of Christ Meeting Hall, Church Street, Tranent	Public
132/17	Head of Infrastructure	Grant of lease of land at Belhaven, Dunbar	Private
133/17	Depute Chief Executive – Partnerships & Community Services	Service Review Report - Creation of Temporary Project Management Post	Private
134/17	Depute Chief Executive – Partnerships & Community Services	Mortgage to Rent – Purchase of House in Prestonpans	Private

6 December 2017