



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

**TUESDAY 27 AUGUST 2024
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
AND VIA HYBRID 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
Councillor F Dugdale
Councillor J Findlay

Councillor A Forrest
Councillor N Hampshire
Councillor L Jardine
Councillor C McFarlane
Councillor G McGuire
Councillor S McIntosh
Councillor K McLeod
Councillor L-A Menzies
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
Ms F Wilson, Director of Health and Social Care
Ms L Byrne, Head of Children's Services
Ms E Dunnet, Head of Finance
Ms N McDowell, Head of Education
Ms W McGuire, Head of Housing
Mr R Montgomery, Head of Development
Mr T Reid, Head of Infrastructure
Ms C Rodgers, Head of Communities
Ms E Barclay, Democratic Services Assistant
Ms M Cockburn, Transformation and Digital Portfolio Manager
Mr S Cooper, Team Manager – Communications
Mr R Edgar, Team Manager – Policy & Strategy (Planning)
Ms A-M Glancy, Service Manager – Corporate Accounting
Mr C Grilli, Service Manager – Governance
Ms J Hargreaves, Team Manager – Countryside
Mr D Henderson, Service Manager – Service Accounting
Ms L Higginson, Community Planning Officer
Mr E John, Service Manager – Sport, Countryside and Leisure
Ms L Kerr, General Manager – Planning and Performance (Adult Wellbeing)
Ms J Lothian, Strategy, Policy and Development Manager (Amenity Services)
Ms J Newcombe, Biodiversity Officer

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

Councillor N Gilbert
Councillor C McGinn
Councillor B Ritchie
Councillor T Trotter

Declarations of Interest:

None

The Provost advised that the meeting was being held as a hybrid meeting, 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 six months from the date of the meeting.

The clerk recorded the attendance of Members by roll call.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved: East Lothian Council, 25 June 2024.

2. DRAFT ANNUAL ACCOUNTS 2023-24

A report was submitted by the Executive Director for Council Resources providing an update on the draft unaudited accounts for the year ending 31 March 2024, which must be formally scrutinised by the Members by 31 August 2024.

The Service Manager – Corporate Accounting, Ann-Marie Glancy, presented the report, confirming that the draft annual accounts had been submitted to External Audit before 30 June and had been published in the Members' Library. It was anticipated that the audit would be concluded by November 2024, and she advised that any material changes would be reported back to Members.

Councillor Hampshire thanked Ms Glancy and her team for their work in producing the accounts within the required timeframe.

Decision

The Council agreed:

- i. to note that the draft accounts for the Council and its wider group, and the Dr Bruce Trust, had been submitted to External Audit prior to the statutory deadline of 30 June 2024; and

- ii. to note that the accounts remain in draft pending the finalisation of the statutory audit, expected to be completed by November 2024.

3. QUARTER 1 FINANCIAL REVIEW 2024/25

A report was submitted by the Executive Director for Council Resources providing an update on the in-year financial position at the end of June 2024.

The Service Manager – Service Accounting, David Henderson, presented the report. He set out the significant financial challenges facing the Council, which were mainly attributed to increasing demand on services and rising costs. He drew attention to the key aspects of the report, including the overspend at the end of Quarter 1 (outlined in Section 3.8 of the report); the projected overspends for the Integration Joint Board, Children's Services and Community Housing (Section 3.14); the delivery of efficiency savings and ongoing mitigation measures (Sections 3.18-3.21); the risk as regards the 2024/25 pay settlement (Section 3.17); the position with the Capital Programme (Sections 3.34-3.42) and the Housing Revenue Account (Sections 3.50-3.54). He made mention of additional funding received since the Council set the budget in February 2024, including Scottish Government funding, a VAT rebate, and additional council tax income, which would partially offset the financial pressures. However, he warned that the scale of the challenge facing the Council should not be underestimated.

Councillor McIntosh asked questions in relation to nature restoration and flood protection funding and the ability achieve efficiency savings. On the nature restoration funding, Mr Henderson explained that £59k had been carried forward and this would not be impacted by the recent announcement by the Scottish Government, but he did not currently know the position with the funding yet to be allocated. On the Flood Protection Scheme, he confirmed that the Council had made it clear to the Scottish Government that the Council could not deliver the Scheme within its budget should the government funding be reduced. Mr Henderson advised that the underspend in staffing was contributing to the delivery of efficiency savings, and that staff turnover was similar to previous years. He reiterated the risk associated with a higher-than-expected pay award.

In response to questions from Councillor McLeod, Mr Henderson noted that the Council had been seeking to recover VAT monies for some years, predating the establishment of EnjoyLeisure; this one-off funding would be used to mitigate in-year financial pressures. On the £187k saving relating to sports facilities, he advised that the Council was working with sports clubs to manage these savings and was confident that they would be achieved over time. As regards voids, he reported that efforts were ongoing to improve the turnaround time, including enhanced contract management, staff working overtime to overcome backlogs, and a new performance management framework being put in place.

Councillor Bruce asked about the Council's ability to maintain teacher numbers. Mr Henderson indicated that the position would not be known until the completion of the census in mid-September, and that there was as yet no agreement between the Scottish Government and CoSLA on the distribution of that funding.

Councillor Jardine raised a number of questions on the Health and Social Care Partnership (non-IJB) budget and efficiency savings. Mr Henderson explained that, as regards the non-IJB expenditure, this expense related to the housing support contracts. Discussions to review those contracts were due to take place, and that some of that funding would be allocated to Midlothian Council and third sector organisations. On efficiency savings, he believed that savings included in the budget were deliverable, but there were timing issues with some of them that may result in a delay in them being fully realised.

Mr Henderson confirmed that there was a direct correlation between population growth and the demand for Council services, especially services for children and older people. This had an impact on both capital and revenue budgets.

Councillor Akhtar sought an update on the potential impact of the pay award on the Council, and also on the IJB overspend. Mr Henderson advised that the most recent pay offer would require the Council to increase funding from 3% to 3.2%, which would cost c.£400,000. Although the Scottish Government had committed to support the pay award, it was not clear what the Council's allocation would be. As regards the IJB overspend, he noted that the main reason was increased demand on services; the IJB Financial Overview Group would continue to look at options to reduce this overspend.

Councillor Hampshire assured Members that officers were doing everything they could to work within their budget, but inflationary and demand pressures meant that that hadn't been possible in some areas, such as the IJB. He also mentioned that without additional funding, the Council's house-building programme would slow down. However, he was confident that staff would continue to look for ways to reduce costs and manage services as efficiently as possible.

Councillor Akhtar highlighted the population growth projections for the next ten years, noting that the Council currently received one of the lowest funding settlements despite this growth and an increasing aging population. She warned that demand for social care would continue to increase, and that it was important that the public was aware of the challenges facing the Council.

Decision

The Council agreed:

- i. to note the outcome of the Quarter 1 finance performance against approved budget and the underlying financial pressures faced by the Council;
- ii. to note the additional funding received from the Scottish Government to meet specific policy initiatives;
- iii. to note the range of ongoing intervention measures approved by Council;
- iv. to note that financial review reports would continue to be reported to Council for scrutiny until the financial position improves;
- v. to note the update on the wider financial environment and current risks; and
- vi. to note the update on the Capital budget and Prudential and Treasury indicators.

4. BUDGET DEVELOPMENT 2025-26 ONWARDS

A report was submitted by the Executive Director for Council Resources setting the context for developing the five-year budget plan for 2025-26 onwards; providing the updated budget projections and a revised funding gap, and to highlight the key assumptions and risks within these; and outlining the process and next steps for setting the financial strategy and budgets for 2025-26 onwards.

The Head of Finance, Ellie Dunnet, presented the report, drawing Members' attention to the revised budget projections for the next five for General Services, Capital and the Housing

Revenue Account. She also provided a summary of scenario planning that had been carried out and set out the proposed steps for the forthcoming budget development process.

In response to questions from Councillor Jardine, Ms Dunnet advised that in setting the budget for social care, the Council would need to consider demographic changes, pay pressures, capacity and historical overspends. She noted that longer-term planning was key, in order to allow managers to reshape services and close the budget gap.

Councillor Bruce asked how the Members should approach scenario planning. Ms Dunnet explained that various assumptions had been made and that the plans took account of the most likely scenario; however, she cautioned that there may be factors which had not been considered or things may arise that had not been accounted for. To close the budget gap for the next financial year alone, she considered that a council tax increase of c. 17.2% would be required.

In response to questions from Councillors Cassini and Menzies regarding the budget development process, Ms Dunnet indicated that financial updates would continue to be reported to Council. In addition, the cross-party budget working group would continue to meet, and she expected that those attending those meetings would report back to their political groups. Officers would also meet with all political groups to support participation in the budget-setting process. With reference to the holistic approach to budget development, this would take account of the wider and longer-term impacts of decisions, and a more joined-up and collaborative approach to decision-making.

Councillor Hampshire warned that the financial situation was not sustainable without additional funding, and that there would be difficult decisions for the Council to make when setting the budget. He welcomed the opportunity to continue cross-party working in order to deliver the best budget for East Lothian.

The Provost commented on the need for the Council to be radical in its thinking, and promoted collaborative working within the political groups.

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

Decision

The Council agreed:

- i. to note the financial outlook, and revised budget projections and key assumptions for financial planning for 2025-26 onwards, as set out within the report;
- ii. to note the significant risks which the Council continues to face to financial sustainability and setting a balanced budget; and
- iii. to approve the next steps to developing the budget and financial strategy for 2025-26 onwards.

5. RATE INCREASE FOR CROOKSTON CARE HOME

A report was submitted by the Director of Health and Social Care advising Members of the new standard rate for self-funded residents within the East Lothian Health and Social Care Partnership's Crookston Care Home.

The General Manager for Planning and Performance (Adult Wellbeing), Laura Kerr, presented the report. She explained that, with the Abbey Care Home and Belhaven Nursing Home now closed, Crookston Care Home was now the only local authority-run care home in East Lothian, and it was necessary to bring the charging for that facility into line with legislation and Scottish Government guidance. This would result in a 39% increase in fees for the current year for those residents who are self-funded, which would bring the fees into line with other care homes in East Lothian and in neighbouring authorities. She noted that self-funding residents were subject to a financial assessment and would also receive a contribution towards the free personal care element of their fees.

Responding to questions from Councillor Bruce, Ms Kerr confirmed that the costs would be applied to all affected residents from 30 September 2024. She accepted that, to a certain extent, the Council had not been acting in compliance with the legislation by not increasing fees to meet the cost of providing the service.

Councillor Dugdale questioned the notice period for the implementation of the new charges. Ms Kerr advised that the standard notice period was 30 days. She did not anticipate any issues but noted that a review of financial assessments of those affected would be carried out to check if residents were entitled to additional support. She did not foresee costs decreasing in the future, but if that did happen the savings would be passed on to the residents.

Councillor McLeod asked if Crookston Care Home still had respite beds available. Ms Kerr confirmed that there was no longer capacity within the home for respite beds but that these were being provided within other care homes.

Councillor Menzies asked for clarification on the savings/assets thresholds and the free personal/nursing care element. Ms Kerr explained that a resident with less than £35k in savings/assets would still be subject to a financial assessment but would not have to pay the full fee; for those residents liable to pay the full fee of £1,557, the personal care element would be subtracted from that fee.

In response to questions from Councillor Collins, Ms Kerr advised that there were currently 741 beds in East Lothian, with residents paying variable amounts, as determined by the financial assessment process.

Carlo Grilli, Service Manager for Governance, made reference to the legislation and guidance on charging, which stipulated that the Council had to implement full cost recovery, and that it was not possible to phase in the increased costs.

Councillors McLeod and Akhtar paid tribute to the staff at the Crookston Care Home. Councillor Akhtar added that it was regrettable that the Council was not in a position to implement the charges on a phased basis. She urged officers to ensure that financial assessment advice was available to all those residents affected by the new charge.

Decision

The Council agreed:

- i. to note the increase in charges for Crookston Care Home to £1,557 per week in order to comply with requirements Section 22 of The National Assistance Act 1948 and the Charging for Residential Accommodation Guidelines (CRAG), as issued by the Scottish Government;
- ii. to note that the new charges would apply to existing and new residents from 30 September 2024, and that this would only impact payments from self-funded residents; and

- iii. to note that The Abbey Care Home in North Berwick and Belhaven Nursing Home in Dunbar no longer had any residents and had now closed.

6. LOCAL DEVELOPMENT PLAN 2: EVIDENCE REPORT

A report was submitted by the Executive Director for Place seeking approval of the Local Development Plan (LDP) Evidence Report.

The Head of Development, Ray Montgomery, presented the report, pointing out that the Council had seen one of the highest levels of housebuilding and population growth in Scotland. He stressed the impact this had had on the Council's finances, in terms of revenue funding, and noted that developer contributions did not meet the full cost of infrastructure delivery. In addition, the Council receives the third lowest financial settlement in Scotland. He advised that officers would be setting out these challenges to the Scottish Government and would push for a fairer financial settlement.

Robin Edgar, Team Manager for Policy and Strategy (Planning), advised that this report was the first substantive stage in the LDP2 process. He made reference to supporting documents and to engagement with local groups, children and young people, and key agencies. He pointed out the requirement to manage development pressures as well as meeting climate and nature challenges. On the Local Housing Land Requirement (LHLR), he advised that the minimum requirement had been set at 6,500 for East Lothian. However, in accordance with national planning guidance, there would be an expectation that local authorities would progress with a higher allocation, and he therefore proposed that the figure of 6,600 is progressed for East Lothian. He noted that 5,000 homes from LDP1 could contribute to this figure, leaving a shortfall of 1,600. Mr Edgar set out the next steps in the process.

Councillor McLeod asked about the Gatecheck timescales and the need for more affordable housing. Mr Edgar advised that the Gatecheck process would take c.1-3 months to conclude. On affordable housing, he noted that the Housing Service had identified locations and range of house types, and that regarding private housing, for new sites development briefs would include a range of house types with the aim of getting a better mix of housing.

In response to questions from Councillor Findlay, Mr Edgar advised that at least eight Local Place Plans (LPPs) had been produced or were in progress; these had been produced by community groups, with assistance from officers. On sites for future development, the deadline for submissions is 6 September – Mr Edgar expected to receive a strong response.

On energy, Councillor Jardine commented that the report did not reflect the number of jobs that would be required during the decommissioning process at Torness, and asked if this could be reconsidered. Mr Edgar indicated that there was no process for decommissioning in place as yet, and flexibility would be required on this issue. He added that a lot of energy-related developments would be coming forward.

With reference to the Scottish Governments 'Housing to 2040' vision, Councillor Menzies asked about the provision of housing for social rent. Mr Edgar reported that work to develop a new Local Housing Strategy was underway, which would include increasing affordable housing in various locations – this would be reflected in LDP2.

Responding to a number of questions from Councillor Bruce, Mr Edgar advised that the figure of 6,600 houses had been reached through the Housing Needs and Demand Assessment (HNDA) process, and that a robust methodology had been used. He was unable to confirm if this figure would be accepted by the Scottish Government. On infrastructure, Mr Edgar noted that this was a key theme, and that making best use of existing infrastructure and reducing

car use would be promoted. He stressed the importance of progressing LDP2, and this would include infrastructure requirements, but input from Scottish Government, Transport Scotland and other agencies would be required. Mr Edgar assured Members that the Council would push for an 'infrastructure first' approach, but he cautioned that the Council did not have powers at the national level.

Councillor McIntosh asked if the Council could challenge the figure for house numbers set within the Minimum All Tenure Housing Land Requirement (MATLHR), noting that it was 40% higher than the figure reached through the HNDA process. Mr Edgar provided an explanation as to what was required in order to comply with NPF4 and other guidance. He noted that the Lothian authorities were in a unique position due to the amount of growth in those areas. On car journeys, he advised that this would be monitored, but he felt that a 20% reduction was a very challenging target. He recognised the need to provide people with transport options. He further advised that the Scottish Government would have until 2026 to introduce an infrastructure levy, and that this would need to align with the Section 75 process; he suggested that the Council was likely to progress with the assumption that the levy would be introduced, pending the outcome of the consultation on that matter.

Councillor Akhtar voiced her concerns about the cost to the Council of population growth and about the delivery of infrastructure, particularly around health provision. Mr Edgar assured her that these aspects were highlighted in the Evidence Report, and that they could also be included in the covering letter to the Reporter. He noted that the Council was working with colleagues in Health regarding the impact of growth on particular services, noting the need to plan for further growth and secure the required funding.

Councillor Dugdale suggested that there was a need for more adaptable housing units in order to allow people to remain within their communities. Mr Edgar spoke of the desire to allow people to remain in their own homes, and that adaptable and accessible housing would be looked at as part of LDP2. He accepted that broadband coverage in some areas was challenging, but that this should be a requirement in new homes.

Welcoming the report, particularly the holistic approach to the new LDP, the Provost stressed the importance of aspects such as 'community', 'place' and 'neighbourhood', as well as growing the economy.

Councillor Hampshire spoke of the scale of the task required to deliver the 2018 LDP. He noted that 5,000 of the homes allocated in the 2018 LDP were still to be delivered, and they would be included within LDP2. He expressed concern about the delivery of infrastructure and of the need for growth funding to be provided going forward. He noted that a minimum of 6,500 houses would be required in LDP2, which would put pressure on existing infrastructure, such as the road network, rail network, and schools. He also noted the need to identify areas for energy generation; his view was that a new nuclear facility to replace Torness was required. He called for the Council to challenge claims made by Homes for Scotland that 9,000 homes would be required in East Lothian.

Speaking in support of the points made by Councillor Hampshire, Councillor Bruce voiced his concern about the delivery of the required infrastructure at both a regional and national level, particularly the need to increase capacity on the East Coast Main Line. He suggested that the creation of regional mayors should be considered, as the case in England, as a link between local and national issues.

Councillor Jardine welcomed the report and supporting information, and also the community involvement in Local Place Plans (LPPs). She hoped that all areas would be supported to produce LPPs. With reference to the Homes for Scotland report, she believed that decisions should be taken on evidence gathered rather than outside influence and lobbying. Regarding

LDP1, and especially assumptions made about infrastructure, she hoped that such assumptions would not be made when developing LDP2.

Councillor Akhtar suggested that a cross-party letter in support of the officers' submission should be sent to the Scottish Government. Councillor Hampshire indicated that he would be willing to write to the First Minister and UK Chancellor seeking support to deliver the growth required for LDP2.

Councillor McIntosh commended the report and supporting information, and she was supportive of the suggestion to write a cross-part letter; however, she was opposed to the Council having to deliver more than 6,500 homes. She was also concerned about the delays in bringing forward the Local Heat and Energy Efficiency Strategy (LHEES). She spoke of the opportunities for introducing district heat networks and hoped that this aspect could be incorporated into LDP2 as it moves forward. She was against a new nuclear energy facility, as it was expensive and would not alleviate fuel poverty.

Councillor Dugdale welcomed the involvement of children and young people in the process to date.

Councillor Menzies was of the view that the development planning process needed to be reformed, highlighting the need to provide more social rented housing, which would reduce reliance on temporary accommodation and help alleviate health problems and poverty.

The Service Manager for Governance, Carlo Grilli, set out the proposed wording for an additional recommendation: 'that the Leader of the Council, in consultation with Group Leaders, issues a letter to the UK Government and Scottish Government, accompanying the Evidence Report, setting out the requirement to provide additional financial resources (revenue and capital) to support and enable the delivery of LDP2'.

Councillor Hampshire proposed the additional recommendation, seconded by Councillor Akhtar.

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

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

Decision

The Council agreed:

- i. to approve the Evidence Report, available at the following link: <https://arcg.is/1nPDub0>, and associated documentation, available at the following link: [Evidence Report | East Lothian Council](#);
- ii. to delegate responsibility to the Chief Planning Officer to make final changes, of a non-material nature, to the Evidence Report and associated documents;
- iii. that the Evidence Report be subsequently submitted to the Scottish Government's Department of Planning and Environmental Appeals (DPEA) for the Gatecheck process; and
- iv. that the Leader of the Council, in consultation with Group Leaders, issues a letter to the UK Government and Scottish Government, accompanying the Evidence Report, setting out the requirement to provide additional financial resources (revenue and capital) to support and enable the delivery of LDP2.

7. EAST LoTHIAN POVERTY PLAN 2024-28

A report was submitted by the Executive Director of Place seeking approval of the East Lothian Partnership's Poverty Plan 2024-28.

The Policy Officer for Equalities and Tackling Poverty, Lucy Higginson, presented the report. She reported that one in five children in East Lothian are living in relative poverty, and that there had been a 99% increase in foodbank use since the publication of the last Poverty Plan. She set out the key objectives of the Poverty Plan, as well as improvements to the Partnership's approach to achieving these outcomes (set out in Section 3.5 of the report). Members were provided with an update on progress made regarding the 2021-23 Poverty Plan, with 12% of actions being completed and 82% in progress. An action plan relating to the new Poverty Plan would be prepared and shared with Members in due course.

Responding to a question from Councillor Collins on face-to-face advice services, Ms Higginson advised that action was being taken to create more 'one-stop shops' and local community hubs where people could get advice, and additional staff training would be provided to support those accessing these services.

Councillor Bruce questioned why only 12% of actions from the previous Poverty Plan had been completed. Ms Higginson indicated that the main reason for this was that many of the actions required a longer-term solution, e.g. additional housing, attracting employment to East Lothian. In addition, the previous Plan had been more short-term in nature due to the impact of the COVID-19 pandemic. She was unable to advise on the impact of the winter fuel allowance cut yet, but assured Councillor Bruce that officers in Revenues and Communications were looking at ways to promote the uptake of pension credit.

On a question from Councillor Forrest on the under-claiming of benefits, Ms Higginson advised that this applied to all age groups, and that the changes to the benefits system had caused a lag in people claiming what they are entitled to; stigma was also a factor.

Councillor Jardine asked about the involvement of Area Partnerships, and about the scope for targeting partnership funding to areas where poverty levels are higher. Ms Higginson stressed that Area Partnerships would play an important role in the delivery of the Poverty Plan, and that they would be able to access external funding for this purpose. She referred to the ongoing review of the East Lothian Plan, noting that it was possible that funding could be targeted.

As regards pension credit entitlement, Councillor Cassini asked if there was assistance available for people who may have difficulty in completing the application form. Ms Higginson accepted that the benefits system was not always easy to navigate and that further training for Partnership staff would be provided so that they could assist applicants.

Councillor Hampshire commented that the cost-of-living crisis had contributed to the increase in poverty in East Lothian, and he asked what more the Council could do regarding promoting healthy living and providing practical advice on keeping costs down. Ms Higginson highlighted documentation produced by a number of Council services to help people, and that advice was also available on reducing energy costs. In addition, the Working for Change Collective and the East Lothian Foodbank were looking at establishing cooking clubs to help people prepare healthier meals, and cooking lessons could also be provided in schools and at youth clubs.

Responding to questions from Councillor Menzies as regards health inequality, Ms Higginson advised of ongoing efforts to end the need for foodbanks, including joint working with the Citizens' Advice Bureau. Wendy McGuire, Head of Housing, added that the Council's Housing Options Team were working with the Homelessness Team, adopting a preventative approach and ensuring that referrals were made, for example to the foodbank and health services. Ms

Higginson also noted that gender budgeting would be considered, and that work was underway to ensure that the Council is a living wage employer.

Councillor McIntosh pointed out that the cost of childcare was a barrier to many women working and asked what could be done to assist. Ms Higginson agreed that the cost of childcare had an impact on people's finances, and that she would consider if there was anything the Partnership could do in this regard. Nicola McDowell, Head of Education, explained that the Council worked with families to ensure that they were able to access childcare provision and provided advice on income maximisation. She noted that there had been a decrease in the number of childminders in East Lothian, and that officers would be prepared to look at ways to increase that provision.

Councillor Dugdale asked if the Council was doing enough to support people with mental health problems, especially as regards accessing training and employment. Ms Higginson advised that East Lothian Works provided such support, and also helped people to access volunteering roles and community-based activities.

In response to a question from Councillor Bennett on supporting people to develop skills and access high quality jobs, Ms Higginson highlighted the importance of community wealth building and the creation of a strong local economy which works for local people. There would also be a focus on employers paying the living wage and working with businesses to create good jobs.

Opening the debate, Councillor Yorkston noted that Preston, Seton and Gosford ward had the lowest income level in the county, and that up to half of its residents travelled outwith East Lothian for work. He observed that there was a clear need for more employment to be created locally. He hoped that the redevelopment of the former Cockenzie Power Station site and the ongoing work at Blindwells and Queen Margaret University would help tackle this issue and create employment opportunities for local residents. Councillor Yorkston also spoke of the impact of poverty on people's lives and urged the Council to do all it could to alleviate this impact.

Councillor Forrest stressed the importance of partnership working within communities to help those living in poverty. His comments were supported by Councillor Jardine, who added that the Poverty Plan had to be viewed in the context of inequality and austerity. In particular, she highlighted in-work poverty and inequalities associated with certain roles, for example caring roles. She also suggested that the Council should take a bolder approach to heating and the need the progress the Local Heat and Energy Efficiency Strategy.

Welcoming the Poverty Plan, Councillor Dugdale spoke of the long-term impact of poverty on people's health and lives. She noted that it was important to understand poverty and its impacts and to have measures in place to help people living in poverty. She urged the Council's partners to do likewise.

Councillor Menzies stated that poverty should not be accepted. She believed that the level of welfare funding in the UK was inadequate and did not provide people with enough to live on, making reference to the increased foodbank use. She suggested that that this issue required to be tackled at a national level. She also noted the need to tackle homelessness and inequalities in accessing services.

Concluding the debate, Councillor Akhtar pointed out that tackling poverty had been a priority for the Council for many years. She welcomed the Poverty Plan, but reiterated the need for a partnership approach to this issue. She noted that raising attainment in education was a key aspect of reducing poverty, as well as ensuring that all children and young people had access to initiatives such as Active Schools.

A number of Members paid tribute to Sean Crawford, co-founder of the Working for Change Collective, who had died recently.

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

Decision

The Council agreed to approve the East Lothian Poverty Plan 2024-28, including the outcomes and actions contained within the Plan.

8. EAST Lothian Council Transformation Strategy 2024-29

A report was submitted by the Executive Director for Council Resources seeking approval of the East Lothian Council Transformation Strategy 2024-29.

The Transformation and Digital Portfolio Manager, Michelle Cockburn, presented the report, advising that the proposed Strategy was aligned to the Council's priorities, and that performance would be reported to the Transformation Portfolio Board. The Strategy would be updated on an annual basis and reported to Cabinet.

In response to question from Councillors Findlay and Bruce on financial targets/returns, Ms Cockburn explained that financial and other benefits would be developed as part of the business case for each project. She noted that some savings had already been reported through the regular finance reports (for example the asset review), and that others would come forward as part of future finance reports. As regards an acceptable rate of return, Ms Cockburn advised that this would be considered on an individual basis, but that there was no minimum rate of return, as not all projects would be driven from a purely financial perspective. Ellie Dunnet, Head of Finance, added that it would not be advantageous to set a minimum rate of return as this could preclude the Council from accessing wider benefits. The Provost commented that transformation was not just about delivering financial savings, but was also concerned with benefits to the community and customers.

On carbon budgeting, Ms Cockburn advised that she was working with the Council's Climate Change Officer to look at ways of achieving this over the five years of the Strategy. On carbon literacy training, she advised that all Members would be encouraged to participate in the training course.

Councillor Menzies asked about the success of the previous Transformation Programme. Ms Cockburn informed Members that the operating environment had changed since 2016 due to the financial situation. Improvements had been made to the control and tracking of benefits, and a set of standards had been developed. She advised that her team would support officers by providing a framework for delivery of their transformation projects, and she expected that, as regards digital transformation, financial savings may not be realised but additional capacity for staff would be created.

Councillor Hampshire made reference to the improvements to waste collection, which was a transformation project. He stressed the need to allow officers to come forward with ideas for change. Ms Cockburn noted that workshops and a staff survey had taken place in late 2023/early 2024 where managers/staff could submit ideas, and that further opportunities to submit ideas were included in the budget development work and annual staff survey.

Councillor Cassini asked if anything could be developed to help young people gain experience or provide them with opportunities to service their communities. Ms Cockburn advised that

there were currently no projects of this nature, but that it was an area worth considering in future.

Councillor Findlay voiced his surprise that this report had been submitted to Cabinet rather than Council, and asked if future reports could come to Council. Carlo Grilli, Service Manager for Governance, advised that, in accordance with Standing Orders, Cabinet had the remit for strategy and policy, but that the call-in facility could be used to bring reports to Council. The Provost suggested that progress reports could be submitted to the Policy and Performance Review Committee for scrutiny.

Councillor Bruce noted that he still had some concerns about the approach taken; however, he indicated that he was happy to support the Strategy if it could provide the maximum return and was financially sustainable. He commended Ms Cockburn for her work in developing the Transformation agenda.

Councillor Hampshire assured Councillor Bruce that every project would be carefully considered as regards the benefits to the Council and communities, as well as the financial aspects.

Councillor Jardine suggested that cross-party scrutiny of the delivery of the Strategy was important.

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

Decision

The Council agreed to approve the East Lothian Council Transformation Strategy 2024-29.

Sederunt: Councillors Allan and Cassini left the meeting.

9. TACKLING THE NATURE EMERGENCY: UPDATE ON ACTIONS TO PROTECT AND ENHANCE NATURE

A report was submitted by the Executive Director for Place presenting the first report to Council on progress with tackling the Nature Emergency, as requested through the Council's Declaration of Nature Emergency in October 2023.

The Strategy, Policy and Development Manager for Amenity Services, Jennifer Lothian, presented the report. She highlighted the key aspects of the report, including recent work undertaken to tackle the nature emergency (set out at Section 3.5 of the report), the various strategies and policies in place to delivery the aims and objectives of the nature emergency declaration, and the progress made in the development of a Biodiversity Action Plan.

In response to questions from Members on specific initiatives, Dr Lothian and her colleagues (Eamon John, Service Manager for Sport, Countryside and Leisure; Jenny Hargreaves, Team Manager for Countryside; and Jen Newcombe, Biodiversity Officer) provided an update on the development/improvement of nature networks, wildflower planting, orchards, accessible paths and access to green spaces, additional tree planting, and new signage. Members were also advised about ongoing work at John Muir Country Park to protect the salt marsh and provide greater access, and at North Berwick Law to protect the wetland habitat. An explanation was also provided as to the management of sea buckthorn and giant hogweed.

On the recent announcement by the Scottish Government to divert the nature restoration funding, Mr John explained that he was awaiting further detail on the implications of this decision, noting that £109,000 had been allocated to the Council for nature restoration. Dr Lothian advised that a new Lothian Esk Catchment Partnership had been established, involving a number of agencies, which would look at nature-based solutions within the Esk catchment.

As regards biodiversity, Ms Newcombe drew Members' attention to the draft Biodiversity Action Plan, highlighting the importance of partnership working. Mr John undertook to provide updates to the Cross-party Working Group on Climate Change and Sustainability, and he also confirmed that work on protecting and enhancing nature would be incorporated into the LDP2 process. He added that the Infrastructure Service was in the process of mapping the coastline.

Ms Hargreaves also spoke of community engagement in nature restoration, noting that tree planting within schools was underway, involving children and young people.

Councillor Bruce paid tribute to the work of the Countryside Rangers. He expressed concern about the future of the Scottish Government's nature restoration funding. He proposed an additional recommendation, namely, that the Council Leader writes to the Scottish Government asking them to reconsider the proposed reduction in nature restoration funding and to ensure that the £109k is made available for projects to progress. The proposed amendment was seconded by Councillor Findlay.

In response to the proposed amendment, Councillor Hampshire advised that he had received a letter from CoSLA which indicated that the nature restoration funding would come forward, but that it would be delayed. He suggested that the Council waits for further detail on this matter before progressing with such an amendment. Councillor Bruce agreed to withdraw the amendment on that basis.

Councillor Forrest commended officers on the work done throughout the county, and in particular at Lewisvale Park, as well as the planting of wild-flower beds and poppies. The Provost added his thanks to the many volunteers involved in creating and maintaining floral displays.

Councillor McIntosh welcomed the involvement of communities in nature restoration, and also the establishment of the Lothian Esk Catchment Partnership. Concerning the funding, she suggested that the £109k could be taken from Council reserves now to progress the nature restoration work, and then put back into reserves once the Scottish Government funding is received; she indicated that she would raise this as part of the budget discussions.

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 Tackling the Nature Emergency: East Lothian Council's Actions to Protect and Enhance Nature, summarised within the report and set out at Appendix 1, available in the Members' Library (Ref: 85/24, August 2024 Bulletin); and
- ii. that future reporting would be lodged in the Members' Library.

10. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 10 JUNE – 11 AUGUST 2024

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 June 2024.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 10 June and 11 August 2024, as listed in Appendix 1 to the report.

DRAFT

Signed

Provost John McMillan
Convener of the Council