



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 28 JUNE 2022
VIA DIGITAL MEETING FACILITY

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Committee Members Present:

Provost J McMillan (Convener)	Councillor C McFarlane
Councillor S Akhtar	Councillor C McGinn
Councillor R Bennett	Councillor G McGuire
Councillor E Allan	Councillor S McIntosh
Councillor L Bruce	Councillor K McLeod
Councillor D Collins	Councillor L-A Menzies
Councillor F Dugdale	Councillor B Ritchie
Councillor N Gilbert	Councillor T Trotter
Councillor N Hampshire	Councillor C Yorkston
Councillor L Jardine	

Council Officials Present:

Ms M Patterson, Chief Executive
Ms L Brown, Executive Director for Education and Children's Services
Ms S Fortune, Executive Director for Council Resources
Mr D Proudfoot, Executive Director for Place
Ms M Ferguson, Head of Corporate Support
Mr I Gorman, Head of Operations (Health and Social Care)
Ms N McDowell, Head of Education
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
Ms M Sullivan, Head of Development
Ms J Tait, Head of Children's Services
Ms S Birrell, Committees Officer
Mr S Cooper, Team Manager – Communications
Mr P Forsyth, Project Manager – Growth and Sustainability
Ms A-M Glancy, Service Manager – Corporate Accounting
Mr C Grilli, Service Manager – Governance
Mr G Marsden, Project Manager – Growth and Sustainability
Mr P Vestri, Service Manager – Policy, Improvement and Partnerships

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies

Councillor C Cassini
Councillor J Findlay

Councillor A Forrest

Declarations of Interest:

None

Prior to the commencement of business, the Provost advised that the meeting was being held remotely, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for up to six months from the date of the meeting.

The clerk recorded attendance by roll call.

Before moving to the agenda of business, the Provost made a statement on recent sporting successes in East Lothian. In particular, he spoke of the recent Willie Innes Games and associated prize-giving ceremony, the successes of Haddington, Tranent, Dunbar and Preston Athletic football teams, the 100th anniversary of Musselburgh Rugby Club and the 350th anniversary of the Musselburgh Old Course. He also made reference to forthcoming events, including the Scottish Open Golf Championship, the Women's Open Golf Championship, Fringe by the Sea, the Lammermuir Festival, and the North Berwick Highland Games. He paid tribute to all those involved in these teams and events.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved: East Lothian Council, 24 May 2022.

2. FINANCIAL OUTLOOK AND BUDGET DEVELOPMENT FRAMEWORK 2023/24 ONWARDS

A report was submitted by the Executive Director for Council Resources providing an indicative overview of the financial outlook for 2023/24 onwards and seeking approval for the proposed cross-party working arrangements to support the development of future budget strategy.

The Provost noted that an amendment had been received in respect of this item from Councillor Menzies, and outlined the process for dealing with the amendment.

The Executive Director for Council Resources, Sarah Fortune, presented the report. She summarised its key aspects, drawing particular attention to the recently published Scottish Government Resource Spending Review, which would have financial implications for the Council; an update on fiscal flexibility (Section 3.9 of the report); five-year financial scenario planning (Section 3.16 of the report), which set out the challenges and risks facing the Council; and the review of the Budget Development Framework.

Councillor McIntosh queried the possibility of producing a gender-balanced budget. Ms Fortune pointed out that all policies were subject to an Integrated Impact Assessment (IIA), which covered equalities aspects, including age and gender. She accepted that more could be done, noting that, for example, the rights of children would need to be taken into consideration. She assured Members that efforts would be made to incorporate all relevant elements into the budget development process.

Responding to a question from Councillor McLeod on the proposed update of the Charging Policy, Ms Fortune explained that this policy had not been updated since 2018, and that it was timely to consider the Council's approach to charges; she added that it would not be concerned with the setting of specific charges.

Councillor Menzies commented that there was only one local authority in Scotland working with the Women's Budget Group, and suggested that the training provided by this group could be beneficial to Council staff, and could also result in financial savings. She asked if officers could consider working with this group. Councillor Menzies also suggested that more in-depth work could be done as regards impact assessments. Ms Fortune noted that the new budget development framework would provide opportunities to look at new ideas, and that she would be happy to discuss Councillor Menzies' suggestion with her.

Councillor Akhtar made reference to the concerns raised regarding the review of the local government accounting model (set out in Section 3.10 of the report). She asked how this had been received by other Directors of Finance. She claimed that the review had not taken account of council areas where there were significant levels of growth. Ms Fortune provided some information on how the previous review had been carried out. On the Resource Spending Review, she advised that it was not yet clear what the implications would be for the Council, but that she had concerns regarding growth and meeting national policy commitments. She undertook to report back to Council when further information was available.

The Provost then invited Councillor Menzies to present her amendment, which stated (in relation to Recommendation 2.2):

Delete:

2.2 To agree that the Council Leader writes to the Cabinet Secretary expressing his concern at the independent review of Capital Accounting, particularly given a recent review has only just concluded, and outlining the significance of risks that may arise from this review

And insert:

2.2 To agree that the Council Leader writes to the Cabinet Secretary of the Scottish Government expressing his concern at the independent review of Capital Accounting. Further, that he writes to the Chancellor of the Exchequer, Rishi Sunak, to express the Council's concern at the reduction of the Scottish Government's funding envelope by £750 million in the autumn 2021 spending review, particularly given a recent review of Scottish Government grants and available spend has only just concluded, and outlining the significance of risks that may arise from this review.

Councillor Menzies clarified that she did not object to the Council Leader writing to the Cabinet Secretary. However, she wished to acknowledge that the Scottish Government's budget had been reduced by £752 million over a three-year period. She expressed concern at a budget reduction, particularly in view of the ongoing impacts of COVID-19, as well as other issues such as the war in Ukraine and Brexit. She also made reference to recruitment difficulties.

Councillor Gilbert seconded the amendment and supported the comments made by Councillor Menzies. He believed that the current wording of Recommendation 2.2 was incomplete and did not take account of the reduction in funding to the Scottish Government.

Councillor Hampshire opened the debate, warning that the Resource Spending Review would be a disaster for local government, and outlining the additional savings the Council would be required to make. He remarked that it was disingenuous of the Scottish Government to include additional COVID-19 funding in calculating reductions to core grant funding from the UK

Government; however, he did agree that the UK Government should provide more funding to the Scottish Government to provide public services. He claimed that the Scottish Government funding had increased, but local government funding had been reduced over a number of years. He warned of the financial challenges facing the Council, and the resulting impact on service delivery. He added that the review of Capital Accounting had been discussed at CoSLA, where there was cross-party agreement that this review should not continue. As regards the amendment, Councillor Hampshire believed that the wording was not accurate and that therefore he could not support it.

Councillor Bruce was also concerned about the impact of the Capital Accounting review on councils, arguing that the current accounting practices were correct and proper, and reflected the Council's budget. He welcomed the proposals for cross-party working. On the amendment, he claimed that the Scottish Government had received its largest grant to date in 2022-23, and was an increase in real terms. He was of the opinion that providing the one-off COVID-19 funding had been the right thing to do, but that additional funding for this could not be provided indefinitely. Councillor Bruce was concerned at the reduction in local government funding. He declared that he would not support the amendment.

Councillor Jardine reiterated that the SNP Group was not opposed to contacting the Cabinet Secretary. Alluding to the cost of living crisis and pressure on public services, as well as the impacts on individuals and families, she argued that the Scottish Government could not resolve these issues on its own, and that the amendment sought to go beyond the Scottish Government to ensure that the UK Government was aware of the significant issues facing local government in Scotland.

Councillor Ritchie advised that the Labour Group had no objection to writing to the Chancellor of the Exchequer. However, they could not support the clause regarding the £750m reduction in funding to the Scottish Government.

Whilst agreeing that local government should be given additional funding, Councillor McIntosh spoke in favour of a Universal Credit uplift, as this would provide a direct benefit to individuals and families. Councillor Hampshire agreed that direct support to those on benefits would help, but pointed out that the wide range of services provided by the Council could not be delivered without the workforce required.

Councillor Hampshire suggested that the amendment could be reworded. Councillor Menzies welcomed the opportunity for Members to work together to find an agreed working.

There followed a brief adjournment to allow Members to consider the wording of the amendment. Following the adjournment, Councillor Menzies proposed a revised version of the amendment, which was seconded by Councillor Jardine:

Delete

2.2 To agree that the Council Leader writes to the Cabinet Secretary expressing his concern at the independent review of Capital Accounting, particularly given a recent review has only just concluded, and outlining the significance of risks that may arise from this review;

And insert

2.2 To agree that the Council Leader writes to the Cabinet Secretary of the Scottish Government expressing his concern at the independent review of Capital Accounting. Further, that he writes to the Chancellor of the Exchequer, Rishi Sunak, to express concern at the funding available to the Scottish Government to deal with the cost of living crisis and to ensure that local government is adequately funded to protect Council services.

The Provost moved to the roll call vote on revised amendment:

- For (16): Councillors Akhtar, Allan, Bennett, Dugdale, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston
- Against (3): Councillors Bruce, Collins, McGuire

The revised amendment was therefore carried.

The Provost moved to the roll call vote on the recommendations, as amended. With the exception of Councillors Bruce and McGuire registering their dissent as regards the revised Recommendation 2.2, the recommendations were approved unanimously.

Decision

The Council agreed:

- i. to note the emerging findings from the recently published Resource Spending Review and the potential implications;
- ii. that the Council Leader would write to the Cabinet Secretary of the Scottish Government expressing his concern at the independent review of Capital Accounting. Further, that he would write to the Chancellor of the Exchequer, Rishi Sunak, to express concern at the funding available to the Scottish Government to deal with the cost of living crisis and to ensure that local government is adequately funded to protect Council services.
- iii. to note the updated scenario planning and the potential scale of funding gap facing the Council by 2027/28, as set out in Section 3.16 and Appendix 1 to the report;
- iv. that budget planning would be undertaken on a 5-year basis from 2023/24 onwards;
- v. to approve the draft terms of reference for the cross-party budget working group detailed in Appendix 2 to the report;
- vi. to approve the proposed principles for the deployment of earmarked reserves to support the delivery of efficiencies and ongoing financial sustainability; and
- vii. to note the proposed next steps to inform the development of the budget and financial strategy for 2023/24 onwards.

3. FINANCIAL REVIEW 2021/22

A report was submitted by the Executive Director for Council Resources providing an update on the draft financial position for the Council for the year ending 31 March 2022.

The Executive Director for Council Resource, Sarah Fortune, presented the report. She stressed that the results were still in draft, pending finalisation of the external audit process. She advised that the draft accounts had not been finalised in time for production of the Council papers, but were now ready to be submitted to the external auditors by the statutory deadline. Ms Fortune provided a summary of the report, focusing on Sections 1.8-1.13, which detailed the position as regards reserves and commitments for General Services and the Housing Revenue Account (HRA), as well as Scottish Government support for COVID-19 related costs. She provided information on the delivery of efficiency savings, the financial position of each directorate, and the complex financial environment in which the Council was operating. She

also updated Members on capital expenditure, both from General Services and the HRA. Ms Fortune warned that, despite positive year-end results for 2021/22, additional COVID-19 related funding was likely to be non-recurring, and the management of financial risk would be difficult to manage in the years ahead. She thanked staff throughout the Council for their efforts to manage their services within budget.

In response to questions from Councillor Bruce, Ms Fortune advised that, in relation to the letters of guarantee for EnjoyLeisure and the Brunton Theatre Trust, this mechanism had been introduced in the recent years and was likely to continue in future years due to the level of risk faced by these bodies; the letters were provided because these bodies were included in the Council's group accounts. However, she stressed that the Council would only provide financial support should the need arise. On the Integration Joint Board (IJB) reserves position, Ms Fortune confirmed that this was a matter for the IJB, as set out in the Scheme of Integration. As regards the Cost Reduction Fund, Ms Fortune informed Members that funds had been drawn down as required, but there had been no draw-downs to date this year. She added that officers were looking at expanding the remit of this fund to support the transformation programme and allow for up-front investment in specific projects. Concerning the possibility of establishing facilities for secure child placements in East Lothian, Judith Tait (Head of Children's Services), advised that providing care resources within East Lothian was a priority, with a focus on growing fostering resources. She was confident that the current residential facilities in East Lothian provided sufficient capacity, but this would be kept under review. As regards secure accommodation, she noted that there was a move away from this type of facility, and instead higher levels of support would be provided within communities.

Councillor Hampshire asked for details on coastal car parking income. Ms Fortune advised that for 2021/22 the income was higher than anticipated, at just under £500,000.

Councillor McIntosh requested information on the Musselburgh flood prevention scheme. Ms Fortune explained that there had been discussions at a national level on flood prevention schemes in Scotland, including for Musselburgh and Haddington. A report to Council on the Musselburgh scheme would come to Council in due course. It was anticipated that funding for the scheme would be provided by the Scottish Government.

Councillor Menzies asked for further details on coastal car park income. Ms Fortune undertook to provide this information.

Councillor Hampshire opened the debate by thanking staff for their efforts to deliver services within budget, during what had been a difficult time. He stressed the importance of income generation to support budgets, and welcomed the proposal to use the Cost Reduction Fund to find more efficient ways of working. He added that the cross-party budget group would look at ways of generating more income.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to note the update on the draft unaudited accounts, as set out in Appendix 1 to the report, including the impact on the Council's reserves position relevant to the approved Reserves Strategy;
- ii. to note the 2021/22 financial performance against approved budgets;

- iii. to note the significance of the COVID-19 costs and the impact of non-recurring funding provided for 2021/22;
- iv. to approve the use of the £245,000 Capital Grants Unapplied reserve to fund Council transformational activities;
- v. to note the additional funding received from the Scottish Government in the 2021/22 financial year; and
- vi. to approve the deferral of the Loans Fund repayment holiday in 2021/22, noting the extension of this flexibility through updated Scottish Government guidance to 2022/23.

4. COMMON GOOD BUDGET 2022/23

A report was submitted by the Executive Director for Council Resources providing an update on the Common Good Funds, and to consider the budget for 2022/23, noting the status of financial implications from the Common Good review.

The Executive Director for Council Resources, Sarah Fortune, presented the report, advising that the indicative budget for 2022/23 had been approved by Council in April 2021. She noted that the proposed budget would cover one year only, due to the wider review of Common Good, the outcome of which may have an impact on future Common Good budgets. She drew particular attention to the draft financial results and to the individual budgets for each Common Good fund.

In response to a question from the Provost on 'unrealised gains and losses', Ms Fortune explained that this was an accounting requirement and referred to balances in the account that could not be used until investments were sold.

Councillor Menzies recalled a recent item in *The Ferret* on Common Good, which had reported that East Lothian Council was the third best performing council in Scotland as regards growth of Common Good budgets.

Councillor Bruce asked for an update on the review of Common Good Governance. Ms Fortune advised that this review had been impacted by COVID-19. However, the review of assets had been completed and reported through the Members' Library. The next step would be to consider the financial implications of the asset review, and it was hoped to progress this aspect during the current financial year.

The Provost thanked officers for their advice on applications submitted to the Common Good Committees.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to note the financial implications and risks relating to the current economic climate and ongoing financial review of Common Good; and
- ii. to approve the 2022/23 grants budgets for Dunbar, Haddington, Musselburgh and North Berwick, as set out in Appendices 2a-2d, noting the context for future budget development.

5. COCKENZIE FORMER POWER STATION SITE: PROGRESS UPDATE AND ACTIONS

A report was submitted by the Executive Director for Place providing an update on the future of the large and complex Cockenzie former power station site following publication of National Planning Framework 4 (NPF4), and seeking approval of actions related to progressing the preparedness of the site, future planning and subsequent marketing to secure and optimise business development and employment opportunities.

The Head of Development, Michaela Sullivan, presented the report, advising that NPF4 would allow for more opportunities on the Cockenzie site. She provided an update on the community-led proposals for a cruise port and the 360 Climate Change Centre Project, and she also drew attention to the timeline set out in Appendix 1 to the report. She confirmed that community engagement would continue, and that a communication strategy for the site would be published later in 2022.

Councillor Yorkston advised that Members had recently received representation from the team leading the 360 Project, who were concerned at a lack of engagement with them. That team had requested that no further action is taken on the site pending the conclusion of the 360 Project feasibility study. Ms Sullivan disputed this claim, advising that Jamie Baker (Service Manager – Economic Development) had been very engaged with this group as regards progressing the feasibility study. She provided an explanation of the master-planning process, which would cover the development constraints and details of the various parcels of land, noting that it would not go further than that at this stage and would not exclude any particular use of the site.

With reference to Forth Ports' proposal for the development of a cruise-ship terminal at Leith, Councillor Gilbert asked if there was any possibility for a cruise facility at Cockenzie if the Leith proposal went ahead. Ms Sullivan conceded that the Leith proposal would make the Cockenzie proposal very challenging, hence the recommendation that the Chief Executive writes to the Chief Executive of Forth Ports for clarity on this issue.

Councillor Menzies suggested that it could appear that the Council was overlooking the 360 Project by seeking to progress the cruise proposal with Forth Ports. Ms Sullivan pointed out that in order to make progress, it was considered appropriate to have clarification on the cruise proposal at this time. She expected a report on the 360 Project feasibility study later in the year. Douglas Proudfoot, Executive Director for Place, added that both projects were supported by the Council. He emphasised the need to deliver economic development opportunities on that site, and that a great deal of work had been done with civil servants as regards providing flexibility for the site. He also noted that the development of the wider area, including Climate Evolution Zone and Blindwells, had to be taken into consideration, and that the Local Development Plan 2 process would include information on the opportunities available to the Council.

Councillor Hampshire asked if the site would be marketed globally in order to attract investment. Ms Sullivan confirmed that a commercial agent would be appointed to market the site both nationally and internationally. However, the master-planning would need to be completed first.

Councillor Bruce noted the importance of getting clarification from Forth Ports, adding that without their support the cruise proposal was likely to fail. He also suggested that the views of the cruise industry were important. He considered that this should be a decision for the Scottish Government, rather than for Forth Ports. He also welcomed the proposed appointment of a commercial agent, and the possibility of establishing a data centre on the site.

Councillor McIntosh voiced her opposition to the proposal for a cruise-ship port, for environmental reasons. She asked for assurance that the 360 Project would not be side-lined in favour of other project proposals coming forward. The Provost assured her that this would not be the case, and that community engagement and involvement was a key part of the process.

Councillor Hampshire pointed out that the Council had been very open with the community. He stated that the priority was to create as many well-paid jobs as possible in the area, but that the community would not be side-lined. He reminded Members that the Council had given the 360 Project the commitment and funding to carry out the feasibility study, which would then be used to develop a business case for the project, demonstrating how it would be delivered and managed.

The Provost moved to the roll call vote on the recommendations. With the exception of Councillor McIntosh registering her dissent as regards Recommendation 2.1, the recommendations were approved unanimously.

Decision

The Council agreed:

- i. that the Chief Executive of the Council should write formally to the Chief Executive of Forth Ports in order to progress the potential use of the site as a cruise liner terminal. The letter would seek confirmation of Forth Ports' position as to whether there is any potential for a partnership or joint venture following previous engagement and following the publication of NPF4 (as set out in Sections 3.9-3.12 of the report); and
- ii. to note the progress being made in relation to the site and the plans to appoint development master-planners, commercial agents and progress discussions with the Scottish Government's enterprise agencies, alongside both the UK Government and Scottish Government, regarding the potential use of the site.

6. COCKENZIE LEVELLING UP BID

A report was submitted by the Executive Director Place advising of the launch of the second round of the Levelling Up Fund in March 22, which would allow local authorities to bid for capital funding of up to £20m to support regeneration, cultural, heritage, town centre or transportation projects in their area, and of the preparation of a £10-15m levelling up funding bid for preparation works to the former Cockenzie Power Station site that would allow the site to be developed to its fullest extent in the future and therefore maximise employment opportunities that the site presents.

The Project Manager – Growth and Sustainability, Graeme Marsden, presented the report, drawing Members' attention to the key aspects of the report, as set out in Sections 3.8 to 3.26. He noted that it was the intention to submit the bid within a week of the meeting, and he expected to hear the outcome in the autumn.

As regards the coal store bunds, Councillor Ritchie asked if these had been tested for pollutants prior to removal. She also asked if developers may seek to use the power station void. Mr Marsden confirmed that tests had been carried out, which indicated that there was no contaminated material surrounding the bunds. He reassured her that further tests would be conducted prior to the material being moved. On the use of the void, he did not foresee that developers would be interested in using the part of the site which was below ground level, adding that SEPA may have concerns about any such proposal.

On the environmental impact assessment (EIA), Councillor Gilbert asked if this had to be carried out as part of the bid, and how it would be funded. Mr Marsden explained that the submission would incorporate all pre-planning works (estimated to cost c.£400,000), including the cost of the EIA, and that the Council was liable for 10% of those costs. He pointed out that some environmental survey work may require to be undertaken prior to the bid funding being confirmed, but the Council would have to do that work anyway, and the costs of that work would be minimal.

Councillor Dugdale asked Mr Marsden if he was confident that the project would be achieved within the specified timescale. He advised that the Council would have to demonstrate that it could be delivered by the end of the 2024/25 financial year, adding that the largest part of the project was the removal of the bunds, which would take c.18 months to complete; the environmental assessment work would commence during the summer.

Councillor Jardine asked about the risk of indicative costs escalating, given that the Council was liable for a proportion of the costs. Mr Marsden advised that a 30% contingency had been built into the costings.

Councillor Trotter asked if contracts would include a clause on companies using local labour. Mr Marsden indicated that the procurement process would commence next year, and that he would consider this suggestion as part of that process. Douglas Proudfoot, Executive Director for Place, added that it would be the Council that was engaging the contractors, and officers would make every effort to ensure that local labour and materials were being used. He warned, however, that this may not be easily achieved, but that officers would look at a sustainable procurement policy in order to maximise the use of local labour and subcontractors.

Responding to a concern raised by Councillor Yorkston regarding the route to be used for the removal of the bunds from the coal site, Mr Marsden advised that the consultant would consider this aspect as part of the project design, but he anticipated that the access road for the Seagreen site would be used to transport the material, rather than taking it through Cockenzie.

Councillor McGinn asked for further detail on the changes to the John Muir Way. Mr Marsden assured him that the current path width would be maintained, but that it would be resurfaced. Any deviation from the current route would be minimised.

Opening the debate, Councillor McGinn suggested that the site provided an opportunity for a John Muir Way visitor centre.

Councillor Bruce welcomed the report and the significant amount of work undertaken to get to this stage. He believed that the Council's bid was very strong and he was confident that it had a good chance of succeeding. He stressed the significance of the work proposed in order to create usable land and development opportunities. He also spoke in support of Councillor McGinn's suggestion for a John Muir Way visitor centre, which would provide economic benefits to the area.

Councillor Menzies suggested that the John Muir Way could be promoted more effectively, e.g. in a similar way to the West Highland Way, and that this may, in turn, attract further investment in the area.

Councillor Ritchie welcomed the proposals, including the proposed improvements to the sea wall, which would have long-term benefits.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to approve the c. £10-15m (final figure to be confirmed) to the UK Government Levelling Up Fund Round 2 for preparation works at the former Cockenzie Power Station site;
- ii. to note that these works would include: the infill of the former power station slab; the removal of earthwork bunds surrounding the former coal store; works to the sea wall and coastal flood defence; and public realm and surface enhancements of the John Muir Way as it passes through the site, including the removal of the pedestrian bridge and re-routing of the John Muir Way through the site;
- iii. to delegate authority to finalise and submit the bid package to the Head of Development, in consultation with the Council Leader and Provost; and
- iv. to note that officers were not seeking approval for the delivery of the detailed package of works but the principle of submitting a funding bid for them. The package of works would require formal regulatory approval processes, including environmental impact assessment and planning permission. Details of the John Muir Way and public realm enhancement would be worked up in consultation with the surrounding communities.

7. UK SHARED PROSPERITY FUND

A report was submitted by the Executive Director for Place providing an overview of the UK Shared Prosperity Fund (UKSPF) allocation process, outline project proposals particularly for Year 1, and seeking agreement of proposed regional contribution in Years 2 and 3.

The Executive Director for Place, Douglas Proudfoot, presented the report, drawing attention to the core funding for East Lothian, partnership working, and the short-term priorities (as set out in Sections 3.10-3.15 of the report), assuring Members that they would have an opportunity to consider the development of the plan as it progresses.

Councillor Trotter asked if Group Leaders would be consulted in advance of any decisions being taken. Mr Proudfoot agreed to this request, noting that the delegation to officers of the initial submission was being sought due to the deadline falling within the summer recess.

Councillor Hampshire asked if UK civil servants had given a view on the suitability of the City Region Deal model being used for this purpose. Mr Proudfoot explained that both the UK and Scottish Governments had made it clear that proposals should be collaborative, as was the case with the City Region Deal. However, he recognised that there may be some governance challenges to overcome, particularly in the early years.

Councillor Hampshire expressed his appreciation to the staff involved in this project, noting that if the Council was awarded the funding, it would make a significant difference to communities.

Councillor McIntosh welcomed in particular the priority list for Years 2 and 3, indicating that there was a real opportunity for investment in skills for the decarbonisation of the heating and energy sectors, and that the Council should be pushing for growth in this area.

The Provost made reference to skills development training and employment being carried out by East Lothian Works, as well as the funding provided through the European Infrastructure Fund to provide new toilet facilities at Longniddry and Gullane. He also made particular mention of the impact of LEADER funding on East Lothian, paying tribute to Anne Hastie for her involvement.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to approve the approach that officers intend to take to iteratively develop a detailed Investment Plan to be submitted to the UK Government, noting specifically that the initial submission to allow funding approval for Year 1 intervention work would be through a submission for 1 August 2022, to be approved through summer recess arrangements;
- ii. to approve provisional sums of £100k from the Council's Year 2 allocation and £1,180k from the Year 3 allocation to pool regionally to progress priority regional activities that could be delivered in the short term; and
- iii. to note the summary of the UKSPF prospectus and the engagement process with the additional assurance provide from the UK Government to work with the Council and its partners at local and regional levels in a practical and supportive way to ensure that Investment Plan outcomes are optimised for East Lothian citizens.

8. TOWN CENTRE PARKING MANAGEMENT: CONSULTATION

A report was submitted by the Executive Director for Place advising the Council of the intent to consult on Town Centre Parking Management, the introduction of parking policies as described under the Local Transport Strategy – Parking Management, in particular the introduction of charging for on- and off-street spaces and the expansion and introduction of residential parking zones.

Peter Forsyth, Project Manager – Growth and Sustainability, presented the report. He drew attention to a report to Council from October 2018 which covered parking management, noting that there had been significant change since that time which required the Council to revisit this issue. He made reference to the increase in parking demand, as well as issues with pollution and public safety, and the impact of indiscriminate parking on residents. Alongside a refresh of the Local Transport Strategy, it was considered timely to revisit the issue of parking management, income from which could be invested in town centres and environmental projects. He advised that the consultation would run for 10 weeks, with a report on the results to come before Council later in 2022.

Councillor McIntosh asked if an air quality survey had been or would be carried out as part of the North Berwick survey. She also expressed surprise that there was no mention of the proposal to reduce car journeys by 20% by 2030. Mr Forsyth explained that air quality assessments were undertaken where particular issues had been identified, e.g. Tranent and Musselburgh. He noted that it had not been intended to include that aspect as part of this consultation, but that it could be considered. He confirmed that the Council had responded to the consultation on car-journey reduction, but that this particular report did not include detail on that, as this stage was concerned with starting the consultation.

Councillor Menzies asked for more detail on how the consultation would be conducted, and also on how any parking income would be used. Mr Forsyth indicated that officers would seek to engage as widely as possible with the community to ensure that all voices were heard. On the use of transport by women, he advised that officers were looking to engage the Local Transport Strategy to consider a number of issues including access to public transport and inter-connectivity; this would run parallel to the parking management consultation. He pointed out that any income received through on-street parking would be ring-fenced to benefit transport, e.g. town centre regeneration, traffic management or environmental improvements, but that off-street parking income could be used for general purposes.

As regards the level of charges, Mr Forsyth confirmed that a question on this would be included in the consultation, stressing that the Council did not want charges to be prohibitive, but also that they should not be so low as to not have an impact on behaviours.

Responding to questions from Councillor Trotter on consulting directly with every household, Mr Forsyth advised that this would be very expensive and not environmentally friendly. He added that the consultation would commence following the peak holiday period and run until September/October. He assured Councillor Trotter that all views received would be taken into account in order to get a representative sample. He also highlighted the importance of the views of young people.

Councillor McGuire expressed concern about the impact on rural areas with no/limited bus services and asked how this aspect would be addressed. Mr Forsyth suggested that, through the refresh of the Local Transport Strategy, pilot schemes such as demand responsive transport and journey hubs could take place. He accepted that as a rural community, the need for the car would still be there, but that he was looking to ensure that a choice could be provided, and that parking income could be used to fund initiatives, such as demand responsive transport.

Councillor Menzies suggested that if charges were introduced, people may choose to go to out-of-town shopping centres with free parking, which could have a detrimental impact on East Lothian's town centres. She asked what would be done to protect those high streets. Mr Forsyth conceded that out-of-town centres would always be attractive due to parking being more accessible and free. He emphasised that having a reasonable parking charge would allow shoppers to access their local high streets at a lower cost than driving to an out-of-town facility. He added that different approaches could be adopted for different towns, considered on a case-by-case basis. He also noted that the definition of 'town centre' may be different for each town, and that this aspect had to be considered to avoid displacement of parking should charging be introduced.

Douglas Proudfoot, Executive Director for Place, reminded Members of the Council's commitment to address the climate emergency, and to maximise opportunities to do things differently. He spoke of the need to change behaviours and for the need to generate income in order to invest in sustainable transport options. This consultation was the beginning of the process, and it was important to obtain the views of residents and visitors.

Opening the debate, Councillor Hampshire commented that with the extent of the growth in the six main towns in East Lothian, there was pressure on parking spaces in the town centres, resulting in indiscriminate parking in neighbouring residential streets. He stressed that the Council had to address this problem, whilst ensuring the survival of the town centres. He accepted that decisions on parking issues would be difficult, but that doing nothing would result in people not visiting the towns. He added that ensuring safety of people using town centres, particularly children and the elderly, was important, and that walking and cycling should be encouraged.

Councillor Jardine indicated that community wellbeing was the most important aspect. She welcomed the scope of the consultation, and encouraged Members to engage with their communities and encourage people to respond.

Speaking in opposition to the proposed consultation, Councillor Bruce expressed concern that the impact of COVID-19 had adversely affected town centre businesses, and that the suggestion of town centre parking charges would encourage shoppers to use out-of-town centres or to shop online. He suggested that the Council should be trying to incentivise people to visit town centres. Referring to the cost of living crisis, he argued that parking charges would penalise people who had no alternative to using their cars, and this would harm town centre trade. He remarked that parking charges had not featured in the Labour Group manifesto, and that the Conservative Group would not be supporting the consultation.

Councillor McIntosh claimed that providing out-of-town parking facilities and pedestrianising high streets would attract more visitors and result in more vibrant town centres. She also referenced a recent Sustrans study which demonstrated that cycle parking generated five times as much spend in shops than car parking. She welcomed the opportunity to think differently and maximise health benefits, and anticipated that young people would have meaningful views on how they would like the space in town centres to be used.

Councillor McGinn remarked that Councillor Bruce had not proposed any solutions to the county's parking problems. He agreed with colleagues that young people would have clear views about active travel and management of high streets. He stressed that the consultation needed to be as wide-ranging as possible, and he commended officers for taking account of the views of Members on this issue. He welcomed the consultation and urged Members to ensure that it was publicised widely in their communities.

The Provost concluded the debate by reminding Members that the Council had distributed £40m of funding to high street businesses during the pandemic, and that it had promoted the 'stay safe, support local, love East Lothian' campaign, which had benefitted town centres. He welcomed suggestions by other Members as regards attracting visitors to the towns. He also referred to the '20-minute neighbourhood' model and the work undertaken by officers to make these areas accessible. He voiced his disappointment that Councillor Bruce was not supportive of the consultation, given that it was concerned with engaging with the public and hearing their views.

The Provost moved to the roll call vote on the recommendations:

For (16):	Councillors Akhtar, Allan, Bennett, Dugdale, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston
Against (3):	Councillors Bruce, Collins, McGuire

Decision

The Council agreed:

- i. to approve the start of the consultation process in accordance with the Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999 as amended, to consult with statutory consultees, stakeholders, and the public in general for the introduction of town centre parking control measures and associated parking interventions;
- ii. to acknowledge the requirements of Council (30 October 2018) to take forward an assessment of the demand for town centre parking on an individual town case-by-case basis, taking into account local people's views; and

- iii. to approve the creation of a strategic plan to cover the management, investment and return on town centre parking management.

9. AMENDMENT TO STANDING ORDERS: INTRODUCTION OF CALL-IN PROCESS FOR CABINET

A report was submitted by the Executive Director for Council Resources seeking approval for changes to Standing Orders and the Scheme of Administration for Cabinet to allow for the introduction of a call-in process, in accordance with the decision taken by Council at its meeting on 24 May 2022.

The Provost noted that an amendment had been received in respect of this item from Councillor Bruce, and outlined the process for dealing with the amendment.

The Head of Corporate Support, Morag Ferguson, presented the report, advising on the proposed process for calling in Cabinet items, as set out in Sections 3.2 and 3.3 of the report. She alluded to the amendment submitted by the Conservative Group, which proposed that one Member, rather than four, should be able to call in items; she suggested that although this was a matter for Council to determine, the calling in of items should be the exception rather than the rule, and that providing for only one Member to overrule the Scheme of Administration would be unusual. She added that no other council had a process whereby one Member could call in items of business.

The Provost invited Councillor Bruce to present his amendment, which stated:

That the proposed Cabinet call-in process, and consequent changes to Standing Orders and the Cabinet Scheme of Administration, is amended as follows:

- Section 3.2, bullet point 1: 'In order for a call-in request to be valid, it will require the support, in writing, of one Member.'
- Section 3.3, para. 2, line 1: 'A minimum of one Councillor shall be required to call in items of business from a Cabinet agenda ...'
- Appendix 1, section G.2: 'In accordance with Standing Order 5.4, a minimum of one Councillor is required to request in writing that items of business may be called in from Cabinet and referred to Council for consideration ...'

Councillor Bruce believed that the requirement of four Members to call in an item was too high, particularly as the Council now had a political group represented by only one Member. He also took the view that it would allow Members to act as individuals if they could call off an item of particular interest to them. He appreciated that the process could potentially be misused, but hoped that Members would not act in that way. To support his views, he used the example of the planning process, whereby individual Members could call applications off the expedited and delegated lists.

Councillor Collins seconded the amendment, supporting the view that individual Members should have the ability to act independently in calling in items from Cabinet.

Councillor Menzies commented that, in the interests of collaboration and engagement with councillor colleagues, she was happy to support the proposal for four Members to call-in items.

Councillor Hampshire pointed out that the purpose of the Cabinet was to allow business that did not require the decision of full Council to be undertaken. He assured Members that controversial issues would be brought to Council. He also argued that if the agreement of four Members to call in an item could not be achieved, then there was no good reason for that item to be considered by Council.

Councillor McIntosh remarked that she would be happy to collaborate with other Members should there be an item she wished to call in. She considered that a requirement of not less than three Members would be a reasonable number.

Councillor Jardine did not believe that Councillor Bruce's comparison with the planning process was valid. She was satisfied with the officers' reasoning as regards four Members, noting that she was open to approaches by Members seeking support for the calling in of items. Her view was shared by Councillors Trotter and Bennett, who believed that allowing individual Members to call in items could result in the process being misused.

On the basis of the comments made by other Members, Councillors Bruce and Collins withdrew their amendment.

The Provost moved to the roll call vote on the original recommendations, which were approved unanimously.

Decision

The Council agreed to approve the proposed Cabinet call-in process (as set out in Section 3.2), and the consequent changes to Standing Orders and the Cabinet Scheme of Administration.

10. REVIEW AND REVISION OF THE INTEGRATION SCHEME FOR EAST LOTHIAN INTEGRATION JOINT BOARD

A report was submitted by the Executive Director for Council Resources seeking approval of the reviews draft Integration Scheme for East Lothian Integration Joint Board (IJB), following the required statutory review and consultation.

The Service Manager – Governance, Carlo Grilli, presented the report. He informed Members that the Council and NHS Lothian were required to review and update the Integration Scheme every five years; the Scheme should have been reviewed in 2020, but was delayed to due to the COVID-19 pandemic. He advised that the proposed Scheme had been updated to reflect current working practices and that while there were no direct financial implications for the Scheme itself, there would be consequences for the Adult Wellbeing budget and HRA-related expenditure (as set out in Section 3.6 of the report). He confirmed that NHS Lothian had approved the draft Scheme at its meeting on 22 June and, if approved by the Council, it would be presented to Scottish Ministers for adoption.

Councillor Bruce asked how the IJB's surplus would be managed. Iain Gorman, Head of Operations (Health and Social Care), reported that that the IJB's carry-forward of reserves had been 1% above the recommended minimum target of 2%. As per Section 9.5.5 of the Scheme of Integration, the use of reserves was a matter for the IJB to determine, and the views of IJB members would be sought, as part of the Strategic Plan.

Councillor Akhtar remarked that in the current climate, the IJB would have no difficulty in allocating its reserves. She welcomed the refreshed Scheme of Integration; however, she did voice concerns at the proposed National Care Service, which had been reflected in the Council's response to the consultation on this matter, as well as that of CoSLA. She believed that care services provided at a local level were more effective. She was particularly concerned about the proposed transfer of Children's Services to the National Care Service, which she felt would jeopardise the work carried out on 'The Promise'. She stressed that providing services at a local level with proper investment was the way forward and asked the

Council Leader to continue to raise this at CoSLA. She also noted the importance of the views of the community on this matter.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to note the statutory requirement to carry out a review of the Integration Scheme within five years from when the Scottish Ministers approved the Scheme;
- ii. to approve the final draft revised Integration Scheme, set out in Appendix 1 to the report; and
- iii. to approve the submission of the revised Scheme to Scottish Ministers.

11. APPOINTMENT OF COUNCIL CHAMPIONS

A report was submitted by the Executive Director for Council Resources seeking approval for the appointment of Council Champions for Enterprise, Young People, Older People, and Armed Forces and Veterans.

The Head of Corporate Support, Morag Ferguson, presented the report, advising that the Administration was proposing the appointment of Champions to represent areas of particular interest within communities. She noted that she had been asked if the Champions had to be members of the Administration, and advised that, through benchmarking with other local authorities, in all cases their Champions had been members of the Administration.

Councillor Menzies welcomed the creation of Champions, but felt that there was an opportunity to widen the scope and collaborate with members from other political groups. She asked the Administration to reconsider their position on this. Her views were shared by Councillor Allan, who remarked that including members from other groups would ensure that resources were being fully utilised.

The Provost commented that Councillor McLeod had previously supported the Armed Forces Champion, and thanked him for his involvement. He was also welcoming of ideas and support from all Members.

Councillor Akhtar considered that communities, and especially young people, would welcome the creation of Champions. She anticipated that Councillor Ritchie would be a successful Champion for Young People, and she hoped that all Members would support the Champions in their roles.

Councillor McLeod commended the work of past Champions, and thanked the Provost for his support.

The Provost moved to the roll call vote on the recommendations:

- | | |
|------------------|--|
| For (13): | Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Hampshire, McFarlane, McGinn, McGuire, McIntosh, McMillan, Ritchie, Yorkston |
| Against (0): | |
| Abstentions (6): | Councillors Allan, Gilbert, Jardine, McLeod, Menzies, Trotter |

Decision

The Council approved the appointment of Champions as follows:

Enterprise – Councillor Bennett
Young People – Councillor Ritchie
Older People – Councillor McFarlane
Armed Forces and Veterans – Councillor McMillan

12. APPOINTMENTS TO OUTSIDE BODIES

A report was submitted by the Executive Director for Council Resources seeking approval of appointments to the Scottish Joint Committee for Local Government Employees and as a named substitute for SEStran.

The clerk advised that requests for nominations for the bodies set out above had been received after the meeting of the Council on 24 May.

The Provost moved to the roll call vote on the recommendations:

For (17): Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Hampshire, Jardine, McFarlane, McGinn, McGuire, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston

Against (0):

Abstentions (2): Councillors Allan, Gilbert

Decision

The Council agreed:

- i. to appoint Councillor Hampshire to represent the Council on the Scottish Joint Committee for Local Government Employees; and
- ii. to appoint Councillor Hampshire as the named substitute for SEStran.

13. SUMMER RECESS ARRANGEMENTS 2022

A report was submitted by the Executive Director for Council Resources advising Council of the arrangements for dealing with Council business during the summer recess 2022.

The clerk set out the process for dealing with urgent business during the summer recess, noting that a summary of all business undertaken would be brought to the Council meeting on 23 August.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to approve the application of the recess business arrangements, in accordance with Standing Order 15.6, effective from the close of this meeting until the Council meeting of 23 August 2022 (as set out in Section 3.1 of the report); and

- ii. to note that a summary of business carried out during the recess period would be brought to the Council meeting of 23 August 2022, and that copies of all reports approved during the recess period would be lodged in the Members' Library.

14. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 10 MAY TO 13 JUNE 2022

A report was submitted by the Executive Director for Council Resources noting the reports submitted to the Members' Library since the meeting of the Council in May 2022.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 10 May and 13 June 2022, 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.

Cockenzie Former Power Station Site: Update

A private report submitted by the Executive Director for Place providing Council with an update on various matters relating to the former power station site.

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REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Council Resources

SUBJECT: Summary of Business Approved in Accordance with
Summer Recess Arrangements 2022

2

1 PURPOSE

- 1.1 To inform the Council of the urgent business undertaken over the summer recess period in terms of the procedures set out in Standing Order 15.6 and in line with the decision taken at its meeting of 28 June 2022.
- 1.2 It should be noted that copies of the undernoted reports have been lodged in the Members' Library (July/August 2022 Bulletins).

2 RECOMMENDATIONS

- 2.1 The Council is requested to note the business undertaken over the summer recess period.

3 BACKGROUND

- 3.1 **Additional ALEO Partner Support** (Members' Library reference 96/22 – July 2022 Bulletin)

A private report submitted by the Executive Director for Council Resources sought determination of additional funding to be allocated to one of the Council's ALEO partners. This report was approved by the Council Leader and Depute Leader.

- 3.2 **Application to Musselburgh Common Good Committee** (Members' Library Reference 97/22 – July 2022 Bulletin)

A private report submitted by the Executive Director for Council Resources sought determination of an application for funding submitted by the Honest Toun Association. The amount awarded was £9,387.20, which can be met within the approved budget for the Musselburgh Common Good Committee. This report was approved by the Council Leader, the Depute Leader and the Depute Provost.

3.3 UK Shared Prosperity Fund (Members' Library Reference 106/22 – August 2022 Bulletin)

A report submitted by the Executive Director for Place sought approval of the submission of the first iteration of the UK Shared Prosperity Fund Implementation Plan. This report was approved by the Council Leader and Depute Leader.

4 POLICY IMPLICATIONS

4.1 As outlined in the submitted reports specified in Section 3.

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 – As outlined in the submitted reports specified in Section 3.

6.2 Personnel – None.

6.3 Other – As outlined in the submitted reports specified in Section 3.

7 BACKGROUND PAPERS

7.1 East Lothian Standing Orders

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic & Licensing
CONTACT INFO	01620 827292 lgillingwater@eastlothian.gov.uk
DATE	8 August 2022

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Chief Executive
SUBJECT: 2022–2027 Council Plan

3

1 PURPOSE

- 1.1 To present the 2022–2027 Council Plan to Council for approval.

2 RECOMMENDATIONS

- 2.1 Council is asked to approve the 2022–2027 Council Plan.
- 2.2 Council is asked to note that a detailed Action Plan along with proposed Council Plan Performance Indicators will be presented to Council in October 2022.

3 BACKGROUND

- 3.1 The 29 March Council meeting unanimously approved the outline of the 2022–2027 Council Plan and instructed the Chief Executive to present a final version of the Plan based on the outline to the new Council following the May 2022 local government elections.
- 3.2 The draft of the final version of the Plan is presented to the Council for approval.
- 3.3 The 2022–27 Council Plan outlines how East Lothian Council will strive to meet our Vision of: ***An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish.***
- 3.4 It is a high-level statement of objectives, priorities and strategic goals that aim to meet the challenges the Council, East Lothian and its citizens and communities face. It sets out the values, principles and behaviours that guide how the Council and its staff operate. It is based around three overarching objectives and four thematic objectives. The overarching objectives are:

- ✚ **Recovery and Renewal** – recovering from the COVID pandemic by investing in regeneration and a sustainable future
- ✚ **Reduce poverty and Inequality** – supporting our communities to deal with the growing levels of poverty and inequality
- ✚ **Respond to the Climate Emergency** – meeting our net zero climate change targets

The four thematic objectives are:

- ✚ **Grow our Economy** – increase sustainable and inclusive growth as the basis for a more prosperous East Lothian
- ✚ **Grow our People** – give our children the best start in life and protect vulnerable and older people
- ✚ **Grow our Communities** – give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish
- ✚ **Grow our Capacity** – deliver excellent services as effectively and efficiently as possible within our limited resources

3.5 The COVID-19 pandemic forms the backdrop for the 2022–2027 Council Plan. The long-term impact of the pandemic will not be known for some time, but it is already clear that it has had significant impacts on the economy, health and wellbeing, and public services. The need to learn the lessons from the pandemic and to ‘build back better’, rather than returning to pre-pandemic norms lie at the heart of the East Lothian Recovery and Renewal Plan.

3.6 The pandemic has added to, and exacerbated, the systemic long-term challenges faced by the council, its communities and citizens.

- Financial Constraints and Uncertainty
- Population Growth/ Pressure for Affordable Housing
- Climate Emergency
- Poverty and Inequality
- Public Sector Reform / National Care Service

3.7 The Council Values – **Enabling, Leading and Caring** – underpin the new Council Plan, as they did the council’s response to the COVID-19 pandemic.

- **ENABLING** – recognising that the Council cannot do everything itself, we supported the vast voluntary effort that rose up in all our communities to provide much needed support for vulnerable people. The Council will develop this approach by continuing to enable and empower our communities and individuals to be more resilient.
- **LEADING** – the Council led the response to the COVID-19 emergency in East Lothian. We ensured that critical services continued to be delivered

and established, virtually overnight, critically important services to protect vulnerable children, older people and those most at risk from the virus. The Council will lead East Lothian's recovery and renewal from the pandemic.

- **CARING** – throughout the emergency the Council put the needs of the vulnerable in our society and our communities at the heart of our response. The council will build on this by delivering person-centred services based on understanding, compassion and respect.

3.8 The Plan is also underpinned by the by a commitment to the core principles set out by the Christie Commission into public sector reform¹ and the staff behaviours set out in the East Lothian Way:

- Working together
- Customer focused, person-centred, prioritising prevention, early intervention and equality
- Be the best we can be to deliver effective, efficient and excellent services
- We initiate and embrace change and are empowering, agile and flexible
- Make things happen / Outcome focussed

3.9 The pandemic has reinforced that the Council and the people and communities of East Lothian can best meet the challenges we face by 'working together'. Given the scale of the challenges and issues faced by East Lothian, the Council has to look to how it can further harness the power of its citizens and communities. We need to move away from the traditional model of the local authority always being the 'provider of first resort'. We recognise that the Council and the people and communities of East Lothian can best deliver the solutions to these challenges in partnership. Central to this approach is the Council moving away from doing things for, and to, communities and individuals, to the Council and the communities and citizens of East Lothian working together to identify and then meet our needs in partnership and co-operation.

3.10 So the 2017–2022 Council Plan sets out the aspirations for the kind of Council we want to be:

- ✚ ***an enabling and empowering authority*** that works with its citizens and communities, the business and third sectors and other public sector partners to deliver the solutions that work best for East Lothian
- ✚ ***a more enterprising authority***, using initiative and resourcefulness to develop new ways of ensuring services are provided in the most effective and efficient way possible
- ✚ ***a digital authority***, fully embracing and exploiting opportunities to use technology to deliver services.

3.11 The Council Plan summarises the priorities and key actions that will contribute to meeting the seven objectives. The priorities and key actions are taken from existing Council and Partnership Plans, including the c.300 actions in the

¹ Report on the Future Delivery of Public Services by the Commission chaired by Dr Campbell Christie; June 2011

Recovery and Renewal Plan, the Poverty Plan, the Equality Plan and the Climate Change Strategy and from over 220 commitments made by the Council’s elected members in the manifestos they put forward to the electorate in the 2022 Council elections.

- 3.12 These actions and commitments will be distilled into a detailed Action Plan with Strategic, Measurable, Achievable, Relevant, Time bound, Evaluated, and Reviewed (SMARTER) goals and a set of key Council Plan performance indicators against which progress will be tracked over the life time of the Plan.

4 POLICY IMPLICATIONS

- 4.1 The Council Plan and creation of a consolidated set of priorities and commitments will assist the Council in ensuring that corporate and service planning is well founded on a clear vision and strategic direction. This will also assist the Council in delivering services in accordance with our statutory Best value obligations.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – no direct financial implications associated with the recommendations made in this report.
- 6.2 Personnel – no direct implications on staffing associated with this report’s recommendations.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 Outline of the 2022–2027 Council Plan; approved by Council, 29 March 2022

AUTHOR’S NAME	Paolo Vestri
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DATE	12 th August 2022

2022-2027 EAST LOTHIAN COUNCIL PLAN

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

August 2022

FOREWORD

We are committed to working together across the Council, with the Council's partners and with the people and communities of East Lothian to achieve our vision of ***an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy that enables our people and communities to flourish.***

We are living through unprecedented challenging times – the COVID-19 pandemic has had long term impacts on our economy, society, the health and wellbeing of people contributing to increasing poverty and inequality; rising inflation and the cost of living crisis which is driving more and more people into food and fuel poverty; and the Climate Emergency, requiring systemic changes in how we all live our lives and run services in order to substantially reduce carbon emissions.

This Council Plan sets out the strategic framework for how the Council will respond to these and all the other challenges we face, with a focus on:

- Recovery and renewal from COVID
- Reducing poverty and inequality
- Responding to the Climate Emergency

The Plan builds on the collaborative effort of our staff, partners and communities in responding to COVID: enabling and empowering citizens and communities to be more resilient; being a more enterprising authority in order to be more effective and efficient; harnessing the power of digital to deliver services for the benefit of our customers. Given the scale of the challenges faced by East Lothian, the Council has to look to how it can further harness the power of its citizens and communities. Central to this approach is the Council moving away from doing things for, and to, communities and individuals, to the Council and the communities and citizens of East Lothian working together to identify and then meet our needs in partnership and co-operation. The new all-party budget working group we have established is a concrete example of our commitment to work together for a better Council and a better East Lothian.

This is a challenging, ambitious and exciting plan. We look forward to working with Council staff, with our partners and most importantly with the people and communities of East Lothian to deliver it.

Councillor Norman Hampshire
Council Leader

Monica Patterson
Chief Executive

2022-2027 EAST LoTHIAN COUNCIL PLAN

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1. Introduction

The 2022-27 Council Plan outlines how East Lothian Council will strive to meet our Vision of: ***An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish.***

This high level statement of objectives, priorities and strategic goals aims to meet the challenges the Council, East Lothian and its citizens and communities face. It sets out the values, principles and behaviours that guide how the council and its staff operate.

The 2022-2027 Council Plan is based around three overarching objectives that have been set in response to the three fundamental challenges we face.

- ✚ ***Recovery and Renewal*** – recovering from the COVID pandemic by investing in regeneration and a sustainable future
- ✚ ***Reduce poverty and Inequality*** – supporting our communities to deal with the growing levels of poverty and inequality
- ✚ ***Respond to the Climate Emergency*** – meeting our net zero climate change targets

As is outlined in the next section beyond these three fundamental challenges we continue to face systemic, long term challenges. In response to these challenges the previous Council Plan set out four thematic objectives which remain relevant for this Plan.

- ✚ ***Grow our Economy*** – increase sustainable and inclusive growth as the basis for a more prosperous East Lothian
- ✚ ***Grow our People*** – give our children the best start in life and protect vulnerable and older people
- ✚ ***Grow our Communities*** – give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish
- ✚ ***Grow our Capacity*** – deliver excellent services as effectively and efficiently as possible within our limited resources

The 2022-2027 Council Plan is underpinned by the Council Values – **Enabling, Leading and Caring** – and the public sector principles established by the Christie Commission¹. These have been embedded within the Council’s East Lothian Way that sets out the behaviours Council staff are expected to follow (set out in page 28 below).

This Plan reflects the national priorities and initiatives that have been developed over the last few years to embed human rights and person-centred approaches such as trauma informed practice into council policies and practices. This includes:

- Incorporating the United Nations Convention on the Rights of the Child into council policies and practices
- Implementing the recommendations of the Independent Care Review to shift policy, practice and culture to **#KeepThePromise** to care experienced infants, children, young people, adults and their families that every child grows up loved, safe and respected, able to realise their full potential
- Embedding Trauma informed practice into everything we do – recognising the prevalence of trauma such as Adverse Childhood Experiences, and its impact on the emotional, psychological and social wellbeing of people
- Implementing Equally Safe, the strategy to eradicate violence against women and girls.

Developing and delivering person-centred services based on understanding, compassion, and respect and ensuring this approach is embedded into council policies and practices and in the behaviours of all our staff will be an essential element of the council’s focus over the lifetime of this Plan.

A key aspect of this approach will be engaging in meaningful dialogue with children and young people in identifying on-going priorities. The new Youth Strategy for East Lothian, which has been developed with and by young people, as well as youth work organisations and strategic partners, is committed to ensuring young people’s voices are heard when local priorities are agreed and in decision-making about local resource allocations. Work is already underway to ensure the Council engages meaningfully with children and young people and this work will be developed further throughout the duration of this Plan.

This new Council Plan builds on the ambition and achievements of the 2027-2022 Council Plan.

The COVID pandemic and associated lockdowns in 2020 and 2021 had a major impact on East Lothian and on the council, and slowed down progress with some of the 2017-22 Council Plan commitments and actions. For two years of the five years of the previous Plan the Council was operating in Business Continuity mode, prioritising services that provided vital services and supported the effort

¹ Report on the Future Delivery of Public Services by the Commission chaired by Dr Campbell Christie; June 2011

to respond to the COVID pandemic. Staffing and resources were diverted to new services such as providing help for ‘Shielded’ people and distributing grants to businesses. This meant that some service had to be reduced or even suspended and many facilities remained closed for long periods.

Faced with having to make £40m savings from its core budget over the last 10 years the Council had to make savings from a variety of programmes, whilst it aimed to protect vital public services, including action to help children achieve their potential, supporting older and vulnerable people, protecting the environment, investing in local facilities and working to build the East Lothian economy. However, having to achieve this level of savings has had an impact on the pace and scale of service improvement and development.

Despite the impact of the pandemic and budget savings, much progress was achieved in meeting the strategic goals, commitments and actions set out in the 2021-2022 Council Plan and this provides a sound basis for this new Plan.

The Council Plan does not sit alone but is part of a suite of strategies and plans which all focus on achieving the vision for East Lothian. These plans and strategies are pieces of the jigsaw (or Golden Thread) that form the whole picture of what the council and its partners are doing to achieve the East Lothian vision. They include:

- [The East Lothian Plan 2017-27 | The East Lothian Plan 2017-27 | East Lothian Council](#)
- [ELC Recovery Renewal Plan 2021 v6 FINAL.pdf](#)
- [East Lothian Council Poverty plan 2021-2023 | East Lothian Council](#)
- [East Lothian Council Equality Plan 2021-2025 | East Lothian Council](#)
- [Climate Change Strategy 2020-25 | East Lothian Council](#)
- Financial Strategy 2022-23 to 2026-27 [ELC20211214_04 Finance Report Update \(4\).pdf](#)
- [East Lothian Economic Development Strategy 2012-2022 | East Lothian Council](#)
- [Local Housing Strategy 2018-23 | East Lothian Council](#)
- [Local Development Plan 2018 | East Lothian Council](#)
- [Children and Young People's Service Plan 2020-2023 | East Lothian Council](#)
- [East Lothian IJB Strategic Plan | East Lothian Council](#)
- [Workforce Plan 2018-2022 | East Lothian Council](#)
- Youth Strategy
- Community Learning and Development Plan

- [Local Transport Strategy 2018-2024 | East Lothian Council](#)
- Education Improvement Plan - [ELC Education Progress Report and Improvement Plan 2021 22.pdf](#)
- Open Space Strategy - [CAB20181113_03_OS_Strategy.pdf](#)
- Digital Strategy

Some of these plans and strategies have reached or are approaching their end data and are currently being reviewed and revised. The new plans will take on board and reflect the priorities established in this 2022-2027 Council Plan.

In addition each council service has its own Service Plan which will show how the service contributes in its own way to delivering the Council Plan, vision, objectives and priorities.

Many of these plans require partnership working. Therefore the council will continue to develop its strong and positive working relationship with all its partners engaged through the East Lothian Partnership and other partnership forums including NHS Lothian, Police Scotland, Scottish Fire and Rescue Service, Scottish Enterprise, QMU, Edinburgh College, Volunteer Centre East Lothian, community and third sector groups and business associations.

2. The Context

Challenges and Opportunities

“Local government leaders are operating in a complex, uncertain and volatile environment, and external pressures make it difficult to plan and deliver councils’ recovery from the pandemic. These include:

- *uncertainty about the course the pandemic will take and its impact on operations, pivoting between response and recovery*
- *the impact of major public service reforms, including the proposed National Care Service*
- *a lack of longer-term financial settlement and limited flexibility because of ring-fenced funding.”*

[Local government in Scotland Overview 2022 | Audit Scotland \(audit-scotland.gov.uk\)](#); May 2022

The COVID-19 pandemic forms the backdrop for the 2022-2027 Council Plan. Whilst the long term impact of the pandemic will not be known for some time, but it is already clear that it has had significant impacts on society, the economy, health and wellbeing of citizens, and on public services. The need to learn the lessons from the pandemic and to ‘build back better’, rather than returning to pre-pandemic norms lie at the heart of the East Lothian Recovery and Renewal Plan.

Throughout the pandemic the ‘light at the end of the tunnel’ has been that we should embrace the opportunity to ‘build back better’ – build on the positives such as the growth of community resilience, and maximise the opportunity for a sustainable and green economic recovery. As we continue to recover from the pandemic and deliver the Recovery and Renewal Plan it will be important to build on the positive experiences of the last two years, learn the lessons about how we can do things differently and better and in particular capture the innovation and agility that enabled the council and our communities to respond quickly and effectively to the pressures we faced.

The 2017-22 Council Plan established that the Council cannot address the challenges that East Lothian faces on its own. At the heart of that Plan was the concept that the Council and the people and communities of East Lothian can best deliver the required solutions by ‘working together for a better East Lothian’.

Given the scale of the challenges and issues faced by East Lothian, the council has to look to how it can further harness the power of its citizens and communities. We recognise that the council can best contribute to delivering the solutions to these challenges in partnership with other agencies and the people and communities of East Lothian.

The Council will need to focus its resources on areas of greatest need and investing in ‘prevention and early intervention’ – reducing future demand for services by finding solutions early thereby reducing the need to intervene when problems have grown into crises.

Central to this approach is the Council moving away from doing things for, and to, communities and individuals, to the Council and the communities and citizens of East Lothian working together to identify and then meet our needs in partnership and co-operation.

As well as responding to the challenges posed by the pandemic this Plan also need to take account of, and respond to, the systemic long term challenges faced by the council, its communities and citizens.

- Financial Constraints and Uncertainty
- Population Growth/ Pressure for Affordable Housing
- Climate Emergency
- Poverty and Inequality
- Public Sector Reform / Proposal to create a National Care Service

Financial Constraints and Uncertainty

As detailed in the Financial Strategy 2022/23 – 2026/27² the Council continues to operate in a very uncertain and extremely challenging financial environment. The financial implications and consequences arising from COVID remain very live with the economic impact likely to be felt for the foreseeable future.

Alongside this a range of other factors will continue to impact on the council’s financial position, including: the economic uncertainty surrounding future public sector funding; the UK’s exit from the European Union; the war in Ukraine; and rising inflation which is driving up costs and wages.

² Financial Update Report, including Financial & Capital Strategy; East Lothian Council 14th December 2021

All of these factors and uncertainties, aligned to increasing demand for services means that it is inevitable the Council will need to find new ways of ensuring that it can balance sustainable delivery of vital services to the public against a backdrop of reducing real levels of government grant support.

Independent commentators, including SPICE (the Scottish Parliament Information Centre) and the Fraser of Allander Institute have indicated that there has been a 7% real terms decrease in funding for Local Government over the last ten years, by contrast against a 4.7% real terms increase in Scottish Government available resource funding.

The budget gap between spend and funding received by the council is expected to exceed £40 million over the period of this Council Plan. Given the scale of the funding pressures, it is increasingly challenging to make the required level of savings without having an impact on local services and doing things differently. Recognising it may not be able to do everything it used to, the Council is going to have to prioritise reducing demand through prevention and early intervention and then target resources to those that need most support and empowering and enabling individuals and communities to be resilient.

Population Growth/ Pressure for Affordable Housing

East Lothian continues to be one of the fastest growing areas in Scotland, with the population projected to grow by about 1% a year over the next 20 years. Significant growth is projected across all age groups but particularly among children and older people – the age groups which rely most heavily on council services – education and social care.

The number of people aged 75 years or over will more than double in that time, which will mean a rise in support need for that age group and a likely increase in the need for care services. The number of children 0-15 years old is projected to grow by over 15%, so we need to build a new secondary school and at least three new primary schools, as well as extending all secondary schools and most of our primary schools.

The population growth is adding to the demand for housing in East Lothian. A secure, good quality, comfortable and affordable home is the foundation to a balanced life. The Covid-19 pandemic not only highlighted the importance of 'home', but also showed the fragility of the housing system with a rise in house prices and private sector rents, demand continuing to outstrip supply of affordable homes and persistently high levels of homelessness. Despite the delivery of almost 600 affordable housing units in the last four years and the provision of around 2,500 in the Local Development Plan, need and demand pressures from the growing population, mean that there remains a shortage of affordable homes.

Climate Emergency

East Lothian Council declared a Climate Emergency that requires urgent action to make all Council services net Zero Carbon as soon as possible and in any case by 2045. The Council has also committed to work with its communities and partners towards making East Lothian a carbon neutral county. Sustainability is embedded within the Council's [Climate Change Strategy 2019-2024](#) with the commitment to continue to reduce the environmental impact of East Lothian Council service provision.

The Council has committed to adapt to climate change and make all council services 'net zero' as soon as reasonably practicable or in any case by 2045. Progress has been made by the council over recent years and in 2021, despite the challenges of the pandemic, and the rapid growth in population and housing in East Lothian, the council managed to reduce its emissions in 2020/21 by 6.4% compared to the previous year. However, as COP 26 made evident, countries and local authorities need to be more ambitious and focus even more strongly on delivering their net zero targets. Moving forward, the council needs to review our progress with reducing our carbon footprint. Embedding climate change mitigation and adaptation across all that the council does will need to be a key part of the Council Plan.

Poverty and Inequality

Reducing inequalities in and across our communities was the overarching objective of the 2017-2022 Council Plan. The council adopted the 2017-2019 Poverty Plan based on the recommendations of the East Lothian Poverty Commission as the basis for actions to tackle poverty in East Lothian. The Council's Equality Plan 2018-2022 set out its plan to reduce inequality. Significant progress was made in fulfilling both plans. Most actions were either completed or on schedule to be completed and poverty levels were falling. However, the two years of COVID pandemic has exacerbated inequality and poverty.

'It is clear that the impact of the pandemic has not been felt evenly. It has both highlighted the inequalities in our society and made them worse. Those who were already the most disadvantaged have suffered disproportionately. They have been more likely to get seriously ill, more likely to be hospitalised, and sadly more likely to die from COVID. They have also been the hardest hit socially, educationally and economically, by the restrictions that were brought in to control the spread of the virus.'

Scottish Government's COVID Recovery Strategy (October 2021)

The pandemic has had/ is still having a disproportionate impact on disadvantaged families, children and young people. This has led to increases in mental health issues, domestic abuse and referrals to children's services.

In late 2021 the Council adopted a new Poverty Plan 2021-2023 and a new Equality Plan 2021-2021. These plans set out the ambitions and actions that the council and its partners will need to fulfil over the next few years to achieve its goal of reducing poverty and inequality.

Public Sector Reform / Proposal to Create a National Care Service

The pandemic has slowed down progress with the long awaited Review of Local Governance, which potentially could have major implications for the Council and our communities. However, the Scottish Government is intent on progressing with the creation of a National Care Service. The Scottish Government's proposals as set out in its August 2021 consultation document and the [National Care Service Bill published - gov.scot \(www.gov.scot\)](#) (June 2022) would result in the largest reorganisation of local government services since 1996 and will pose major risks not just for social care and social work services but potentially for all council services.

Scottish Government proposals for a new National Care Service are still at an early stage but will have a substantial impact on local authorities' responsibilities. Such a significant programme of reform brings challenges and risks. Reform in other areas of the public sector has shown that expected benefits are not always clearly defined, and even when they are, they are not always delivered. Focusing on such a major transformation will also risk a diversion from tackling the immediate challenges within the social care sector. For local government there is uncertainty about the destination of the policy, and concern over a loss to local empowerment and funding for councils.

[Local government in Scotland Overview 2022 | Audit Scotland \(audit-scotland.gov.uk\)](#); May 2022

What our Citizens say

The council has a strong commitment to effective engagement with service users and residents, including children and young people in developing policies and services. This Council Plan has been informed and influenced by the views of East Lothian residents.

For example, the bi-annual Residents Survey carried out on behalf of the Council and the East Lothian Partnership provides an important source of information about residents' views about priorities and services. The latest East Lothian Residents' Survey that

was carried out in late 2021 asked respondents to select their top three priorities for recovery after the COVID pandemic. The overall top five priorities (% of respondents placing the option as their top, 2nd or 3rd priority) were:

- Support business, employment and economic growth 52%
- Reduce inequality and poverty 39%
- Tackle climate change 35%
- Help our children and young people achieve their educational and attainment aims 33%
- Reduce health inequalities and support people to live healthier, more active and independent lives 28%

A consultation of children and young people carried out in 2020 to inform the development of the 2020-2023 East Lothian Children and Young People's Plan found overwhelming support for the Plan's three priorities:

- We need to focus on improving children and young people's mental health and wellbeing in East Lothian so that our children and young people are able to cope with what's going on in their lives (97.5% agreed)
- We need to focus on increasing support to parents and families so that families can get the right kind of help when they need it (92.8% agreed)
- We need to reduce inequality for children and young people so that they have the same chances everyone has to get the most out of their lives (91.2% agreed)

The priorities of the general public and of children and young people as evidenced by these two surveys are reflected in the priorities set out in this Plan. The surveys also showed that residents, including children and young people want to be better informed about and more engaged in the development of Council policies and services. This is reflected in the priority 'to give people a real say in the decisions that matter most'.

3. The 2022 - 2027 Council Plan

Vision, Objectives and Priorities

VISION			
<i>An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish</i>			
OVERARCHING OBJECTIVES			
Recovery and Renewal	Reduce Poverty and Inequality	Respond to the Climate Emergency	
THEMATIC OBJECTIVES			
Grow our Economy	Grow our People	Grow our Communities	Grow our Capacity
Increase sustainable and inclusive economic growth as the basis for a more prosperous East Lothian	Give our children the best start in life and protect vulnerable and older people	Give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish	Deliver excellent services as effectively and efficiently as possible within our limited resources

The Vision which was adopted in 2017 of '***An even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish***' is even more relevant now as we aim to 'build back better' and recover from the impact that the COVID-19 pandemic has had on society, the economy, people and communities.

The 2022-2027 Plan, which aims to work towards achieving this vision, is based around three overarching objectives and four thematic objectives.

The three overarching objectives are:

- ✚ **Recovery and Renewal** – the need to recover from the COVID pandemic by investing in regeneration and a sustainable future
- ✚ **Reduce poverty and inequality** – supporting our communities to deal with the growing levels of poverty and inequality that have been exacerbated by the pandemic
- ✚ **Respond to the Climate Emergency** – meeting our net zero climate change targets

The four thematic objectives which encapsulate the Council’s strategic priorities are:

- ✚ **Grow our Economy** – increase sustainable and inclusive growth as the basis for a more prosperous East Lothian
- ✚ **Grow our People** – give our children the best start in life and protect vulnerable and older people
- ✚ **Grow our Communities** – give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish
- ✚ **Grow our Capacity** – deliver excellent services as effectively and efficiently as possible within our limited resources

The following section of the Council Plan summarises the priorities and key actions that will contribute to meeting these objectives. These priorities and key actions are taken from existing Council and Partnership Plans, including the c.300 actions in the Recovery and Renewal Plan, the Poverty Plan, the Equality Plan and the Climate Change Strategy and from over 220 commitments made by the Council’s elected members in the manifestos they put forward to the electorate in the 2022 Council elections.

These actions and commitments will be distilled into a detailed Action Plan with Strategic, Measurable, Achievable, Relevant, Time bound, Evaluated, and Reviewed (SMARTER) goals and a set of key Council Plan performance indicators against which progress will be tracked over the life time of the Plan.

Recovery and Renewal

The Council and East Lothian Partnership³ adopted the Recovery and Renewal Plan⁴ in October 2021 to prepare East Lothian to recover from the COVID-19 pandemic. The Plan is based on embracing the opportunity to ‘build back better’ and ensure we maximise the opportunity for a sustainable and green recovery. It sets out eight Key Priority Areas:

- Support our communities to tackle inequality and social exclusion
- Respond to the climate and ecological emergency
- Support business and employment and promote inclusive economic growth
- Help our children and young people achieve their potential
- Deliver improved connectivity and digital innovation to ensure the most effective use of our resources
- Maintain and develop resilient and sustainable services
- Develop our people and future ways of working
- Invest in regeneration and a sustainable future

The Plan contains 36 actions across these outcomes, including:

- Implement the Poverty Plan 2021-2023
- Maximise the opportunities to improve the utilisation of assets and sustainable travel to lower our carbon footprint
- Utilise our business recovery investment fund to support our town centres, tourism and rural economy
- Provide targeted wellbeing support for children and young people and their families
- Identify areas of low network connectivity and work with government and providers to address deficits
- Build resilience in health and care provision through closer integration and a focus on recovery from the pandemic
- Develop a place based approach to deliver services designed around our local communities, focusing on community led regeneration

³ The East Lothian Partnership has responsibility for overseeing the implementation of the Plan with lead partners for each priority area and action, including the Council, reporting on progress to the Partnership’s Governance Group.

⁴ [ELC Recovery Renewal Plan 2021 v6 FINAL.pdf](#)

Reduce Poverty and Inequality

The East Lothian Poverty Plan 2021-2023⁵, which was adopted by the Council and the East Lothian Partnership In October 2021, sets out seven outcomes based around a prevention and early intervention approach:

- Working and free from in-work poverty
- Financially included - people have access to income maximisation and money advice
- Having a decent, affordable, warm and dry home
- Educated – reduce the attainment gap and raise the attainment and achievement of our children and young people
- Healthy and Well – people in East Lothian are enjoying healthier lives and health inequalities are eliminated
- Resilient and Well Connected individuals and communities
- Empowered and Responsible

The Council's 2021-2025 Equality Plan⁶, which is based on mainstreaming equality in all areas of the Council's work has seven high level equality outcomes that reflect or support the Poverty Plan's outcomes:

- East Lothian Council services are accessible to, and will meet the needs of, all in the community including people who share protected characteristics.
- The gap in educational outcomes for children and young people impacted by socio-economic disadvantage will be closed; and, the health and wellbeing of children and young people with protected characteristics will be improved.
- Everyone in East Lothian has access to a decent, affordable, warm and dry home.
- In East Lothian we live healthier, more active and independent lives.
- People feel safe and experience less crime in their communities, and at home, there is zero tolerance of hate, abuse and violence against women and girls and people feel their communities are inclusive.
- In East Lothian we are breaking the cycle of poverty so that fewer people experience poverty.
- East Lothian Council is an Equal Opportunities employer and our workplace feels inclusive to staff with protected characteristics.

⁵ [East Lothian Council Poverty plan 2021-2023 | East Lothian Council](#)

⁶ [East Lothian Council Equality Plan 2021-2025 | East Lothian Council](#)

The Poverty Plan and Equality Plan include almost 90 detailed actions that will contribute to achieving their outcomes and the Party election manifestos include various commitments that support the priority to reduce poverty and inequality; for example:

- Continue to invest in local CAB services and the council's Financial inclusion Service and to support the East Lothian Food bank and other food groups across East Lothian.
- Target services and resources, led by data and evidence, to those people and areas most in need.
- Engage with third and voluntary sector organisations to support county-wide network of community groups.

✚ Respond to the Climate Emergency

The Council's Climate Change Strategy 2019-2024⁷ sets out how the Council will work in partnership with our local communities, individuals, businesses, and national and regional agencies to respond to the global climate emergency. The Strategy, which is based around seven high-level long outcomes, 29 priority areas includes around 170 actions. Its vision and overall aims cover the fundamental responses to the climate emergency: mitigation and adaptation.

- ✚ ***East Lothian Council will take urgent action to make all our services Net Zero as soon as reasonably practicable or in any case by 2045 and will lobby, support and work with government, all relevant agencies, partners and communities to fulfil this commitment.***
- ✚ ***We will also work with our communities and partners towards making East Lothian a carbon neutral county, enabling the county to deliver its part of wider national and international commitments, and to prepare for the impacts of climate change.***

Based on the need to take action to achieve a net zero council, a carbon neutral East Lothian and prepare for climate change impacts the Strategy identifies and is based around the following seven high level, long-term outcomes:

- East Lothian Council will be a Net Zero and sustainable council
- Active travel and sustainable travel are used for everyday journeys, to drastically cut emissions from transport and improve air quality
- Net Zero, energy efficient homes and buildings that are adapted for a changing climate

⁷ [Climate Change Strategy 2019-2024](#)

- A resource efficient and sustainable East Lothian and the route to ‘Zero Waste’
- A low carbon and sustainable economy
- A healthy and resilient natural environment and the route to carbon neutral
- East Lothian’s communities are places encouraging a low carbon lifestyle and are prepared for the effects of climate change

The Climate Change Strategy will be supported by other plans and strategies that will also form part of the council’s response to the climate and ecological emergencies. For example, the development of our Local Heat and Energy Efficiency Strategy (LHEES) and the work that has started around rationalising the council’s building footprint which will contribute to reducing our carbon footprint as well as reducing our energy consumption.

The climate emergency has contributed to a growing awareness of the importance of our ecology. The council needs to protect and enhance our environment, including local greenspaces, trees/woodland, green and blue networks and green connectivity, and ensure these principles are embedded in our next Local Development Plan and Open Space Strategy.

The need to take active measures to respond to the climate emergency is reflected in the Recovery and Renewal Plan and also in the many commitments made in the Party election manifestos, including:

- Continue to implement the ambitious Climate Change Strategy and Active Travel Improvement Plan to meet the Council’s target of being carbon neutral by 2045 and enhance active travel across the county
- Continue to work to establish East Lothian’s ‘climate forest’ in a way that maximises biodiversity and ensures the resultant green space is open for people to enjoy and accessible to reach by public / active travel transport routes
- Continue the development and expansion of our electric car charging network to ensure more than 200 charging points are available locally by 2023 and continue the expansion of the Council’s fleet of electric vehicles.

✚ *Grow our Economy – Increase sustainable and inclusive growth as the basis for a more prosperous East Lothian*

The 2012-2022 Economic Development Strategy⁸ which is central to delivering sustainable and inclusive economic growth in east Lothian has two strategic goals:

⁸ [Local Housing Strategy 2018-23 | East Lothian Council](#)

- to increase the number of businesses with growth potential; and,
- to increase the proportion of residents working in, and contributing to, East Lothian's economy.

The East Lothian Partnership's Connected Economy Group involving the Council, Scottish Enterprise, Skills Development Scotland, DWP, Visit Scotland, Edinburgh College, Queen Margaret University and representatives of the Chamber of Commerce and Federation of Small Businesses has had oversight of how the Strategy has been delivered.

Two major opportunities have been put in place to assist in the delivery of the Strategy – The City Region Deal and the Local Development Plan – and good progress has been made with achieving the Strategy's objectives and goals. However, it is recognised that further work still needs to be done, especially given the impact that the COVID pandemic has had on the economy.

The current Economic Development Strategy is to be reviewed and revised and a new Strategy that will take account of the wider Regional Prosperity Framework will be adopted in 2023.

The importance of delivering sustainable and inclusive economic growth is reflected in the Recovery and Renewal Plan and in the Party election manifestos with actions and commitments which include:

- Support and advise East Lothian businesses, including SMEs to recover and grow and work to increase the number of business premises available
- Progress the delivery of the Old Craighall junction upgrade, the food and drink innovation hub, the regeneration of the Cockenzie power station site and further develop our proposals for the Climate Evolution Zone
- Market our Cockenzie site to bring new investors to deliver many new employment opportunities for local people
- Support start-up businesses and successful businesses by helping them expand their business, create new jobs and develop training facilities for the workforce
- Support the rural economy and encourage rural business development and training for young people
- Improve the employability of East Lothian's workforce and develop our people and future ways of working
- Establish a circular economy framework for East Lothian
- Support community wealth building through an approach to procurement prioritising local jobs and promoting diversity

Grow our People – Give our children the best start in life and protect vulnerable and older people

This objective has two strands:

- Reduce the attainment gap, raise the attainment and achievement of our children and young people and help our children and young people achieve their potential
- Improve the life chances of the most vulnerable in our society

Reduce the attainment gap, raise the attainment and achievement of our children and young people and help our children and young people achieve their potential

The Education service and schools maintain a relentless focus on raising attainment and improving outcomes for our learners by focusing on three priorities:

- The Curriculum – meeting the needs of all learners by supporting schools to develop a refreshed curriculum rationale shaped by their values and reflecting the new needs of the school and its community
- Wellbeing, Equality and Inclusion – ensuring a universal commitment to inclusive practice
- Leadership – developing a skilled workforce; leadership of learning; pupil leadership; and Head Teacher leadership and empowerment

The Council is committed to ensuring children's rights are placed at the heart of everything we do: taking a proactive approach to incorporating the United Nations Convention of the Rights of the Child into our policies and practices. Also it is committed to implementing the recommendations of the Independent Care Review – shifting policy, practice and culture to **#KeepThePromise** to care experienced infants, children, young people, adults and their families that every child grows up loved, safe and respected, able to realise their full potential. These commitments are at the heart of the Children and Young People's Service Plan 2020-2023.

The Recovery and Renewal Plan and commitments in Party election manifestos relating to giving children the best start in life include:

- Invest over £136 million in our school estate and infrastructure, including new Primary Schools and extensions or upgrades to schools across the county to meet growing demand
- Develop the curriculum, including non-academic focussed pathways, to meet the needs for every pupil and make sure there is support and a pathway for every child to reach their full potential

- Seek to enhance community children and adolescent mental health services and provide targeted mental health and wellbeing support for children and young people and their families
- Ensure enhanced support for those children who have gaps in their learning and need additional interventions to support their development, progress and achievement

Improve the life chances of the most vulnerable in our society

Health and Social Care integration to deliver quality services and outcomes in East Lothian is being fully implemented under the leadership of the Integration Joint Board. The Board's Strategic Plan sets out how it will address health needs holistically and to ensure that resources follow people's needs for social care services.

The Council remains committed to developing fully integrated health and social care services which continue to shift the balance of care through developing community based options and maximising opportunities to live independently for as long as possible; continuing to develop services that aim to reduce hospital admissions and delayed discharge of older people. However the proposal to establish a National Care Service as set out in the Scottish Government's [National Care Service Bill published - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/national-care-service-bill-2022/pages/1-1-introduction.aspx) (June 2022) poses a major risk to the Council and to social care services as we attempt to recover from the impact of the pandemic, growing waiting lists for health services and the growth in demand for care services from our growing older population.

The Recovery and Renewal Plan and Party election manifestos contain specific commitments to continue to improve the life chances of vulnerable adults and older people including:

- Support carers of vulnerable adults and young carers to build resilience in order for them to sustain their caring role and support the training and development of our carer workforce
- Continue to develop services and facilities to allow people to remain in their own home for as long as it is safe to do so including, working with our NHS partners to further develop the Hospital to Home and Hospital at Home service to get people home from hospital quickly and enable them to stay at home
- Develop Extra Care Housing across East Lothian ensuring these houses provide care for people with complex needs and help allow them to remain within their own home in their community for life if it is safe to do so
- Develop a long-term care strategy for East Lothian despite the result of the Government's proposed centralised National Care Service

✦ *Grow our Communities – Give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish*

This objective has two separate but interlinked strands.

Firstly, empowering and enabling individuals and communities to have a real say in the decisions that matter most to them. This involves going beyond dialogue and consultation by supporting citizens, including children and young people and representative community and voluntary organisations to actively participate in the definition, design and delivery of their public services, from policy making to live service improvement.

The Council remains committed to maximising the potential of East Lothian's already strong 'social capital' through supporting the volunteering ethos; strong community and neighbourhood cohesion and community assets base; community capacity building; and, the development of community resilience. The Council will continue to promote Community Asset Transfer to make best use of underused buildings and to help reduce carbon impacts and overheads.

The establishment of six Area Partnerships has been key to the Council's approach to ensuring that communities have a real say in deciding priorities for their area; backed up with the devolution of funding that can be directed to meeting these local priorities. We will further develop this approach to mainstreaming Participatory Budgeting through Area Partnerships and their constituent community members.

The Recovery and Renewal Plan and Party election manifestos commitments to extending community engagement and decision making and increasing community and individual resilience include:

- Continue to provide the maximum possible support to Community Councils, Area Partnerships and other community bodies
- Devolve powers to local levels wherever possible, including to Community Councils, Area Partnerships, and Citizens' Assemblies, which would all be given real power and real budgets to allocate; and involve citizens in decisions in a meaningful way – fulfilling our commitment to devote at least 1% of our revenue budget to Participatory Budgeting
- Provide opportunities for children and young people's voices to be heard in decision-making to make improvements in their community

- Encourage increased levels of volunteering across our communities and community partners and grow resilience, promoting community connections and befriending
- Continue to work with Volunteer Centre East Lothian to support East Lothian's Third Sector, including local social enterprises, and appoint a voluntary sector champion
- Develop a place based approach to deliver services designed around our local communities, focussing on community-led regeneration
- Work with all available stakeholders to further support initiatives working towards ending violence against women and girls

The second strand of the Grow our Communities objective is to work with communities to support the provision of community services, the infrastructure and environment that is fundamental to flourishing communities.

The strong sense of community in every town and village is one of East Lothian's great strengths. The projected increase in population with significant new housing developments being built across the county is an opportunity to strengthen and develop our communities. New settlements or significant additions to existing communities should be accompanied by good transport links and the community infrastructure that make thriving communities.

Getting housing 'right' isn't just about the bricks and mortar or about developing high numbers of good quality affordable homes. It's about supporting place-making to ensure new housebuilding fosters good community relations and promotes positive health impacts. It's about improving existing stock to reduce carbon emissions and tackle fuel poverty, and it's also about ensuring that households are supported to thrive in their homes.

The Council will make every effort to meet the need for affordable housing by maximising opportunities to increase the supply of affordable housing through the Local Development Plan. A new East Lothian Local Housing Strategy 2022-2027 is being prepared with the key aims of increasing the supply of affordable housing, reduce homelessness and tackle fuel poverty. The Council's capital programme includes a record level of investment in council housing to help to meet these aims.

The East Lothian Transport Strategy 2018-2024 sets out the Council's approach to improving transport links, including the road network, public transport and opportunities for active travel across the County. The Council's current capital programme includes investment on maintaining the county's roads, parking improvements and for protection from coastal erosion and flooding.

Commitments in the Recovery and Renewal Plan and Party election manifestos on these issues include:

- Accelerate the delivery of affordable housing to return to planned levels, across a variety of tenures
- Invest £116 million in delivering over 600 new council homes and continue working with our Registered Social Landlord partners to deliver over 400 new homes for social rent
- Continue with our Council House Modernisation Programme of £14.5 million, delivering new kitchens, bathrooms and many other improvements
- Explore all options to raise money to invest in our community housing, including delivering more mid-market homes
- Invest in our homes to improve their energy efficiency to help reduce bills, prioritising the insulation and decarbonisation of all housing, helping to tackle fuel poverty as well as the climate crisis.
- Review and revise the Local Transport Strategy and continue to take action that aim to meet out climate change targets to reduce car kilometres travelled and emissions from cars
- Support the development and expansion of active travel routes and promote health and wellbeing prioritising active travel and public transport links
- Adopt an infrastructure first approach so any new development is matched with the investment in services before new properties are built
- Campaign for vital improvements to the road, rail, water and sewerage infrastructure in East Lothian

✚ Grow our Capacity – *Deliver excellent services as effectively and efficiently as possible within our limited resources*

In order to deliver the ambitious agenda set out in this Plan the Council must continue to grow its capacity to ensure it delivers excellent services as effectively and efficiently as possible within our limited resources.

The Council must continue to take a strategic approach to its overall financial planning process through implementing the financial strategy to set balanced three-year budgets, maximising revenue funding and income and investing in an ambitious but affordable capital programme. It must continue to maintain the current rigorous approach to controlling expenditure, ensuring that it continues to 'live within its means' by operating as efficiently as possible. This will also ensure that investment is protected and is focused on key priority areas and protecting frontline services wherever possible.

The Council will continue to strive to being an enterprising and digital authority, maximising its resources and introducing transformational change in the way it delivers services not only in order to meet ambitious savings targets but also to deliver high

quality services in the digital age. The Council is updating its digital strategy and maximising its use of technology to deliver services to the public as efficiently and effectively as possible.

The Recovery and Renewal Plan and Party election manifestos commitments around these themes include:

- Develop a flexible and resilient workforce
- Rationalise our building assets to support new ways of working that are efficient and effective; assessing unneeded council office space and properties through an asset review
- Ensure the council continues to take a strategic and prudent approach to financial planning and maintains a rigorous approach to tightly controlling expenditure through a balanced budget
- Keep Council Tax as low as possible while protecting frontline services
- Review, upgrade and replace our technology to keep pace with digital security, stability and integration and support new ways of working and engaging with our citizens through reliable and resilient digital infrastructure

How we do things – Values, Aspirations, Principles and Behaviours

COUNCIL VALUES				
<i>ENABLING</i>		<i>LEADING</i>		<i>CARING</i>
COUNCIL ASPIRATIONS				
Enabling and Empowering		More Enterprising		A Digital Authority
PRINCIPLES & BEHAVIOURS				
Working together	Customer focused, person-centred, prioritising prevention, early intervention and equality	Be the best we can be to deliver effective, efficient and excellent services	We initiate and embrace change and are empowering, agile & flexible	Make things happen / Outcome focused

The Council Values – **Enabling, Leading and Caring** – underpin the new Council Plan, as they did the council’s response to the COVID-19 pandemic.

- **ENABLING** – recognising that the Council cannot do everything itself, we supported the vast voluntary effort that rose up in all our communities to provide much needed support for vulnerable people. The Council will develop this approach by continuing to enable and empower our communities and individuals to be more resilient.
- **LEADING** – the Council led the response to the COVID-19 emergency in East Lothian. We ensured that critical services continued to be delivered and established, virtually overnight, critically important services to protect vulnerable children, older people and those most at risk from the virus. The Council will lead East Lothian’s recovery and renewal from the pandemic.
- **CARING** – throughout the emergency the Council put the needs of the vulnerable in our society and our communities at the heart of our response. The council will build on this by delivering person-centred services based on understanding, compassion and respect.

The pandemic has reinforced that the Council and the people and communities of East Lothian can best meet the challenges we face by ‘working together’. Given the scale of the challenges and issues faced by East Lothian, the council has to look to how it can further harness the power of its citizens and communities. We need to move away from the traditional model of the local authority always being the ‘provider of first resort’. We recognise that the council and the people and communities of East Lothian can best deliver the solutions to these challenges in partnership. Central to this approach is the Council moving away from doing things for, and to, communities and individuals, to the Council and the communities and citizens of East Lothian working together to identify and then meet our needs in partnership and co-operation.

The 2017-2022 Council Plan sets out the aspirations for the kind of council we want to be:

- ✚ **an enabling and empowering authority** that works with its citizens and communities, the business and third sectors and other public sector partners to deliver the solutions that work best for East Lothian
- ✚ **a more enterprising authority**, using initiative and resourcefulness to develop new ways of ensuring services are provided in the most effective and efficient way possible

✚ **a digital authority**, fully embracing and exploiting opportunities to use technology to deliver services.

Previous Council Plans have been underpinned by a commitment to the core principles set out by the Christie Commission into public sector reform⁹. These are still relevant today and help to inform the principles and behaviours that underpin how the 2022-2027 Council Plan will be delivered:

- **Services built around people and communities** – citizens/ customers/ community engagement
- **Effective, efficient and excellent services** – resource maximisation, continuous improvement and customer excellence built around democratic accountability
- **Working together to achieve outcomes** – partnership working
- **Prioritising prevention and promoting equality** – early intervention to avoid crisis intervention
- **Sustainability** – economic, social and environmental resilience.

The East Lothian Way behaviours that guide how the council and its staff operate are based on these principles.

✚ **Working together**

- We work with our partners, customers and colleagues to build strong and lasting relationships based on common understanding, trust and mutual respect; and support for the economic, social and environmental resilience of our communities

✚ **Customer focused, person-centred, prioritising prevention, early intervention and equality**

- We put our customers and citizens, including children and young people at the heart of everything we do.
- We have a person-centred approach based on respect, compassion and understanding and prioritising prevention, early intervention and equality

✚ **Be the best we can be to deliver effective, efficient and excellent services**

- Resource maximisation, continuous improvement and customer excellence built around democratic accountability.
- Staff take responsibility and use their initiative to deliver the highest quality of services as efficiently and effectively as possible

⁹ Report on the Future Delivery of Public Services by the Commission chaired by Dr Campbell Christie; June 2011

✚ **We initiate and embrace change and are empowering, agile and flexible**

- The Council and its staff embrace the need for change and initiate new ways of working

✚ **Make things happen / Outcome focussed**

- We plan and deliver our work effectively, making sure we meet the needs and priorities of our citizens and communities
- Our decisions are robust, place-based, data-driven, and evidence-based to deliver the best shared outcomes

As we attempt to 'build back better' from the pandemic, the **Enabling, Leading and Caring** values and the East Lothian Way principles and behaviours are even more relevant now and will continue to guide how the Council meets its duties and responsibilities to the people and communities of East Lothian.

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Executive Director for Place
SUBJECT: 2021 East Lothian Residents' Survey

4

1 PURPOSE

- 1.1 To present a summary of the main findings of the 2021 East Lothian Residents Survey.

2 RECOMMENDATIONS

Council is asked to:

- 2.1 Note the main findings of the 2021 Residents' Survey presented in this report, as well as the availability of further data and analysis at both East Lothian-wide and ward level in the full report of the survey.
- 2.2 Note that the findings of the survey are being used by the Council and Community Planning Partners to inform the development of the Council Plan, East Lothian Plan and Service Plans.

3 BACKGROUND

- 3.1 East Lothian Council, on behalf of East Lothian Partnership, commissioned Research Resource to carry out the 2021 Residents' Survey. The 2021 East Lothian Residents' Survey was undertaken using a self-completion methodology. The Residents' Survey has previously been undertaken using a face-to-face methodology, most recently in 2019. However, due to the ongoing COVID-19 pandemic it was decided that face-to-face interviews would not be possible; therefore, a different methodology was adopted for the 2021 survey, which means that the results from previous surveys are not directly comparable.
- 3.2 The survey was sent by post to a representative sample of 16,000 East Lothian residents who were asked to complete and return the questionnaire to Research Resource for processing using a reply paid envelope. Residents also were given the opportunity to complete the

survey online using a QR code or via an html survey link. The survey was sent on 25 October 2021 and returns were accepted up until 13 January 2022.

- 3.3 A total of 3,158 responses to the survey were received, with 309 of these being online responses. In line with best practice in research, the survey data has been weighted to ensure that it is representative of the East Lothian population on the basis of ward and age. Only 2,416 respondents provided information about their age or postcode. Therefore, the percentages reported in this report are weighted percentages based on the 2,416 responses. At the East Lothian level, the survey has provided a robust and representative data set (+/-1.97% margin of error).
- 3.4 As in previous surveys, topics covered in the 2021 survey included: Neighbourhood and Quality of Life, Community Safety, Health and Wellbeing, Perceptions of the Council, satisfaction with Public Services, and Local Priorities. This latest survey also included questions on the Impact of COVID-19, Priorities for Recovery from COVID-19, and Travel and Transport.
- 3.5 The questions were designed to establish the public's views on general and specific aspects of life in East Lothian, but also to gather data to help inform the Council and Community Planning partners of public views and perceptions. The survey findings are of potential use to individual Council services and partner organisations. The ward-level data will be very useful to Area Partnerships as they review and revise their Area Plans.
- 3.6 A copy of the full report of the survey results and detailed summaries of the six ward level results have been lodged in the Members' Library (Reference 105/22 – August 2022 Bulletin). The report, and this cover report, include comparisons between the results of the 2021 survey and the results of the last survey that was undertaken in 2019. However, as is highlighted in paragraph 3.1, the comparison of results between the 2019 and 2021 surveys has to be treated with some caution. The methodology used for the surveys changed from face-to-face interviews in 2019 to a self-completion postal or web survey in 2021. Also the 2021 survey was carried out in the middle of the international COVID-19 pandemic which was having a significant impact on people, public services and communities in East Lothian.
- 3.7 It is not possible to determine whether differences between the 2021 and 2019 survey results are due to genuine changes in views and experiences, or are due to the different methodologies used or the profound impact of the pandemic. There is some evidence from research carried out by market research companies and academics that face to face or telephone based interviews surveys might provide different results to certain types of questions than self-completed postal or online surveys (see Appendix 1). Respondents might answer survey questions differently when completing a survey themselves in a postal or web-based survey, than when asked the same questions in a face-to-face survey. There may also be instances where respondents perhaps interpret things differently than they would

have done if the survey had been carried out face-to-face, where respondents would have had the opportunity to seek clarification during the interview.

- 3.8 The 2021 Residents' Survey was undertaken in the midst of the COVID-19 pandemic. The impact on public services and perceptions of services after 20 months of lockdown and restrictions, along with the growing anxiety felt by residents as the Omicron variant took hold in late 2021, would have influenced the responses to many of the questions asked in the survey. The results to some of the questions about quality of life and satisfaction with services suggest that the impact of the pandemic might have contributed to a reduction in positive responses to questions by as much as 30%.
- 3.9 The full report of the survey results includes detailed analysis of the results based on certain characteristics of respondents – address (according to ward), sex and age. Further analysis is also provided for some questions based on comparison between respondents living in areas of highest levels of socio-economic deprivation (based on the Scottish Index of Multiple Deprivation 2020) and all other areas. The following sections of this report provide a summary of the key findings with comparison with the results of the 2019 survey and examples of some of the differences based on age, sex, wards and areas of highest levels of socio-economic deprivation.

Neighbourhood and Quality of Life

- 3.10 A large majority of respondents expressed high levels of satisfaction with their neighbourhood as a place to live, with 94% identifying their neighbourhood as either a 'very good' (51%) or 'fairly good' (43%) place to live. However, whilst the overall rating is comparable to the 2019 finding of 98%, in 2019, 74% of respondents rated their neighbourhood as a 'very good' place to live, compared to 51% in 2021.
- 3.11 Respondents also expressed very high levels of satisfaction with living in East Lothian, with 96% identifying that East Lothian was either a 'very good' (60%) or 'fairly good' (36%) place to live. Again whilst the overall 'Very Good' and 'Good' rating was similar to the 2019 result – 98%, there was a decline in the 'Very Good' response from 71% to 60%.
- 3.12 Respondents were asked to what extent their neighbourhood had changed over the last three years. Whilst 15% said that their neighbourhood has 'got a little/much better' and 48% said that it had 'stayed the same', 30% felt it had 'got a little/much worse'.
- 3.13 Respondents were asked for their views on what most needs improved in their local area. The issues that most respondents suggested need improving were:
- Health Services – 53% (12% in 2019 survey; 41% increase)
 - Road and pavement repairs – 53% (26% in 2019; 27% increase)
 - Traffic congestion – 38% (13% in 2019; 25% increase)

- Activities for Teenagers – 34% (9% in 2019; 25% increase)
- Affordable decent housing – 28% (12% in 2019; 16% increase)
- Care for older people – 27% (5% in 2019; 22% increase)

3.14 The results to this question suggest that the COVID-19 lockdown had a significant negative impact on people's quality of life and expectations from public services. For example, growing dissatisfaction with access to health services during lockdown will have contributed to the 41% increase in the percentage of respondents saying that health services need improving. Also, whereas only 5% of respondents in the 2019 survey suggested that care for older people was a service that needed improving, this figure increased to 27% in 2021. Growing concern about teenagers taking part in anti-social behaviour and being frustrated with lockdown will have contributed to the 25% increase in respondents saying that activities for teenagers need improving.

Perceptions of the Council and Public Services

3.15 Respondents were asked the extent to which they agreed or disagreed with a set of statements about the Council. Comparison with the 2019 survey shows falls of c.30% in positive responses in almost all of the questions. But, as highlighted above, this may be due to the different methodology used and to the impact of COVID-19. The 2019 figures are shown in brackets.

- 43% agreed that 'The Council does the best it can with the money available' (72%)
- 43% agreed 'The Council provides high quality services' (72%)
- 36% agreed 'The Council is good at letting people know how it is performing' (66%)
- 22% agreed 'The Council designs its services around the needs of the people who use them' (36%)
- 35% agreed 'The Council is good at letting people know about the services it provides' (66%)
- 13% agreed 'The Council is good at listening to local people's views before it takes decisions' (44%)
- 21% agreed 'The Council is addressing the key issues affecting the quality of life in my neighbourhood' (50%)
- 47% agreed that they would like to be more involved in decision affecting their local area (16%).

3.16 The proportion of respondents who agreed they can influence decisions affecting their local area fell from 27% in 2019 to 13%. This difference could be explained by the different methodologies used in the 2019 and 2021

surveys. It is in line with the findings of the Cabinet Office study¹ (summarised in Appendix 1) which found 34% of respondents in a face to face interview (the methodology used for the 2019 East Lothian survey) said they could influence decisions made about the local area, compared to only 26% in a web/postal survey (the methodology used for the 2021 East Lothian survey).

- 3.17 The 2021 Residents' Survey asked respondents to rate their satisfaction with a range of public services. Since there were a large number of don't know responses to this question the figures below show the percentages of those who expressed a view (i.e. excluding the 'don't knows') saying they were 'Very' or 'Fairly Satisfied'. The 2019 figures are shown in brackets.

Council services

- Parks, gardens and open spaces 71% (98%)
- Waste & recycling services 60% (94%)
- Libraries 64% (93%)
- Schools 58% (92%)
- Council House repairs service 34% (90%)
- Play areas 52% (89%)
- Support for frail/ older people 32% (87%)
- Street cleaning 45% (86%)
- Roads maintenance 26% (69%)

Other public services

- Fire Service 66% (97%)
- Dental services 52% (96%)
- Hospital outpatients 54% (95%)
- Hospital A&E 39% (95%)
- Police 41% (94%)
- Swimming pools / sports centres 63% (94%)
- GP services 38% (87%)
- Local bus service 60% (79%)

- 3.18 For most services satisfaction levels amongst respondents who use services was higher than the satisfaction levels expressed by all respondents. For example, only 34% of all respondents, but 54% of people who have actually used the service said they were 'very' or 'fairly' satisfied with the Council house repairs service; and whilst 66% of all respondents

¹ [Investigating the viability of moving from a face-to-face to an online/postal mod: evidence from a series of methodological studies 2012-2015 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428222/investigating-the-viability-of-moving-from-a-face-to-face-to-an-online-postal-mod-evidence-from-a-series-of-methodological-studies-2012-2015.pdf)

said they were satisfied with the Fire Service, 86% of those who said they had used the Fire Service were satisfied.

- 3.19 As with the previous question, the results of this question show a reduction in satisfaction levels across all public services when compared to the 2019 survey. However, as well as the caveat about the different methodologies used, it should be noted also that the survey was undertaken when the Council had been operating in Business Continuity mode for 20 months. This meant that some services were not operating at full capacity, some Council facilities and buildings were not open or fully functioning and some Council staff had been diverted to provide new COVID-19 related services such as support for community resilience initiatives such as delivering food to people who were ‘shielding’ and allocating grants to businesses. In addition, in relation to waste and recycling services it should be noted that the new household waste collection service was introduced whilst the survey was being carried out and teething problems with the new service and ‘hostile’ social media commentary almost certainly have contributed to the decline in satisfaction levels with this service.
- 3.20 The significant reduction in satisfaction with health services, and in particular GP services and Hospital A&E, undoubtedly reflect the impact that the pandemic had on health services (e.g. significant reductions in face-to-face appointments with GPs and dentists and restrictions in accessing Hospital A&E services). The reduction in satisfaction with police services reflect concerns about levels of crime and reductions in confidence in the police shown in questions about Community safety (see paragraphs 3.30 – 3.32 below)
- 3.21 The decrease in satisfaction with public services generally, and increased anxiety and concern due to the pandemic, is evident in the reduction in satisfaction with the Fire Service recorded between the 2019 and 2021 surveys. Since there was only minimal disruption to the fire service as a result of COVID-19 lockdown and there was little diminution of fire services during this period, it is hard to explain the 30% reduction in satisfaction with Fire Services unless it is due to a general increase in negativity, anxiety and concern caused by COVID-19.
- 3.22 Analysis of the data from the council’s customer feedback service does not show the kind of increase in customer complains that would be expected to have arisen from the significant reduction in council service satisfaction levels recorded between the 2019 and 2021 resident surveys. As can be seen from the data summarised below, the total number of complaints recorded through the Council’s customer feedback system in 2021/22 was just below the level recorded in pre-pandemic year, 2019/20, after having fallen significantly in the first year of the pandemic, 2020/21, when interaction with services was severely curtailed due to lockdown.

	2019/20	2020/21	2021/22
Stage 1 complaints	840	570	767
Stage 2 complaints	59	52	94
Total complaints	899	622	861

- 3.23 The Council's library service undertakes an annual library users' survey which includes a question on satisfaction with the service. The 2021 survey, which received over 1,000 replies, found that 84.6% of respondents were very or fairly satisfied with the library service and only 10.2% were fairly or very dissatisfied. This contrasts with the 2021 residents' survey that suggests satisfaction with the library service fell from 93% in 2019 to 64% in 2021.

Impact of COVID-19

- 3.24 The 2021 survey included questions about people's experience of the COVID-19 pandemic. Firstly, respondents were asked to what extent they agreed or disagreed with various statements about how they were dealing with the pandemic. Respondents agreed Very Strongly or Strongly mostly with the following statements:
- I am concerned about how society in general will cope with the impact of COVID (84%)
 - I am concerned about close relatives getting COVID (82%)
 - I am concerned about getting COVID (67%).

On the other hand, the majority of respondents disagreed Very Strongly or Strongly with the following statements:

- I am feeling lonely and isolated (84%)
- I am relaxed about COVID (66%)
- I am feeling anxious/ worried (63%)

- 3.25 Analysis of this question by respondents' age shows some interesting differences. For example, 72% of over 65 year olds, but only 52% of people aged 16-34 said they were concerned about getting COVID-19. Almost twice as many 16-34 year olds (25%), as over 65 year olds (14%) said they were feeling lonely and isolated.

Priorities for Recovery after COVID-19 and Doing Things Differently

- 3.26 The survey sought views on priorities for recovery after COVID-19. Respondents were asked to select from a list of actions, their top three priorities for recovery after the COVID-19 pandemic. The top priorities for respondents (selecting the issue as their top, second or third priority) were:
- Support business, employment and grow the economy – 52%
 - Reduce inequality and poverty – 39%
 - Tackle climate change – 35%
 - Help our children and young people achieve their educations and attainment aims – 33%
 - Reduce health inequalities and support people to live healthier, more active and independent lives – 28%.

3.27 Views were also sought on various options for how the Council might do things differently or make budget savings; scoring options on a scale from 1, unacceptable to 6, acceptable. The most highly rated acceptable options with a rating of 6 were:

- Transfer under used buildings to communities to be used as venues run by the community (48%)
- Encourage people to use the internet to access/pay for Council services (31%)
- Reduce the number of buildings and offices operated by the Council by rationalising services in fewer 'service hubs' (23%)

On the other hand, the options which had the highest proportions of respondents stating they were unacceptable with a rating of 1 were:

- Introduce charges for services that are currently free on the principle of 'the user pays', whilst providing discounts for certain disadvantage groups (33%).
- Increase charges for Council services which are currently charged for whilst continuing to provide discounts for certain disadvantage groups (29%).

Climate Change

3.28 The survey included several questions to gain an understanding of people's views on actions that can be taken to mitigate against climate change. The actions that respondents said they are most likely to do very or fairly frequently to help address the impact of climate change were:

- Recycling plastic, glass and paper (96%)
- Shop local (87%)
- Buy local produce (64%).

On the other hand, climate change actions which respondents are least likely to do frequently were:

- Using public transport to go to work (27%)
- Eating less meat (38%)
- Walking/ cycling more (38%).

3.29 Respondents were also asked what actions would encourage them to do more to address their own impact on climate change.

- Over half of respondents said cheaper renewables (56%) and cheaper bus or train fares (58%) would definitely encourage them to address their own impact on climate change.
- Just under half (48%) said more neighbourhood facilities such as shops and just over 40% said more recycling facilities (44%), more paths and cycle ways (42%) and better bus services (41%) would definitely encourage them to address climate change.

- Only 34% said that more electric vehicle charging points would definitely encourage them to address their own impact on climate change.

Community Safety

- 3.30 The questions about community safety suggests that there has been an increase in fear of crime and a reduction in confidence in the police over the last two years. The proportion of respondents who said they do not feel threatened by crime in their neighbourhood (Not very much or Not at all) fell from 92% in 2019 to 75% in 2021; and the proportion who said they feel threatened by crime 'a fair amount' increased from 4% to 21%.
- 3.31 Respondents were asked how their confidence in the police being able to respond to crime being reported has changed in the last two years: 40% said they had about the same confidence (compared to 71% in 2019); 42% said they had less confidence (7% in 2019); only 3% said they had more confidence (6% in 2019); and 14% (17% in 2019) responded don't know.
- 3.32 As with some of the other questions in the survey, the different methodologies used in the 2019 and 2021 surveys and the impact of COVID-19 may account for most, if not all, of the difference between the results of the 2019 and 2021 surveys. It should be noted that whilst people responding to the 2021 reported higher levels of concern about crime than was the case in 2019, there was a reduction in most crimes reported in 2020 and 2021. However, people's fear of being threatened by crime could have been negatively impacted by a perception of an increase in anti-social behaviour and/or by reaction to the diversion of police to deal with COVID-19 related priorities such as dealing with infringements of lockdown restrictions.

Health and Wellbeing

- 3.33 The 2021 survey asked respondents about how their physical and mental health had changed since the start of the pandemic. More respondents said their physical health had worsened a little or a lot since the start of the pandemic (38%), than had improved (23%). This was also the case regarding mental health, but to a larger extent, with 45% stating their mental health had worsened compared to only 8% who said it had improved.
- 3.34 Whilst there was virtually no difference in the proportion of people saying their physical health had worsened according to the age of respondents, many more younger respondents (31% of 16-34yr olds) than older ones (14% of those aged 65 and over) stated their physical health had improved since the start of the pandemic. Younger people were more likely to say their mental health had worsened with 54% of respondents aged 16-34 feeling this way compared to 46% of those aged 35-64 and 32% of respondents aged 65 and over.
- 3.35 The survey asked people about their exercising habits. Running or jogging (22%), walking activities (21%) and swimming (20%) were the most

popular forms of vigorous exercise. There has been an increase in the amount of vigorous exercise respondents take part in since 2019, possibly as a consequence of pandemic lockdown. Notable increases in activity since 2019 were running or jogging (increased by 13%) and swimming (increased by 10%, even although swimming pools remained closed for most of 2020 and part of 2021). Around one in five respondents (21%) said they take exercise by dog walking/walking and just under one in 10 (9%) said they cycle. These options were not included in the 2019 survey.

- 3.36 Respondents were asked to think about healthy lifestyles and the things that would encourage them to increase their level of activity. The changes most likely to “definitely” increase levels of activity were safer paths and cycle ways (47%), followed by more paths (36%) and a better quality environment (34%). The changes which respondents said were least likely to increase their levels of activity were more play parks, more parks and better maintained parks or play parks.

Travel and Transport

- 3.37 The 2021 survey included a set of questions around Travel and Transport which were used as part of the Council’s consultation on the future of Spaces for People initiatives such as reductions in speed limits.
- 3.38 Respondents were asked about the travel methods they use for different journeys. Travelling on foot was the most popular choice for travelling to local shops, chemist, public green space, public transport facilities, libraries, primary and secondary schools. On the other hand, travelling by car was most popular for travelling to shopping centres or supermarkets, GP surgeries and sports centres.
- 3.39 As would be expected there were significant differences in responses depending on where respondents live. For example, those who live in Musselburgh were most likely (77%) and Haddington and Lammermuir were least likely (54%) to walk to local shops. Respondents living in Haddington and Lammermuir and Dunbar and East Linton wards were most likely to travel to local shops by car (37% and 38% respectively).
- 3.40 The survey asked a series of questions to gather views on the lower 20mph speed limits introduced as part of the Spaces for People initiative during lockdown. A majority of respondents (54%) said that some, but not all of the 20mph speed limits should be kept; 16% said the new 20mph speed limits should be kept but don’t add any more; and, 21% said that the new speed limits should be kept and should also be extended to add more areas. On the other hand, only 8% of respondents said that none of the 20mph limits should be kept.

Money Matters

- 3.41 The survey included a set of questions around money matters and standard of living. Respondents were asked how well their household is currently managing financially, with 22% of respondents saying they are managing very well. This is marginally more than the 2019 survey where

19% of respondents said they were managing very well. However, the combined percentage of respondents managing either very well, or quite well, decreased from 54% in 2019 to 50% in 2021. The combined percentage of respondents who were not managing very well, had some financial difficulties or were in deep financial trouble had not changed significantly since 2019, with 8% giving this response in 2021, compared to 6% in 2019.

- 3.42 Perhaps unsurprisingly, a lower proportion of respondents living in areas of highest levels of socio-economic deprivation (areas in the 20% highest levels of socio-economic deprivation according to the 2020 Scottish Index of Multiple Deprivation) said they were managing very well (14%), than people from all other areas (23%). The proportion of respondents not managing very well or having financial difficulties was twice as high for respondents living in the most deprived areas (14%) than those living in other areas (7%).

Internet Access

- 3.43 The survey found that 96% of respondents have access to the internet and that there was little variation between wards; 93% of respondents living in Tranent, Wallyford and Macmerry reported having access to the internet compared to 97% of those living in Haddington and Lammermuir, and Preston, Seton and Gosford wards.
- 3.44 Those who use the internet were asked about the activities that they do online. A large majority use the internet to look for information (95%), to send emails (92%) and for online banking (89%). Almost half (47%) of respondents use the internet to work from home.
- 3.45 However, 16% of respondents who have access to the internet said they do not use the Council's website, 56% said they use the website to find contact numbers for the Council and 47% use the website to find out more about Council services. Only 27% of respondents said they use the Council website to pay a bill, compared to 89% who use the internet for online banking and 79% who use it to to manage their accounts with utility companies.

Comparisons by Geography, Age, Sex and Areas of Deprivation

- 3.46 The full report provides extensive comparison of the survey responses based on the ward in which respondents live, their age and sex. A boosted sample allowed comparison to be made between areas of highest levels of socio-economic deprivation (areas in the 20% highest levels of socio-economic deprivation according to the 2020 Scottish Index of Multiple Deprivation) and all other areas.
- 3.47 As reported above (paragraph 3.42), not surprisingly the questions about money matters showed significant differences in the responses between respondents living in areas of higher levels of socio-economic deprivation and those in other areas. There were some difference in other questions too. For example, the question about priorities for recovery after COVID-

19 shows some interesting, and perhaps surprising variations, when analysed by SIMD.

Top Priority for recovery	Most deprived SIMD areas	All other areas
Support for business and employment	29%	28%
Reduce inequality and poverty	11%	16%
Tackle climate change	11%	14%
Support children's wellbeing / mental health	14%	6%
Maintain/ develop resilient services	11%	5%

- 3.48 The analysis of responses by ward highlights some significant differences between the wards. For example, health services were the top priority for improvement in the local area for respondents living in Tranent, Wallyford and Macmerry (71%), Musselburgh (65%) and North Berwick Coastal (59%), whilst, roads and pavement repairs was the top priority for those living in Haddington and Lammermuir (57%), Dunbar and East Linton (56%) and in Preston, Seton and Gosford (52%).
- 3.49 The question on satisfaction with public services showed a significant variation depending on ward. Whilst 61% and 54% of respondents from the Haddington & Lammermuir and Dunbar & East Linton wards said they were satisfied with GP services only 19% in both Musselburgh and Tranent, Wallyford & Macmerry wards said they were satisfied with GP services. This significant variation between wards in the East and West of the county was mirrored in the result of the 2021 Public Health Scotland GP satisfaction survey, which found that whilst the satisfaction level across the whole of East Lothian averaged out at 65% there was a significant variation between practices in the East cluster (88%) and the West cluster (49%).
- 3.50 Analysis of responses by the age of respondents highlights issues where there are difference in views as well as areas where there is little variation. For example, responses to the questions about internet access and usage reveals significant variances in regular online activities. Whilst 94% of 16-34 year olds reported using the internet for social networking, only 77% of 35-64 year olds, and 53% of over 65 year olds use the internet for this activity; and 99% of 16-34 year olds use the internet for online banking, compared to 91% of 35-64 year olds and, only 72% of over 65 year olds.
- 3.51 On the other hand, the question about the extent to which respondents feel threatened by crime in their local area reveals little differentiation depending on age; 22% of respondents aged 65 and over and the same percentage of respondents aged 16-34 said they feel threatened by crime in their local area 'a great deal or fair amount'.
- 3.52 Analysis of responses by the sex of respondents showed little variation in responses between male and female respondents to most questions. For example, 23% of males and 24% of females said they feel threatened by crime 'a great deal or a fair amount'; and 15% of both female and male respondents said they felt lonely and isolated because of COVID-19. However, the question on feelings about the COVID-19 pandemic did show

some differences between male and female respondents with 41% of female reporting they were anxious and concerned about the pandemic compared to only 31% of male respondents.

4 POLICY IMPLICATIONS

4.1 Data generated by the 2021 East Lothian Residents Survey will be used to help inform the Top 50 Council Plan Indicators and the East Lothian Plan indicators. The detailed results for each of the wards will be used by Areas Partnerships to inform the future review of their Local Plans. The responses to questions about priorities have been reflected and taken into account in the new Council Plan.

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 cost of the survey – £20,713.83 – was met by the East Lothian Partnership with a contribution from the Spaces for People consultation budget.

6.2 Personnel – none.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 Results of the East Lothian Resident Survey 2021; Members Library

7.2 Six Ward summaries of East Lothian Residents Survey 2021; Members Library

AUTHOR'S NAME	Paolo Vestri
DESIGNATION	Service Manager Corporate Policy and Improvement
CONTACT INFO	pvestri@eastlothian.gov.uk
DATE	5 th August 2022

APPENDIX 1

Studies of differences in responses between face-to-face and web/postal surveys

A study carried out by the American Pew Research Centre² into the differences between responses to telephone interview based surveys and online/web surveys found that people expressed more negative views of politicians in online surveys than in telephone surveys. Also, it found that people were more likely to say they are happy with their family and social life when asked by a person over the phone than when answering questions in a web survey.

The study concluded: *'these findings were consistent with the theory that when people are interacting with an interviewer, they are more likely to give answers that paint themselves or their communities in a positive light, and less likely to portray themselves negatively.'*

Another study carried out on behalf of the UK Government Cabinet Office in 2015 to consider the viability of moving the Community Life Survey from a face-to-face to an online/postal mode³ found significantly different results on key measures depending on which methodology was used.

For example, whereas 43% of respondents in the face to face survey said they were very satisfied with the area as a place to live, the positive response fell to 36% in the web/postal survey. In another question, 70% of respondents in the face-to-face survey said they either very or fairly strongly agreed that they felt they belong to their local neighbourhood compared to only 58% in the web/postal survey.

This study concluded that for certain types of questions: *'interviewer-administered surveys typically elicit more positive or 'socially desirable' responses than self-completion formats.'*

² [Methods can matter: Where Web surveys produce different results than phone interviews | Pew Research Center](#)

³ [Investigating the viability of moving from a face-to-face to an online/postal mod: evidence from a series of methodological studies 2012-2015 \(publishing.service.gov.uk\)](#)

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Executive Director for Council Resources
SUBJECT: Draft Annual Accounts 2021-22

5

1 PURPOSE

- 1.1 To provide an update on the draft unaudited accounts for the Council and Group entities for the year ending 31 March 2022. In accordance with regulations, the unaudited accounts must be formally scrutinised by members by 31 August 2022.

2 RECOMMENDATIONS

- 2.1 Members are recommended to;
- Note that the draft annual accounts for the Council and its wider group, and Dr Bruce, have been submitted to External Audit prior to the statutory deadline of 30 June 2022.
 - Note that the accounts remain in draft pending the finalisation of the statutory audit which is expected to complete end of October 2022.

3 BACKGROUND

- 3.1 A report on the 2021/22 financial year end position, and draft accounts was considered by Council at its meeting on 28 June 2022. The report highlighted that the draft accounts would be submitted for audit in line with the statutory deadline of 30 June 2022, but given enhanced business continuity arrangements across the Finance service it was not possible to support all of the wider scrutiny and governance requirements prior to the Council meeting.

- 3.2 In accordance with the requirements of the 2014 regulations, the unaudited accounts must be formally scrutinised by Members by 31 August 2022. To support this, a number of key elements has been undertaken:
- An Elected Member’s Briefing is scheduled for 15 August 2022 to support and assist members in this statutory duty by highlighting key information relating to the 2021/22 unaudited accounts and explaining relevant aspects of the Local Government financial framework.
 - All Elected Members have access to the draft accounts which have been published in the Members’ Library Service (June 2022 Bulletin, reference: 93/22) and the opportunity to raise any significant questions or lines of enquiry to provide further clarity and understanding.
 - In accordance with statutory requirements, the draft accounts were made available for public inspection for a 3-week period concluding 22 July 2022. No objections were received during this period.
- 3.3 Members should note that the accounts remain in draft pending the finalisation of the external audit process, which has now been extended until the end of November. External Audit have adopted a pragmatic and flexible approach, which takes account of local circumstances, and aims to have the audit finalised and reported by end of October 2022. Members will be updated with any significant changes arising during the course of the audit.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with this report.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been considered and given there is no change in policy direction, there is no requirement to undertake any further impact assessment.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – No direct financial implications arise from the submission for audit of the accounts. Audit fees are paid for the audit process.
- 6.2 Personnel - No direct personnel financial implications arise from the submission for audit of the accounts. The audit and public inspection process involve East Lothian Council staff support.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Members Library Service – June 2022 – 93/22 East Lothian Council Draft Unaudited) Annual Accounts and Dr Bruce Accounts 2021/22
- 7.2 Council – 28 June 2022 - Item 3 - Financial Review 2021/22

AUTHOR'S NAME	David Henderson Ann-Marie Glancy
DESIGNATION	Interim Head of Finance Service Manager – Corporate Accounting
CONTACT INFO	dhenderson2@eastlothian.gov.uk aglancy@eastlothian.gov.uk
DATE	09 August 2022

REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Education and Children's Services

SUBJECT: National Care Service for Scotland: Delegated Powers

6

1 PURPOSE

- 1.1 To ask Members to delegate authority to officers to respond to consultation exercises, and submit evidence, in respect to the Scottish Government's proposal for a National Care Service for Scotland and the National Care Service (Scotland) Bill.

2 RECOMMENDATIONS

- 2.1 Members are asked to grant authority to the Executive Director for Education and Children's Services to submit a response to any Scottish Government or Scottish Parliament consultation on any aspect of the proposal for a National Care Service for Scotland, where it is not practical to have this response approved by Council in advance, as detailed in paragraph 3.8.

3 BACKGROUND

- 3.1 The National Care Service (Scotland) Bill was introduced to Parliament on 20 June and its accompanying documents were published on 21 June. The Bill sets out provisions to enable Ministers to transfer social care responsibility from local authorities to local care boards and a National Care Service (NCS). The Bill establishes a National Care Service; sets out provision for the processing of health and social care information; and sets out provision for the delivery and regulation of social care.
- 3.2 The Council responded to an initial consultation exercise on the proposal to establish a National Care Service, a copy of which response was lodged in the Members Library Service in November 2021.
- 3.3 The Bill, as published, includes the power to transfer Children's Services and Justice Social Work Services to a National Care Service using secondary legislation, but a final decision on this will not be taken until further public consultation and evidence gathering with key partners has

been carried out. The results of this consultation will be laid before the Scottish Parliament alongside further regulations. While the Bill has only just been introduced and will be subject to full parliamentary scrutiny it is anticipated that a process of assessment and co-design will be initiated while the Bill is progressing.

- 3.4 The Council's concern and priority is that individuals and communities get the services they need at the right time regardless of where they live and of their individual circumstances. The Bill as it stands has the potential to have a significant impact on current services and the workforce, creating uncertainty and impacting on the ability to recruit and retain staff. At this stage, there is a lack of clarity on how the NCS will be financed with considerable uncertainty on how the proposals will impact on local authority budgets and no account being taken of existing policy commitments which have significant cost implications. The impact of the provisions set out in the Bill may also impact the Council's sustainability with the potential loss of a critical mass which could have a significant effect on the ability to maintain other core statutory local authority functions. It is therefore, essential that the Council's views on proposals are reflected as part of the ongoing consultation process.
- 3.5 A recent review of the Corporate Risk Register now places the establishment of the National Care Service as the Council's highest risk with a score of 20 (highest). The residual risk score is also 20 as it is impossible to treat or mitigate at this stage. The NCS working group (that developed the initial response to the consultation) has now been reconvened, chaired by the Executive Director for Education and Children's Services. The group will be monitoring developments, developing any responses required to Scottish Government consultation exercises and scoping out the impact on all Council services.
- 3.6 A consultation has been launched on the Bill and the accompanying Financial Memorandum with a deadline for responses of 2 September 2022. The working group will be considering the questions and using the previously agreed comprehensive repose to formulate a response to this consultation.
- 3.7 Consultation exercises in respect of the Bill and any associated secondary legislation or guidance are likely to continue at pace if the Scottish Government is to meet its ambitious timescale of introducing this legislation in the current parliamentary term.
- 3.8 It will not always be possible to bring a proposed response to a consultation exercise to a meeting of the Council for approval, if the deadline for responses is to be met. Accordingly, members are asked to delegate authority to the Executive Director for Education and Children's Services to approve and submit any response on behalf of the Council, after consultation with the Group Leaders and Councillor McIntosh. Copies of all consultation responses will be shared with Members through lodging these in the Members' Library Service.

4 POLICY IMPLICATIONS

- 4.1 There are no policy implications from this report. However, if the proposals contained in the National Care Service consultation are fully implemented they could constitute the biggest change to social work services since the 1968 Social Work (Scotland) Act and result in the largest re-organisation of local government since 1995. It is therefore essential that the views of the Council are reflected in the ongoing consultation processes.

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 economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none.
6.2 Personnel – none.
6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 East Lothian Council Response to the National Care Service Consultation – Report to MLS November 2022

AUTHOR'S NAME	Lesley Brown
DESIGNATION	Executive Director for Education and Children's Services
CONTACT INFO	lbrown@eastlothian.gov.uk
DATE	4 August 2022

REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Place

SUBJECT: Musselburgh Flood Protection Scheme: Update on Scheme Development

7

1 PURPOSE

- 1.1 To update Council on progress made in developing a flood protection scheme for Musselburgh since the 'Preferred Scheme' was approved by a meeting of Cabinet in January 2020.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- a) Notes the progress made in advancing the development of the Scheme since January 2020, and in particular the challenge presented in advancing the Scheme design during the COVID-19 pandemic.
 - b) Notes the ability of the project to deliver multiple benefits to the town through working closely with other projects – to minimise some of the identified public concerns regarding potential impact on the landscape and water environments, whilst simultaneously delivering savings to overall combined public funds expenditure. In particular, the Musselburgh Active Town project which is delivering new active travel pathways for the town.
 - c) Notes that a major consultation on the Scheme was undertaken by the Project Team between September 2021 and March 2022 to listen to the thoughts of stakeholders and the people of Musselburgh;
 - d) Approves the inclusion of the 2.7km Ash Lagoons Seawall within the 'Preferred Scheme' for its use in flood risk reduction to Musselburgh and that an options appraisal needs to be undertaken immediately to determine the 'Preferred Option'.
 - e) Approves the Scheme to undertake a further review of its Hydrology and a revision of its Hydraulic Model to 'Model C' – to address recent

guidance changes, and public concerns towards 'Model B', before returning to Council in October 2022 with the outcome of this activity and a full update on the Scheme Programme and revised Scheme cost.

- f) Confirms that Scheme development and project delivery is to be advanced by the Project Team under the oversight and authority of the Scheme's Project Board, and thus that decisions are taken by this Project Board on behalf of Council. The design developed through the Outline Design Process will ultimately be presented to Council for its approval.

3 BACKGROUND

- 3.1 The town of Musselburgh has a very significant flood risk.
- 3.2 It has a historical flood risk from the River Esk with the last major flood occurring in August 1948. This risk is projected to become much larger due to the impacts of climate change.
- 3.3 The town also has a flood risk from the Firth of Forth. This risk is much less significant compared with that of the River Esk today, with areas of flooding limited to the mouth of the River Esk by Loretto Newfield / Mountjoy Terrace and the Esk sides up the River Esk as far as the Rennie Bridge. The impact of climate change could make the flood risk from the sea greater than that from the River Esk within the lifetime of the Scheme.
- 3.4 In May 2016 a meeting of East Lothian Council's Cabinet approved the Local Flood Risk Management Plan for the Forth Estuary Local Plan District which included a proposed flood protection scheme for Musselburgh.
- 3.5 From 2016 until January 2020 the Musselburgh Flood Protection Scheme (the Scheme) was established as a project and undertook the early stages of the Scheme's development. This saw the following take place (this list provides an example of key activities and is not an exhaustive list):
 - a) Project establishment, including processes and governance;
 - b) Procurement of Turner & Townsend for Project Management Services;
 - c) Procurement of Jacobs (formerly known as CH2M) as design consultant;
 - d) The initial development of the Catchment Hydrology and Hydraulic Model and then the production of the 'Model A' flood maps deriving from that model;
 - e) The establishment of contact with relevant regulatory authorities, key stakeholders and the people of Musselburgh;
 - f) The undertaking of project surveys to collect data that is required for project design and development and environmental impact assessment: e.g. ecology; topography; ground investigation etc.;

- g) The identification of possible flood risk reduction options and then a comprehensive Options Appraisal Process (OAP) leading to the identification of the preferred combination of options (which is known as the Preferred Scheme) to deliver the project objectives; and
 - h) Holding a formal Public Exhibition Number 1 over two days at the Brunton in July 2019 to consult on the flood risk and the flood risk reduction options. The comments collected from the public were considered in the OAP through the process that led to the 'Preferred Scheme' being identified.
- 3.6 In January 2020, a report was presented to East Lothian Council's Cabinet at the end of the Scheme's project's Stage 3 (which is named 'Options Appraisal Process'). This presented an update on the development of the Scheme and requested approval of the proposed 'Preferred Scheme' which was estimated at £42.1M. The recommendations of that report were approved and are paraphrased as:
- a) To note progress since 2016;
 - b) To approve the 'Preferred Scheme';
 - c) To approve commencement of the next stage of the Scheme development (Stage 4 – which is named 'Outline Design') in accordance with the Scheme's PRINCE2 Project Management System; and
 - d) To seek multiple benefits with other projects.
- 3.7 It is highlighted that this project is primarily intended to provide a high level of flood risk reduction to the town of Musselburgh. The Scheme's Project Objectives Report confirmed that the aspiration is to provide protection against a major flood event such as the one that took place in August 1948. Such protection would also provide protection from all smaller flood events up-to and including the designed event. The Scheme will not remove the risk of flooding, and there will always remain a residual risk that a flood larger than the Scheme is designed to protect against could come along, this is unavoidable as Musselburgh has been built on natural flood plains. It is also noted that the Project Team have identified that the projected increase in flood risk due to climate change is not necessarily easy for some residents living within Musselburgh to accept, and that this challenge is compounded when it is recognised that the Scheme must choose one possible climate change future scenario out of many possible futures, to protect against. This report provides further detail on flood risk in section 7.
- 3.8 It is highlighted that the Scheme will not be confirmed until a decision is taken by a meeting of the full Council of East Lothian Council as required by the Flood Risk Management (Scotland) Act 2009 (the FRM). Until that point the development of the Scheme's design will continue to evolve through an iterative design / consult process. This is in line with the Scottish Government's FRM Guidance for Local Authorities, and to minimise the potential risk of abortive design costs due to the complexity

of developing a flood protection scheme that requires an Environmental Impact Assessment under the FRM.

4 SCHEME PROGRESS SINCE JANUARY 2020

- 4.1 In late January 2020 the Scheme's Project Board reviewed the proposed Stage Plans for Stage 4 (Outline Design) and commenced the stage under the authority deriving from the Cabinet Meeting of January 2020. The Project Board instructed the Project Team to continue to evolve the development of the Scheme through the process of consultation which had been used throughout Stage 3 (Options Appraisals Process).
- 4.2 In February 2020 the Project Team undertook initial consultation with regulatory authorities (e.g. SEPA / Nature Scot / the Planning Authority / Marine Scotland, etc.) and key stakeholders (e.g., Scottish Water / Dalkeith Country Park, etc.) and multiple-benefit organisations (e.g. Fisherrow Harbour & Seafront Association / Sustrans / Scottish Power, etc.) and the people of Musselburgh (e.g. Musselburgh Community Council), and individuals and businesses. This was with a view to commencing an actual 'Outline Design' of the concept that was named the 'Preferred Scheme' by Easter 2020; however, the COVID-19 pandemic occurred from March 2020.
- 4.3 With the implementation of the COVID-19 pandemic 'lockdowns' it was recognised that the Project Team could not advance the development of the Scheme through a process of consultation, as had been intended. Furthermore, the Project Team were initially dealing with the restructuring of working from home along with the wider impact to society generally. In May 2020 the Project Board approved a revised Scheme Programme that postponed the 'Outline Design' of the 'Preferred Scheme', and its consultation. Instead, the Project Team focused on a number of technical activities that did not require consultation, such as:
- a) The revision of the Hydraulic Model from 'Model A' to 'Model B';
 - b) A suite of additional survey work that was required, namely: additional ecology surveys, ground investigation survey number 2; structural surveys of the river weirs etc.; and
 - c) Early-stage technical assessment of the proposed reservoir options and the debris trap options (which had not been done during the Options Appraisal Process) as these options were only added in response to the public consultation at the end of this stage.
- 4.4 By spring 2021, and with no end to the COVID-19 pandemic in sight, the Project Board took a decision to develop a new Strategic Communication Plan. The primary intention of this was to develop communication tools that would allow the Project Team to advance the development of the Scheme through the intended process of consultation via digital and remote means – if the pandemic continued with intermittent lockdowns and periods of inability to hold public meetings. In particular, the Project Team developed:

- a) A stand-alone Scheme website;
- b) A process for holding digital public meetings;
- c) Public information boards across the town;
- d) A stakeholder email database for update emails;
- e) A number of local area consultation groups to engage with;
- f) Processes for publication of information in the local paper; and
- g) A Scheme newsletter (the first issue of which is yet to be sent out).

5 CONSULTATION UNDER THE STRATEGIC COMMUNICATIONS PLAN

5.1 As part of the new Strategic Communications Plan, the Project Team commenced a process of consultation during summer 2021. This consultation was intended to seek key information that would empower the Project Team in advancing the 'Outline Design' of the 'Preferred Scheme'. The consultation engaged with the following key categories of project stakeholders:

- a) Regulatory authorities – i.e., those who have a role in approving the Scheme and / or the licences that it will require to be delivered. For example: SEPA; Nature Scot; Marine Scotland; the planning authorities, etc. These organisations are consulted through a number of working groups that the Project Team set-up during the earlier Stage 3 (Options Appraisal Process) of the project;
- b) Key stakeholders – i.e., Scottish Water and Dalkeith Country Park since the proposed flood risk reduction options at Rosebury and Edgelaw Reservoir, and the Debris trap at Whitecraig, respectively are in their ownership and / or on their land. Significant agreements are required with these organisations to facilitate the legalities behind advancing these FRM Options. This category also includes the potential Multiple-Benefit organisations such as: Fisherrow Harbour & Seafront Association, Sustrans, and Scottish Power;
- c) The Musselburgh businesses – both through Musselburgh Business Partnership, 'Eskmills', and individually;
- d) Local area groups – i.e., those who live, work, play, and / or own land in the areas in immediate proximity to where the proposed flood risk reduction options are likely to be located;
- e) The people of Musselburgh – both the thousands that live in property at flood risk, and the wider community of people that form the town.

5.2 These consultations were initially held through digital forums; however, as we entered early 2022, we reverted to holding in-person meetings as the impact of the COVID-19 pandemic receded. Moving forward it is intended to primarily hold in-person meetings, however the Project Team retains the ability to work through either approach, and thus will make individual

decisions on the most appropriate form of communications on an event by event basis.

- 5.3 The Project Team are comfortable with the working group meetings with regulatory authorities and confirm that there is nothing to report of note from these meetings.
- 5.4 The Project Team have continued to engage with both Scottish Water and Dalkeith Country Park / Buccleuch Estates and are comfortable that both organisations now fully support the principle of developing the FRM Options on their land. Consultation also continues with the multiple-benefit organisations, and this is dealt with elsewhere in this report.
- 5.5 The Project Team continue to develop relationships with businesses in Musselburgh. At this time a new questionnaire is circulated to businesses in the town to further draw in the thoughts of that community to the proposed project.
- 5.6 The consultation with the local area groups and the people of Musselburgh essentially became one process from September 2021 until March 2022. The Project Board instructed the Project Team to elongate this process beyond the initially assumed timescales to facilitate the enormous response of the town to engage with the Project Team. The following meetings organised by the Project Team were held:

Date	Area Consulted	Number Attending
02-09-2021	Edinburgh Road	7
16-09-2021	Mountjoy Area	11
23-09-2021	Fisherrow Area	24
30-09-2021	Goosegreen Area	8
07-10-2021	Eksides Area	27
04-11-2021	Eskmills Area	4
25-11-2021	Inveresk Area	12
08-02-2022	Esk Corridor	84
09-02-2022	Coastal Foreshore	114
08-03-2022	Whole of Musselburgh	462
TOTAL		753

Table 5.6 – Summary of LAC and Town Consultation Meetings

- 5.7 During the organisation of the Local Area Consultation (LAC) meetings and the town meetings, the Project Team visited over 1100 properties in person to hand-deliver invites and talk to residents. Throughout this period, the Project Team continued to consult with various other

stakeholders, such as local businesses, third-sector organisations, and the regulatory / statutory working groups.

- 5.8 These 'local area' groups were latterly amalgamated into two consultation groups, the Coastal Foreshore and Esk Corridor. Consultations for these two groups took place at the Brunton Theatre in February 2022 and were attended by c.200 individuals. These events were followed by a major open-day event, the 'Musselburgh Area Consultation', also hosted at the Brunton. Approximately 13,500 letters were issued to all addresses in the EH21 area to invite residents to attend the event. Simultaneously, the event and all materials were available online through the Scheme's website for those who were not able or chose not to attend in person.
- 5.9 Both the in-person and online events provided attendees with information about the flood risk to Musselburgh, as well as various design concepts that could form parts of the flood protection scheme (e.g. forms of defences, types of bridges, means of access, etc.). Attendees at the in-person event were invited to engage in discussions around four key themes: 'access and pathways', 'bridges', 'natural flood management' and 'forms of defences'.
- 5.10 These local area groups provided a forum for the Project Team to listen, and collaboratively arrive at potential concepts, as well as identify opportunities and risks. Attendees were also able to complete a questionnaire to rate their preferences and provide further comments for the Project Team to consider.
- 5.11 Following the Musselburgh Area Consultation on 8 March 2022, a meeting of the Scheme's Project Board on 10 March 2022 instructed the Project Team to conclude the phase of consultation, and to begin the process of analysing all the feedback collected and to report the findings back to the Project Board.
- 5.12 The Project Board confirmed through its meeting on 26 July 2022 that the process of consideration of the messages / inputs collected through the consultation process should be concluded at this stage, and that given the complexity of some of the public concerns, and the challenges of some of the next steps that a report needed to be submitted to full Council to report on progress, and to seek clarified authority before moving forward. This is that report.

6 KEY CONCERNS IDENTIFIED THROUGH THE CONSULTATION

- 6.1 The Scheme is ultimately a project and the communications received from stakeholders and the public need to be collected, categorised, interpreted and their merit considered. This then results in a range of challenges for the Project Team, for example: How do conflicting requests get dealt with? Are we listening equally to those who are vocal and those who may be more silent in their opinion? How do we weight individual opinions relative to the wider needs of the society?

- 6.2 The Project Team produced an individual report to summarise each of the meetings summarised in Table 5.6. The first nine of these meeting reports are available on the Scheme Website for download / to view. The final, tenth report, is of the Musselburgh Area Consultation that took place on 8 March 2022, and this is provided as Appendix A to this report. This report will also be uploaded to the Scheme website.
- 6.3 The Project Team have worked over the past few months not just to consider the messages / inputs received, but to translate them into defined Project Risks and Project Opportunities under the Scheme's PRINCE2 Project Management System. The project can then determine the correct approach to either mitigating a risk or working to deliver an opportunity. The Project Team has in parallel logged all inputs to the design process to be considered, as appropriate, when Jacobs commence the actual 'Outline Design' of the 'Preferred Scheme'.
- 6.4 The following is a summary of the key concerns / risks that have been identified by this process and are highlighted to the Council along with an appropriate mitigation strategy:

Concern Number	Concern / Risk	Proposed Mitigation
6.4 (a)	That the Scheme's flood maps for Musselburgh published in January 2022 are not considered a realistic flood event for the Scheme to provide protection against.	<p>This risk is of major concern to the Project Team as it is essential to have an accurate flood risk model for the project – if its flood maps are not accepted by the public then it presents an existential risk to the project and the delivery of any flood risk reduction options designed to protect against that flood risk.</p> <p>It is proposed to undertake one further revision of the Hydrology and Hydraulic Model to 'Model C' and to present the outcome to Council ASAP for consideration and approval, as appropriate.</p> <p>This matter is further explored in Section 7 of this report.</p>
6.4 (b)	That the Scheme's Catchment Hydrology and Hydraulic Model has not been properly developed by Jacobs.	As per 6.4 (a); however, it is further noted that all key productions associated with the Hydrology and Hydraulic Model will be made available to download from a dedicated

		<p>page on the Scheme website – so that those who so desire may review the approach taken by the professionals contracted to undertake this work for the Scheme.</p>
6.4 (c)	<p>That the Scheme is not undertaking ‘real’ consultation and that it is just a box ticking exercise.</p>	<p>The Project Team are disappointed with this perception given the scale of consultation the project has undertaken.</p> <p>We respect the concern and will strive to ensure we improve our consultation moving forward. That said, we hope that the five-month consideration of the messages received followed by a report to Council will demonstrate that the Project Team and Project Board are listening and evolving the Scheme’s development in what is the best way to deliver the project for Musselburgh.</p>
6.4 (d)	<p>That the Scheme should have reported to Council and not Cabinet in January 2020 – that there is therefore a democratic deficit due to all Councillors for Musselburgh not having a say in the approval of the ‘Preferred Scheme’.</p>	<p>The project at that stage was approved by Cabinet in January 2020. This was the appropriate forum for this matter, in terms of the Council’s Governance Scheme. However, it was then agreed that, reflecting the significance of the Project, all subsequent updates and reports in respect of this matter would be reported to a meeting of the full Council. Again, this is permitted in terms of the Governance Scheme and is not a reflection of any earlier approach.</p> <p>This ‘next occasion’ will be on 23 August 2022 (this Council report) and all further reports will go to Council thereafter. This concern is thereby</p>

		considered to be fully removed on 23 August.
6.4 (e)	That the Scheme is not communicating adequately with Musselburgh.	<p>The Project Team have apologised publicly for any previous gap in communications during the meetings of February and March 2022.</p> <p>It is considered that the new Strategic Communications Plan, and additional Project Team members including a new dedicated Stakeholder Manager will look to address this concern.</p> <p>The Project Team will continue to try to improve communications; however, it is noted that within this concern we are being told conflicting concerns – i.e. that we are providing too much information and that we need to simplify the message: alongside a request to provide more technical reports and full detail of decision making.</p> <p>It should also be noted that during the public meetings in February and March 2022 individuals did comment on the excellent level of communication and were very pleased with the consultation process.</p> <p>A recent review of the Strategic Communications Plan identified a need to develop separate ‘Consultation’ and ‘Communications’ Plans. The first will define the approach to informing / updating all parties and the town through from here forward; the second will define the more targeted design consultation</p>

		that needs to take place through the actual 'Outline Design' of the 'Preferred Scheme'.
6.4 (f)	That the Scheme does not have a clear Project Programme, with clearly defined key milestones visible to the public to review.	<p>The Project Team fully respect this concern, and indeed are frustrated due to the absence of a full programme at this time.</p> <p>The Scheme has been 'off-programme' for some time just now. This commenced due to the COVID-19 situation and has continued more recently due to our commitment to allow sufficient time to consult and consider as detailed in Section 5 of this report.</p> <p>The Project Team expects to achieve clear 'Next Steps' from the August 2022 Council meeting, and then to present a revised Scheme Programme and updated Scheme cost to Council in October 2022. The Project Team will then have a new fully approved programme to work to.</p> <p>The Project Team propose to then publish a clear programme of the project activities and key milestones for the public.</p>
6.4 (g)	That the Scheme will replace the 'Electric Bridge' and then facilitate it being added to the Adopted Road Network – thus making New Street and James Street / Mill Hill much busier traffic routes.	<p>The Scheme committed to replacing the 'Electric Bridge' as a like-for-like structure as it was owned by Scottish Power at the time of the Options Appraisal Process in 2019, and this is what they requested as a third-party stakeholder.</p> <p>The Project Team are now aware of some local concern about the future of this</p>

		bridge, and thereby propose that the Project Board review the approach to this structure within the context of that concern and the parallel opportunity of a new active travel structure at this location when the 'Outline Design' of the 'Preferred Scheme' commences.
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Table 6.4 – Summary of Key Concerns / Risks and Proposed Mitigations

6.5 The following are a summary of some of the key concerns / opportunities that have been identified by this process and are highlighted to the Council along with an appropriate strategy to try to deliver them:

Concern Number	Concern / Opportunity	Proposed Delivery Approach
6.5 (a)	That the proposed defences are being designed to protect against an unrealistic flood event/risk – see also Risks 6.4 (a) and 6.4 (b).	<p>The Project Team intend to highlight that Flood Risk is not the same as Standard of Protection and furthermore not the same as Form of Defence.</p> <p>These concepts are becoming blended as one. They need to be split out and dealt with individually. It is assumed this will remove unnecessary confusion and concern.</p> <p>See Section 7 for more detail on this point.</p>
6.5 (b)	That not enough is being done by the Scheme to deliver natural solutions / natural flood management – along the Esk River Corridor in Musselburgh.	<p>The Project Team now propose to define a new multiple-benefit that will be named 'Musselburgh River Restoration'.</p> <p>This recognises that whilst these concepts can deliver some limited flood risk reduction, they can deliver much greater levels of: landscape & habitat & fish passage & environmental & water quality & carbon sequestration improvements, etc.</p>

		<p>These drivers are not eligible for funding under the flood protection grant therefore the Project Team will work to gain parallel streams of additional funding from other funds so that by working together we can achieve a better flood protection scheme and enhanced river corridor in Musselburgh.</p>
6.5 (c)	<p>That not enough is being done by the Scheme to deliver natural solutions / natural flood management – along the Firth of Forth Foreshore in Musselburgh.</p>	<p>The Project Team has confirmed that there is little to no potential for such interventions away from the foreshore due to rising sea levels being a global problem.</p> <p>The Project Team therefore intend to focus on considering possible natural solutions along the foreshore from Fisherrow Harbour to the Mouth of the Esk.</p> <p>A new partnership working activity is being established with Dynamic Coast, and it is also intended to continue to evolve this matter through the Coastal Foreshore Local Area Consultation Group.</p>
6.5 (d)	<p>That not enough is being done by the Scheme to deliver natural solutions / natural flood management – within the Esk Catchment above Musselburgh.</p>	<p>This Project Team consider that the Scheme has already committed to several substantial catchment-level interventions through the modification of two existing Scottish Water reservoirs and a debris trap by Whitecraig.</p> <p>The Project Team will now undertake additional work to try to identify other possible options and hope to continue this work alongside interested external third parties / stakeholders and other organisations.</p>

		It is not anticipated that any additional options in the catchment represent a realistic alternative to flood risk reduction measures on the riverbanks of the River Esk within Musselburgh.
6.5 (e)	That there is huge potential benefit in aligning the design and delivery of the Scheme and the Musselburgh Active Travel (MAT) project, especially where both projects currently propose an intervention on an existing town footbridge.	<p>The Project Team highlighted to the Musselburgh Area Consultation meeting on 8 March 2022 that it would commence working together with the MAT Team to advance this opportunity, and that furthermore the MAT Team were present at that day long exhibition / consultation to engage with the public alongside the Scheme.</p> <p>It is confirmed to Council that this process will simply continue, and that the Scheme's under its Project Board, and the MAT under its Project Team will continue to develop both separately and together as per appropriate Council authority.</p>

Table 6.5 – Summary of Key Concerns / Opportunities and Proposed Delivery Approach

7 FLOOD RISK TO MUSSELBURGH

- 7.1 This section of the report is further to detail provided on flood risk within Section 3.1 to 3.3, and Section 3.7, and the specific consultation concerns identified through Section 6.4 (a) and 6.4 (b), and the specific opportunity identified in Section 6.5 (a). This section is intended to collect the thoughts of the Project Team relating to the flood risk to Musselburgh in one location given the importance of clarity on this matter.
- 7.2 The town of Musselburgh has a very significant flood risk, and this is a major reason for the Scheme being a one of the 42 flood protection schemes on the Scottish Government's first National Flood Protection Scheme Programme.
- 7.3 The UKCP18 climate projections by the Met Office was published in November 2018 (updated March 2019), with expert input from the Environmental Agency, resulted in a major increase in the projected scale of future flood events – deriving from changes associated with climate

change, i.e. increased sea levels and greater volumes of rainfall due to more moist atmospheric conditions. The end result of this new data is that East Lothian Council are now aware of a projected major increase in the scale of the flood risk to Musselburgh over the lifetime of the Scheme.

- 7.4 The Project Team have developed an approach to defining the Hydrology which is appropriate to be used by the Scheme to model a major flood event that could flood Musselburgh, and this has then been translated into a Hydraulic Model that has been developed to model the flood risk and thereafter to produce the flood maps that depict the impact of flooding to Musselburgh. This process has been advanced by Jacobs for the Scheme under their contract to East Lothian Council and due to their professional capability and experience in undertaking this work. The whole process has been advanced working in partnership with specialists at SEPA.
- 7.5 For a number of reasons, and in respect of the fact that the climate change projections have been revised on a number of occasions over recent years, the Scheme has approached the development of its Hydrology and Hydraulic Model through an iterative approach. It has defined each model update as 'Model A', 'Model B', etc. Each new version of the model will be refined due to the additional work that has gone into its development, and will also absorb the most appropriate updated Hydrology – which will derive from a professional review of any updated guidance relating to either modelling or climate change. If available any updated topographic (or ground level) survey data is also incorporated into the model.
- 7.6 Further to Section 7.5, the Project Team would like to highlight that prior to the Scheme SEPA independently produced flood maps for Musselburgh – these maps are publically available to view on the internet. The Project Team consider that the Scheme's Hydraulic Model is comparable to more accurate than the SEPA Hydraulic Model, but somewhat more detailed due to the Scheme having more accurate topographic survey data. The Project Team would like to further highlight that all versions of the Scheme's flood maps have very closely correlated with the equivalent SEPA flood maps, and that the Project Team consider this to be a means of independent quality control of the outputs.
- 7.7 As identified in the risk stated in Section 6.4 (b) there has been a concern raised from some of the public that the Hydraulic Model has not been properly developed. The Project Board have agreed that the risk associated with this perception / concern needs to be addressed. The Project Team have therefore identified a means of mitigating this risk in Section 6.4 (b).
- 7.8 As identified in the risk stated in Section 6.4 (a) there has been a concern raised from some of the public that the Scheme's approach to climate change within the Hydrology is overly onerous and thus the 'conservative' approach has led to the publication of unrealistic flood maps in January 2022. This is currently considered one of the most significant risks on the Scheme's Risk Register, and the Project Team recommend immediate and significant mitigation of this risk. If Council gives approval for the Scheme to undertake a further review of its Hydrology and a revision of its Hydraulic Model to 'Model C' – to address recent guidance changes, and

public concerns towards 'Model B'; this will then allow the project team to make a recommendation of the level of climate change allowance that it believes is appropriate and come back to Council for consideration and approval.

7.9 In parallel to the concerns raised by the public in February and March 2022, SEPA published new Climate Change guidance in May 2022. This version 2 guidance updates the previous version 1 guidance published in April 2019. This version 2 guidance is issued now that full consideration of the UKCP18 climate projections from December 2018 have been undertaken by SEPA. This Project Team thereby recommend that it is appropriate for a full consideration of these new guidelines to be undertaken by the Scheme to determine whether or not it is appropriate to revise the Scheme's approach to its Hydrology.

7.10 In summary, the Project Team have identified:

- a) A significant risk from the consultation associated with confidence in the flood maps published in January 2022; and
- b) New guidance from SEPA relating to the approach to interpreting the UKCP18 climate change projects.

The Project Team therefore recommend that the Scheme undertakes a further review and potentially revision of the Scheme's approach to its Hydrology, and thereafter its Hydraulic Model. Any new model would be named 'Model C' and a new suite of flood maps and flood animations will be produced if 'Model C' ends up being different from 'Model B'. Furthermore and perhaps more importantly the process undertaken through this review, and any logic used to determine decisions, will be documented in a new stand-alone report by Jacobs to clearly record the whole process. The outcome of this activity will be presented to Council as soon as possible, and the Project Team will target the October 2022 Council meeting. The report, the maps and animations, etc. will all be made publically available via the Scheme website after the Council meeting.

8 THE ASH LAGOONS SEAWALL

8.1 Musselburgh has a flood risk from the Firth of Forth, and as highlighted elsewhere in this report that flood risk is projected to increase due to rising sea levels due to climate change over future decades.

8.2 The town of Musselburgh has been built at the mouth of the River Esk, which runs roughly south to north through the town. On the east side of the town the foreshore, which is now known as Levenhall Links / the Scottish Power Ash Lagoons (and formerly known as Musselburgh Sands), is separated from the sea by a 2.7km long seawall that was built by Scottish Power under their rights deriving from the Musselburgh Agreement (that was signed by The Burgh of Musselburgh in 1963).

8.3 The Seawall was constructed in the sea in the 1960s and there is now in the order of 20 to 30 million tonnes of ash sitting behind this structure. The

ash is mostly dressed in a natural park landscape. The ash was a waste product from Cockenzie Power Station burning coal for power. This structure was designed as a retaining structure for that ash; however, since its construction it has also been acting as a flood wall to provide flood risk reduction to Musselburgh and protect the marine environment.

- 8.4 During the Options Appraisal Process (OAP) which took place throughout 2019, the Project Team identified several flood risk reduction options for the Ash Lagoons Seawall through which it could form part of the formal flood protection scheme approved under the Flood Risk Management (Scotland) Act 2009 (the FRM). At that time, it was determined that those options would not form part of the 'Preferred Scheme', and that instead East Lothian Council would simply rely on the Third-Party Owner of the structure to continue to maintain the structure so that it could continue to provide flood protection to the town.
- 8.5 There is currently a confidential negotiation between East Lothian Council and Scottish Power relating to the obligations of the Musselburgh Agreement and the ownership of the Ash Lagoons Seawall. Notwithstanding the outcome of that negotiation, the Scheme would rely on the continued performance of that structure as a flood defence. In the context of increased coastal flood risk over time due to the effects of climate change, it is now considered appropriate to include the Seawall within the Scheme. Doing so would facilitate works to the structure to extend its operational life, and provide clarity to East Lothian Council with regard to the future operation and management of the structure irrespective of its ownership.
- 8.6 It is therefore proposed that the requirement to provide flood protection through the Scheme along the eastern foreshore of Musselburgh, and thereby along the Ash Lagoons Seawall, is added to the 'Preferred Scheme' which was previously approved by Cabinet in January 2020.
- 8.7 At this point the Project Team has not undertaken an Options Appraisal Process (OAP) work for the Ash Lagoons Seawall. Such assessment was undertaken through 2019 for other options that ultimately came to form the 'Preferred Scheme' in January 2020. It is therefore proposed that this work, and any other work activities required to let new FRM option catch-up with the rest of the 'Preferred Scheme' is undertaken as soon as possible.
- 8.8 At this point in time, and based on the limited information available, and alongside the lack of a completed OAP for the Ash Lagoons Seawall the Project Team propose to report back with an actual cost estimate once the OAP and some initial engineering analyses of those options are completed.

9 PROJECT GOVERNANCE

- 9.1 The Scheme has been authorised by East Lothian Council under its Cabinet meeting of May 2016.

- 9.2 The Scheme is being advanced under the PRINCE2 Project Management System, and thereby under the responsibility of a Project Executive who leads the Project Board. The authority of the Project Board to lead the Scheme derives from Council authority.
- 9.3 The Scheme reports to East Lothian Council at appropriate intervals to update on progress, for approval of major decisions, and / or to derive new authority or to verify existing authority.
- 9.4 The Scheme's development and design are being advanced through a design and consult process; however, this does not mean that the consultation, and thereby the inputs of stakeholders and / or the public, have decision-making authority over the Scheme. The determination of the proposed Scheme will sit with the external design consultant, Jacobs, who have been contracted by East Lothian Council to undertake this role. Jacobs will exercise their professional judgement deriving from their professional capabilities and experience in arriving at such determinations, however they will consider many inputs such as: (i) the inputs from stakeholders / the public; (ii) the definition of their contract as framed by East Lothian Council; (iii) the Project Objectives and other PRINCE2 reports approved by the Project Board; (iv) the FRM and its regulations and guidelines; (v) all relevant other legislation and regulations and guidelines etc. Jacobs' proposals will then be submitted to the Project Board for approval. Ultimately, East Lothian Council (and this is confirmed as a meeting of full Council), or the Scottish Ministers, as per the processes of the FRM will be required to take final decisions on the Scheme.
- 9.5 The Project Team wish to highlight that the determination of the most appropriate 'Outline Design' of the 'Preferred Scheme' will be by Jacobs under the authority of the Project Executive and Project Board throughout the remaining time of that stage. The Project Team highlight that once the Outline Design is completed it will then be presented to a meeting of Council for consideration and / or approval before permission to commence the statutory approvals under the FRM is given (by Council).

10 NEXT STEPS

- 10.1 The Project Board consider that given the scale of consultation undertaken and the volume of response from stakeholders and the public that it is essential to report to Council now. The 'Next Steps' are therefore a function of the outcome of the meeting of Council on 23 August 2022, however the 'Next Steps' may be assumed based on the recommendations being made by the report to Council.
- 10.2 It is intended that the suite of 'Next Steps' identified in this report are undertaken immediately and that a report is provided to the meeting of Council in October 2022.
- 10.3 If Council approves the inclusion of the 2.7km Ash Lagoons Seawall within the 'Preferred Scheme' then it is essential that an OAP of options for this new Scheme Operation is undertaken ASAP. The Project Team are

prepared to start this work immediately and intend to provide an update on this work to Council in October 2022.

- 10.4 If the recommendation on the proposal to revise the Hydrology and Hydraulic Model to 'Model C' is approved by Council, then it is essential that this work is undertaken as soon as possible. The Project Team are prepared to start this work immediately and intend to present the outcome of this work and the revised / updated flood maps to Council in October 2022.
- 10.5 Given the scale of change to the project deriving from Sections 10.2 and 10.3, along with the many other considerations and design inputs deriving from the consultation process, the Project Team will develop a new Scheme Programme and revise the Total Scheme Cost estimate. The Project Team are prepared to start this work immediately and intend to provide an update on this work to Council in October 2022.
- 10.6 The Project Team will develop the proposed new Communications Plan and separate Consultation Plan, as part of the Scheme's Strategic Communications Plan. The Project Team are prepared to start this work immediately and intend to provide an update on this work to Council in October 2022.
- 10.7 The Project Team will provide an update to stakeholders and the people of Musselburgh immediately after the outcome of the Council meeting on 23 August 2022.

11 POLICY IMPLICATIONS

- 11.1 The FRM places a statutory responsibility on the local authority to exercise their flood risk-related functions with a view to reducing overall flood risk and complying with the EC Floods Directive. A key responsibility is the implementation of the flood risk management measures in the Local Flood Risk Management Plan.
- 11.2 The Scheme will contribute towards the East Lothian Plan – 2017-27, focusing on health and wellbeing, safety, transport connectivity, sustainability and protecting our environment.
- 11.3 The Scheme will support the Council's Climate Change Strategy; however, it is highlighted that this project is an 'adaptation' project due to implications of climate change on Musselburgh.

12 INTEGRATED IMPACT ASSESSMENT

- 12.1 The Scheme will undergo Integrated Impact Assessments during its development.
- 12.2 A Preliminary Environmental Appraisal Report (PEA) was undertaken during Project Stage 3 (the Outline Design), and this was included in the Preferred Scheme Report presented to Cabinet in January 2020.

- 12.3 The Scheme will undertake an Environmental Impact Assessment on the Outline Design. This will be presented to Council alongside the developed Outline Design at the end of this stage (i.e. Stage 4 – ‘Outline Design’).

13 RESOURCE IMPLICATIONS

13.1 Financial –

- (a) The concept named the ‘Preferred Scheme’ was estimated to cost £42.1M in advance of the report to Cabinet in January 2020. At this point no further estimation work has been undertaken since the Project Team have not yet advanced an actual ‘Outline Design’ of the ‘Preferred Scheme’ and / or the Environmental Impact Assessment that is required of the ‘Outline Design’. For more detail on this cost estimate please reference the report to Cabinet in January 2020.
- (b) The Scottish Government will contribute 80% of the cost of the Scheme. In accordance with the Scottish Government’s criteria, the Total Scheme Cost will be confirmed when the Construction Works Contract is signed. Within the PRINCE2 Project Management System being applied by this project this is at the end of project Stage 7 (which is named ‘Construction Procurement’).
- (c) The Scheme is already authorised under the Scottish Government’s Flood Protection Scheme Programme. The Project Team and thereby the Council update the Scottish Government every autumn on the updated estimate for the Total Scheme Cost and its Spend Profile. From this data, the Council receive the 80% contribution on an annual basis as part of the capital budget settlement.
- (d) The overall financial provision for the Scheme is allocated from past, current and future year flooding and coastal protection budgets.
- (e) Provision for the Council’s contribution towards the £42.1M Scheme is £8.4M which is 80% of the Total Scheme Cost.
- (f) It is highlighted that, in accordance with the Scheme’s PRINCE2 Project Management System, that at any point in the delivery of the project the Council is only liable for the costs authorised within the stage that is open.
- (g) If Council approves the inclusion of the 2.7km Ash Lagoons Seawall within the ‘Preferred Scheme’ for its use in flood risk reduction to Musselburgh. The Project Team propose to immediately undertake the OAP assessment and estimate a cost for the preferred option and this will include options as to how the additional scheme costs could be met. At that point it is intended to provide a full update on the revised Total Scheme Cost – the Project Team will work to have this achieved by the proposed report to Council in October 2022.
- (h) It is highlighted that COSLA are currently undertaking a national review of the National Flood Protection Scheme Programme. This has

been named a 'Pause and Review'. This review is ongoing, and any potential implication deriving from decisions taken on the basis of that review are currently unknown. At this point East Lothian Council have received confirmation that the Scheme does not currently have to stop progressing; however, it was also confirmed that the Scheme should not move beyond the next natural stop-point which, has been confirmed at the end of the current Project Stage (i.e. Stage 4 – Outline Design).

13.2 Personnel - None

13.3 Other – None

14 BACKGROUND PAPERS

14.1 Report to Cabinet in May 2016 – approval of the Local Flood Risk Management Plan (Forth Estuary) which included a proposed flood protection scheme for Musselburgh.

14.2 Report to Cabinet in January 2020 – approval of the 'Preferred Scheme' concept to be advanced to an Outline Design.

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Whole Town Consultation Event - March 2022

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East Lothian Council

Musselburgh Flood Protection Scheme
11 August 2022

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1. Background and Purpose

Musselburgh Flood Protection Scheme (the Scheme) is being promoted by East Lothian Council (ELC) under the Flood Risk Management (Scotland) Act 2009. Jacobs was appointed by ELC in December 2017 to develop a scheme for Musselburgh, with the aspiration to provide protection against coastal and fluvial flood events with a 0.5% Annual Exceedance Probability (AEP) (also known as a 1 in 200-year event) plus an allowance for climate change plus a strategy for future flexibility. The project to deliver the Scheme is being undertaken in stages and is currently in Stage 4: outline design.

Through extensive scientific analysis undertaken during the previous stage, the project team determined that physical defences along the River Esk and the Forth Estuary are an essential part of the preferred scheme¹ to deliver the above reduction in Musselburgh's flood risk. The overall aim of the Scheme's consultation is therefore to enable the community of Musselburgh to have an influence on what form those defences take, as well as provide feedback on emerging bridge replacement and active travel proposals.

As part of its consultation strategy, the project team delivered a 'Whole Town' consultation event from 10:00 until 20:00 on 8th March 2022 in the Brunton Theatre in Musselburgh. The purpose of this report is to summarise the event, review the feedback provided, and address some of the themes of discussions.



Figure 1: Photographs of the event in progress

¹ The preferred scheme represents a snapshot in time of the development of the Scheme's eventual design and is the result of the option appraisal process conducted during stage 3 of the project. The preferred scheme was approved by ELC's Cabinet in January 2020. An explanation of this process and a copy of the Preferred Scheme Report is available on the project's website at www.musselburghfloodprotection.com

2. The Event

2.1 Overview

The event was set up in Venue 1 at the Brunton Theatre, the largest event space and capable of accommodating up to 500 people. The aim of the event was to provide information about the Scheme to attendees, enable them to ask questions one-to-one with members of the project team, and empower them to submit feedback about the proposals.

2.2 Project Team

The event was delivered by the members of the project team and ELC staff shown in Table 1:

Name	Organisation	Role
Tom Reid	East Lothian Council	Head of Infrastructure
Alan Stubbs	East Lothian Council	Project Executive
Alex Coull	East Lothian Council	Flooding Officer
Conor Price	CPE Consultancy	Project Manager
Gregor Moodie	Turner & Townsend	Assistant Project Manager
Rachael Warrington	Turner & Townsend	Liaison Officer
John Wallner	CPE Consultancy	GIS Analyst
Jim Baxter	Jacobs	Project Delivery Manager
Steven Vint	Jacobs	Senior Technical Advisor
Ewan Miller	Jacobs	River Engineering Discipline Lead
Jeni Rowe	Jacobs	Landscape Architecture Discipline Lead
Danny McCluskey	Jacobs	Environmental Discipline Lead

Table 1 List of team members staffing the event

2.3 Presentation Boards

There were twenty-eight presentation boards (a copy of which is included in Appendix A). The first group of boards outlined the project's governance, timeline, approach to consultation, and approach to consenting. The second group of boards described the option appraisal process carried out during Stage 3 of the project and the preferred scheme resulting from this. The third group of boards outlined Musselburgh's flood risk, and the project's approach to Environmental Impact assessment, Carbon, and Nature-based Solutions. The fourth group of boards focused on possible forms of bridges, flood defences, access and landscaping. The fifth and final group of boards summarised the feedback received from previous public consultation events.

2.4 Flood Mapping and Animations

A projector and screen were set up to present interactive mapping of Musselburgh's flood risk, with a dedicated member of the project team available to navigate the Geographic Information System (GIS) interface (shown in Figure 2). This enabled attendees to see, for any chosen location in the town, the present-day river or coastal flood risk, as well as the future river or coastal flood risk with an allowance for climate change. Animations of the 0.5% AEP² river and coastal flood events with an allowance for climate change were also available, to demonstrate how a flood would be expected to spread across the town over the duration of the design storm.

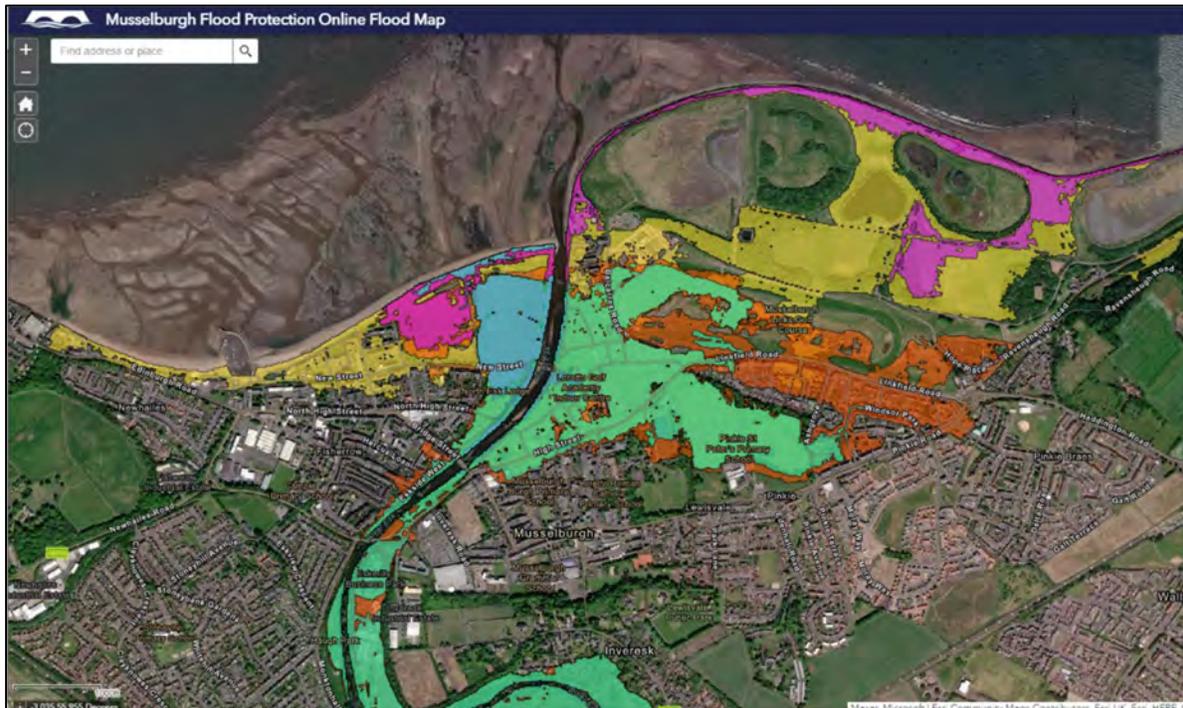


Figure 2 Screenshot of GIS mapping interface available to view during the event

2.5 Event Partners

The following partner organisations and entities also had presentation spaces at the event:

- East Lothian Council Emergency Planning – the team responsible for deploying existing temporary defences adjacent to the Electric Bridge in Musselburgh
- Musselburgh Active 'Toun' – an East Lothian Council infrastructure project, developing a range of proposals aimed at encouraging more people to walk, wheel and cycle in and around Musselburgh
- Floodline - a service operated by the Scottish Environment Protection Agency (SEPA) to provide live flooding information and advice on how to prepare for or cope with the impacts of flooding
- Scottish Flood Forum - an independent organisation which works with local authorities and their partners in raising community awareness, promoting self-help and developing community groups

The aim of having event partners was to inform the public about work that others are doing which closely aligns with the development of the Scheme.

² A full explanation of the statistical terminology used in modelling Musselburgh's flood risk is available on the project's website at: www.musselburghfloodprotection.com

3. Feedback

3.1 Attendance

Attendees were greeted by a member of the project team at the entrance to the event. They were asked to sign in and were invited to join the project’s stakeholder mailing list if they had not previously done so. A total of 462 members of the public were recorded as having attended. This compares to 210 members of the public who attended Public Exhibition No. 1 over two days in July 2019. An additional 177 attendees joined the stakeholder mailing list, taking its total to 658.

Official attendance at the event on 8th March 2022

462 people

3.2 Questionnaire responses

Attendees were encouraged to complete a questionnaire (a copy of which is included in Appendix B) after viewing the presentation boards and speaking to members of the project team. A total of 326 questionnaires were completed and returned during the event. The questionnaire was also made available on the project’s website for those who were unable to attend the event in person. They were invited to complete the questionnaire after viewing the event’s presentation boards, which were also made available on the website. The closing date for submission of the online questionnaire was 22nd March 2022.

Number of questionnaires completed during the event	Number of questionnaires completed online
326 questionnaires	26 questionnaires

Question 1 - Which age group do you fit into?

This question was asked to understand the age distribution of respondents and identify any significant gaps in representation to inform future public events. Figure 3 below shows the distribution of respondents by age group.

More than 75% of respondents at the event were fifty years of age or older.

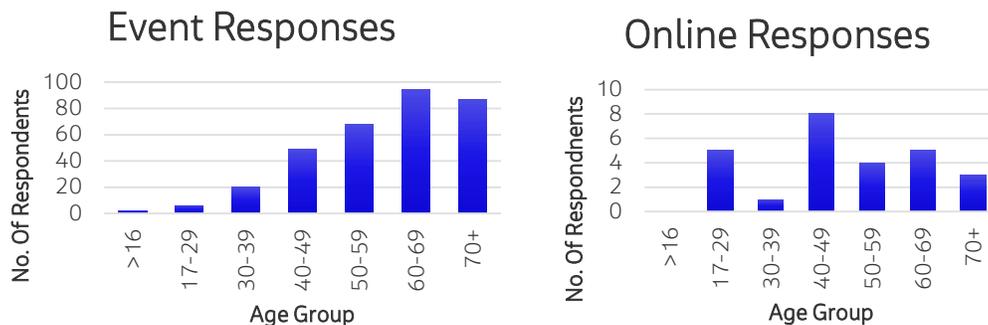


Figure 3 Distribution of respondents by age group

Question 2 - What is your postcode?

This question was asked to understand the distribution of where respondents, both at the event and online, came from, and to identify any specific areas of Musselburgh which were less well represented to inform future public events. The results (shown in Figure 4) indicate a good distribution of respondents from across Musselburgh, with higher representation from Eskside West, New Street, and Promenade. This is to be expected since these areas would be directly affected during the construction works, and it demonstrates that previous local area consultations have been effective in raising awareness of the Scheme in these locations. Meanwhile, the Goosegreen area was less well represented and further work is required to engage with this location.

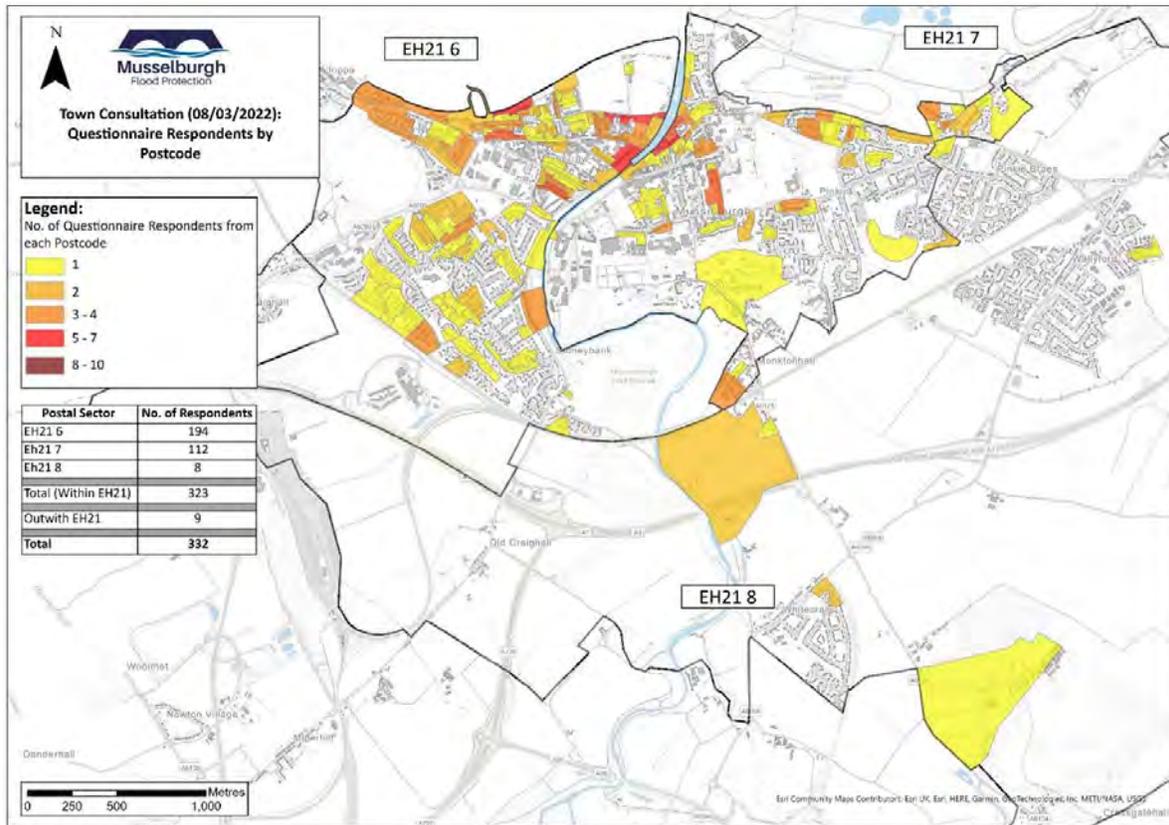


Figure 4 Distribution of respondents by home address

Question 3 - Do you agree that Musselburgh has a flood risk?

The project's scientific analysis clearly confirms that Musselburgh has a flood risk. The result of this analysis was presented at the event and broadly matches the latest flood maps on SEPA's website³. This question was asked to determine the degree to which respondents agreed with and trusted the scientific analysis, and Figure 5 indicates their response.

91% of respondents at the event agreed that Musselburgh has a flood risk.

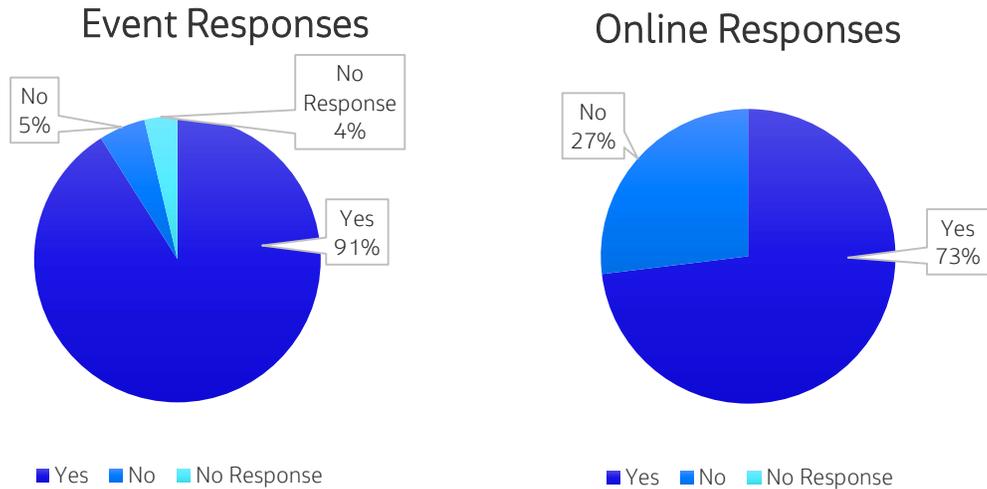


Figure 5 Do you agree that Musselburgh has a flood risk?

Question 4 - Do you support the provision of a flood protection scheme for Musselburgh?

This question is the primary indicator for support of the Scheme at this time, notwithstanding that the Scheme has only been defined to a conceptual level so far and the level of support may vary as the outline design progresses.

87% of respondents at the event supported the provision of a flood protection scheme for Musselburgh.

³ <https://map.sepa.org.uk/floodmaps>

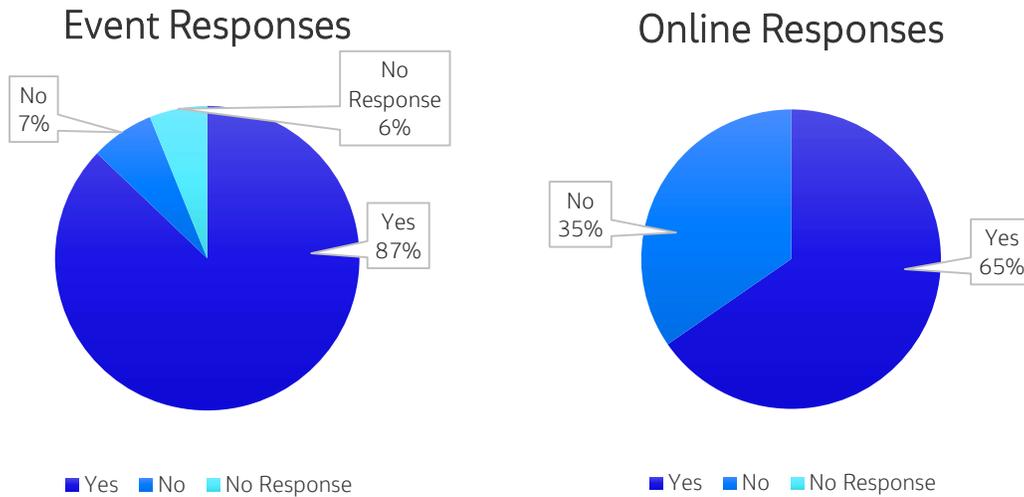


Figure 6 Do you support the provision of a flood protection scheme for Musselburgh?

Question 5 - Do you agree that such a flood protection scheme should include an allowance for climate change?

Allowing for climate change means constructing defences to a higher level now such that they are more likely to still provide the desired standard of protection at a given date in the future when sea levels are expected to be higher, river flows are expected to be greater, and rainfall is expected to be more intense.

This question was asked to gauge whether respondents supported the concept of not only protecting against present-day flood risk but also providing an equivalent flood risk reduction for future generations living in a more extreme climate. Notwithstanding this, the question of how much allowance for climate change should be incorporated in the Scheme remains an ongoing consideration (See Section 3.3.2).

85% of respondents at the event supported the inclusion of an allowance for climate change.

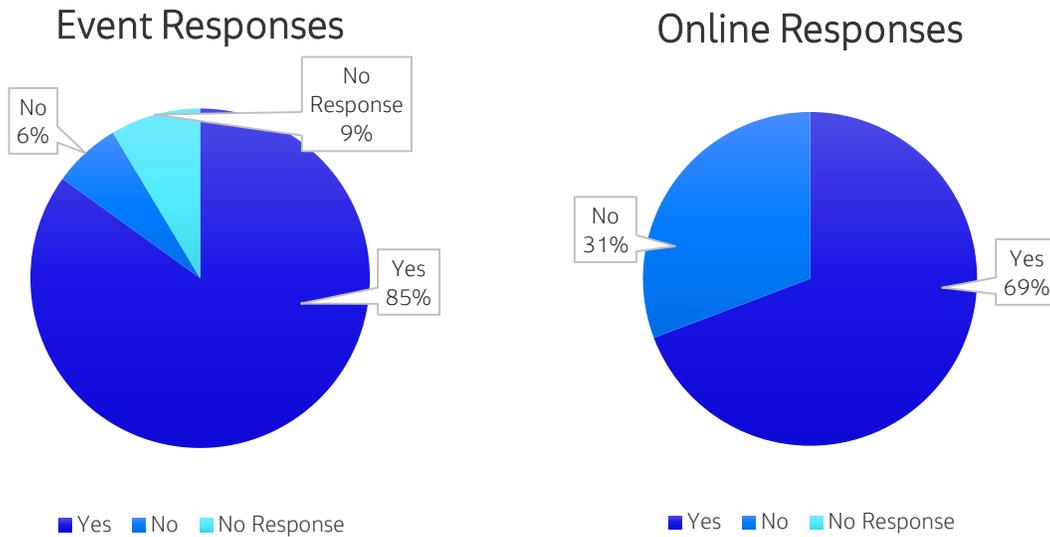


Figure 7 Do you agree that a flood protection scheme for Musselburgh should include an allowance for climate change?

Question 6 - For each of the following locations, please rate the factors in order of priority that you think the designers should consider when designing the scheme

This question asked respondents to consider the Scheme’s design in terms of waterside access, visual appearance, environmental impact, cost, and space for recreation. It then asked respondents to place these factors in their personal order of importance (from one to five) for five local areas within the Scheme. The aim was to understand how respondents’ priorities might differ depending on location, and how this might influence Jacobs’ approach to the outline design.

Several responses assigned equal importance to more than one factor. This was not the intent of the question, which was to introduce the concept that difficult choices must be made during the design and certain factors will have to be prioritised over others. The results presented below are therefore based on responses that graded from one through to five, both at the event and online.

The responses indicate very little variation in perceived importance depending on location. As shown in Table 2 and Figure 8, respondents consistently rated environmental impact as the most important consideration in the design of the Scheme across all locations except Fisherrow (where coastal access was considered marginally more important). As shown in Table 3 and Figure 9, respondents consistently rated cost as the least important consideration.

Location	Waterside Access for the public	Visual Appearance	Environmental Impact	Cost	Space for recreation and amenity
Edinburgh Road Area	24%	19%	44%	6%	7%
Eskmills Area	21%	12%	52%	7%	8%
Esksidles Area	22%	32%	36%	3%	8%
Fisherrow Area	37%	18%	35%	2%	8%
Goosegreen Area	22%	23%	40%	6%	9%
Mountjoy Area	26%	19%	41%	3%	11%
Average	25%	20%	41%	4%	8%

Table 2 Respondents' most important design consideration for each local area

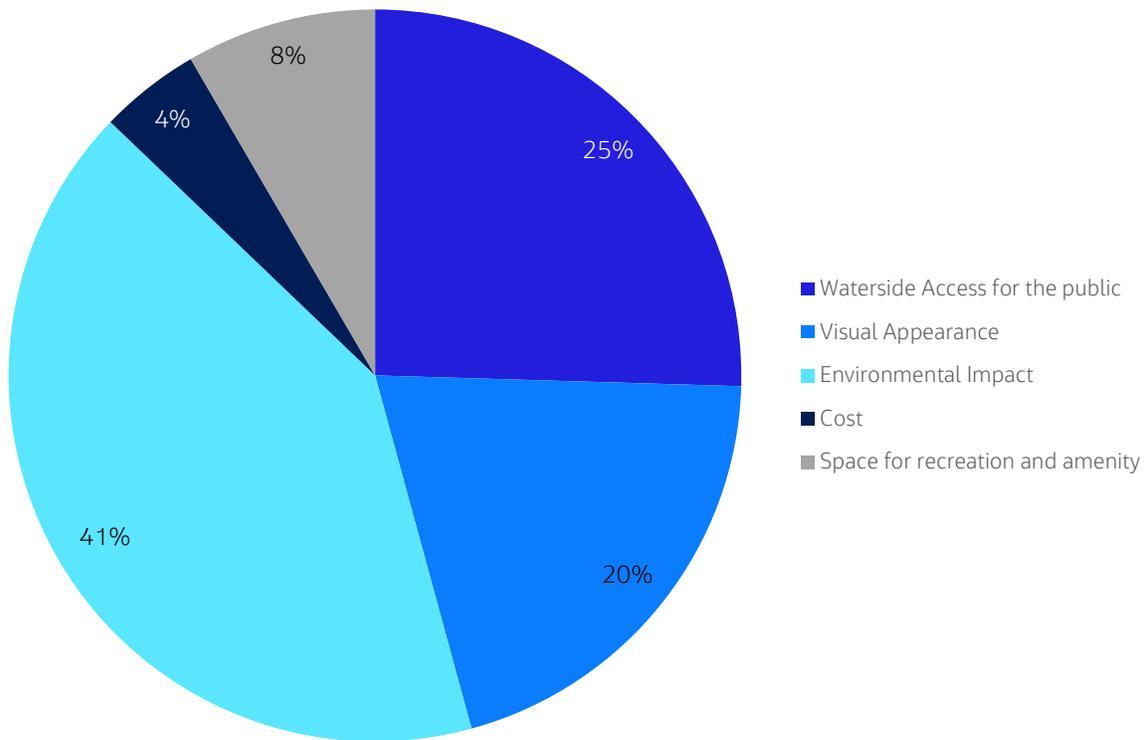


Figure 8 Respondents' most important design consideration, averaged over all local areas

Location	Waterside Access for the public	Visual Appearance	Environmental Impact	Cost	Space for recreation and amenity
Edinburgh Road Area	14%	8%	3%	56%	20%
Eskmills Area	16%	9%	2%	49%	24%
Esksidles Area	9%	3%	4%	65%	19%
Fisherrow Area	7%	8%	4%	67%	14%
Goosegreen Area	20%	5%	2%	55%	17%
Mountjoy Area	13%	7%	2%	64%	13%
Average	13%	7%	3%	59%	18%

Table 3 Respondents' least important design consideration for each local area

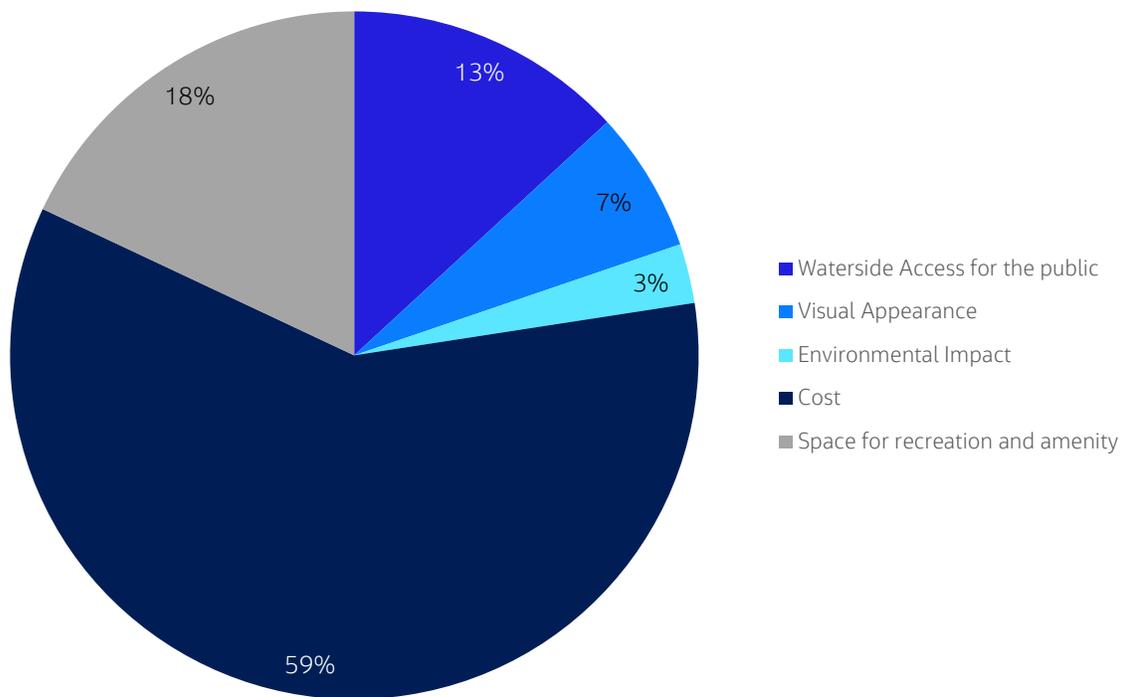


Figure 9 Respondents' least important design consideration, averaged over all local areas

Question 7 - For each of the following locations, please indicate your order of preference for the form of replacement bridge

This question asked respondents to consider their preferred form of footbridge from a choice of three types for each of the following locations: Ivanhoe footbridge, Shorthope Street footbridge, and Goosegreen footbridge. The choice of footbridge types given are shown in Figure 10 below. Furthermore, at the event it was highlighted that, through joint consideration of opportunities with Musselburgh Active 'Toun' project, there is an emerging opportunity to relocate the Goosegreen crossing to the mouth of the River Esk.



Figure 10 Possible forms of footbridge (left to right: 1. steel hybrid butterfly arch bridge; 2. steel modified Warren truss bridge; and 3. composite timber-steel multi-girder bridge)

As shown in Figure 11 below, respondents' first preference for Ivanhoe footbridge was evenly split between a steel hybrid butterfly arch bridge (39%) and a composite timber-steel multi girder bridge (42%), with significantly less support (19%) for a modified Warren truss bridge.

Ivanhoe Footbridge

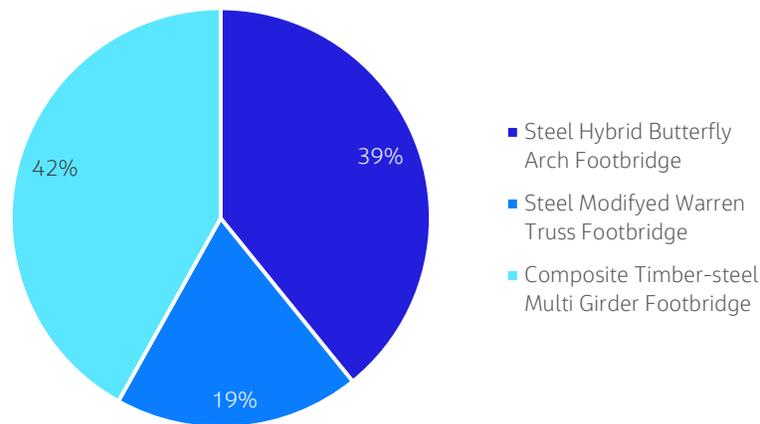


Figure 11 Respondents' preferred form for Ivanhoe footbridge

As shown in Figure 12 below, 51% of respondents preferred a steel hybrid butterfly arch for Shorthope Street footbridge.

Shorthope Street Footbridge

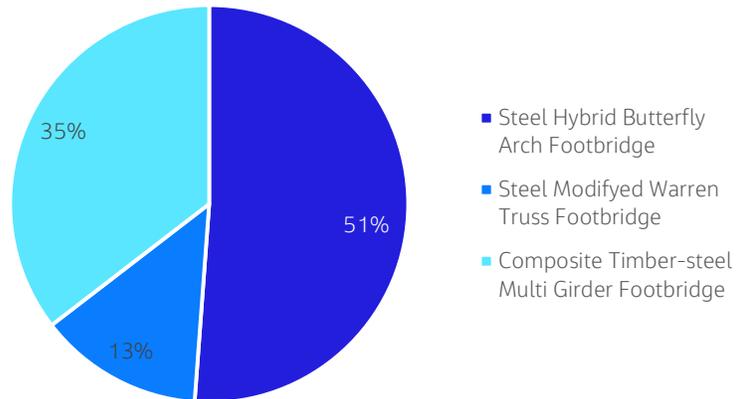


Figure 12 Respondents' preferred form for Shorthope Street footbridge

As shown in Figure 13 below, 52% of respondents preferred a steel hybrid butterfly arch for Goosegreen footbridge.

Goosegreen Footbridge

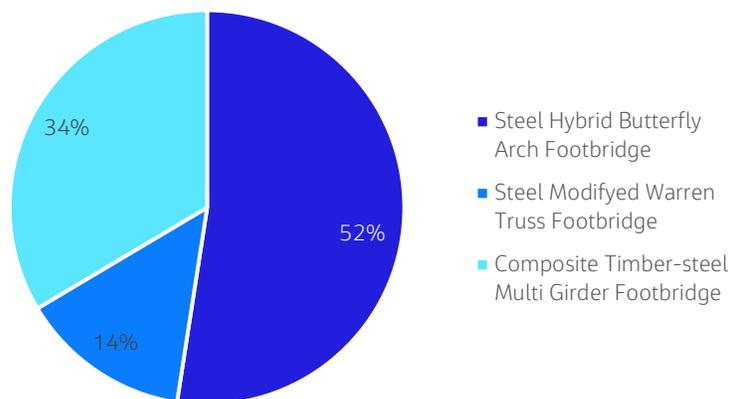


Figure 13 Respondents' preferred form for Goosegreen footbridge

Question 8 - If Electric bridge is to be replaced, would you prefer that the new bridge is a) only suitable for pedestrians & cyclists; or b) capable of being opened to motorised vehicles in the future?

The previous question concerned the replacement of existing footbridges. In contrast, the existing Electric bridge could carry vehicular traffic but is currently only open to cyclists. The project team has no preference for what types of traffic can cross this bridge now or in the future, as long as the form of the new structure reduces flood risk. Question 8, therefore, was asked to understand what future capability respondents thought a replacement bridge at this location should have.

As shown in Figure 14 below, 59% of respondents thought that a replacement bridge at this location should only be suitable for pedestrians and cyclists.

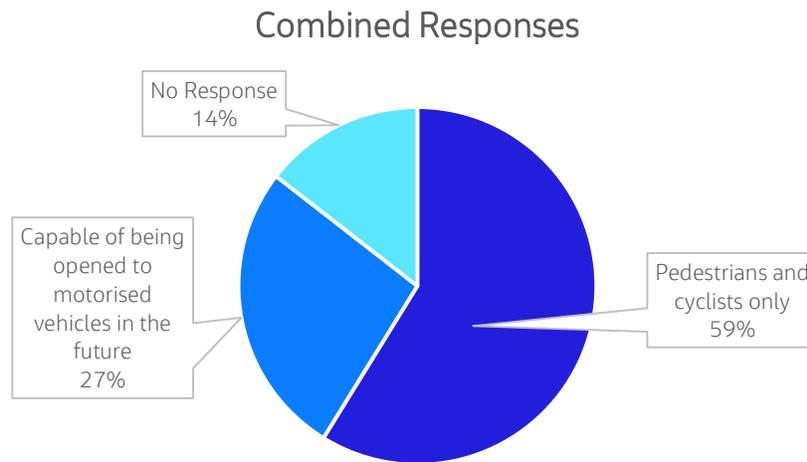


Figure 14 Respondents' preference for the replacement of Electric bridge

Question 9 - Do you have any further thoughts or comments you would like to provide?

This final question gave respondents the opportunity to provide any further feedback which they felt was not sufficiently addressed by the other questions. As this was an open question, no statistics were derived from it, but the responses were considered in the context of 'emerging themes'.

3.3 Emerging Themes

For the purposes of this report, 'emerging themes' means the appearance of patterns in attendees' feedback relating to one or more central concepts. These may be inferred from responses to the questionnaire or directly from conversations that the project team had with attendees at the event. The following sections focus on themes which are relevant to the development of an outline design based on the preferred scheme, and, where appropriate, attempt to address the questions that the public may have raised.

3.3.1 Source of responses to the Questionnaire

Responses to questions 3-5 indicate a notable difference of opinion between respondents at the event and those online. Online respondents generally indicated lower support for the Scheme and higher scepticism about flood risk and allowance for climate change. However, only 26 questionnaires, or 7% of the total, were completed online, meaning the views of each individual in this group have a greater bearing on the outcome.

Several inferences could be made about these trends. Those attending the event were able to ask the project team questions, which may have dispelled their concerns and increased their understanding and level of support. Conversely, those who were less comfortable engaging directly with the project team may have been more likely to complete the questionnaire online and would have had less opportunity to increase their understanding of the Scheme and have their concerns resolved.

326 responses, or 93% of the total, were received during the event, therefore this dataset is considered more reliable as an indicator of the views of the wider community.

3.3.2 Climate Change

Responses to the questionnaire indicate broad support for the scheme to include an allowance for climate change, with 85% of respondents at the event in favour. Meanwhile, conversations with the project team during the event suggests a more nuanced range of views. While people generally accepted that climate change was occurring, there was considerable variation in how much allowance for climate change they thought should be constructed.

There were various reasons for this variation. Some felt that the high emissions scenario projected in UKCP18 was too pessimistic, and the probability of it occurring was too low to justify the higher defences required to protect against it. Related to this, some felt that a lower allowance for climate change should be constructed initially and that this should be raised if more extreme climate change occurs in the future. In stark contrast, a small number of people felt that UKCP18 was not onerous enough and that a greater allowance for climate change happening quicker than predicted should be incorporated in the scheme.

There was some confusion among attendees about the difference between, 'an allowance for climate change', and 'a strategy for future flexibility'. Including an allowance for climate change would mean building defences to a higher height now so that they would protect against a 0.5% AEP event at a chosen date in the future when conditions are expected to be more extreme due to climate change. In comparison, providing future flexibility would mean designing the defences' foundations so that they could be raised in height in the future in response to climate change, but without constructing them to this height initially.

Opinions about building defences higher now or enabling them to be raised later may be affected by considerations such as visual impact of defences, availability of future funding, and risk of defences being overtopped. Concerns about visual impact may presuppose that higher defences cannot be integrated into the existing built environment through good landscape design and would thus become an eyesore. Concerns about future funding may presume that funding to raise defences will be more difficult to obtain in the future. Finally, concerns about overtopping of defences may suppose that if the decision to raise defences is only taken once climate change occurs, there would be a greater risk that the flood would occur before the work is carried out.

3.3.3 Environmental Impact

Several attendees asked about the requirement for the project to carry out an Environmental Impact Assessment (EIA), when this would be done, and when it would become available to the public. There was broad consensus, as confirmed by responses to the questionnaire, that environmental impact should be an

important consideration in the design of the Scheme. Some people felt that the environmental impact of multiple options should be assessed to inform which options are taken forward.

Consideration of the possible environmental impact of various options has taken place since Stage 3 of the project. Jacobs' environmental specialists as well as regulatory stakeholders contributed to the option appraisal process, providing feedback to designers on environmental constraints and opportunities as appropriate. This is explained in the presentation boards in Appendix A.

At the beginning of Stage 4 of the project, Jacobs' environmental specialists proposed that an EIA should be screened in, and this was confirmed by ELC's planning service. The environmental topics on which detailed assessment are required were identified through the scoping process and include:

- Population and Human Health (impacts on humans and features important to their health and wellbeing)
- Biodiversity (impacts on terrestrial and aquatic habitats and species)
- Noise and Vibration (impacts on humans, protected species and built heritage features)
- Landscape and Visual (impacts on landscape character, views and cultural assets)
- Water Environment (impacts on ground, surface, fluvial and coastal waterbodies)
- Soils, Geology and Contamination (focus on contamination risks)
- Air Quality (primarily impacts from construction dust)
- Climate (to align with new and emerging policy on reducing carbon emissions)
- Cultural Heritage (impacts on conservation areas, listed buildings and potential archaeology)
- Traffic and Transportation (mostly construction traffic)
- Cumulative Effects (between topics and combined impacts with other development)

Throughout the outline design process Jacobs' environmental specialists will work with its designers to avoid or reduce significant effects where possible through appropriate selection of design solutions, construction methods and technologies. The actual assessment of the Scheme's impacts can only commence once an outline design is sufficiently developed such that there is something quantifiable to assess. The full EIA process and outcomes will be presented in an EIA Report, which will be made available to the public when the Scheme is published during Stage 5 of the project in accordance with the statutory requirements. The report will summarise how the Scheme is likely to impact each of the above topics, identify any feasible mitigation to avoid or reduce significant effects and list all unavoidable residual effects and applicable monitoring measures.

It would not be proportionate or an appropriate use of public funds to carry out this detailed level of environmental assessment at the options appraisal stage; instead, options were qualitatively assessed by a group of specialists. The options were retained or discounted based on their collective professional judgement of numerous design considerations, including environmental impact.

3.3.4 Design Considerations

Question 6 in the questionnaire introduced the public to the concept of multiple design considerations influencing what form the Scheme may take. Design considerations are factors, such as environmental impact or cost, whose relative importance must be taken into account by the designer when making design decisions. Some considerations are complimentary, but many are conflicting, and the solution chosen is often considered the 'least worst', which involves a trade-off or compromise between numerous design considerations. For example, a solution with the lowest environmental impact may have the highest cost and take the longest time to construct. The solution eventually chosen may therefore have a moderate environmental impact, moderate cost, and medium construction duration.

The project team took the opportunity to introduce these concepts during their conversations with attendees. Some people acknowledged the importance of finding compromises, but others naturally attributed higher

importance to the considerations that would affect them directly, such as retention of trees and on-street parking outside their homes. Overall, responses to the questionnaire identified environmental impact as being respondents' most important consideration across most locations. This may be purely altruistic, or due to a greater awareness of environmental issues in recent times, or it may be that respondents associate a healthy environment with personal wellbeing. Whatever the reason, the project team supports the importance of minimising the environmental impact of the Scheme.

Notably, respondents to the questionnaire overwhelmingly indicated cost as their least important design consideration. This contrasts with the views of a small number of vocal individuals who were critical of the estimated cost of the Scheme, or certain elements of it, during previous consultation events. While the affordability of the Scheme and the value provided by it is very important to its funding partners, this public feedback is clear and gives the project team a greater understanding of the opinion of the wider community.

3.3.5 Height and Level of Defences

Many conversations at the event related to the height and form of physical defences being proposed. Attendees were eager to understand what height the defences would have to be to provide the desired standard of protection and how this was calculated.

Before considering defence heights at different locations, it is important to distinguish between the level of a defence and its apparent height. While the level of the top of the defence may not vary over a considerable distance to reflect the design flood levels, its apparent height might. This is because the ground level may rise and fall along the length of the defence, and its height is measured relative to this. Figure 15 below demonstrates the effect of changes in ground level resulting in a change of defence height.

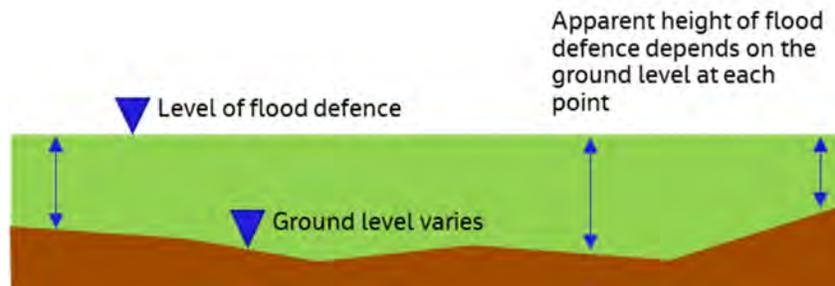


Figure 15 Front elevation of a flood defence to demonstrate the distinction between its level and height

No decision has been taken yet about the form of defence at any location. This will happen during the outline design. Along the river, the level of the top of the defences is affected by their position but not by their form. This is because the more the defences narrow the river, the more constrained the flow will be and therefore the higher the water level will reach. Meanwhile, along the coast, the level of top of the defences is primarily affected by their form. This is because the coastal defences are required to protect against waves overtopping and the shape of the defence plus the foreshore in front of it affects how high it needs to be to achieve this.

Figure 16 below represents the different components which are added together to determine the required level of the defences.

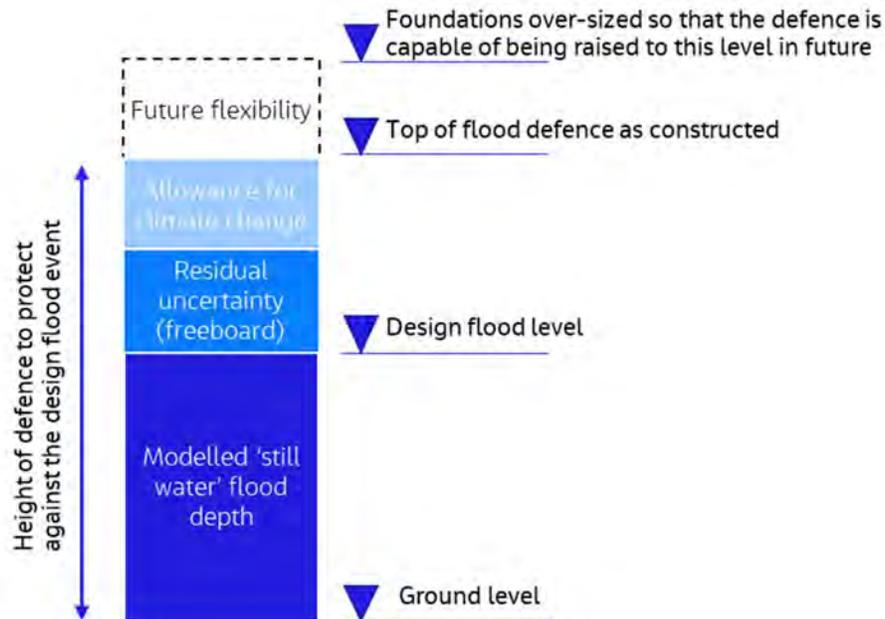


Figure 16 Components in determining the height of physical defences

The design flood event is whichever event is chosen by the Project Team to be protected against. It is an event with a magnitude that has a certain probability of occurring in any given year, based on historical data. For this Scheme, the project objectives identify ELC's aspiration to protect against a design flood event that has a 0.5% probability of occurring in any given year (Annual Exceedance Probability, or AEP) based on present-day river flows and sea levels. The standard of protection is therefore a scheme which would prevent an event of this magnitude from flooding the town, and is yet to be confirmed.

The design flood level is the level that the Scheme's hydraulic model⁴ predicts the river would rise to during the design flood event when contained by defences on either side. This is notably higher than the level the river would reach during the same event but without defences in place, as the floodwater would then be able to spread across the floodplain.

Freeboard is an allowance, or factor of safety, added on top of the design flood level. This is a well-established approach in the field of flood risk management, and is done in recognition that, as in any form of scientific analysis, uncertainty can result from errors in the input data or limitations in accuracy of the model. For example, historical records of river flows are limited by the accuracy of the river gauging station's equipment and random errors can occur due to the complexity of the natural environment it is in. Furthermore, as with any scientific model, the hydraulic model of Musselburgh is a simplified representation of the catchment to determine flood levels for a given event. The actual flood level could vary slightly from that predicted because the natural processes which occur are far more complex than any scientific model could exactly replicate. Adding freeboard to the height of a physical defence means its design is robust enough to cope with reasonable deviations in the actual water level compared to that predicted by a model.

An allowance for climate change is included in recognition that the severity and probability of flooding may change during the design life of the Scheme. As global atmospheric temperatures rise due to the warming effects of greenhouse gases, sea levels are expected to rise and weather patterns are expected to become more severe. This means that a flood event of a certain magnitude would become more likely to occur in the future than it would today. In the case of Musselburgh, results based on the high emissions scenario (RCP8.5 95%ile) in UKCP18 suggest that a flood of the magnitude of the present-day 0.5% AEP event would be four times more likely to occur in 100 years' time. Allowing for climate change would therefore mean protecting

⁴ An explanation of the hydraulic model is available on the project's website at: www.musselburghfloodprotection.com

against an event of greater magnitude but with the same probability of occurrence at a future date as the present-day design flood event has now.

As stated in the section above on climate change, future flexibility means designing a flood defence so that it could be raised in height at some point in the future, but without initially constructing it to the higher height. The defence could be designed to be raised by an arbitrary amount, such as 0.5 metres, or it could be designed to be raised to a specific level, such as a further 50 years' worth of climate change allowance.

Information on the proposed heights and levels of the physical defences will be communicated as the outline design progresses.

3.3.6 Replacement of Bridges

Many conversations at the event related to the proposed replacement of certain bridges over the Esk. Attendees' questions focused on the reasons for doing this, the benefits, and what the alternatives were. Underlying concerns often centred on perceptions of cost and value for money.

The preferred scheme identified five conceptual components, shown in Figure 17 below:

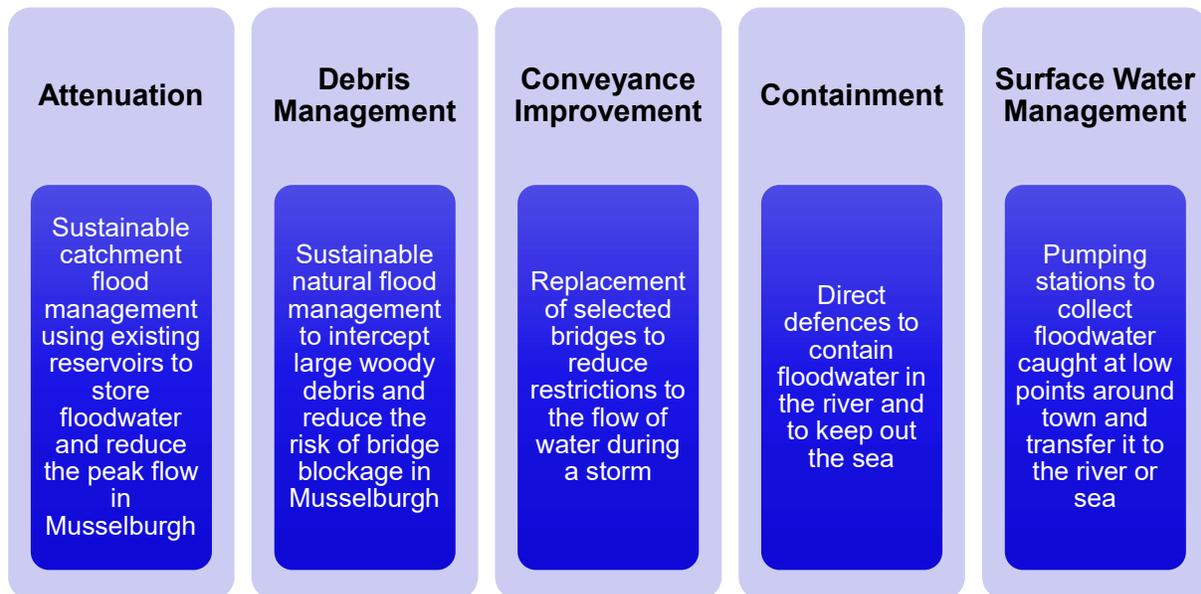


Figure 17 Preferred Scheme components

Scientific analysis determined that physical defences, or containment, along the River Esk would be an essential part of the Scheme. Attenuation, debris management, and conveyance improvement were therefore established as complementary measures which could reduce the height and extent of physical defences required.

Several of the existing bridges over the River Esk have a risk of being blocked by debris during a storm, which would lead to earlier onset of flooding. While the proposed debris management upstream would reduce this risk, it would not eliminate the risk altogether since the riverbanks between the debris trap and the bridges still contain woodland. It is also possible that some debris could accumulate prior to a storm and not yet have been removed, thereby reducing the effectiveness of the debris trap. Furthermore, for operational reasons it would be impractical to locate the debris trap further downstream. Replacing the most at-risk bridges with new single span structures above the flood level would therefore further reduce the risk from debris and enable the physical defences on the riverbanks to be lower as a result.

As well as the risk from debris, the shape of some of the existing bridges would also restrict flow when the river is higher. This is because during a flood the in-stream piers would throttle the flow of the river and the bridge decks would be below the water level, further throttling the flow. The bridges which present the greatest restriction to flow are the Shorthope Street footbridge, the Electric bridge and the Goosegreen footbridge. Replacing these with new single span structures above the flood level would therefore further

reduce the height of physical defences on the riverbanks over and above the reduction in height attributed to debris management.

The aforementioned existing bridges, with or without physical defences on the riverbanks, would be under water during the design flood event. With defences in place, if the existing bridges were retained, floodgates would have to be placed at either end to contain floodwater in the river and the crossings would be inaccessible until the flood receded. Replacing the bridges with new structures above the flood level would therefore mean that the bridges could remain in use during a flood. This has clear benefits for the community.

As well as benefits for flood risk reduction, there are other reasons to replace certain bridges over the River Esk. The Musselburgh Active 'Toun' project is developing a range of proposals aimed at encouraging more people to walk, wheel and cycle in and around Musselburgh. Part of this would involve widening some bridges to better accommodate cyclists and pedestrians. By considering both projects' aims together, achieving flood risk reduction and increased user functionality, multiple funding streams can be secured which would present greater value for the community and more efficient use of public money than both projects independently.

The alternative to replacement of bridges would involve accepting the risks they present and designing the remaining parts of the Scheme accordingly. Additional attenuation was considered and deemed undeliverable, and further debris management would not address the issue of restriction to flow. The remaining options would be to either reduce the standard of protection that the Scheme provides or construct higher physical defences on the riverbanks to compensate for debris blockage and restriction to flow. Retaining the existing bridges would also fail to realise the multiple benefits from the Active 'Toun' project. The risk that some or all of the bridges would be damaged or washed away during the design flood event would also still exist.

3.3.7 Landscape Design

Prior to the consultation event, it was already understood by the project team that the existing landscape along the River Esk and the coastline is valued greatly by the community. These areas are used widely for exercise, relaxation, enjoying wildlife, and simply for appreciating the view. Many attendees asked how these things might be affected by the Scheme, both during construction and permanently.

There are significant benefits from reducing Musselburgh's flood risk, and there is a cost associated with achieving those benefits. The cost may be thought of in terms such as: how much money the Scheme would cost to construct and maintain, how much disruption there would be during construction, or how much permanent change there would be to the landscape. Some attendees suggested that any change whatsoever to the town's landscape would be unacceptable to them and insisted that alternative solutions to physical defences in the town should be used, such as tree-planting in the catchment and offshore barriers.

Through scientific analysis, the project team is resolved that Musselburgh cannot practicably be protected against the 0.5% AEP flood event without physical defences in the town, which would result in changes to the landscape. The project team, however, is confident that those changes are worth the benefits that the Scheme would provide. The Scheme's design should therefore ensure that, while changing the landscape, its character and amenity value is preserved.

ELC recognises the importance of the town's landscape to the success of the Scheme and has included an enhanced allowance for landscape design at this early stage of the project. Jacobs' design team includes landscape architects, who recognise that the Scheme is more than just a series of physical defences. They will aim to embed those defences into the landscape in a sensitive manner through the appropriate use of materials, planting and spatial design. They will consider the routes taken by people passing through the landscape, where they enter and exit an area, where they stop or congregate, and how they use different spaces.

It may be that the Scheme's landscape design could be considered a success if, 10 years after its completion, a visitor to the town did not recognise the defences as being a flood protection scheme, and merely saw them as a part of the wider landscape.

3.3.8 Nature-based Solutions

A common topic of conversation during the event, prompted by recent media coverage, was whether nature-based solutions could be a viable alternative to engineered defences in the town. This topic was addressed in

one of the presentation boards included in Appendix A. A number of nature-based solutions were considered during the option appraisal process, and this was followed up with two studies⁵ into the feasibility of natural flood management and working with nature to reduce flood risk. An additional study into the feasibility of dunes as physical flood defences along parts of the coast is also currently being undertaken.

It is understandable that the public would prefer the use of natural or nature-based solutions instead of more obviously engineered alternatives. It is also understandable that the public would prefer to be protected from flooding through the use of measures constructed elsewhere, either in the catchment or offshore, so that there was no impact or change to the town itself. Scientific analysis, however, indicates that nature-based solutions by themselves would not be capable of protecting Musselburgh against a 0.5% AEP flood event, and that no other solution, natural or engineered, would avoid the need for physical defences along the River Esk and the coast.

While physical defences are essential to protecting Musselburgh against the 0.5% AEP flood event, other sustainable and catchment-based measures are also proposed, such as debris management and attenuation. These complimentary measures will reduce the height and extent of physical defences required. As the outline design progresses, further natural or nature-based solutions may also be identified to compliment the engineered measures. These may contribute to the Scheme's overall flood risk reduction, or they may provide other desirable benefits such as habitat creation or biodiversity enhancement.

The project team recognises that the design of the Scheme is not a binary choice between natural or engineered measures. Instead, it is appropriate to incorporate a range of complimentary measures which, together, are sustainable, robust and effective in providing the desired standard of protection.

⁵ These documents are available on the project's website at: www.musselburghfloodprotection.com

4. Conclusion

The 'Whole Town' consultation event was officially attended by 462 people on the 8th of March 2022. Of these attendees, 326 completed the questionnaire, with an additional 26 completed online. Across all responses, there was a high level of recognition for Musselburgh's flood risk, and high level of support for a scheme with an allowance for climate change. There was some divergence between the in-person and online responses, with greater levels of support shown from the in-person responses.

With respect to the replacement of bridges, the steel hybrid butterfly arch footbridge was preferred for Shorthope Street footbridge and the Goosegreen footbridge. For the Ivanhoe footbridge, the preference was broadly tied between the steel hybrid butterfly arch and the composite timber-steel multi-girder. For the Electric Bridge, most respondents advocated that a replacement bridge at this location should only be suitable for pedestrians and cyclists.

A summary of the emerging themes as outlined in Section 3 is presented below:

- **Climate Change** – In general, it was accepted that an allowance for climate change should be included within the Scheme. There was, however, considerable variation in how much allowance should be constructed. The potential to design the physical defences so they could be raised in the future was also mentioned on several occasions. The project team will consider these points as the outline design of the Scheme progresses.
- **Environmental Impact** – The process of considering the possible environmental impact of various options began during Stage 3 of the project. Throughout the Stage 4 outline design process, Jacobs' environmental specialists will work with its designers to avoid or reduce significant effects where possible. The formal assessment of the Scheme's impacts will commence once an outline design is sufficiently developed such that there is something quantifiable to assess. This will be presented in an EIA Report, which will be published with the Scheme documents during Stage 5 of the project in accordance with the statutory requirements.
- **Design Considerations** – In general, the public considered environmental impact to be the most important consideration in the design of the Scheme, and cost to be the least important. The project team supports the importance of minimising the environmental impact of the Scheme, and this will be considered throughout the outline design.
- **Height and Level of Defences** – Several conversations concerned the difference between the level (related to the design flood level) of physical defences and their height (related to existing ground conditions). Additionally, discussions were held regarding how the level of the defences is reached, including the use of freeboard and the allowance for climate change. This links into the emerging theme of Climate Change.
- **Replacement of Bridges** – The public wished to understand the reasons for replacing certain bridges over the River Esk, the benefits of doing so and what the alternatives were. Replacing the identified bridges with new single-span structures would reduce the risk of blockage and improve conveyance during a flood. Doing so would reduce the height and extent of physical defences required, and would also ensure that access over the river would be maintained during a flood. Additionally, there is the opportunity to achieve multiple benefits by working in partnership with the Musselburgh Active 'Toun' project to provide replacement bridges that are wider than the current structures to better accommodate cyclists and pedestrians.
- **Landscape Design** – The Scheme will result in changes to the landscape to provide the desired level of protection, however, the project team will seek to preserve the character and amenity of the area through appropriate design measures. This will include landscape design to embed the physical defences into the existing environment in a sensitive manner.
- **Nature-based Solutions** – These were considered but found to be ineffective on their own in protecting Musselburgh against the 0.5% AEP flood event. Physical defences were found to be an essential part of the Scheme, but complementary natural or nature-based solutions may still be incorporated to achieve other benefits such as habitat creation or biodiversity enhancement.

5. Next Steps

Following the comprehensive period of public consultation between September 2021 and the event of 8th March 2022, the project team will now reflect on the feedback received and the themes emerging from this. They will consider how best to incorporate the public's aspirations into the Scheme where they are deemed achievable and consistent with the Scheme's objectives.

It is proposed that Jacobs will now commence the outline design of the Scheme. This will include determining the most appropriate form of flood protection measures for each location in the town. The determination will be made using the knowledge, experience and professional judgement of engineering, design and environmental professionals combined with an understanding of ELC's needs, the public's aspirations, and the advice of statutory stakeholders.

The next major public consultation event will be delivered once the outline design is developed to an extent that the project team can present its recommendations for specific flood protection measures at each location in Musselburgh. The public will then have an opportunity to provide feedback on these recommendations. During the outline design process, the project team will also consider ways to increase engagement with younger members of the public who had limited representation at the 8th March 2022 event.

Jacobs will then reflect on that feedback and further refine the outline design until the project team is satisfied that it represents the most practicable Scheme for Musselburgh. On completion of the outline design the project will then seek approval from Full Council⁶ to proceed to Stage 5 of the project, which is the formal publication of the proposed Scheme under the Flood Risk Management (Scotland) Act 2009.

⁶ Full Council is the meeting of all East Lothian Council's elected members

Appendix A. Presentation Boards



Musselburgh

Flood Protection

Musselburgh Area Consultation

Whole Town Event

Tuesday 8th March 2022, Brunton Theatre, Musselburgh

Event partners:

Musselburgh Active Toun Project

East Lothian Council Emergency Planning Team

Scottish Flood Forum

SEPA Flood Warning Team

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Musselburgh Area Consultation



8th March 2022

Welcome to this 'Whole Town' consultation event for Musselburgh Flood Protection Scheme. This event forms part of the Scheme's community consultation programme which began in 2019 and which has included exhibitions, online meetings, local area evenings, newsletters, community information boards, and the project's website.



The project aims to reduce the risk of flooding to Musselburgh from coastal, fluvial and pluvial sources of flooding. The scheme aims to provide protection against a flood event with a 0.5% Annual Exceedance Probability (AEP) (also known as a 1 in 200 year event) plus an allowance for climate change plus a strategy for future flexibility.

The project team has determined that physical defences are an essential part to delivering this reduction in Musselburgh's flood risk. The purpose of today is to enable the community to have an influence on the form of those defences.

In response to questions raised during previous events, information is also provided about the project's governance, programme, options appraisal process, environmental impact assessment, and use of nature-based solutions.

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Oversight & decision-making

The organisational structure of the project was established at its outset to provide clear governance and oversight for delivering the flood protection scheme.



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Project Stages and Timeline



The project is currently in stage 4, and in accordance with its governance, approval of Full Council is required to progress from to the next stage. The graphic on the right highlights selected activities to be completed prior to progressing to stage 5.

Stage Gateways



Timeline of next activities in stage 4



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The project team considers public consultation to be key to the successful development of the Scheme, and this is actively encouraged by the Scottish Government under the Flood Risk Management (Scotland) Act 2009.

Since the inception of the project in 2016, the project team has engaged widely with members of the public, residents' associations, community groups, businesses, other council departments and statutory stakeholders. The contributions by these parties have already influenced the development of the Scheme and will continue to do so. The project team remains committed to developing the outline design of the Scheme through a consultative framework.

Public events to date

Public Open Day & Call For Information – February 2019	Public Exhibition No. 1 – July 2019	Local Area Consultation: Edinburgh Road Area
Local Area Consultation: Fisherrow Area	Local Area Consultation: Mountjoy Area	Local Area Consultation: Goosegreen Area
Local Area Consultation: Eskside Area	Local Area Consultation: Eskmills Area	Local Area Consultation: Inveresk Area
Door-to-door 'doorstep consultations	Consultation on risk and options for the Inveresk Estate	Local Area Consultation: Esk Corridor
Local Area Consultation: Coastal Foreshore	Local Area Consultation: Whole town event	

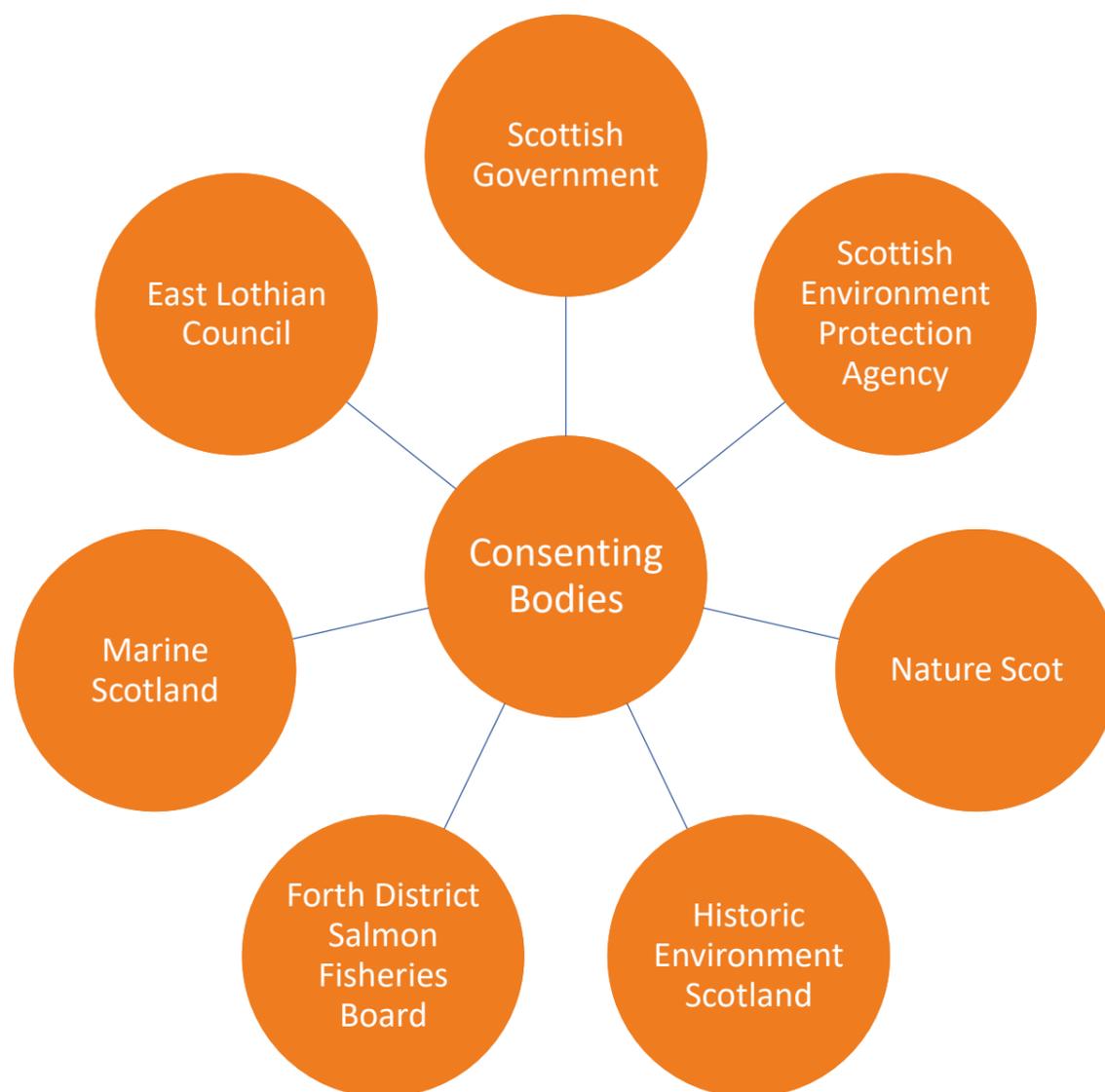
Presentations to community groups & organisations

Musselburgh & Inveresk Community Council	Musselburgh Conservation Society
Inveresk Village Society	Fisherrow Harbour & Seafront Association
Esk River Improvement Group	Esk Valley Trust
Musselburgh Business Partnership	Eskmills Business Park
Buckleuch Estates & Dalkeith Country Park	Musselburgh Flood Protection Action Group

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While statutory approval of the Scheme is sought under the Flood Risk (Scotland) Act 2009, the Scheme may also require other consents and licenses for certain activities. The project team is engaging with consenting bodies to ensure that the design of the Scheme meets the relevant requirements to obtain those consents and licenses at the appropriate time in the programme.



The project team also established a number of multi-organisation working groups. In doing so, they can seek the advice of technical specialists, statutory representatives and council officers. As the outline design evolves, the working groups help designers identify potentially significant environmental effects and determine what action may be required to avoid or mitigate them.

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The Options Appraisal Process

Options appraisal is the process of considering many different ways of achieving a project's objectives. These are identified and evaluated against set criteria to narrow the list down to a manageable number which merit further consideration.

The appraisal process was *qualitative*, meaning it considered subjective characteristics rather than a *quantitative* assessment of numbers and data. For this reason the appraisal was conducted by a variety of specialists, from economists and engineers to ecologists and town planners, who together had the professional knowledge and experience to make an informed judgement. At this stage in a project it would be unmanageable and an inappropriate use of public money to collect, process and evaluate quantitative data on all of the options identified.

The remaining shortlisted options were then used to form a 'Preferred Scheme' or preferred combination of options. The project team is now consulting and engaging with the public and stakeholders to refine variations of those preferred options into an outline design.



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The 'Preferred Scheme'

The 'Preferred Scheme' is a term used to describe the outcome of the Options Appraisal Process. It is a snap-shot in time to demonstrate progress, and more importantly to determine the scope of the next stage – the Outline Design.

The 'Preferred Scheme' might be thought of as the assumed best combination of individual flood risk reduction concepts through which to achieve the Project's Objectives. It was approved by a meeting of the Council's Cabinet on 21st January 2021.

Approval of the 'Preferred Scheme' does not mean that the design has been carried out yet or that it has been approved under the Flood Risk Management (Scotland) Act 2009.

Following the current period of consultation, Jacobs will begin the outline design, using the 'Preferred Scheme' as a starting point together with feedback received from the public and other stakeholders.

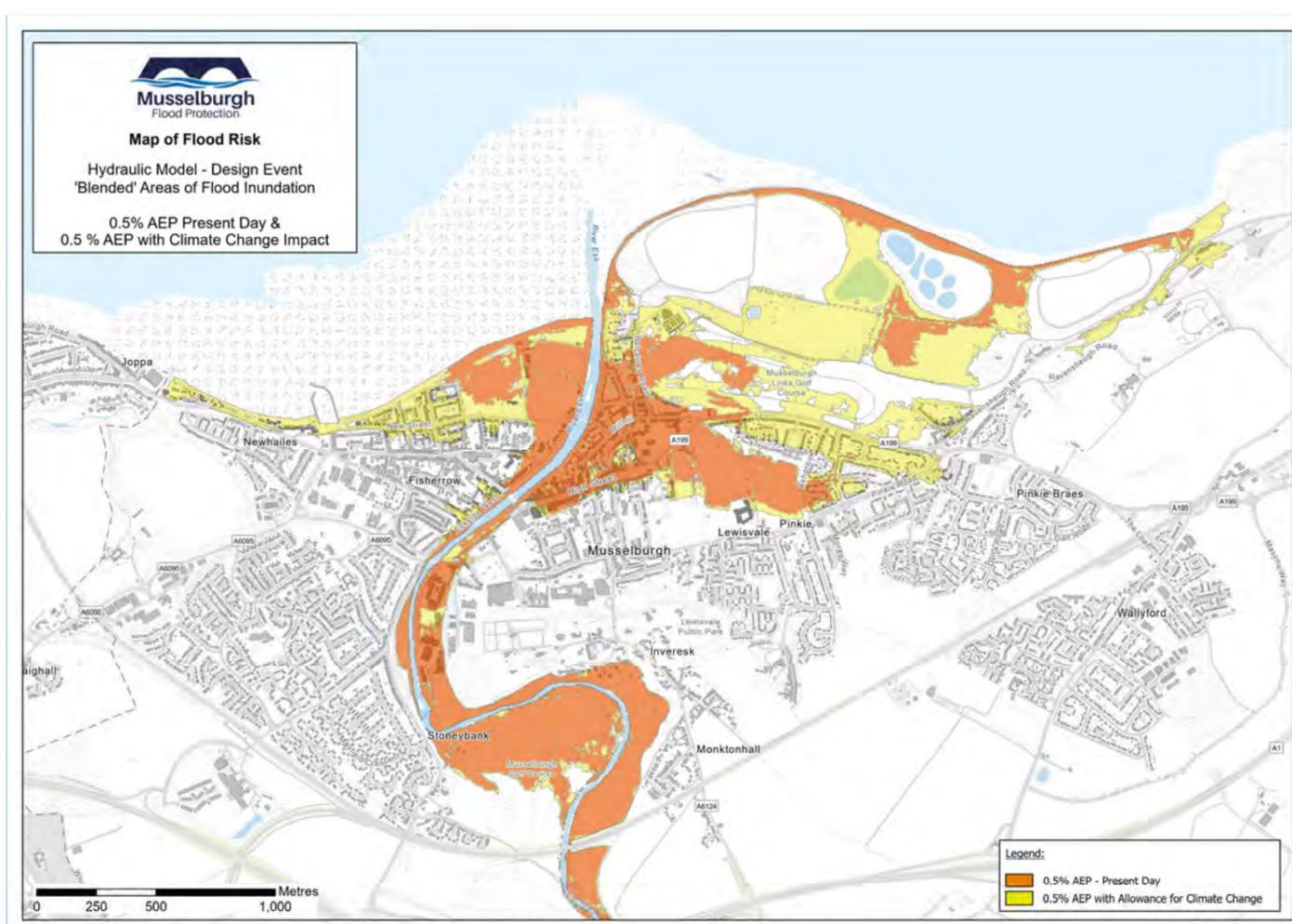
The Preferred Scheme Components



Present-day risk and the future risk due to climate change

The map below is the result of the hydraulic modelling carried out by Jacobs to determine Musselburgh's flood risk. It closely aligns with flood risk mapping independently carried out by SEPA and which is available to view on their website (www.sepa.org.uk).

The areas shaded orange are those at risk of flooding from a present-day 0.5% AEP event. The areas shaded yellow are the additional areas which could become at risk of flooding due to the effects of climate change during the design life of the Scheme.



The allowance for climate change is based upon the UKCP18 RCP8.5 95 percentile dataset. UKCP18 is the UK's most up-to-date set of climate change projections, published by the Met Office. RCP8.5 is the high emissions scenario, which represents a range of global mean temperature increases of between 3.2 °C. and 5.4°C by 2081 to 2100.

This is the dataset recommended for local authorities by SEPA in its document, *"Climate change allowances for flood risk assessment in land use planning (April 2019)"*.

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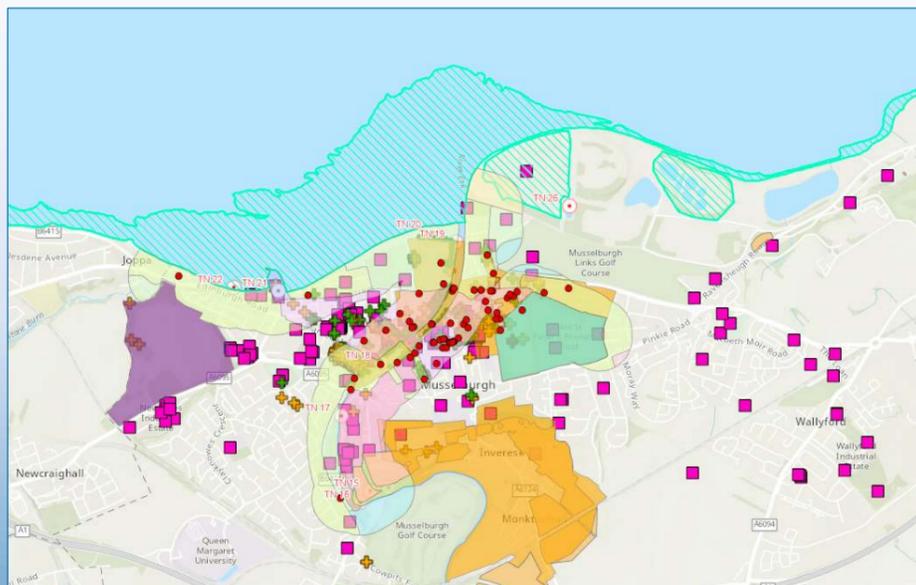
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Consideration of potential environmental impacts began at the options appraisal stage, with Jacobs' environmental specialists and regulatory stakeholders providing advice on potential environmental opportunities and constraints of each of the options.

The Environmental Impact Assessment (EIA) process and outcomes will be documented in an EIA Report, which will be published at the statutory approvals stage. This will summarise the impact that the Scheme may have, identify any feasible mitigation to avoid or reduce significant effects and list all unavoidable residual effects and applicable monitoring measures.

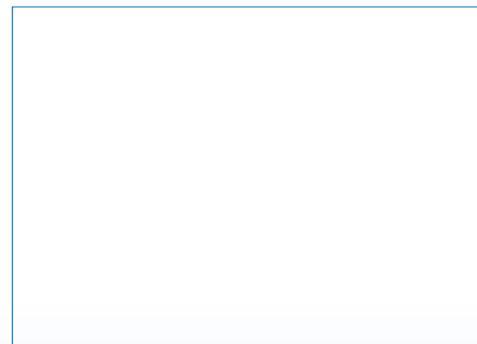
It also helps identify consenting requirements and how the Scheme might best align with policy objectives such as reducing carbon emissions, achieving net benefits for biodiversity, or protecting cultural assets.

The EIA process therefore facilitates the development of a more environmentally sustainable Scheme for Musselburgh.



The EIA's topics, identified through its screening & scoping stages, will include:

- Population and Human Health
- Biodiversity
- Noise and Vibration
- Landscape and Visual
- Water Environment
- Soils, Geology and Contamination
- Air Quality
- Cultural Heritage
- Traffic and Transportation
- Cumulative Effects



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The Scheme's contribution to addressing climate change

Net Zero Carbon means reducing carbon dioxide (CO₂) emissions as far as possible and absorbing the remaining emissions through natural carbon sinks like forests, and new technologies like carbon capture.

Embodied carbon refers to the CO₂ emitted in the process of extracting, processing and transporting raw materials then processing them into a product. It is measured in tonnes of CO₂ equivalent (tCO₂e).

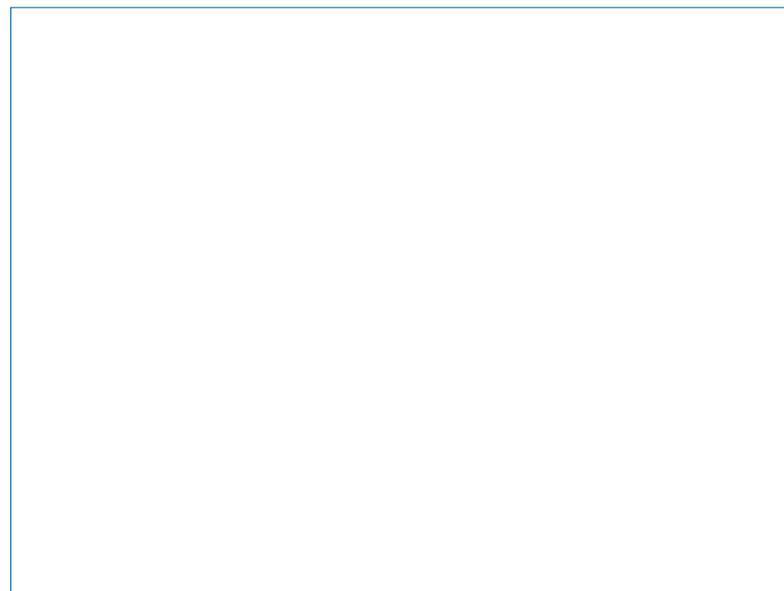
Climate change mitigation means reducing or eliminating society's CO₂ emissions to minimise the increase in global atmospheric temperatures.

Climate change adaptation means changing the way society behaves or is organised in order to live with the impacts of climate change. The Scheme is an example of climate change adaptation, where Musselburgh would be adapted to live in proximity to rising sea levels, increased river flows, and more intense rainfall.

Reducing the Scheme's embodied carbon

The Council recognises that it is not practicable to eliminate embodied carbon whilst also providing climate change adaptation without offsetting or buying carbon credits. There are, however, opportunities to reduce the Scheme's embodied carbon through innovative use of materials and construction methods.

Transportation of materials is a large component of embodied carbon in infrastructure projects. This can be reduced through the use of more locally-available materials. It may also be reduced through forms of construction which use less materials, or materials which have less embodied carbon per tonne.



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Use of natural or nature-based features to provide or complement flood risk reduction

The term, 'nature-based solutions', can refer to a variety of concepts which deliver multiple benefits such as flood risk reduction, ecological habitat enhancement, or improved social amenity.

Some measures can directly reduce flood risk through attenuating flow in the catchment or reducing wave heights at the coast; others can enhance engineered structures through natural or nature-based features.

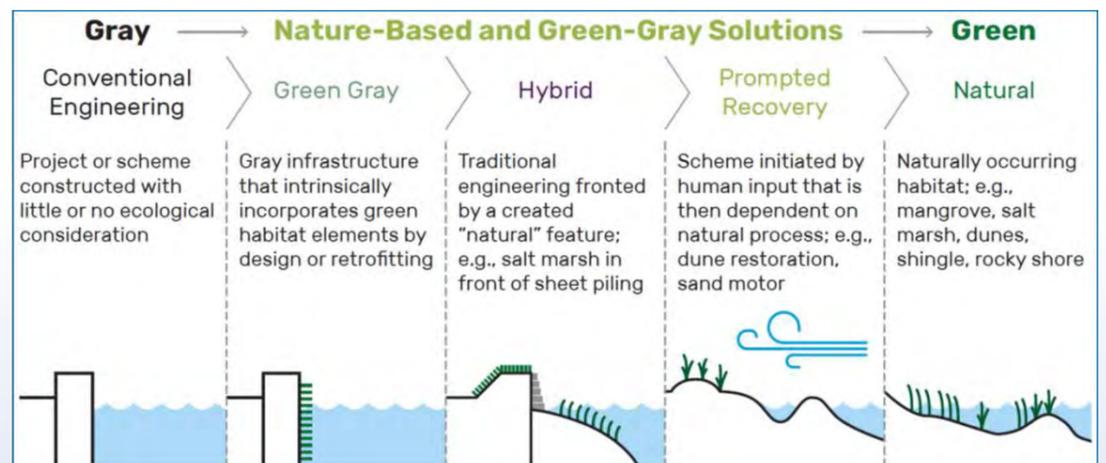
Natural features are those which are, *“created or evolved over time through physical, biological, geological and chemical processes operating in nature”*.

Nature-based features are those which, *“mimic characteristics of natural features but [which] were created by human design, engineering, and construction to provide risk reduction.”*

The project team has determined that nature-based solutions on their own are insufficient to deliver the necessary flood risk reduction to Musselburgh, but that natural and nature-based features in combination with engineering solutions could deliver multiple benefits. These will be developed by Jacobs as part of the outline design.

Sustainable and resilient solutions are likely to include a combination of:

- Structural engineering
- Non-structural measures
- Natural features
- Nature-based features



Continuum of Nature-Based Techniques. Extract from *International Guidelines on Natural and Nature-Based Features for Flood Risk Management (2021)*.

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Replacement Bridges

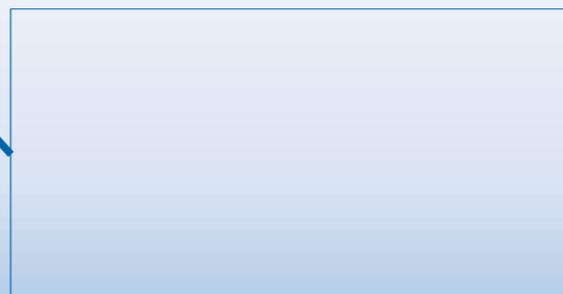
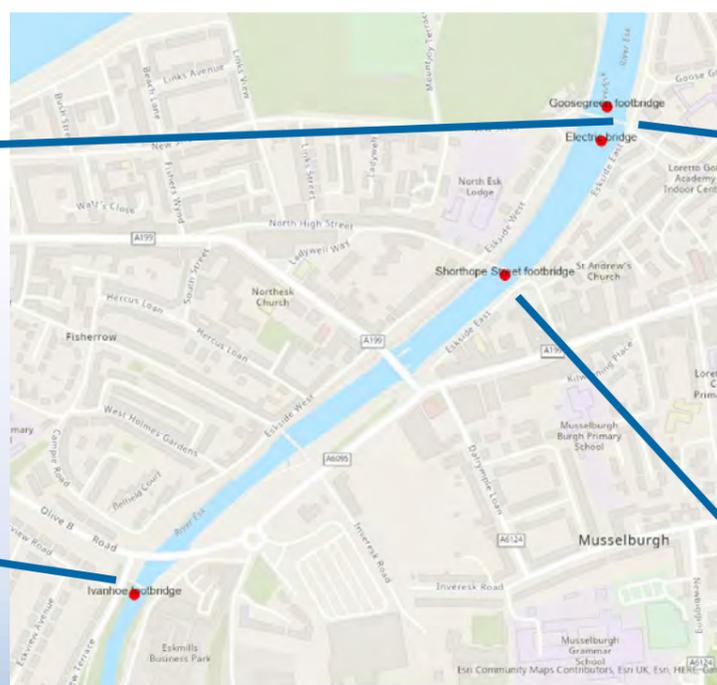
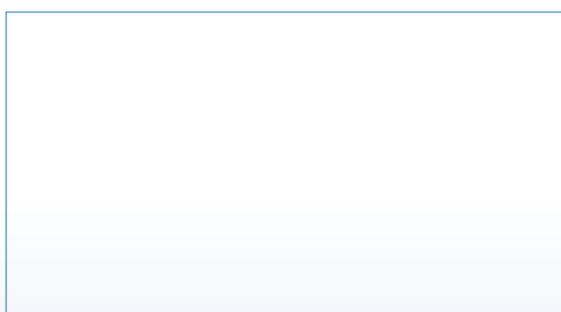
Improving conveyance, reducing risk, and adding amenity value

There are several reasons for proposing to replace certain bridges across the River Esk. The existing Shorthope footbridge, Electric bridge and Goosegreen footbridge are all multi-span bridges with low soffits (the underside of the deck). During a major storm their intermediate piers would restrict the flow of water and their soffit would become submerged, further restricting the flow. Finally, the combination of piers and a low soffit increases the risk of debris impact and blockage, resulting in the bridge acting like a dam and preventing its use. Defences on the riverbanks would therefore have to be higher to compensate, with alternative crossing used during a flood.

By replacing these bridges with new single-span structures that would be higher than the flood level, this improves conveyance and reduces the risk of blockage. This also means the defences required on each riverbank are lower.

While the Ivanhoe footbridge is already single-span, it also presents a restriction to flow during the more extreme storms as the floodwater would still reach its soffit. Raising it and possibly relocating it upstream would reduce the height of defences around Eskmills.

A multiple benefit also exists, whereby this Project and the Musselburgh Active Town project could combine funding streams to deliver wider bridges which better accommodate pedestrians, cyclists and other wheeled users. This would improve active travel around the town and add amenity value beyond just flood risk reduction.



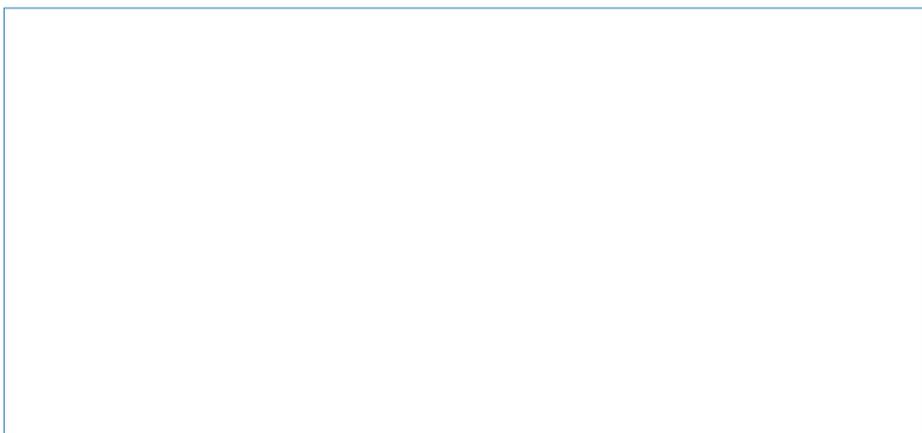
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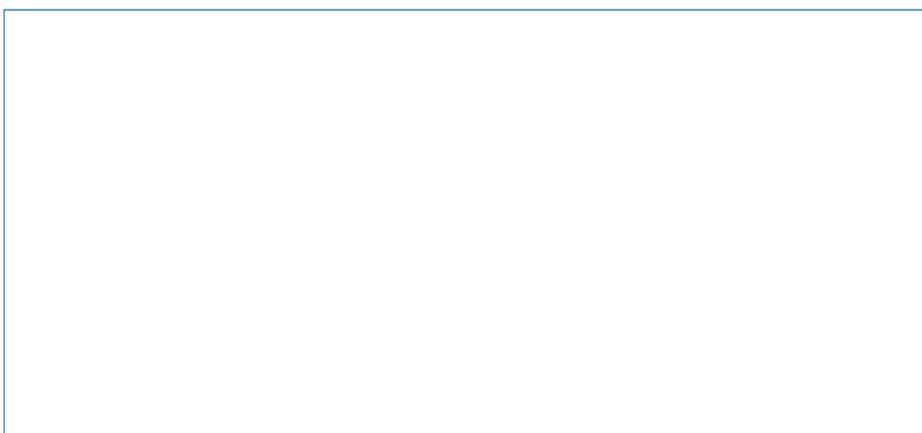
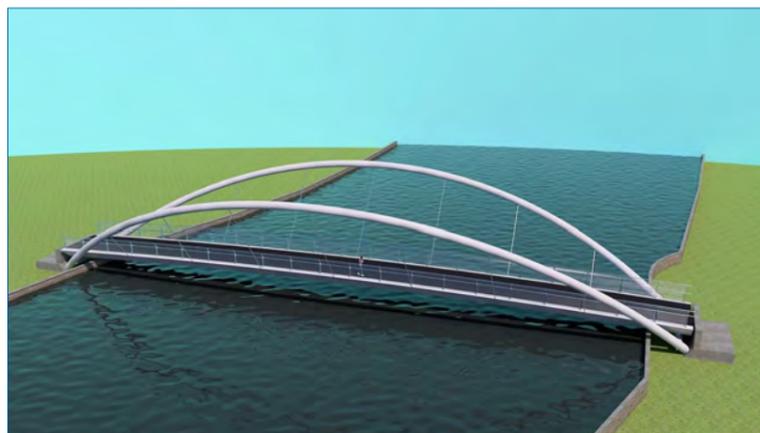
Possible forms of construction

At previous consultation events the public asked to see what replacement footbridges might look like. In response, Jacobs has produced conceptual models of three different forms of footbridge construction which could achieve a single span crossing over the River Esk.

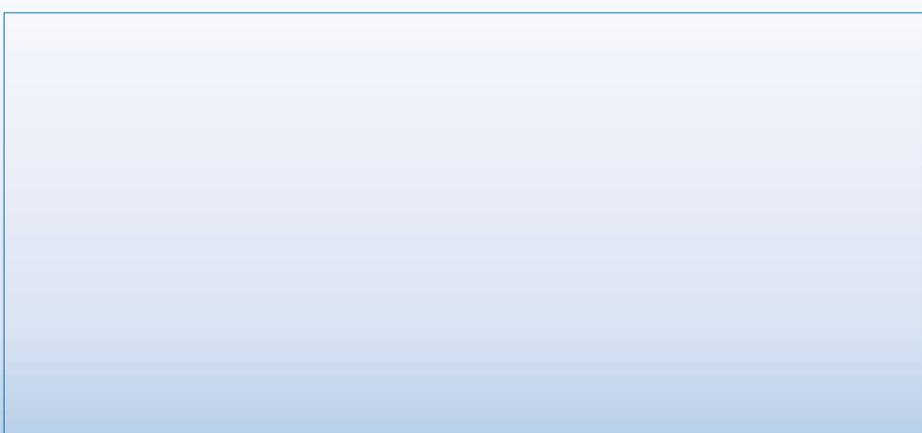
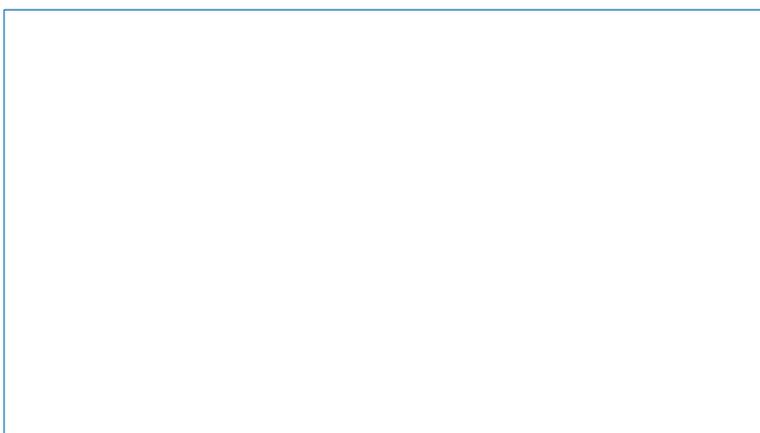
Following feedback from today's event, and in discussion with the planning service, the project team will make recommendations to Project Board with regard to a preferred form of bridge at each location.



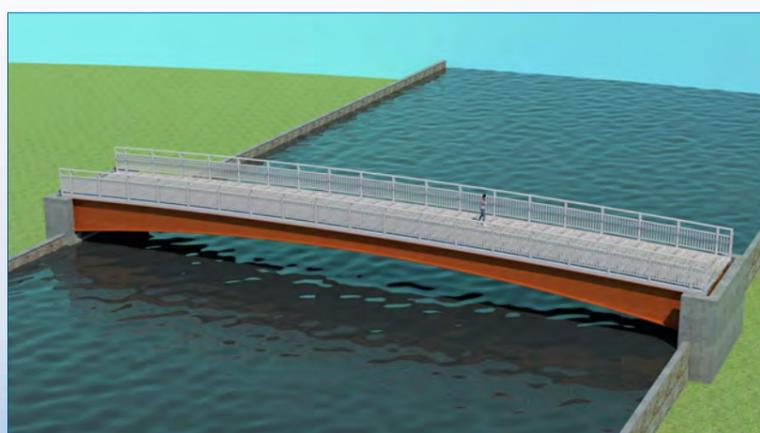
Example of a steel hybrid butterfly arch footbridge



Example of a steel modified warren truss footbridge



Example of a composite timber-weathered steel multi girder footbridge



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Sand dunes

These are typically natural coastal formations, which in some cases can also be artificially constructed to provide flood protection.

Advantages

- Can have a more natural appearance than other forms of flood protection.
- Can provide other environmental benefits such as biodiversity enhancement and habitat creation.
- Can be a sustainable solution if there is sufficient natural supply of sediment to replenish the dunes after storms.
- Can be combined with a hard engineered core to ensure continued flood protection in case they are eroded.

Disadvantages

- Requires an enormous quantity of sand. Sourcing this can have adverse environmental impacts.
- Artificial dunes are still an emerging science and there is less certainty about their performance during storms.
- Dunes change shape over time. They need regular inspection and replenishment after erosion. This would be a significant burden on the Council.
- Dunes need to be significantly larger than other forms of defence.



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Flood embankments

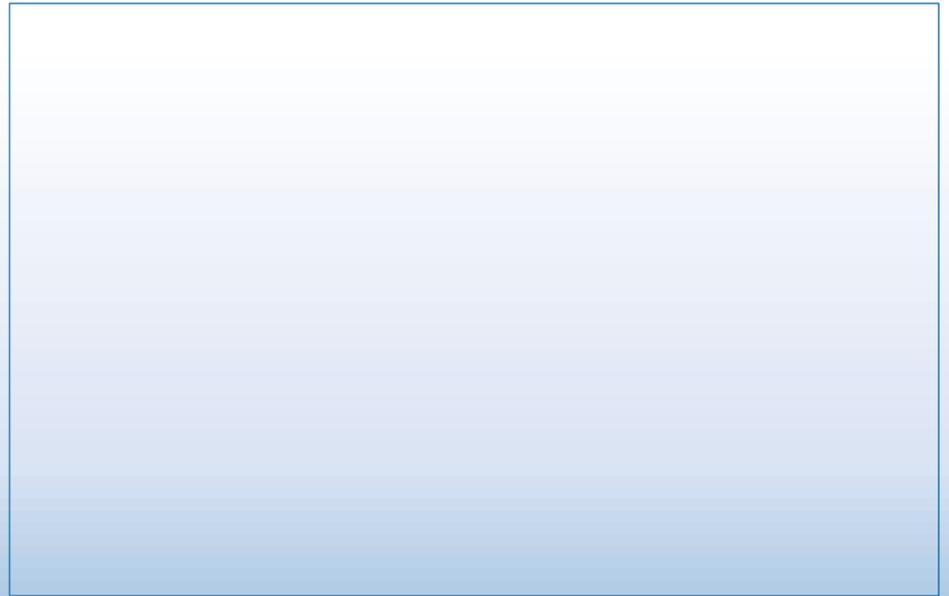
Also known as levees or bunds, these are engineered mounds made from impermeable material such as clay. They may include a concrete or steel sheet pile core.

Advantages

- Can have a more natural appearance than other forms of flood protection
- Can include a footpath on the crest to give the public uninhibited views of the river or coast
- Generally lower cost than other forms of flood protection, but this is dependent on local supply of suitable clay material.
- Very low maintenance throughout their design life

Disadvantages

- Require significantly more space than other forms of flood protection. For example, a 1m high embankment with a 2.5m path on the crest would have at least a 9m wide footprint.
- Coastal embankments have to be higher than flood walls because their shape is less effective at reducing wave overtopping.
- Embankments may not be suitable for areas of poor ground conditions, where long-term settlement may be an issue.



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Flood walls

These are static flood defences, which are usually made from reinforced concrete or steel sheet piles, and have substantial foundations below ground.

Advantages

- They usually have a smaller footprint than other forms of flood defence, leaving more space for amenity.
- They have no moving parts and require very little maintenance or inspection.
- They can have a variety of finishes such as stone cladding, brick cladding, or patterned concrete. In Musselburgh it is likely that within the conservation area they would have to be stone clad.
- They can include glass panels for improved visibility, or flood gates for accessing the river or coast.

Disadvantages

- Can be more visually intrusive unless designed carefully as part of a wider landscape plan.
- Can have more embodied carbon than other forms of flood defence, although this depends on local supplies of materials.
- They generally have a higher cost than flood embankments due to the time taken to excavate for foundations, fix reinforcement, pour concrete, curing, and cladding.



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Hybrid embankments with an upstand wall

These are flood embankments with a low-height wall protruding from the crest

Advantages

- They have a smaller footprint than a standard flood embankment and a more natural appearance than a standard flood wall.
- No moving parts and very low maintenance throughout their design life.
- Can include a footpath on the crest like standard flood embankments.
- The upstand wall can include a wave return for coastal locations.
- The upstand could also incorporate demountables, glass panels or flood gates.

Disadvantages

- Higher cost than a standard embankment or standard flood wall due to more complex form of construction.
- While it has a smaller footprint than a standard embankment, it still has a larger footprint than a flood wall or barrier. It is therefore more suited where there is sufficient space available.
- Has similar disadvantages to the standard flood embankment described on a previous board.



David Wright / Humber Flood Defence Bank / CC BY-SA 2.0



Oliver Dixon / Ouse River Wall / CC BY-SA 2.0

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Self-rising barriers

These are manufactured mechanical barriers which rise up out of the ground in response to floodwater, but which are normally hidden from view below ground.

Advantages

- When not in use, these are less visually intrusive than other forms of flood defence. Their housing can be flush with ground level or they can be designed to rise out from a lower fixed flood wall.
- They are designed to deploy automatically in response to rising flood waters. When the water levels recede after a storm, the barrier lowers automatically, thereby avoiding the need for human intervention.

Disadvantages

- Can be significantly more expensive than other forms of flood defence. May be suitable only over shorter lengths where visual impact or access is the critical consideration.
- They require regular inspection, testing and maintenance to keep them working. This would be a significant burden on the Council.
- Repairs and replacement parts could be less readily available in the future if a supplier changes its product range or goes out of business.



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Demountable barriers

This is a form of temporary flood protection which can be assembled prior to a storm but is normally stored elsewhere when not in use.

Advantages

- Less visually intrusive than other forms of flood protection because they are only put in place when a storm is expected.
- Useful where regular access is required and a fixed defence would not be practical, such as an entrance to a building or across a road.

Disadvantages

- They require a significant number of trained people to deploy them before a storm, and to dismantle them afterwards.
- Generally limited to shorter lengths of defence where a permanent barrier would be impractical.
- They require regular inspection, testing and maintenance to keep them working. This would be a significant burden on the Council.
- When not in use, they require space to be stored, preferably close to where they are deployed.



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Providing access for all in a new and improved water environment

Where flood defences are provided next to a river or coastline, it is important to maintain access so the public can continue to use the riverbank, park or beach.

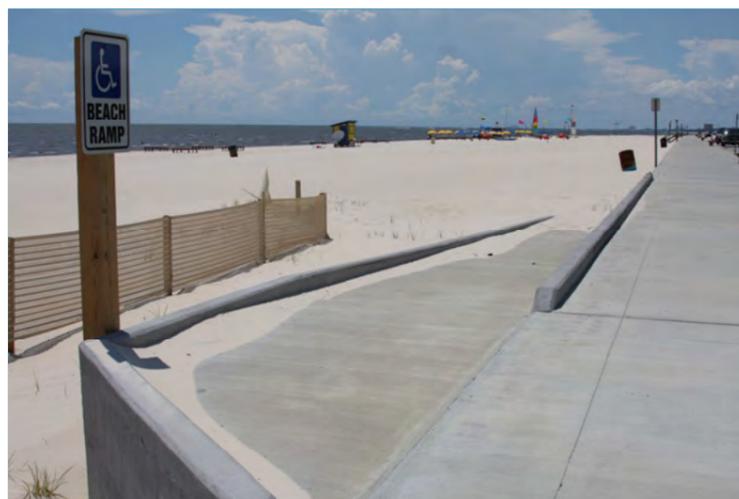
Vehicle access is typically required to maintain these areas, such as grass cutting in parkland or maintenance of beaches.

The project team commits to maintaining access to as many of these areas in Musselburgh as practicable. The form of access will depend on what type of defence is to be crossed and its position relative to the water.

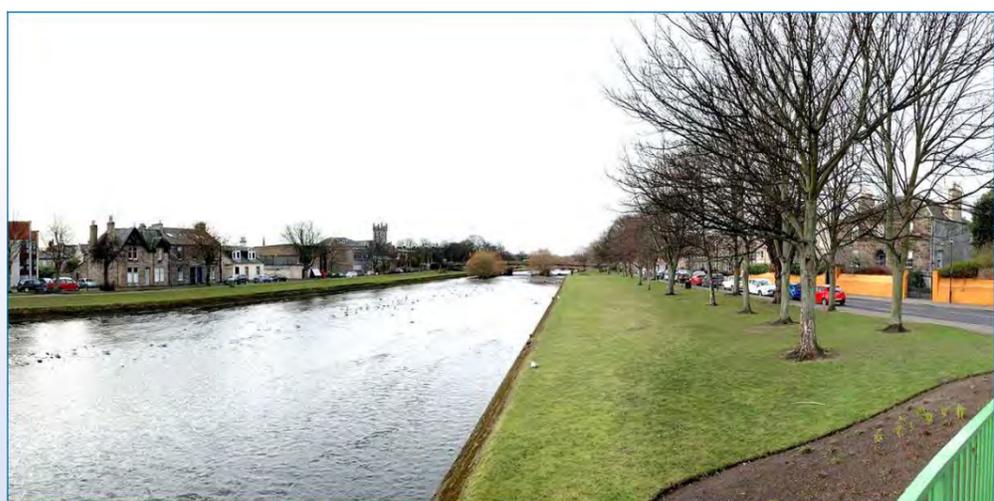
Maintaining or improving 'Access for All' is a key component of the landscape design strategy of the Scheme. Both ramped and stepped access will be provided to cater for pedestrians, cyclists, and other wheeled users where design standards and legislation requires this.



Example of a ramped path over a flood defence embankment



Example of a ramped access to a beach, over a sea wall and promenade



Possible opportunity to improve waterside access through changes to existing riverside structures on Eskside West

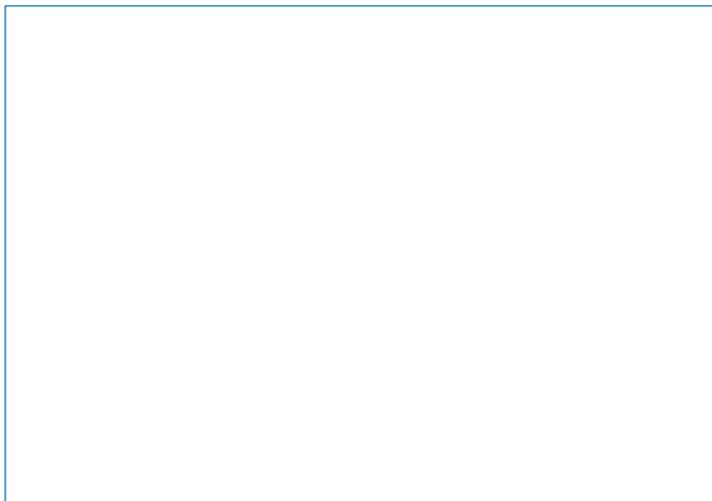


Example of a floodgate in a flood wall to maintain beach access for boats

musselburghfps@eastlothian.gov.uk

www.musselburghfloodprotection.com

Designing a scheme for the 'Toun' that becomes part of the town



Conceptual sketch of possible landscape design options at Mall Avenue



Conceptual sketch of possible landscape design options north of Roman Bridge



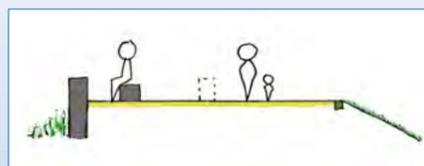
Conceptual sketch of possible landscape design options for riverside areas

For any Scheme to be acceptable, it must work as part of the wider urban environment whilst also providing flood protection. For the majority of its design life, the Scheme will simply be another part of the landscape.

The Council recognises the importance for the design of the Scheme to be sympathetic to the surrounding landscape of Musselburgh. Jacobs' design team comprises landscape architects working alongside engineers to develop a holistic design which meets the operational needs of the Council and the aesthetic aspirations of the community.

A flood protection scheme is a major infrastructure project, and its construction provides many opportunities to put back an improved and enhanced amenity space which is best suited to the needs of the community in the years to come. With match-funding via partner organisations, these opportunities could include enhancement of civic spaces, re-creation of natural habitats, or improvements to transportation links.

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Conceptual sketch of possible landscape design options for coastal waterfront

musselburghfps@eastlothian.gov.uk

www.musselburghfloodprotection.com

Next Steps for the Scheme

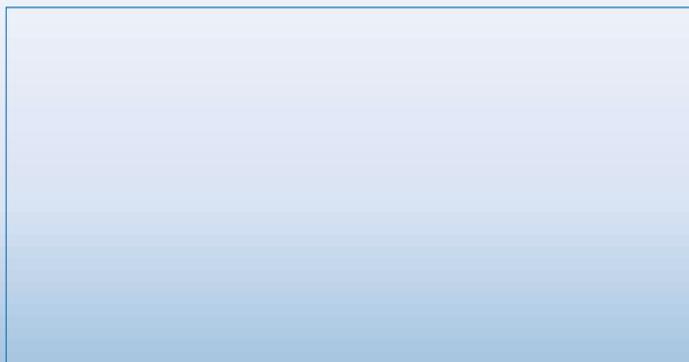
The project team will now collate and reflect on the feedback received during today's event and those of the 8th and 9th February, as well as comments from those who have made contact through other means.

Jacobs will then commence the outline design of the Scheme, taking into consideration the feedback received, together with an understanding of the operational needs of the Council. Jacobs will then make recommendations to the Council for specific solutions at each location. The project team will then return to the Brunton Theatre to update the public on the work in progress.

Key considerations:

- What form of defence is most appropriate at each location in the town?
- What form of replacement bridge is most appropriate at each location?
- What are the main aesthetic, amenity, and environmental factors at each location?

We look forward to meeting you again at the next public consultation event.

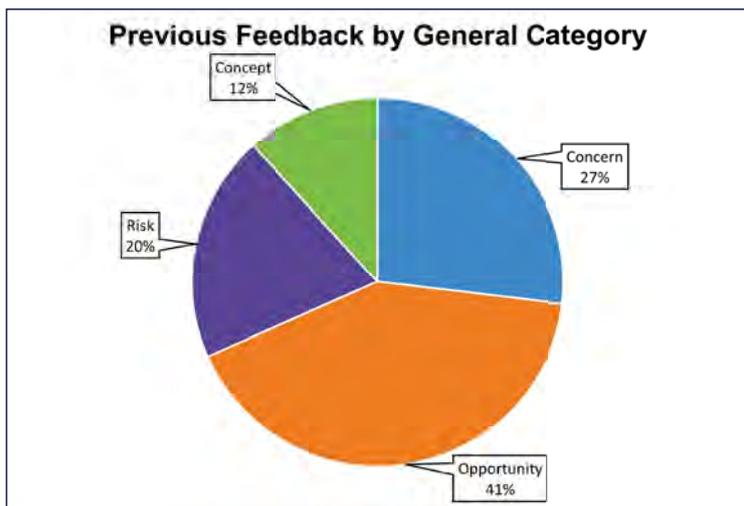


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www.musselburghfloodprotection.com

Consultation Feedback to Date

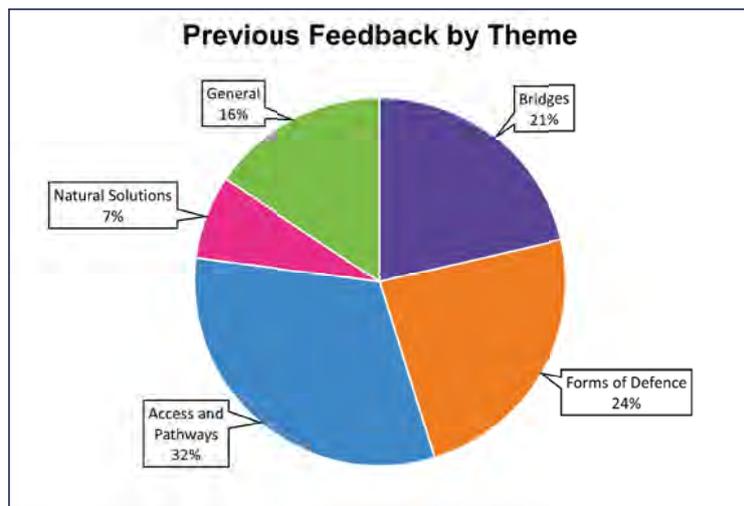
The following analysis includes questions and comments relating to the Musselburgh Flood Protection Scheme, received by the project team. This information has come from approx. 316 comments from various public consultation sources.



Category

Each question / comment was anonymised and organised into 4 general categories:

- 
Concern: Feedback that expresses a worry about short term or long term impact of the Scheme and / or the changes it may entail.
27% were categorised as a concern.
- 
Opportunity: Suggestions on how to improve the Scheme design, scope or strategy.
41% were categorised as an opportunity.
- 
Risk: Feedback that has the potential to directly or indirectly conflict with proposed outcomes of the Scheme, keeping in mind that Scheme design is still at early stages.
20% were categorised as a risk.
- 
Concept: A question or comment that required further explanation or investigation into a theme related to the Scheme.
12% were categorised as a concept.



Theme

These questions / comments were also organised by theme - what the question or comment was actually referring to, falling into any of the 4 general categories described above. There are 5 themes:

- 
Bridges: 21% related to bridges.
- 
Forms of Defence: 23% related to forms of defence.
- 
Access and Pathways: 32% related to access and pathways.
- 
Natural Solutions: 7% related to natural solutions.
- 
General Question / Comment: 16% related to general questions / comments.

Appendix B. Questionnaire

Local Area Consultation - Whole Town

8th March 2022 Questionnaire



Thank you for your attendance today. The Project team would be very grateful if you could provide your thoughts on the Musselburgh Flood Protection Scheme, and the options shown today, by answering this Questionnaire. Please drop the questionnaire in the box when completed. Thank you for your feedback.

East Lothian Council is committed to protecting your privacy and we work in full compliance with Data Protection legislation. We will only share your personal data when you provide us with your explicit consent to do so, or when legally required. However we may share your details with carefully selected third party suppliers (data processors) working on our behalf. You have the right to access and update the data we have about you. Our Data Protection and Privacy Policy explains your rights, who has access to your data and how we safeguard your personal data.

Any responses you make to Equality, Diversity and Inclusion questions will be anonymised and used to ensure East Lothian Council is providing a fair and equitable service.

Alternative Formats:

Versions of this questionnaire can be supplied in Braille, large print, audiotape or in your own language. Please contact Customer Services if you require assistance on 01620827199.

Your Consent:

I agree that East Lothian Council can use my responses for research purposes and to inform the design of the Musselburgh Flood Protection Scheme.

Y N

About You:

Q1 Which age group do you fit into (please tick more than one box if multiple participants)?

Under 16 years 17 - 29 years 30 - 39 years 40 -49 years
50 -59 years 60 -69 years 70 and Over

Q2 What is your Post Code?

About the Scheme:

- Q3 Do you agree that Musselburgh has a flood risk?** Y N
- Q4 Do you support the provision of a flood protection scheme for Musselburgh?**
- Q5 Do you agree that such a flood protection scheme should include an allowance for climate change?**

About the Design:

Q6 For each of the following locations, please rate the factors in order of priority that you think the designers should consider when designing the scheme, with 1 being most important and 5 being least important.

Location	Waterside access for the public	Visual Appearance	Environmental Impact	Cost	Space for recreation and amenity
Eskmills area					
Eksides area					
Goosegreen area					
Edinburgh Road area					
Mountjoy area					
Fisherrow area					

Q7 For each of the following locations, please indicate your order of preference for the form of replacement structure, assuming that all will be suitable for pedestrians and cyclists, with 1 being most preferred and 3 being least preferred.

Location	Steel Hybrid Butterfly Arch Footbridge	Steel Modified Warren Truss Footbridge	Composite Timber-steel Multi Girder Footbridge
Ivanhoe footbridge			
Shorthope Street footbridge			
Goosegreen footbridge			



Example of a steel hybrid butterfly arch footbridge



Example of a steel modified warren truss footbridge



Example of a composite timber-steel multi girder footbridge

Q8 If Electric bridge is to be replaced, would you prefer that the new bridge is a) only suitable for pedestrians & cyclists; or b) capable of being opened to motorised vehicles in the future? Please tick one box only.

A B

Q9 Do you have any further thoughts or comments you would like to provide?

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Executive Director for Council Resources
SUBJECT: Common Good Review

8

1 PURPOSE

- 1.1 To report back to Council on proposals following the review of Common Good.

2 RECOMMENDATIONS

It is recommended that the Council:

- 2.1 Notes the current position and progress regarding the Common Good Review;
- 2.2 Agrees the delegation to the Head of Infrastructure, as set out in paragraph 3.13 of this report.

3 BACKGROUND

- 3.1 At the meeting of the Council on 25 June 2019 it was resolved by Council that a working group with cross-party Member representation, supported by Council Officers, would be set up to review the manner in which Common Good property is managed within the Council. The objectives of the Working Group were as follows:

- compile a definitive list of Common Good Assets;
- create a mechanism so that such a list is regularly reviewed;
- propose changes to the management of the Common Good;
- review the governance arrangements in place for the Common Good and make recommendations for improvement;

- ensure that Elected Members and relevant staff are aware of the restrictions that apply to the management and use of the Common Good; and
- propose any refresh of Standing Orders that might be required as a consequence of any project recommendations.

The Working Group met frequently over the period with regular updates on the progress reported to Council (see background papers referred to in Section 7 of this report).

What is Common Good?

- 3.2 Common Good property is a special type of property owned by local authorities in Scotland, which is legally distinct from all the other property which they own. Income arising from these assets form the Common Good Funds. These Funds consist of property that previously belonged to one of Scotland's burghs. They include both moveable property (for example, cash, securities, civic regalia) and heritable property (land and buildings). The origins of these Common Good Funds go back to the establishment of Scotland's Royal Burghs in the 11th century. Royal charters by the Crown granted these burghs special rights and privileges, as well as tracts of land which typically extended for some distance around the medieval town. Then, in the 15th century, in response to maladministration, the Scottish Parliament passed the Common Good Act 1491. This Act, which remains in force today, stipulated that the common good of the Royal Burghs "be observed and kept for the common good of the town". The most concise statement of the purpose of the Common Good is contained within a judgement of Lord Kyllachy who stated that:

"The Common Good is corporate property and falls as such to be administered by the Council – and applied by them for the benefit of the community in such manner as, and using reasonable judgement as, they think proper."

There is no formal definition of Common Good property, although there is significant guidance within case law. Therefore, this means that in deciding whether an asset is part of the Common Good, the Council must consider each case on its own merits, primarily looking at how and when the property came into ownership of the Council.

A key objective for the group was firstly identifying all Common Good assets.

Identifying Common Good Assets

- 3.3 A full review of all Common Good assets held by the Council under Common Good Funds was undertaken and a list of all identified Common Good assets was published for consultation on 4 June 2021 as required in terms of the section 102 of the Community Empowerment (Scotland) Act 2015. This list included both moveable and heritable property. The

consultation closed on 20 August 2021. The responses to the consultation were reported in the Members' Library (see Background Paper 7.4).

- 3.4 This list identified whether the Common Good assets were deemed to be capable of disposal without first seeking permission from court or if they required court approval prior to any proposed disposal. Notwithstanding the fact that after 1976 no new Common Good property could be created this does not prevent the Common Good Funds growing as a result of returns from investments. This may mean that over time the Common Good assets listed may change by either the addition or subtraction of assets.
- 3.5 As a consequence of the review, a number of land sites previously recorded on East Lothian Council's general services balance sheet have now been transferred to Common Good Fund balance sheets. Where a building is on such a site but is being occupied and used by the Council for the provision of public taxpayer-funded services the building is still recorded on the Council's general services balance sheet on the basis that the use is equivalent to a finance lease.
- 3.6 [Audit Scotland's Annual Audit Report on the Council's 2020/21 annual accounts](#) stated "Having recognised that the council is using common good assets for the provision of council services, an appropriate lease arrangement must be set up." Lease payment arrangements from taxpayer funds to the Common Good Funds already exist for three of the buildings (Haddington Town House, Dunbar Town House and the Brunton Hall). For other buildings, however, no specific arrangements are in place. These include a number of park buildings and memorials, some of the more notable building assets involved are Stoneyhill Community Centre Musselburgh; Port Seton Community Centre; Bleachingfield Centre Dunbar, and the community facility building at Musselburgh Racecourse.

Reviewing the List of Common Good Assets

- 3.7 It should be noted that while all endeavours have been made to identify all Common Good assets it may be that there are certain areas of land that may in the future be considered to be part of the Common Good Fund. It is also possible that the Council may utilise Common Good funds to acquire property, which would then be considered to be part of the Common Good Fund. Further, it may also be the case that the Council is permitted to dispose of Common Good assets. It is therefore proposed that Estates Services will be responsible for maintaining, reviewing (in consultation with Legal Services) and updating the Common Good asset register on a regular basis.
- 3.8 To ensure a comprehensive mechanism is in place to continue to monitor and review the Common Good asset list it is proposed that:
- on any dealing with any property held by the Council which has not already been identified as Common Good (or reviewed as part of this review process) a title check is instructed to be carried out by Legal Services which will include consideration as to whether or not that

property should be considered to be Common Good. If the answer is yes then the property will be added to the published Common Good Asset Register.

- any approved acquisition of property utilising Common Good monies or disposal of a Common Good asset will result in that asset being either added or removed from the list at the point of acquisition or disposal, as appropriate.
- an annual audit of all moveable assets will be carried out to ensure that the moveable Common Good assets remain in good repair and condition, and remain capable of being identified. Following this review the Common Good Asset Register will be updated as appropriate.

3.9 In addition to the recorded assets there are also cash balances attributable to the Common Good Funds. These will continue to be reviewed by finance with an annual budget for each Common Good Fund prepared and presented to Council for approval.

Management of Common Good

3.10 Members should note that, in terms of case law, the first call on Common Good cash balances must be the maintenance of Common Good properties.

3.11 Through the review it was identified that there was an ongoing requirement to review the condition of the buildings and the General Fund may have been utilised at points to support the maintenance of Common Good assets.

3.12 It is therefore proposed that there will be a full review of the condition of all assets recorded on the Common Good Asset Register. This review will record the condition and provide suggested works to bring or keep the property into good repair.

3.13 A maintenance schedule will then be compiled and the annual Common Good Fund budgets will incorporate the amounts required to carry out such repairs and maintenance of the Common Good assets as identified in the maintenance schedule. Required maintenance/repairs will be brought forward on a priority basis in line with the annual maintenance schedule.

3.14 The maintenance schedule will then inform the annual Common Good Funds' budgets which will be put before Council for approval. Such budgets will prioritise the maintenance of the properties (which may also include maintaining land as well as buildings) prior to setting budget levels for the award of grants through the Common Good Committees.

3.15 In the event there are insufficient funds to accommodate such maintenance/repairs then consideration will be required as to whether or not the asset is disposed of. If the property is sold or retained for other purposes then this may require a petition to Court to declare the asset as no longer being part of the Common Good Fund.

- 3.16 There remains an obligation on the Council to achieve best value for the Common Good Fund. In achieving best value this does not always need to be a full financial value but should demonstrate benefit to the people of the royal burgh area to which the Fund applies. In dealing with the letting of Common Good properties it is suggested that this is delegated to the Head of Infrastructure following consideration of relevant representations received from a full public consultation as required in terms of the Community Empowerment (Scotland) Act 2015. The decision to dispose of any Common Good property must be taken by Council.
- 3.17 The Common Good monies will continue to be invested in line with the Council's treasury management strategy as approved by Council on an annual basis.

Common Good Governance

- 3.18 Common Good is corporate property and falls as such to be administered by the Council and applied by them for the benefit of the community. It is this principle that should drive the governance and utilisation of the Common Good Funds. As part of the Governance Review, conditions surveys were undertaken on all Common Good properties. This identified a significant amount of maintenance required across the Common Good portfolio (see background paper referred to at 7.3) and to date has informed the Council's current building maintenance programme. It is the recommendation of this review that the first call on the Common Good Funds should be to maintain, repair and preserve existing Common Good assets. In order to ensure good financial governance over the Common Good Funds, a five-year maintenance programme of all Common Good assets will be prepared and presented along with the annual Common Good budgets for Council approval. This will seek to prioritise the funds to maintaining the current Common Good assets and provide a framework in which applications from the public for Common Good funding can be reviewed and approved.
- 3.19 The current arrangements for dealing with Common Good Funds are that each Common Good area has a committee established within the Scheme of Administration. The remit of these Common Good Committees is to determine applications seeking Common Good funding up to Ten Thousand Pounds (£10,000). Applications received for sums which are greater than £10,000 are still presented for comment and noting by the Common Good Committee but are ultimately presented to Council for a decisions accompanied by a recommendation from the Council's Chief Finance Officer (s95 Officer). This process works well in practice and the review found no basis to alter it.
- 3.20 Through the review process it is noted that Common Good assets have been identified in Cockenzie/Port Seton and Tranent. This may, in the future, enable the establishment of two new Common Good Committees for these areas. At present, work is still being undertaken to establish whether any cash can be attributed to these Common Good Funds with the principle that any monies received from these assets would firstly be

directed towards their maintenance. Only in the event that the levels held on these accounts ever reach a sufficient level to permit grants to be awarded while being able to maintain the relevant Common Good Property, would Common Good Committees be established.

Common Good Knowledge/Training

- 3.21 The Common Good Review has been in process for over five years and as such there has now been greater awareness of management of Common Good property throughout the Council. The Council's Management Team are now aware of the requirements in dealing with Common Good property arising from Common Good Act 1491, Community Empowerment (Scotland) Act 2015, and case law. This has been taken on board and Council officers are now more aware of the governance around Common Good assets.
- 3.22 Members have been provided with Common Good training as part of the induction. There is also guidance provided by the Committees Team relating to the Common Good Committees, and Council officers will make available to Members refresher training on a regular basis. In addition, Members are also able to request refresher training (this can be one-to-one or in a group setting).

4 POLICY IMPLICATIONS

- 4.1 There are no policy implications arising from this report.

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 – There are potential financial implications arising from this review dependent on finalisation of arrangements for the Council's use of buildings on Common Good land. The report acknowledges a requirement to allocate Common Good Funds towards the maintenance of Common Good assets prior to any grants from the funds being made. The review may require an additional level of resource to manage ongoing maintenance programmes; it is likely this resource will be built into the Common Good budgets going forward.
- 6.2 Personnel – none.
- 6.3 Other – N/A

7 BACKGROUND PAPERS

- 7.1 Report to Council: Review of Governance of Common Good, dated 25 June 2019
- 7.2 Report to Council: Review of Governance of Common Good – Update, dated 27 August 2019;
- 7.3 Report to Council: Review of Governance of Common Good – Update, dated 20 October 2020;
- 7.4 Members' Library Report 119/21: Common Good Consultation – Update, dated November 2021

AUTHOR'S NAME	Carlo Grilli
DESIGNATION	Service Manager - Governance
CONTACT INFO	cgrilli@eastlothian.gov.uk ext 7770
DATE	1 August 2022

REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Place

SUBJECT: Community Request for the Designation of Lauderdale Park, Dunbar as a 'Field in Trust'

9

1 PURPOSE

- 1.1 This report is to request East Lothian Council's consent to work with the charity 'Fields in Trust' to designate Lauderdale Park, Dunbar as a Field in Trust, thus legally protecting it as a park in perpetuity. The original request for designation arose from the Dunbar Community.

2 RECOMMENDATIONS

- 2.1 That the Council agrees to the submission of an application to the charity Fields in Trust, to secure legal protection in perpetuity for Lauderdale Park, Dunbar.
- 2.2 That authority be delegated to the Head of Corporate Support to execute the formal legal agreement, giving effect to the decision of the Council.

3 BACKGROUND

- 3.1 Fields in Trust, founded in 1925, provides legal protection for parks and playing fields. Fields in Trust currently protects 2891 spaces across the UK, including 6 spaces in East Lothian (King George Field, Port Seton; Goolwa Park, Port Seton; Ormiston Park; Polson Park, Tranent; Cuthil Park, Prestonpans; and Winterfield Park, Dunbar).
- 3.2 The process is a simple one, involving entering into a Minute of Agreement with Fields in Trust, with the agreement setting out what the landowner can and cannot do with a space, without triggering the need to consult with Fields in Trust. A plaque is provided, to be installed somewhere within the space, to allow users to know that it is protected in perpetuity.

- 3.3 The organisation's first patron was King George V and the oldest designated spaces are the King George Fields of which East Lothian has one. There have been two more recent campaigns to designate more fields, the first being the designation of Queen Elizabeth II Fields in 2012, in celebration of the Queen's Diamond Jubilee and the London Olympic and Paralympic Games, the second being the Centenary Fields programme to permanently protect recreational spaces connected with World War 1. There are also numerous spaces that are protected outwith these programmes and the effect of designation is the same, regardless of whether the space is, or is not, designated under a particular programme.
- 3.4 A request was brought forward in April by Dunbar Community Council, in a letter from Pippa Swan (attached as part of this report), following a proposal by the late Mr Herbert Coutts, that Lauderdale Park should be designated as a Field In Trust, in honour of the Queen's Platinum Jubilee. It seems appropriate that this request is actioned, particularly as it can be undertaken in memory of Mr Coutts, following his sad passing.
- 3.5 Members are asked to agree to officers approaching Fields in Trust to put the process of designation in motion. This will involve staff from Corporate Services, Infrastructure and Development. Fields in Trust has a template Minute of Agreement which can be adapted to suit individual circumstances. The designation for Lauderdale Park will be drafted to ensure that the tenanted cafeteria within the park can continue to function as such in the future and that the building can be maintained, redesigned and replaced, including an allowance for an element of expansion, were that ever to be deemed appropriate in the future. The Minute of Agreement already allows for changes to be made that are ancillary to the use of the park as such; however, it will also be made clear that changes, such as the recent addition of the Petanque pitch, can be made without the need for consent. All other matters in relation to the governance and maintenance of the park will remain with East Lothian Council.
- 3.6 Once the application for designation is completed and the legal agreement is signed, the park will receive a plaque, as noted above. Prior to the placing of the plaque, officers from the Sport, Countryside and Leisure team will consult with the Dunbar Community Council to agree a suitable location.

4 POLICY IMPLICATIONS

- 4.1 The Council already has 6 designated open spaces with Fields in Trust and there is no policy barrier to a further designation. There is no intention for the park to ever be used for anything other than a park and therefore very limited risk arising from this proposal. As noted above, the Minute of Agreement will be tailored to ensure that the park can be updated and adapted to meet the future needs and aspirations of its users.

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 proposal will involve officer time taken up in negotiating and implementing the Minute of Agreement with Fields In Trust. There will also be a small cost in mounting the plaque in an appropriate location within the park.
- 6.2 Personnel – As noted above, some officer time is required to negotiate and execute a suitable Minute of Agreement.

7 BACKGROUND PAPERS

- 7.1 Attached is the letter from Pippa Swan, Chair of Dunbar Community Council, setting out the request for Lauderdale Park to be designated as a Field In Trust.
- 7.2 A link is provided to the website of Fields In Trust [What is Fields in Trust protection? | Fields in Trust](#)

AUTHOR'S NAME	Michaela Sullivan
DESIGNATION	Head of Development
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DATE	4 August 2022



5th April 2022

Ms Monica Patterson
East Lothian Council
John Muir Hous
Brewery Park
Haddington EH41 3HA

Dear Ms Patterson

LAUDERDALE PARK, DUNBAR – PROPOSED DESIGNATION AS QUEEN ELIZABETH FIELD

At the most recent meeting of the Dunbar Community Council, we considered a paper (see below) from one of our members, Herbert Coutts, suggesting that the Community Council propose to East Lothian Council that our much loved Lauderdale Park be accorded Queen Elizabeth Field status. This would provide legal protection for the Park in perpetuity, and remain as a lasting memorial to the Queen's Platinum Jubilee.

The proposal was enthusiastically supported by the Community Council, and so I hope it will be given sympathetic consideration by ELC.

I leave the attached paper to speak for itself. If you would like more information about this proposal, please get in touch with me.

Yours sincerely



Pippa Swan
Chairman
Dunbar Community Council

dunbarcommunitycouncil@gmail.com

ACCORDING LAUDERDALE PARK QUEEN ELIZABETH FIELD STATUS

WHY APPLY FOR QUEEN ELIZABETH FIELD STATUS?

I have no reason to believe East Lothian Council (ELC) has any plans to change the status of Lauderdale Park. In the future, however, successor Councils may come under pressure from aggressive developers to permit inappropriate developments in the Park, which if refused could lead to appeals to the Scottish Government, and permission given by that means. That is why many local authorities, as well as private landowners, have applied for this special status for their green spaces.

HOW DOES IT WORK?

Established in 1925 as a UK-wide system, the first tranche of green spaces were protected under the title of King George V Playing Fields. A total of 2,890 parks and green spaces across the UK now enjoy long-term protection. The overarching charity involved, Fields in Trust, which was established by Royal Charter, provides this by entering into legally binding Deeds of Dedication with the owners of the parks/green spaces involved. Under a Deed of Dedication, Lauderdale Park would remain in the ownership of East Lothian Council, and would continue to be managed by the Council.

Fields in Trust, whose Patron is HM The Queen and President HRH the Duke of Cambridge, is not involved in the day-to-day management of the land in question, but can be requested to intervene if an attempt is made to introduce significant changes to the park/green space in question (e.g. turn it into a car park). A Deed of Dedication represents a much more substantial guarantee for the long-term protection/preservation of a green space for the benefit of future generations than can be provided by the planning system.

The work of Fields In Trust is overseen by a Council of Trustees, and its activities in Scotland and Wales are guided by Committees.

With the agreement of ELC, Dunbar's Winterfield Park was accorded the status of a Queen Elizabeth Field at the time of the Queen's Diamond Jubilee. It would be particularly fitting, if a similar designation were achieved for Lauderdale Park during the Queen's Platinum Jubilee year.

BENEFITS

In addition to providing legal protection in perpetuity, Queen Elizabeth Field status can be of assistance when grant-aid is sought for appropriate improvements to green spaces from the National Lottery Heritage Fund and other grant giving foundations and charities. A standard requirement of such bodies is concrete evidence of the secure long-term future of the park/green space involved.

VOICE OF DUNBAR

The CC attempts to be the "voice of Dunbar", though with controversial issues that can be difficult to substantiate in the absence of detailed, and expensive, opinion surveys. In this case, I have no doubt that action to ensure the long-term future of a much-loved local park would attract widespread support in the town.

RECOMMENDATION

Dunbar Community Council recommends ELC opens discussions with Fields in Trust, with a view to Lauderdale Park being accorded Queen Elizabeth Field Status.

Herbert Coutts
19/03/2022

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Executive Director for Place
SUBJECT: Establishment of Climate Change & Sustainability Forum

10

1 PURPOSE

- 1.1 To seek approval for the establishment of a cross-party Climate Change & Sustainability Forum.

2 RECOMMENDATIONS

- 2.1 That Council approves the establishment of a Climate Change & Sustainability Forum with a remit as set out in this report.

3 BACKGROUND

- 3.1 East Lothian Council declared a Climate Emergency that requires urgent action to make all Council services net zero carbon as soon as possible and in any case by 2045. The Council has also committed to work with its communities and partners towards making East Lothian a carbon neutral county. Sustainability is embedded within the Council's Climate Change Strategy 2019-2024 with the commitment to continue to reduce the environmental impact of East Lothian Council service provision.
- 3.2 The Council has committed to adapt to climate change and make all Council services 'net zero' as soon as reasonably practicable or in any case by 2045. Progress has been made by the Council over recent years and in 2021, despite the challenges of the pandemic, and the rapid growth in population and housing in East Lothian, the Council managed to reduce its emissions in 2020/21 by 6.4% compared to the previous year. However, as COP 26 made evident, countries and local authorities need to be more ambitious and focus even more strongly on delivering their net zero targets and cross party political oversight alongside collaboration with partners from local groups to governments will be vital.

- 3.3 Asset rationalisation is a key transformational work-stream within both the approved Council Budget and the Climate Change Strategy action plan. Opportunities exist post pandemic to rationalise our building assets to support new ways of working and operating that are efficient and effective, reducing expenditure and generating capital receipts.
- 3.4 The proposed membership of the Forum is as follows:
- Green Party Member (Chair)
 - Council Leader
 - Depute Leader
 - Cabinet Spokesperson for Housing & Property Maintenance
 - Leader of the Opposition
 - Leader of the Conservative Group
- 3.4.1 The Forum will be supported and attended by Members of the Council Management team as appropriate.
- 3.5 It is proposed that the remit of the Forum will be:
- To provide political oversight and ownership of the delivery of the Council's Climate Change Strategy, Asset Management arrangements and asset rationalisation by officers
 - To ensure strategic budget decisions taken by Council are aligned with achievable delivery objectives
- 3.6 The Forum will meet at a frequency to be agreed at the first meeting. It will not form part of the Council's formal Scheme of Administration.
- 3.7 Agenda items of business are envisaged to include:
- Progress against the delivery of the Climate Change Strategy Action Plan
 - Progress against the delivery of the General Services Capital Plan
 - Learning Estate Review Implementation
 - Asset Rationalisation progress update
 - Capital Receipts and Surplus Assets Review
 - Community use of Assets / Asset Transfer
 - Common Good - Asset Management Strategy
 - Progress against the delivery of the Housing Capital Plan

4 POLICY IMPLICATIONS

- 4.1 The establishment of this Forum will ensure there is cross party political oversight of the delivery of the Council's Climate Change Strategy and asset management arrangements including specifically progress on asset rationalisation.

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 None

AUTHOR'S NAME	Douglas Proudfoot
DESIGNATION	Executive Director for Place
CONTACT INFO	dproudfoot@eastlothian.gov.uk
DATE	8 August 2022

REPORT TO: East Lothian Council
MEETING DATE: 23 August 2022
BY: Executive Director for Council Resources
SUBJECT: Appointment of Council Champions

11

1 PURPOSE

- 1.1 To seek approval for the appointment of a Council Champion for the Voluntary Sector.

2 RECOMMENDATIONS

- 2.1 That Council approves the appointment of a Voluntary Sector Champion as set out in paragraph 3.3.

3 BACKGROUND

- 3.1 At its meeting in June 2022, the Council appointed a number of Members to act as Champions for specific sections of the community or ranges of activities. It is now proposed to appoint a further Champion in respect of the Voluntary Sector.
- 3.2 A role profile for the Champion setting out their key duties and responsibilities is attached as Appendix 1 to this report. For the avoidance of doubt, the Champion will have no specific decision-making powers and will primarily act as an advocate for the voluntary sector within the Council's existing governance framework.
- 3.3 It is proposed that Councillor Colin McGinn be appointed to the role of Voluntary Sector Champion.

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 None

AUTHOR'S NAME	Lel Gillingwater
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DATE	9 August 2022

Appendix 1

Champions Role Profile

The purpose of the Champion is to:

- act as a positive focus for the local community at Elected Member level in respect of the relevant section of the community or range of activities designated by the Council so as to make sure that full consideration is given to the impact of Council activities and decisions upon the section of community or range of activities

The key duties and responsibilities of the Champion are to:

- make contact with local organisations concerned with the designated section of the community or range of activities and to establish effective and regular consultation arrangements with those organisations
- represent the views of such organisations to officers and the Council on all relevant aspects of the Council's activities
- act as an advocate on behalf of the relevant section of the community or range of activities within the Council as an organisation and to the wider community
- become familiar with the needs and priorities of the relevant section of the community or range of activities concerned and to weigh up interests expressed in order to provide sound advice on the implications of alternative courses of action
- feedback decisions of the Council and to explain the Council's position on specific issues of concern to relevant organisations and to individuals involved
- prepare an annual report on work undertaken over each year for consideration by the Council

The key skills required of the Champion are:

- the ability to foster cross-party co-operation and to engage with relevant outside groups and officers
- the ability to campaign with enthusiasm and persistence on behalf of their relevant section of community
- good communication skills
- good media skills

MOTION TO EAST LoTHIAN COUNCIL

23 August 2022

Democratic Oversight of Any Merged Pension Fund to Replace the Lothian Pension Fund

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A proposal emerged in May of this year for the merging of the Lothian Pension Fund with the Falkirk Council Pension Fund. This will be voted on solely by members of City of Edinburgh Council and Falkirk Council. The dates of the votes have not yet been publicly confirmed. If the merger goes ahead, both committees would cease to have oversight over the new fund, and be replaced by a body currently referred to as a 'Company Board'. It is unclear what the makeup of this proposed 'Company Board' would be, but there are concerns that it would not have the same level of elected member, trade union, and employer representation. It is also noted that there is an existing democratic deficit in the Lothian Pension Fund which means that despite the Fund being administered for four local authorities in the region, only one of these has representation on the Pension Committee.

The council therefore instructs the Leader of the Council to write to the Lothian Pension Fund Committee, and to the Leaders of Edinburgh and Falkirk councils:

- a) Expressing concern at the possibility of any loss of democratic oversight over the local government pension fund for our area, if elected members were to be omitted from the new Board;
- and
- b) Urging them to take this opportunity to instead strengthen democratic oversight, by ensuring that any new Board has broad representation from trade unions and employers, and also contains elected members drawn proportionately from *all* participating Local Authorities areas.

Proposed by: Councillor Shona McIntosh
Date: 8 August 2022

Seconded by: Councillor Lee-Anne Menzies
Date: 8 August 2022

Received by (officer): Lel Gillingwater, Team Manager, Democratic & Licensing
Date: 8 August 2022

**MOTION TO EAST LOTHIAN COUNCIL
23 August 2022**

Alleviating the Worst of Fuel Poverty Crisis

13

The Council has been in Business Continuity since the COVID pandemic struck in 2020 and is now moving back to business as usual. This is being made very difficult due to the combination of Brexit and ongoing impacts from the COVID crisis that has seen our national GDP drop by over 4% in recent months.

As these unprecedented times unfold, residents have also had the energy price cap increased by 12% in October 2021 and 54% in April 2022 with further rises planned for October.

Bold and empathetic action is required from this Council. We have a chance to make a marked difference to vulnerable people's lives and we must act immediately to ensure we offer that help at the time it is most needed.

Council is called upon to produce a full report of costs, and operational implications, of making all open and functioning Council owned buildings (except those that require PVG membership) Warmth Refuges, allowing members of the public to enter these publicly owned and paid for buildings to warm up and escape the cold during opening hours and to make available the facilities so the public can make themselves a hot beverage and truly take refuge in our public buildings.

This report should be brought back to the next meeting of Council in October and, if approved, that the Council implement this measure from October to April 2022/2023 and revisit in 2023 to assess the impact and plan for winters going forward.

Proposed by: Councillor Lyn Jardine
Date: 11 August 2022

Seconded by: Councillor Liz Allan
Date: 11 August 2022

Received by (officer): Jill Totney, Team Manager, Democratic & Licensing
Date: 11 August 2022

MOTION TO EAST LoTHIAN COUNCIL
23 August 2022

Emergency Relief for the Cost of Living Crisis

It is noted that the Council has implemented various supporting packages for residents on low incomes as part of the Scottish Government's COVID response and we commend the excellent work and initiatives.

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Unfortunately, we find ourselves in unprecedented times with a "perfect storm" causing a cost of living crisis, the likes of which most of us will never have seen before. National governments have done some work in setting up emergency one-off payments to those on certain benefits, but far more must be done if we are to assist the residents and businesses of East Lothian through this crisis.

While plenty of evidence exists in relation to rates of absolute poverty in East Lothian, there is an ever-growing issue of "hidden poverty". The number of working poor in East Lothian is expected to grow exponentially during this crisis, with East Lothian Foodbank already reporting having helped 7496 people with a food parcel in 2021. Amongst those were 2837 children.

Council Leader, Cllr Hampshire, has previously stated "Now is not the time to do nothing". This Council fully agrees with this sentiment and aims to provide practical assistance to those with least resources during such exceptionally difficult times.

This Council therefore commits to having the following emergency and temporary measures fully costed for decision as soon as possible, with an update to be provided at the next full Council meeting:

1 – All Council-run schools open up for breakfast clubs and after-school clubs, giving parents the opportunity of additional hours to their working day and also ensuring children and young people have a safe and secure environment.

2 – To offer universal free school meals across the Council-run schools estate, including breakfast and/or a meal to those who attend after-school clubs.

3 – To offer free places to both breakfast and after-school clubs (including free access to food) to all children and young people who attend, with a voluntary payment system for those who can afford to pay.

Proposed by: Councillor Lee-Anne Menzies
Date: 11 August 2022

Seconded by: Councillor Cher Cassini
Date: 11 August 2022

Received by (officer): Jill Totney, Team Manager, Democratic & Licensing
Date: 11 August 2022

REPORT TO: East Lothian Council

MEETING DATE: 23 August 2022

BY: Executive Director for Council Resources

SUBJECT: Submissions to the Members' Library Service,
14 June – 8 August 2022

15

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 14 June and 8 August 2022, 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 officers in conjunction with Councillors, or
 - (b) background papers linked to specific committee reports.
- 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
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CONTACT INFO	lgillingwater@eastlothian.gov.uk x7292
DATE	8 August 2022

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
14 June to 8 August 2022**

Reference	Originator	Document Title	Access
81/22	Executive Director for Place	Golf Events 2022	Public
82/22	Executive Director for Education and Children's Services	Improving Outcomes for All – Raising Attainment Strategy Update	Public
83/22	Executive Director for Council Resources	Performance & Business Support Team – Review of HR & Payroll Systems Posts	Private
84/22	Executive Director for Place	Objections to County-wide Traffic Regulation Order “East Lothian Council Various Speed limit Amendments”	Public
85/22	Executive Director for Council Resources	Service Review – Contact Centre – Community Response Team	Private
86/22	Executive Director for Council Resources	New Post – Principal Teacher, Specialist Provision (Primary) x 2	Public
87/22	Executive Director for Place	Summer Holiday Food, Activities and Childcare Programme 2022	Public
88/22	Executive Director for Council Resources	Creation of a Quality Improvement Officer - Equity	Public
89/22	Executive Director for Council Resources	Creation of a Quality Improvement Officer - Secondary	Private
90/22	Executive Director for Council Resources	Creation of new post ESO – Science STEAM	Public
91/22	Executive Director for Council Resources	Establish New Post of Principal Teacher – Probationer Support	Private
92/22	Executive Director for Council Resources	Creation of a Customer Feedback Officer – Property Maintenance	Private
93/22	Executive Director for Council Resources	East Lothian Council Draft (Unaudited) Annual Accounts 2021-22	Public
94/22	Head of Operations, East Lothian Health & Social Care Partnership (ELHSCP)	ELHSCP Commissioned Community Support and Grant Awards 2022/23	Public
95/22	Head of Corporate Support	Establishment Changes for June 2022	Private
96/22	Executive Director for	Additional ALEO Partner Support (submitted under Recess	Private

	Council Resources	Arrangements)	
97/22	Executive Director for Council Resources	Application to Musselburgh Common Good Fund (submitted under Recess Arrangements)	Private
98/22	Executive Director for Council Resources	Creation of a Health and Wellbeing Development Officer within the Library and Customer Services Team in Customer Services	Private
99/22	Executive Director for Council Resources	Creation of a Team Manager - Registered Services and Additional 2 FTE Day Service Officers	Private
100/22	Head of Infrastructure	Building Warrants issued under delegated powers between 1 st and 30 th June 2022	Public
101/22	Head of Development	Update on the development of the Edinburgh Innovation Hub and the Edinburgh Innovation Park	Private
101a/22	Head of Development	Appendix 2: Project Reports	Private
102/22	Executive Director for Council Resources	Staffing Report for the Creation of MCR Pathway Co-Ordinator within East Lothian Works, Education & Children's Services	Private
103/22	Head of Corporate Support	Establishment Changes for July 2022	Private
104/22	Head of Communities	Provision of Free Period Products	Public
105/22	Executive Director for Place	2021 East Lothian Residents' Survey	Public
106/22	Executive Director for Place	UK Shared Prosperity Fund (UKSPF)	Public

8 August 2022