



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 27 JUNE 2023
VIA DIGITAL MEETING FACILITY

Committee Members Present:

Provost J McMillan (Convener)

Councillor S Akhtar

Councillor E Allan

Councillor R Bennett

Councillor L Bruce

Councillor C Cassini

Councillor D Collins (from Item 5)

Councillor J Findlay

Councillor A Forrest

Councillor N Gilbert

Councillor N Hampshire

Councillor L Jardine

Councillor C McFarlane

Councillor C McGinn

Councillor G McGuire

Councillor S McIntosh

Councillor K McLeod

Councillor L-A Menzies

Councillor B Ritchie

Councillor T Trotter

Councillor C Yorkston

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 F Wilson, Director of Health and Social Care

Ms E Dunnet, Head of Finance

Ms M Ferguson, Head of Corporate Support

Ms N McDowell, Head of Education

Ms W McGuire, Head of Housing

Mr T Reid, Head of Infrastructure

Ms S Saunders, Head of Communities and Partnerships

Mr S Cooper, Team Manager – Communications

Ms F Currie, Committees Officer

Ms A-M Glancy, Service Manager – Corporate Accounting

Mr C Grilli, Service Manager – Governance

Mr D Henderson, Service Manager – Service Accounting

Mr G Marsden, Project Manager – Growth and Sustainability

Mr I Lennox, Team Manager – Assets and Regulatory

Mr R Montgomery – Project Manager

Ms M Scott, Committees Officer

Mr A Stewart – Growth Delivery

Mr A Stubbs, Service Manager – Roads

Mr P Vestri, Service Manager – Policy, Improvement and Partnerships

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

Councillor F Dugdale

Declarations of Interest:

None

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. He 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.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved: East Lothian Council, 25 April 2023.

2. MINUTES FOR NOTING

The minutes of the following meeting were noted: Local Review Body (Planning), 18 May 2023.

3. FINANCIAL REVIEW 2022/23

A report was submitted by the Executive Director for Council Resources, providing an update on the draft financial position for the year ending 31 March 2023.

The Service Manager – Service Accounting, David Henderson, presented the report. He advised that the 2022/23 accounts required to be finalised by 30 June. He set out the position as regards General Services Revenue, advising that there was an overspend of £16.154m, £12.537m of which was recurring – Sections 3.10-11 of the report provided further detail on this. He also advised of the position as regards Council Tax collection, the Integration Joint Board (IJB), and the Council's group components, noting that due to the ongoing issues at the Brunton Hall, he would not be recommending a 'letter of guarantee' for the Brunton Theatre Trust at this time. Mr Henderson went on to set out the risks associated with the Capital Programme, advising that due to rising costs it would be challenging for the Council to deliver the programme in the current and future years, as detailed in Sections 3.21-28 of the report. On the Housing Revenue Account (Sections 3.29-33 of the report), he reported a surplus of £4.652m, but warned that there remained challenges in delivering the programme due to labour shortages, uncertainty in the housing market, and contract challenges. He concluded his presentation by stressing that the scale of the Council's financial challenges could not be understated.

Councillor Hampshire observed that many of the challenges facing the Council were outwith its control, and that growth in the county was causing an increase in demand for services. He asked if further detail could be provided on this, especially in light of the forthcoming Local Development Plan 2, and suggested that the Council should raise this issue with the Scottish Government. Mr Henderson indicated that the financial model had been revised to take

account of growth, but that pressures would continue, largely due to inadequate funding to the Council.

Responding to questions from Councillor Bruce, Mr Henderson explained that 'letters of guarantee' lasted for twelve months, and that there were regular reviews of budgets and forecasts to ensure financial sustainability – a guarantee would only be enacted in extreme circumstances. On housing voids, Mr Henderson advised that the position was in line with previous years. He added that voids were taking longer to turn around due to staff shortages, contractor shortages, and the state of some properties at handover, as well as addressing the COVID-19 backlog. As regards new build housing, Mr Henderson noted that slippage was built into the programme, and that delivery had to be prioritised alongside affordability.

Councillor McLeod asked if the HRA surplus could be transferred to other services. Mr Henderson pointed out that the surplus outlined in the report was linked to a complex pay deal, and that it was not normal practice to use HRA funds for other purposes.

Councillor Forrest asked for an update on Council Tax arrears, and about the impact of the re-banding of some properties. He also asked how many new build homes had been completed. Mr Henderson confirmed that in 2022/23, 316 units less than budgeted for had been completed, 167 of which were Band G properties, which would have a greater impact on Council Tax collection. Reasons for this include a slow-down on the release of new units, supply chain issues, and rising interest rates. On Council Tax re-banding, he advised that this was outwith the Council's control; he did point out, however, that where the banding had been lowered, backdated payments had to be made. He reported that in-year Council Tax arrears totalled c. £1.9m, and overall £3.2m, which was a slight reduction from the previous year.

Councillor Forrest also asked questions on housing voids and the timeline for reporting on the situation with the Brunton Hall. Wendy McGuire, Head of Housing, responded to the voids question, advising that there were different categories of void properties, and that some properties had structural issues or required adaptations or extensions. These types of voids would be dealt with separately to allow for standard voids to be turned around more quickly. On the Brunton Hall question, Tom Reid, Head of Infrastructure, reported that engineers would provide an options appraisal on the future of the building, but that the issue at Preston Lodge High School had taken priority, hence the report on the Brunton Hall would be delayed until later in the year.

Councillor McIntosh referred to the challenging times facing arts organisations, and asked if an impact assessment had been carried out as regards not issuing the 'letter of guarantee' to the Brunton Theatre Trust. Mr Henderson assured her that the Council would continue to liaise with the external auditors and the Trustees, and that the Council was also working with the Arts Service Manager on the provision of venues. He added that the Trust held reserves of £1m. Ms Fortune also indicated that officers would always work with such bodies to ensure that they fulfil their own requirements and remain financially sustainable. However, given the concerns with the Brunton Theatre, and the associated risks, it was felt that the Council was not in a position to provide a guarantee at this time. Mr Henderson also mentioned that there was no insurance cover for cancelled performances, as it was not possible to cover a programme of events, only individual ones.

With reference to Councillor Hampshire's question on the impact of growth on the Council's finances, Councillor Jardine asked if officers and the Administration had contacted the Scottish Government about this. Ms Fortune confirmed that officers had been raising the financial impact of growth for some time, through CoSLA, the Directors of Finance Group, SOLACE and the City Deal. Officers had also met with senior civil servants to explain the impact, noting that although all public bodies were facing difficulties, the situation with growth in East Lothian was unique and significant. Councillor Hampshire added that these issues needed to be raised on a cross-party basis, and that government support was essential to sustain the growth

in East Lothian. He advised that he had a meeting arranged with the Deputy First Minister, and he hoped that a cross-party voice would strengthen the Council's call for further support.

Councillor Forrest paid tribute to the Finance Service for their work, and welcomed the work done to turn housing voids around quickly. He also pointed out that the staff at the Brunton Hall and nearby businesses were working hard to ensure that the 'rebranded, on the road' Brunton Theatre was a success.

Councillor Jardine indicated that she had been reassured by officers on points raised by her regarding a number of service areas, including rapid rehousing, schools support, residential placements for children, and the Mortgage to Rent Scheme.

Councillor Hampshire expressed his concern regarding the financial situation and commended staff for working to reduce the costs of delivering services in this challenging financial environment. He advised that the cross-party budget working group were considering a number of options which, if adopted, could signal a significant reduction in Council services. He reiterated that he had arranged a meeting with the Deputy First Minister, and hoped that she would recognise that the funding allocated to the Council did not meet the costs of growth in East Lothian, and that additional support would therefore be provided.

Councillor Akhtar referred to the increase in demands for all Council services, caused by growth and increasing numbers of young people and older people. She suggested that targeted funding was required to meet these challenges. She also advised that she had recently had an opportunity to discuss the impact of growth with the Health Minister, and that it was clear that more work was required to demonstrate the impact of growth on the Council.

Councillor Menzies agreed with other Members that the funding for East Lothian was insufficient, but noted that the problem was the funding formula adopted by CoSLA, which was benefiting some areas but not others.

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

Decision

The Council agreed:

- i. to note the 2022/23 financial performance against approved budgets and the underlying financial pressure faced by the Council;
- ii. to note the progress in delivering the approved 2022/23 budget reductions;
- iii. to note the additional funding received from the Scottish Government in the 2022/23 financial year;
- iv. to note the application of the loans fund repayment holiday in 2022/23, to mitigate the in-year overspend;
- v. to note the update on the key developments since the Quarter 3 report;
- vi. to note that financial review reports would continue to be reported to Council for scrutiny until the financial position improves;
- vii. to note the update on the wider financial environment and current risks; and
- viii. to agree to provide a 'letter of guarantee' to support Council relevant group partners in line with previous years' assistance.

4. BUDGET DEVELOPMENT 2024/25 ONWARDS

A report was submitted by the Executive Director for Council Resources providing Council with an update on budget development and planning for 2024/25 onwards and highlighting the significant challenges in relation to this.

The Head of Finance, Ellie Dunnet, presented the report, highlighting the challenges facing the Council when developing the budget, including growth, external factors, and increasing demand on services. She reported that the funding gap of £71m was the biggest ever that Council had faced, adding that Councillor Hampshire would be meeting with the Deputy First Minister to discuss this. She warned that if no additional support was forthcoming, the Council would be unable to balance its budget in future years. She also provided an update on mitigation measures, the reserves strategy, and the budget development timeline and next steps.

With Local Development Plan 2 coming forward, Councillor Hampshire asked if the current predicted cost of growth of £20m would increase if the Council were asked to accommodate more houses. Ms Dunnet confirmed that this would be the case.

Councillor Findlay asked about the ability for carry-forward on devolved school budgets (DSM), and also if officers were confident that the Transformation Programme would deliver its intended savings. Ms Dunnet advised that 1% of the DSM budget could be carried forward. She further advised that delivering the Transformation Programme was necessary to achieve a sustainable financial position. She accepted that further work was required, and that the position was being monitored.

On Section 75 Agreements, Councillor Forrest asked if it would be possible to ask developers retrospectively to make up funding shortfalls. He also requested that local Members be kept informed of developments with the asset review. Ms Dunnet agreed to keep Members informed. However, she noted that there was no scope to renegotiate Section 75 Agreements. Douglas Proudfoot, Executive Director for Place, added that the Council could ask for further funding, but there was no obligation on developers to provide this.

Councillor McIntosh asked about the scrutiny of the costs associated with delivering the Musselburgh Flood Prevention Scheme to ensure that the project was demonstrating best value. Tom Reid, Head of Infrastructure, advised that scrutiny would be carried out at the technical design stage. He added that the budget for the project was fixed within the Capital Programme, but that the Council was seeking to secure additional funding to assist with the project management. A further report on this would be presented to Council in due course.

A number of Members raised questions in relation to the structural issues affecting some Council buildings. Mr Reid stated that these issues had presented new, unfunded pressures, and that options appraisals were being undertaken for each building, with the Loch Centre appraisal now almost complete. The results of the options appraisals would be presented to the Executive Team before being shared with Members. He could not be specific about the timing of further reports, due to the complexities around the issues and the tie-in with the associated costs. Ms Fortune confirmed that there was currently no budget for this, and the costs would need to be considered alongside the Capital Programme, adding that existing commitments may need to be reprioritised. Mr Reid stated that there had been no discussions around mothballing the Loch Centre, but that the wet facilities had been closed pending the completion of the technical work. On the situation at Preston Lodge High School, Mr Reid informed Members that officers from various services were working to ensure that statutory education at the school would continue to be delivered, which would come with additional costs and staffing requirements – more information on this would be available in the coming weeks, and Members would be kept informed of the situation.

Councillor Bruce asked about financial modelling and additional pressures. Ms Dunnet advised that financial projections were based on assumptions, which were kept under regular review. However, there would always be risk and variability, largely due to matters outwith the Council's control. Ms Dunnet also provided an explanation as to the impact of the structural issues affecting some buildings on the application of fiscal flexibilities for service concession assets, noting that it had not been the intention to use the surplus from service concessions to balance the budget in the current or future years, so she did not foresee that this would directly result in an increased funding gap. On the Transformation Programme, she advised that the Council had agreed to deliver £5m of savings from the asset review over the next five years, with additional capital receipts of £20m. She undertook to consider how best to report the delivery of efficiency savings to Council.

Responding to a question from Councillor Jardine regarding the risks associated with withholding payment to the Integration Joint Board (IJB), and the working relationship between the Council and the IJB, Ms Dunnet pointed out that the IJB budget accounted for c. 25% of the Council's annual expenditure, and therefore it was reasonable to take this into consideration regarding closing the budget gap, including the reduction in the allocation of funding of c. £250,000 for the current financial year. It was expected that the IJB would work within its allocated budget, with the support of the Council, but it was important to bear in mind that the risk remained with the Council and the NHS. With the budget gap in the current year, and the assumptions around pay, the report was consistent with the Corporate Risk Register, and officers would continue to work with IJB colleagues to work through those issues.

On the budget development for future years, Ms Dunnet hoped that by starting the process earlier, the cross-party budget working group would be better placed to meet the significant financial challenges associated with setting the 2024/25 budget. Councillor Hampshire added that the only way to meet these challenges was by working on a cross-party basis, and looking at reducing the costs of providing services. He stressed the importance of dialogue with the Scottish Government, adding that a cross-party voice would be stronger.

Councillor Hampshire opened the debate, emphasising the scale of the financial challenge facing the Council, noting that the Council could not continue to cut services in order to delivery growth. He stressed that the Local Development Plan would have to be fully costed, with guarantees on funding.

Councillor Bruce commended officers and the head teacher on their work at Preston Lodge High School in spite of the challenging situation. He observed that the RAAC issue would be a problem across the UK public sector, and hoped that support would be forthcoming. Councillor Bruce agreed with Councillor Hampshire that growth was the biggest issue facing the Council, suggesting that other areas in the UK were delivering initiatives to help local authorities, such as the Community Infrastructure Levy in Wales and the New Homes Bonus Scheme, which provided additional funding for areas of growth.

On energy prices, Councillor Cassini suggested that if the UK Government pegged energy prices to renewables, then it could meet its target of halving inflation in 2023.

Agreeing with the point made by Councillor Cassini, Councillor McIntosh added that it was important to invest in renewable energy, in order to reduce energy bills. She also spoke in support of investing in early intervention for children and social work, making reference to the links with communities and youth work and the importance of protecting spending in those areas.

Councillor Jardine welcomed the cross-party collaborative working to tackle the challenges, adding that she would also like an opportunity to be involved in any future discussions with the government. She reminded Members that the UK Government also had a role to play, given that the Scottish Government does not have full fiscal flexibility.

Referring to the situation at the Loch Centre, Councillor McGinn accepted that there were many competing priorities for the Council at this time. He welcomed the confirmation that the Local Centre swimming pool was not being mothballed, as this facility was important to the community.

On the Integration Joint Board (IJB), Councillor Akhtar noted that this body did not work in isolation, but relied on other services and facilities, and that preventative services had an impact on the IJB. She touched on a number of Scottish Government policy directions, noting that £10m had been spent on the proposals for a National Care Service. She also called on Members to have an open mind when engaging with civil servants and government ministers.

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 financial landscape and current risk environment, as detailed within the report;
- ii. to note the high-level revenue projections and funding gap set out at Section 3.6, Table 1 of the report;
- ii. to note the emerging risks detailed within Sections 3.12 to 3.18 of the report, and that a review of the current general services capital programme in light of these risks would be presented to a future Council meeting;
- iv. to note the update on mitigation measures at Sections 3.19 to 3.22 of the report;
- v. to note the arrangements for authorising urgent expenditure outwith approved budgets, to ensure that statutory duties could be fulfilled, detailed at Section 3.16 of the report;
- vi. to agree the proposed reserves strategy, set out at Sections 3.23 to 3.30 of the report; and
- vii. to note the next steps to budget development and timetable, set out at Section 3.32 of the report.

5. COMMON GOOD BUDGET 2023/24

A report was submitted by the Executive Director for Council Resources providing an update on Common Good Funds, noting the status of financial implications arising from the Common Good review and that a further report would be submitted to Council in October 2023.

The Head of Finance, Ellie Dunnet, presented the report, advising that the budgets included provision for grants and maintenance, and that a further update on the situation with the Brunton Hall would be presented to Council later in the year.

Councillor Forrest asked if there were any risks to the Common Good for Musselburgh, other than the situation with the Brunton Hall. He also questioned the consistency applied to the checking of Common Good grant applications, and asked if the grant allocation for 2023/24 would include the underspend from last year's budget. He also asked questions in relation to the maintenance budget and depreciation. Ms Dunnet indicated that work was ongoing as regards the conditions survey on Common Good assets, so that she was unable to provide further information on Musselburgh assets at this time. She confirmed that the 2023/24 budget

did not include the underspend from the previous year, reminding Councillor Forrest of the grant funding approved from the 2022/23 budget at the last Council meeting. On the maintenance budget, she advised that the asset review would inform what was required in terms of maintenance; and on depreciation, she explained that this was an accounting calculation, based on assumptions. Sarah Fortune, Executive Director for Council Resources, indicated that the competency check process would be strengthened.

Councillor Bruce asked if it was prudent to continue awarding grant funding while the survey of Common Good assets was not yet complete. Ms Dunnet confirmed that the priority for Common Good funding was to maintain assets. She made reference to an officer recommendation to the Council in April to suspend grant funding while the asset survey was ongoing, which Council had not approved. She advised that it was prudent to have a grants budget in place as applications continued to come in.

Councillor Menzies asked about rental income for Common Good assets in Port Seton and Tranent, as well as any risks relating to those assets. Ms Dunnet advised that she could provide information on this at a later date.

Councillor Trotter sought information on the future use of Haddington Town House. Tom Reid, Head of Infrastructure, explained that the Facilities Management service was currently working in accordance with business continuity arrangements and it was therefore not possible to bring the building back into public use at this time; this position would be reviewed periodically. The Provost suggested that Common Good funding could be used to assist in reopening the building.

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

Decision

The Council agreed:

- i. to note the contents of the report;
- ii. to approve the 2023/24 grants budget for Dunbar, Haddington, Musselburgh and North Berwick, as set out in Appendices 2a-2d, noting the context for future budget development; and
- iii. that, given the wider financial challenges, a further update report on the emerging financial risks and associated implications would be submitted to Council in October 2023 for consideration.

6. TRUST FUNDS REVIEW 2022/23

A report was submitted by the Executive Director for Council Resources informing the Council of potential options for the future stewardship of Trust Funds in its care and seeking approval in relation to the future direction of the review project.

The Head of Finance, Ellie Dunnet, presented the report, advising that there was limited capacity within the Council to provide the required administrative support and promotion of Trust Funds. She suggested that a third party may be better placed to take this on, with any costs being recharged to the Trust Funds. She noted that there may be scope to involve Members as part of this model. She added that this model would not be pursued if there were excessive costs involved.

In response to a question from Councillor Bruce, Ms Dunnet advised that OSCR and Audit Scotland had been consulted on the proposal, and that the practices of other local authorities had also been considered, although none currently operate within a third-party model.

Councillor Menzies asked if the Trust Funds had ever been managed properly by the Council. Ms Dunnet informed her that Audit Scotland had found that the Council's arrangements were not sufficient, and that the Council did not have dedicated resources to undertake this work. She added that she was not aware of how funds had been managed by the Council in the past.

Councillor Akhtar stressed the importance of Members being involved in the grant award process for Trust Funds. Councillor Forrest agreed with this, adding that local knowledge was vital as regards the disbursement of these funds.

Councillor Bruce sought information on the geographical split of the funds and also the criteria for grant funding to be awarded. He suggested that VCEL, Community Councils and Area Partnerships could be made aware of the Trust Funds covering their areas.

Councillor McIntosh welcomed the report, and looked forward to receiving further information about the third-party model. However, she did have concerns about the possible extent of Member involvement, and so to avoid potential conflicts of interest and to demonstrate transparency, she suggested that the third party should assess applications and any Member involvement should be purely strategic.

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

Decision

The Council agreed:

- i. to approve in principle the proposal to explore the transfer of stewardship and administration of the Trust Funds to a specialist third party, noting that this would exclude the Richardson Bequest;
- ii. to authorise the Head of Finance to consult with Group Leaders to progress the transfer of stewardship to a specialist third party, subject to confirmation that this option would maximise best value for the Trust Funds; and
- iii. to note that some funds, particularly those with property assets, may be retained within the stewardship of the Council; in that event, a framework for stewardship and administration for those funds would be developed.

7. COUNCIL TAX FOR SECOND AND EMPTY HOMES, AND NON-DOMESTIC RATES THRESHOLDS: PROPOSED CONSULTATION RESPONSE

A report was submitted by the Executive Director for Council Resources proposing a response to the Scottish Government and CoSLA consultation on council tax for second and empty homes, and non-domestic rates thresholds.

The Head of Finance, Ellie Dunnet, presented the report, advising that the consultation sought views on giving local authorities the power to increase council tax for second homes and empty homes.

Commenting on a clause in the consultation relating to possible reasons for not applying a premium, specifically as regards hardship, Councillor Menzies remarked that it was unlikely

that the owner of a second home would be suffering hardship. Ms Dunnet explained that there may be cases with extenuating circumstances, and this could be taken into account when formulating the policy; in such cases the individual would be required to demonstrate that they were suffering hardship.

Councillor Forrest welcomed the proposed consultation response, commenting that it was frustrating to have empty homes that could be brought back into use.

The Provost moved to the roll call vote on the recommendation which was approved unanimously.

Decision

The Council agreed to approve the proposed consultation response set out within Appendix 1 to the report, to be submitted by 11 July 2023.

8. COCKENZIE FORMER POWER STATION SITE: UPDATE

A report was submitted by the Executive Director for Place providing an update on progress since the last two reports present to Council on 28 June 2022, in relation to the Cockenzie Power Station site redevelopment. This followed a successful bid for funding for site preparation and remediation from Round 2 of the UK Government's Levelling Up Fund and the start of the development of Inchcape Offshore Limited's renewable electricity substation.

The Project Manager – Growth and Sustainability, Graeme Marsden, presented the report, providing a summary of progress made since the last report to Council. He reported that the Inchcape substation development was now underway. As regards the Seagreen development, this would now be delayed, and would now not progress on site until spring 2024 at the earliest; he noted that the construction of the link road was aligned to this application. He advised that the Levelling Up funding of £11.3m would be used to progress remediation and site preparation works to aid development of the site, and that a project designer would soon be appointed. A technical masterplan for the site would be established, covering the provision of services, the parcelling up of land, access, use of the rail link, and economic use of the site. This masterplan would be used to market the site. On the proposal for a port/cruise terminal, he reported that Forth Ports had confirmed they had no interest in developing this facility, and he therefore proposed that no further work should be undertaken on this proposal. As regards the 360 Project, Mr Marsden reminded Members that the Council had funded a feasibility study into the development of a climate change centre; this report was now available in the Members' Library. Officers had now met with members of the 360 Group, who had been advised to engage with Members over the summer on their proposal. He drew attention to the timeline for the site, as attached at Appendix 1 to the report.

Councillors Gilbert and Bruce sought further detail on the development of the link road and construction traffic, given that the Seagreen site had now been delayed. Mr Marsden confirmed that it remained the intention to use the link road, or parts of it, to move construction materials, and this would be included in the Levelling Up development programme. As regards the Inchcape development, he advised that the construction traffic would use East Lorimer Place; full details of heavy goods vehicles [post-meeting note: this reference should be to abnormal load vehicles] were still to be developed. Ray Montgomery, Project Manager, added that the link road was linked to the Seagreen application because the start of the service road was within the Seagreen site and would need to be diverted. He noted that planning permission for the link road was now in place, but given that the Seagreen development was unlikely to commence before spring 2024, the construction of the link road would need to wait until the Seagreen site was completed. He provided an estimate as to the impact on local roads by construction traffic, and advised that he had been in contact with Inchcape to explore whether their traffic management plan could be altered. He also made reference to the

limitations involved in using the service road and in using other nearby roads within Council ownership.

In response to a question from Councillor Menzies on the 360 Project, Mr Marsden advised that the feasibility report into that project was available in the Members' Library, noting that the 360 Group may choose to provide Members with additional information relating to the project. The Provost added that the 360 Group was keen to work constructively with the Council.

Councillor Hampshire welcomed the report and the progress made on the former power station site. He stressed the importance of maximising the available land for employment opportunities, and was confident that the Council could deliver this.

Councillor Bruce hoped that a solution could be found as regards minimising disruption to local residents during the development of the site, through the use of Council-owned roads for construction traffic. His comments were echoed by Councillor Ritchie, who also welcomed the progress made on the site to date, but noted that the current developments on the site would not provide significant employment opportunities, and she hoped that future developments would provide jobs for and meet the needs of local communities.

Councillor Jardine welcomed the award of Levelling Up funding to progress the development of the site. She looked forward to future reports on progress and investment, and how this would sit with the financial challenges facing the Council.

On the 360 Project, Councillor Yorkston indicated that the 360 Group recognised that there were limitations as to what they could achieve. They were proposing to involve Members in their plans by way of a presentation in the coming months, recognising that working in partnership with the Council was key, due to the complexities of the site and the project.

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

Decision

The Council agreed:

- i. to note the progress being made towards the goal of regenerating the site for employment uses and the next steps which would include the procurement of a technical masterplan, which would inform a subsequent site marketing strategy and programme;
- ii. to instruct the Executive Director for Place to progress the Levelling Up Works, subject to planning, including designs and procurement of designers and contracts, as per the approved capital budget;
- iii. that, considering the complexities around the use of the Cockenzie site as a port, no further work should be undertaken to advance the site as a major port facility and/or cruise terminal, and instead the site should be considered for a broader range of employment uses; and
- iv. to note that the 360 Project identified a vision for a climate change centre, public realm and education/training on the site, but also identified risks and viability challenges in terms of the proposals, for which there was no current funding.

9. RESPONSE TO BOUNDARY COMMISSION REVIEW

A report was submitted by the Executive Director for Council Resources advising Council of the ongoing review of Scottish Parliamentary boundaries and seeking approval of a response to be submitted as part of the consultation exercise.

The Head of Corporate Support, Morag Ferguson, presented the report. She drew attention to the factors which must be taken into consideration as part of a boundary review, with Rule 1 being the Local Government boundary. She argued that the current proposal had taken no account of this rule and was focused mainly on population numbers. Due to the short timescale for responding, Mrs Ferguson advised that she had not had time to engage with neighbouring authorities with a view to considering alternative proposals – the intention to do this was noted in the proposed response. Advising that a local inquiry could be held if requested by a local authority, Mrs Ferguson also sought approval from Council to amend the proposed response to include a request for an opportunity to expand on the Council's position at a local inquiry.

Councillor Hampshire welcomed the proposal to engage with neighbouring authorities on this matter and supported the amendment put forward by Mrs Ferguson. He asked for confirmation that the Council would therefore be seeking a local inquiry on the matter. Mrs Ferguson confirmed this to be the case, and that this would give the Council time to discuss the matter with neighbouring authorities.

The Preston, Seton and Gosford Members raised a number of points about the proposed boundaries, including that East Lothian would be the only constituency in Scotland that would cover three different local authorities, that councillors would be required to deal with up to 16 MSPs, that the boundaries would potentially break historic community ties, and that the boundaries did not take account of growing communities or their needs.

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

Decision

The Council agreed:

- i. to note the Boundary Commission for Scotland consultation on the proposed new Scottish Parliamentary Constituencies; and
- ii. to approve the response to the Boundary Commission for Scotland, as amended to reflect the request for a local inquiry to be held, as detailed in Appendix 1 to the report.

10. REVIEW OF STANDING ORDERS: SCHEME OF ADMINISTRATION

A report was submitted by the Executive Director for Council Resources seeking approval of proposed changes to the Scheme of Administration resulting from the review carried out by the Standing Orders Working Group (SOWG).

The Head of Corporate Support, Morag Ferguson, presented the report, advising that this report followed on from the report to Council in April. She drew attention to the proposed amendments to the Scheme of Administration, as set out in Appendix 1 to the report, and also highlighted a number of options which Members would be asked to vote on, as well as a proposal to consult on the future voting rights of external representatives on the Education Committee.

Councillor Hampshire expressed concern about potentially moving to a fixed membership for the Homelessness Appeals Sub-Committee, as this would result in additional workload for some Members. He asked if political groups could retain some flexibility in this regard. Mrs Ferguson indicated that this suggestion would essentially be the status quo rather than the fixed membership option. She noted that the quorum for the Sub-Committee would be three.

Councillor Jardine asked if additional training and support, perhaps provided by another local authority in the interest of independence, would be available for Members should they continue to be involved in the Homeless Sub-Committee. Mrs Ferguson advised that, as East Lothian Council was now the only local authority in Scotland which had Member involvement in homelessness appeals, she did not envisage seeking the input of a third party to provide training and support.

The Provost moved to the roll call vote on the recommendations, which were approved, noting the following options for Recommendations 2.1(ii) and 2.1(iii):

For 2.1(ii)(a):	10	(Councillors Akhtar, Bennett, Forrest, Hampshire, McFarlane, McGinn, McLeod, McMillan, Ritchie, Yorkston)
For 2.1(ii)(b):	11	(Councillors, Allan, Bruce, Cassini, Collins, Findlay, Gilbert, Jardine, McGuire, McIntosh, Menzies, Trotter)
For 2.1(iii)(a):	11	(Councillors Akhtar, Bennett, Forrest, Hampshire, McFarlane, McGinn, McIntosh, McLeod, McMillan, Ritchie, Yorkston)
For 2.1(iii)(b):	10	(Councillors, Allan, Bruce, Cassini, Collins, Findlay, Gilbert, Jardine, McGuire, Menzies, Trotter)

Decision

The Council agreed:

- i. to approve the proposed changes to the Scheme of Administration as set out in Appendix 1 to the report, which reflected changes agreed by all Members on the Standing Orders Working Group;
- ii. to approve option (b) in relation to the future of the Homelessness Appeals Sub-Committee, i.e. to move to a fixed membership, noting that Group Leaders would be contacted to advise of their nominations for membership of this Sub-Committee;
- iii. to approve option (a) in relation to the future of the Employee Appeals Sub-Committee, i.e. maintain the status quo (continue to consider appeals in relation to conduct and medical dismissals, and grievances);
- iv. to delegate to the Head of Corporate Support to consult on the voting rights of external representatives on the Education and Children's Services Committee, with a report on the outcome of the consultation to be reported to Council in the autumn of 2023;
- v. to note that officers would work with Trades Union representatives on the Joint Consultative Committee to ensure the Committee operates effectively in future, and also to consider the frequency of JCC meetings; and
- vi. to note that no changes to the call-in process for Cabinet had been proposed.

11. REDETERMINATION OF JOHNNIE COPE'S ROAD, TRANENT

A report was submitted by the Executive Director for Place updating the Council on the outcome of the statutory and public consultation following Cabinet approval of the proposal to

redetermine Johnnie Cope's Road as an active travel route, and seeking approval for the statutory procedures necessary to make a Traffic Regulation Order to prohibit and permit various types of vehicular traffic.

Declaration of Interest: Councillor McLeod declared an interest, on the basis that he had already publicly declared his position on the matter, and he left the meeting for the duration of this item.

The Provost advised that two amendments had been submitted in respect of this report, the first by the Labour Group and the second by the Conservative Group.

The Head of Infrastructure, Tom Reid, presented the report. He advised Members that the bridge had been built when the A1 Tranent bypass had opened in the mid-1980s, in order that farm traffic, cyclists and pedestrians could cross the A1. It had been designed as an accommodation bridge, for occasional use, and by no more than 200 vehicles per day. He advised that there were now c. 1156 vehicles using the route on a daily basis. The bridge had never been adopted by the Council, and therefore remained the responsibility of Transport Scotland. For the bridge to be adopted by the Council, it would have to meet the Design Manual for Roads and Bridges (DRMB) standards. Mr Reid highlighted safety concerns, given the volume of traffic now using the road, and also made reference to a number of recent accidents. He advised that alternative, more suitable, routes were available for vehicular traffic and confirmed that people living on the road and emergency services' vehicles would continue to have access to the road should it be closed – no objections to the proposed closure had been submitted by the emergency services during the consultation. He added that the closure of the road would comply with national and local transport policies and the Council's climate change declaration. On the public consultation, he reported that 152 responses had been received, 147 of which were opposed to the proposed closure. However, for the safety reasons already set out, and in the absence of viable alternatives, he recommended that the necessary procedures to make a Traffic Regulation Order to close the road to vehicular traffic and redesignate it as an active travel route should be commenced.

Councillor Menzies asked for information on the locations of respondents to the consultation. Alan Stubbs, Service Manager – Roads, advised that he could provide this information outwith the meeting, but noted that the consultation was open to anyone to contribute.

In response to questions from Councillor Gilbert, Mr Stubbs explained that the DRMB sets out the standard which would be applied today if designing and constructing roads and bridges, adding that the structure over Johnnie Cope's Road is not a roads bridge and would not meet this standard. If its intended use was for a roads bridge, Transport Scotland could request a 'departure from standard'; thereby a daily limit of 200 vehicles could be applied. As outlined, the bridge exceeds this. Mr Stubbs clarified that the Council had never indicated that the bridge (which was an accommodation bridge rather than a road bridge) was unsafe, but that the alignment and geometry of the road leading to the bridge was the concern, as well as the volume of traffic using it. He stated that none of the suggested interventions on their own would make the road safer, and that in order to make it safe the Council would need to purchase land adjacent to the road in order to realign it to improve visibility. He would not recommend the installation of traffic lights only, due to the poor visibility around the corner and the lack of any pavement.

The Provost invited Councillor Hampshire to present his amendment, which was to amend the report recommendations, as follows:

- i. That Council notes the summary of responses to the consultation process, as set out in Appendix C [of the report];
- ii. The Council also notes officers' concerns with the design of the road layout and the width of the carriageway for the current volume of the road users;

- iii. However, the Council is requesting that officers stop the statutory process, as set out in Recommendation 2.2 [of the report], allowing Johnnie Cope's Road to remain open to vehicular traffic. This is as a result of consideration of the public objections and the communities' use of this road for over 30 years with only a few minor accidents;
- iv. The Council therefore recommends that officers review the following intervention options 2, 3 and 4 set out in Appendix E of the report, to develop the design, specification and cost, and report back to a future Council meeting so that Councillors can consider this as part of a future Council budget;
- v. The Council should also consider improvements to the active travel routes between Prestonpans and Tranent, including the installation of lights on the Meadowmill underpass.

Councillor Hampshire presented his amendment. He thanked officers for their work on this matter, remarking that the situation was not ideal due to the design of the road and the regulations for road design. He reminded Members that the road had been used by the local community since it was constructed in the 1980s, and they were not happy at the proposal to close it now. Councillor Hampshire recognised the restrictions within which officers were working; however, he noted that there were other examples of roads in East Lothian which did not meet modern design standards. Referring to his amendment, he suggested that resurfacing of the road, traffic calming measures and traffic lights would make the road safer, although he accepted that there could be problems if people did not adhere to the traffic lights. On the existing active travel route between Tranent and Prestonpans, he suggested that this could be upgraded to make this route safer and more accessible, and extended as far as Prestonpans train station. He called on Members to support his amendment.

The amendment was seconded by Councillor Yorkston, who made reference to the consultation, to which the vast majority of respondents objected to the closure of the road. With reference to the accidents that had occurred, he argued that these may not have happened had there been traffic lights on the bridge, similar to the traffic lights further north on the same road where there was reduced visibility. As there was an existing active travel route between Tranent and Prestonpans, with an option to connect it to Blindwells, he questioned why an additional active travel route was required.

The Provost invited Councillor Bruce to present his amendment, which was to replace report recommendations 2.2 and 2.3 as follows:

[That the Council]

2.2 Notes the significant community response following the launch of the consultation on the closure of Johnnie Cope's Road between Prestonpans and Tranent, and understands that there has been a lot of opposition to the closure of the road from various community sources including, but not limited to, Prestonpans Community Council and Tranent and Elphinstone Community Council, and further notes that an active travel route already exists between Tranent and Prestonpans via Meadowill; and

2.3 that the connections between the communities in East Lothian are vital, particularly in the areas where the county is growing most rapidly, and therefore instructed the Chief Executive and Leader of the Council to write to Transport Scotland and the relevant Scottish Government ministers to request support to upgrade the bridge over the A1 on Johnnie Cope's Road and to request a cross-party meeting with ministers to discuss this issue as well as the various other infrastructure needs of East Lothian, given the proposed scale of housing

growth. Failing the ability to get those meetings and resolution, the Council believes that options, in particular resurfacing of the road and installation of traffic lights, would be preferable to closure if the Council is unable to get support from the Scottish Government for improving the bridge.

Councillor Bruce presented his amendment, advising that it was concerned with listening to local communities, and considering the impact on the road users, especially given the pressure on other local roads due to house-building. He suggested that it was easier to get to Prestonpans train station from Tranent via Johnnie Cope's Road. Whilst he disagreed with position of officers on this issue, he could see their point of view, and so he proposed that the Council should engage with the Scottish Government and Transport Scotland on this matter, and about infrastructure more generally. He confirmed that he would be prepared to support Councillor Hampshire's amendment. Councillor Hampshire stated that he would be happy to amend his amendment to include the second paragraph of Councillor Bruce's amendment.

The amendment was seconded by Councillor Findlay, who was also happy to support the proposal to merge the amendments, as detailed above.

Councillor McIntosh opened the debate by remarking that disregarding the road safety advice of officers was a 'failure of political courage'. She accepted that people would be upset at the road being closed, but was concerned that there could be a serious accident on the road, especially due to the increased volume of traffic and the size of modern cars. She was of the view that the safety of cyclists and pedestrians should come before the needs of car drivers. Councillor McIntosh was therefore supportive of the road being used for active travel, and she was opposed to the Conservative Group's views that additional money should be made available for road building. She stated that she would be voting against the amendments.

Councillor Ritchie spoke in favour of improving the existing active travel route to make it safer and more accessible, as well as making the necessary improvements to Johnnie Cope's Road.

Commending the work done by officers on this matter, and recognising the points made by Councillor McIntosh, Councillor Jardine was of the view that a number of measures could be put in place to mitigate the risks for the road users. Her preference was to make the road safe for both vehicular traffic use and active travel.

Councillor Menzies commented that the benefits of closing the road to traffic had not been set out to the communities. She also noted that the consultation had only taken account of objections, rather than all views on the matter and that this should be borne in mind for future consultations. She accepted that the road was not currently safe for users. On the consultation responses, she noted that most of the respondents resided in the Prestonpans area, and the majority of those respondents were opposed to the road closure; she added that only a small minority of residents had responded, however, and that it was important to listen to the whole community. She also suggested that changing the public's opinions on active travel was important. She was not convinced that writing to the Scottish Government would be of benefit, given that Transport Scotland had already indicated that there was no funding available to improve the bridge.

Councillor McGinn stressed the importance of listening to the views of constituents. He noted that his concerns were less about the bridge and more about the road junction, and that he personally would always look for a safer route rather than use Johnnie Cope's Road. He was in favour of improving the road and also the existing active travel route.

The Provost moved to the roll call vote on the amendment, as submitted by Councillors Hampshire and Yorkston, and amended to include the addition of the second paragraph of the amendment submitted by Councillors Bruce and Findlay.

For:	19	(Councillors Akhtar, Allan, Bennett, Bruce, Cassini, Collins, Findlay, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McGuire, McMillan, Menzies, Ritchie, Trotter, Yorkston)
Against:	1	(Councillor McIntosh)
Abstentions:	0	

The amendment, as amended, was therefore carried.

Decision

The Council agreed:

- i. to note the summary of responses to the consultation process, as set out in Appendix C of the report;
- ii. to also note officers' concerns with the design of the road layout and the width of the carriageway for the current volume of the road users;
- iii. to request that officers stop the statutory process, as set out in Recommendation 2.2 of the report, allowing Johnnie Cope's Road to remain open to vehicular traffic, as a result of consideration of the public objections and the communities' use of this road for over 30 years with only a few minor accidents;
- iv. that officers review the intervention options 2, 3 and 4, as set out in Appendix E of the report, to develop the design, specification and costs, and report back to a future Council meeting so that Councillors can consider this as part of a future Council budget;
- v. that the Council should also consider improvements to the active travel routes between Prestonpans and Tranent, including the installation of lights on the Meadowmill underpass; and
- vi. that the connections between the communities in East Lothian are vital, particularly in the areas where the county is growing most rapidly, and it therefore instructed the Chief Executive and Leader of the Council to write to Transport Scotland and the relevant Scottish Government ministers to request support to upgrade the bridge over the A1 on Johnnie Cope's Road and to request a cross-party meeting with ministers to discuss this issue as well as the various other infrastructure needs of East Lothian, given the proposed scale of housing growth. Failing the ability to get those meetings and resolution, the Council believes that options, in particular resurfacing of the road and installation of traffic lights, would be preferable to closure if the Council is unable to get support from the Scottish Government for improving the bridge.

12. MOTION: JOHNNIE COPE ROAD

A motion was submitted by Councillors Bruce and Findlay, continued from the Council meeting of 25 April 2023:

That East Lothian Council:

Notes that there has been a significant community response following the launch of the consultation on the closure of the Johnnie Cope Road between Prestonpans and Tranent;

Understands that there has been a lot of opposition to the closure of the road from various community sources including, but not limited to, Prestonpans Community Council and Tranent and Elphinstone Community Council;

Believes that the connections between the communities in East Lothian are vital, particularly in the areas where our county is growing most rapidly;

Calls for the current consultation and legal process to be paused to allow for more detailed and robust research into any potential negative impacts closing this road might have on local communities and to explore alternative proposals, such as the installation of traffic lights at the bridge on Johnnie Cope Road, to happen and be reported back to Council;

Further notes that the bridge on the A1 is in the ownership of Transport Scotland and the Scottish Government, and requests that the Chief Executive and Leader of East Lothian Council write to Transport Scotland and the relevant Scottish Government ministers to request support to upgrade the bridge over the A1 on Johnnie Cope Road and to request a cross-party meeting with ministers to discuss the various infrastructure needs of East Lothian given the proposed scale of housing growth.

Councillor Bruce advised that he wished to withdraw his motion. Councillor Findlay, who had seconded the motion in writing, agreed that the motion should be withdrawn.

Decision

The Council agreed to note that the motion on Johnnie Cope's Road had been withdrawn.

13. MOTION: APPEAL TO UK GOVERNMENT ON ENGAGEMENT PROCESS FOR BANK BRANCH CLOSURES

A motion was submitted by Councillors Jardine and Gilbert:

East Lothian Council:

Notes, with significant concern, the recently announced closures of the Royal Bank of Scotland in Tranent and the Bank of Scotland in Dunbar.

Notes that individual institutions have sought the input of the UK Finance Cash Action Group, through LINK, in assessing the impact on cash availability in each locality.

Notes that LINK and UK Finance Cash Action Group are represented by the banking and finance industry only and are not required to engage with strategic economic development bodies or representative community organisations in making an assessment on the existing and future requirements of distinct communities.

Notes the extensive and understandable concern raised by communities in both Tranent and Dunbar at the closure of the last bank building in each town, with associated impacts for business trade and those reliant on in-person banking transactions and assistance.

Therefore instructs the Leader of the Council to write to the UK Government expressing the Council's concern at the lack of local business and community interests in assessing future requirements to banking in distinct communities and call for steps to be introduced to compel the banking industry to include engagement with local authorities and community representatives in assessing the impact of future planned closures of bank branches.

Councillor Jardine presented the motion, highlighting the technological and social changes and the decline in the use of cash over the past decade, and particularly since the COVID-19 pandemic, which had led to the closure of bank branches. She voiced her concern that many

small businesses depended on local banking facilities, and that rural communities were especially impacted by local branch closures. She stressed the importance of communities having access to banking facilities, and suggested that banking hubs should be extended to rural areas, as well as better support being provided to the Post Office, which had taken on a number of services previously offered by local banks. Councillor Jardine claimed that the UK Government had not addressed concerns raised at the Scottish Affairs Select Committee on this matter, nor had it taken account of the needs of communities. She suggested that the Government should compel banks to take the views of affected communities into consideration and engage meaningfully with them as regards future banking provision in East Lothian.

Seconding the motion, Councillor Gilbert pointed out that c. 20% of people are digitally excluded, and he questioned how they would cope without local banking facilities. He also made reference to Royal Bank of Scotland's assertion at the time of closing their Prestonpans branch that customers could access facilities in nearby Tranent. He was concerned that with the impending closure of the Tranent branch, those people would soon have no access to a local branch.

The Provost advised that an amendment had been submitted by Councillors Collins and Bruce in respect of this motion, which proposed an additional recommendation, as set out below:

Additionally instructs the Leader of the Council to write to Cash Access UK asking them to expand the number of supported options available to communities for alternative banking facilities, beyond just post office-base facilities, to include systems such as OneBanx and others that use a mix of technology and in-person support, to give the broadest range of solutions to the problems facing communities in East Lothian and across the UK.

Councillor Collins presented the amendment. She welcomed the motion, and the proposal to expand the use of banking hubs. However, she advised of alternative facilities, such as OneBanx, which would allow in-person banking seven days a week. She explained that OneBanx was working in collaboration with the Co-op to provide facilities such as accessing cash, cashing cheques, paying bills and obtaining advice, and that this facility covered all banks and could be set up quickly. She advised that nine such outlets were currently available in the UK, three of which were in Scotland. She believed that this facility could provide banking solutions to people in East Lothian. Councillor Collins offered to provide further information to Members, should they request it.

The amendment was seconded by Councillor Bruce, who expressed concern about the impact of bank closures for communities. He agreed that the UK Government should compel the banking industry to engage with communities. He was also supportive of the idea of banking hubs, but believed that there should be a broader range of options available, including the OneBanx concept, which would make use of existing shops and public spaces from which to operate.

Councillor Forrest opened the debate. Whilst supporting the motion, he also highlighted the positive work carried out by Credit Unions.

Councillor Ritchie noted that the closure of banks affected the local skills base. She welcomed the motion and creative solutions outlined by Members.

Making reference to the government bailout of banks following the financial crisis, Councillor Cassini criticised the behaviour of banks towards their customers. She commented that a one-size-fits-all approach would not work for everyone.

Councillor McGinn remarked that banking services in Tranent had been decimated over the past decade. He spoke in support of Councillor Forrest's comments regarding credit unions, and welcomed the concept of banking hubs.

Councillor Akhtar referred to recent research carried out by Age Scotland on this subject, noting that 500,000 people in Scotland were reliant on cash, and that those people, mainly older people or those on low incomes, would be impacted significantly by bank branch closures. She also pointed out that not everyone could access online banking due to poor broadband coverage in some areas.

The Provost welcomed the motion and amendment, and the cross-party unity on this matter.

Summing up, Councillor Jardine noted that she had some reservations about the OneBanx concept; however, she welcomed the opportunity to consider alternative banking solutions, especially those which helped start-up businesses.

The Provost moved to the roll call vote on the amendment, which was approved unanimously.

Decision

The Council agreed:

- i. to instruct the Leader of the Council to write to the UK Government expressing the Council's concern at the lack of local business and community interests in assessing future requirements to banking in distinct communities and call for steps to be introduced to compel the banking industry to include engagement with local authorities and community representatives in assessing the impact of future planned closures of bank branches; and
- ii. to instruct the Leader of the Council to write to Cash Access UK asking them to expand the number of supported options available to communities for alternative banking facilities, beyond just post office-based facilities, to include systems such as OneBanx and others that use a mix of technology and in-person support, to give the broadest range of solutions to the problems facing communities in East Lothian and across the UK.

14. MOTION: SUPPORT FOR 'GUARANTEE OUR ESSENTIALS' CAMPAIGN

A motion was submitted by Councillors Jardine and Cassini:

That East Lothian Council:

Notes the significant increase in assistance being provided by foodbanks across East Lothian and commends all the staff and volunteers who support the most complex and vulnerable lives in our communities;

Notes that 90% of low-income households receiving Universal Credit are going without at least one essential like food, a warm home or toiletries, all of which evidences that the increased costs of living are not adequately reflected in uprating to social security support;

Supports the promotion of the joint Trussell Trust and Joseph Rowntree Foundation Campaign calling on the UK Government for an 'essentials guarantee' to make sure the basic rate of Universal Credit is sufficient to afford the basics each of us needs to live, for which more details are available at: <https://www.trusselltrust.org/get-involved/campaigns/guarantee-our-essentials/>;

Therefore instructs the Leader of the Council to write to the Trussell Trust/Rowntree Foundation to express the Council's support for their campaign and also to the UK

Government to express the Council's support for the campaign, highlighting that we know of poverty, the efforts being coordinated across East Lothian and the extent to which this still does not meet the needs within our communities, and call for the basic rate of Universal Credit to be enough to afford the essentials we all need, such as food, energy and basic household goods – and that deductions can never pull people below this line.

Councillor Jardine presented the motion. First, she made reference to the East Lothian Foodbank AGM earlier in the month, noting the sombre mood at that meeting due to the increased pressures on families and communities. She congratulated staff and volunteers at foodbanks for their work. She made particular reference to a section in their annual report which indicated that the high level of demand for the foodbank was unlikely to reduce in the near future, and that more than 16,500 people had been supported and 150,000 meals provided in the past 17 months. Councillor Jardine highlighted the reasons for this increase in demand, including low wages, higher fuel costs, and rising inflation. She noted that despite a number of policy initiatives introduced by the Scottish Government aimed at mitigating austerity, the use of foodbanks continued to increase. She spoke of the campaign by the Trussell Trust and Joseph Rowntree Foundation, which was aimed at giving dignity to those least able to provide for themselves, and providing a guarantee on the essentials for life. The East Lothian Foodbank was promoting this campaign locally. Councillor Jardine concluded her presentation by noting that the Council could assist by providing information to people, and also raise concerns about the situation as well as raising the profile of the campaign.

Councillor Cassini seconded the motion, remarking that councils were having to point out to the UK Government that Universal Credit payments were not sufficient to cover the cost of basic essentials.

Councillor McIntosh spoke in favour of the motion, commenting that the Universal Credit system was 'dehumanising'. She was particularly concerned about the way that Universal Credit payments were calculated for students, especially those with children.

Whilst respecting the sentiments behind both the motion and campaign, Councillor Bruce advised that he had concerns about some aspects of the campaign, particularly in terms of affordability, and declared that he would abstain. He noted that increasing benefit payments would drive up inflation even further, and that further work on the implications of such a campaign was required.

Councillor Akhtar stated that she would be supporting the motion, and was disappointed with Councillor Bruce's comments. She noted the negative impact on society of people being unable to afford basic essentials, and stressed that the UK and Scottish Governments needed to work together to tackle this issue.

Speaking in support of the motion, Councillor McGinn expressed concern that the use of foodbanks had become normalised and was frustrated that this position had been allowed to develop. He praised the work of foodbank staff and volunteers.

Summing up, Councillor Jardine voiced her disappointment at the comments made by Councillor Bruce. She stressed the importance of supporting those who do not have a voice and called on the Council to support the motion and make clear the Council's position on this matter.

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

For:	17	(Councillors Akhtar, Allan, Bennett, Cassini, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston)
Against:	0	
Abstentions:	4	(Councillors Bruce, Collins, Findlay and McGuire)

The motion was therefore carried.

Decision

The Council agreed to instruct the Leader of the Council to write to the Trussell Trust/Rowntree Foundation to express the Council's support for their campaign and also to the UK Government to express the Council's support for the campaign, highlighting that the Council knows of poverty, the efforts being coordinated across East Lothian and the extent to which this still does not meet the needs within its communities, and calls for the basic rate of Universal Credit to be enough to afford the essentials people need, such as food, energy and basic household goods – and that deductions can never pull people below this line.

15. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 7 APRIL TO 11 JUNE 2023

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 April 2023.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 7 April and 11 June 2023, as listed in Appendix 1 to the report.

At the close of public business, the Provost advised that the Council would now be in recess until mid-August, and that any urgent business requiring to be undertaken during this period would be carried out in accordance with Standing Order 15.6; a report on all urgent business undertaken during the recess would be presented to the first Council meeting of the new session, on 29 August.

Sederunt: Councillor Forrest left the meeting.

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.

Applications for Funding to Musselburgh Common Good Committee

A private report seeking determination of an application made by Fisherrow Harbour and Seafront Association for funding of £18,164 to replace ladders at Fisherrow harbour wall from Musselburgh Common Good Committee was approved, subject to conditions set out in the report.