



**MINUTES OF THE SPECIAL MEETING OF
EAST LoTHIAN COUNCIL**

**TUESDAY 12 NOVEMBER 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 Bruce

Councillor C Cassini

Councillor D Collins

Councillor F Dugdale

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 C Yorkston

Council Officials Present:

Ms M Patterson, Chief Executive

Ms L Brown, Executive Director for Education and Children's Services

Ms H Barnett, Head of Corporate Support

Ms E Dunnet, Head of Finance

Ms W McGuire, Head of Housing

Mr T Reid, Head of Infrastructure

Ms C Rodgers, Head of Communities

Mr S Cooper, Service Manager – Communications

Mr C Grilli, Service Manager – Governance

Mr K Dingwall, Service Manager - Planning

Ms N Sandford, Team Manager – Homelessness

Mr S Barclay, Team Manager – Housing Assets

Ms E Barclay, Democratic Services Assistant

Visitors Present:

None

Clerk:

Ms F Currie

Apologies:

Councillor T Trotter

Declarations of Interest:

None

Provost McMillan welcomed everyone to the special meeting of East Lothian Council. He advised that the meeting was being held via the hybrid system as provided for in terms of the Local Government (Scotland) Act 2003. The meeting was being recorded and webcast live via the Council's website in order to allow the public access to the democratic process in East Lothian. East Lothian Council was the data controller under the Data Protection Act 2018. Data collected as part of the recording would be retained in accordance with the Council's policy on record retention, and the webcast of this meeting would be publicly available for up to six months.

On behalf of the Council, he thanked officers for the work which had gone into the report on this agenda.

The clerk confirmed the attendance of Members by reading the roll.

1. HOUSING PRESSURES

A report was submitted by the Executive Director for Place providing Members with an updated position on housing pressures following the submission of the Strategic Housing Investment Plan (SHIP) for 2025/26 – 2029/30 to the Scottish Government on 25th October 2024. The report also detailed the significant impact of reduced investment on new build completions, the seriousness of the wider impact of reduced housing supply on current housing pressures, and the imminent loss of affordable units. The report offered Members the opportunity to consider declaring a housing emergency.

The Head of Housing, Wendy McGuire, presented the report. She began by drawing attention to an amendment to sections 1.4 and 1.5; clarifying that consideration of a housing emergency was specific to an affordable housing emergency. She set out the background to the report including the significant impact of reduced investment in new build completions, the high risk of the imminent loss of affordable housing units, the number of local authorities who had already declared a housing emergency and the recent declaration by the Scottish Government of a national housing crisis. She said that the Council had recognised the crisis and officers had worked hard to develop actions and reduce pressures as much as possible to avoid declaring an emergency. Officers were responding actively to the many pressures in a variety of ways, including through the homelessness action plan approved at Cabinet in September 2024. She referred to examples in the report which had resulted in a reduction in live homeless cases, fewer households in temporary accommodation and reduced lengths of stay in temporary accommodation. She acknowledged that this was not just a Council issue and that the pressures being faced were not solely from within the county. She advised that the Council and partners were all responding in line with strategy agreed earlier this year which contained 64 actions under 5 key outcomes. A housing partners board had been established to monitor delivery of these actions and report annually on progress.

Ms McGuire said that it was clear that the Council needed to find ways to increase new supply to meet demand and East Lothian was uniquely placed to deliver units with the high level of new build developments happening across the county. However, with reduced national investment these affordable units were likely to be lost to commuted sums. The severe reduction in funding this year was already having an effect; last year there had been 452 completions of affordable units; and, currently, the SHIP was likely to deliver less than that number in total over the next 5 years. She highlighted that 4 sites were currently ready to start negotiation and 3 of those were due to start work this financial year, however, the Council could potentially lose the affordable units on these sites to commuted sums. All possible solutions had been exhausted and it was likely that the Council would have to accept commuted sums on at least 2 of these sites. She emphasised that taking these sums would result in permanent loss of affordable units and would not help the Council to meet its targets.

While she welcomed the funding allocations provided already by Scottish Government, this funding was not flexible enough to mitigate losses on these 2 sites. She hoped that next year the potential uses of the funding allocation would be widened to allow for local decision-making. She concluded by pointing out that housing supported a range of other Council and health services. She drew Members' attention to the recommendations contained in the report and invited Members to consider declaring an affordable housing emergency.

Councillor McGinn asked why the Council should consider declaring an emergency now. Ms McGuire explained that the in East Lothian the situation was much wider than just homelessness, and included the unstable housing system which was facing significant pressures due to increased growth and changing demographics. She said that she had previously held off declaring an emergency to allow further actions to be put in place and some progress had been made. However, the situation was now urgent, and the declaration was required to maintain positive progress and avoid the imminent loss of affordable housing units.

Councillor Jardine asked about the level of Scottish Government grant funding over the last 10 years, monitoring of trends in needs and demands, the use of private sector units and the situation with voids and empty homes across East Lothian. Ms McGuire said she didn't have specific figures on level of funding but would provide these. She acknowledged that over the last 3 years the Council had received record levels of funding from the Scottish Government which had allowed them to successfully deliver affordable homes. There had been no sign of that funding reducing until December last year, and the impact if that reduction had been severe. She said that the Council had a number of sites ready to deliver but no longer had the funding to enter into those contracts.

Ms McGuire provided details of the robust needs and demand assessment which had been carried out to inform the current Local Housing Strategy (LHS) and which had shown that the need for affordable housing far outweighed the need for market housing. She said that changes to the LHS, agreed by Cabinet in September 2024, were made to address homeless pressures and the LHS was to be reviewed in 2026. A housing partners board had been set up and was meeting quarterly to review progress. She agreed that they could consider bringing forward the formal review of the LHS from 2026.

Ms McGuire provided some background on progress addressing the issue of void properties with a record number being turned around in the previous month. She agreed that management of void properties could help to address housing pressures, however, she pointed out that the allocation of all void properties would not be sufficient to meet the current demand for housing. On the issue of empty homes, she advised that the challenge was often that homeowners were not interested in bringing empty properties back into use. However, this work would continue, and it was listed as an action in the LHS. She agreed to clarify the timeframe for completion with Councillor Jardine.

Responding to questions from Councillor McLeod, Ms McGuire advised that the Council's housing partners included housing associations, such as East Lothian Housing Association (ELHA), Places for People and the Wheatley Group, and the Scottish Government. She explained that the change to policy around local connection had resulted in a rise in homelessness presentations over the past two months, with 33% of applications made by those coming from out with the county. She expected that to continue increasing, to possibly as high as 50%, due to the changes in the guidance.

Councillor Findlay asked for more information on the sites where affordable housing delivery was currently at risk. Ms McGuire detailed the sites in Haddington, Musselburgh and Dunbar and the work undertaken in an effort to deliver some of all of the total of 109 units. However, despite ongoing efforts these units remained at imminent risk of being lost.

Councillor Findlay also addressed a question to Councillor Hampshire about the practical effect declaring an affordable housing emergency.

Councillor Hampshire explained that the SHIP had identified that if the current situation continued a large number of affordable units would be lost, placing even greater pressure on the housing waiting list. He said that the vast majority of the last funding allocation made by the Scottish Government had been shared between five local authorities who had previously declared a housing emergency. The remaining small amount had been divided up between the other authorities and was specified for market acquisitions only, rather than allowing councils to target local sites available to deliver units. He emphasised that the Council needed to make the Scottish Government aware that it was currently in an emergency situation which was becoming unmanageable. He added that the Council could have moved to declare an emergency earlier but chose to pursue further actions before doing so. However, without additional funding, the situation was going to become even more unmanageable.

Ms McGuire responded to questions from Councillor Ritchie. She said that there was a well consulted Local Housing Strategy (LHS) action plan in place which had been developed in time of significant challenges and acute pressures; and contained 64 different actions. A housing partners board had been established to monitor the plan and ensure it delivered on its targets. In addition, the Homelessness action plan had been approved in September and the team were working hard and had seen some really positive results. She did not see the need for further action plans. She advised that the housing options team were working hard to ensure that victims of domestic abuse were placed in permanent accommodation as soon as possible and the overall number of cases had reduced. However, the lack of affordable housing was having an impact. She acknowledged that there was a need for a suite of tools to successfully address this emergency. While funding was critical to ensure the Council could invest in and deliver affordable homes, other interventions were also necessary as was allowing councils to decide how best to utilise any funding to ensure best value.

Councillor Allan asked whether it might be better to wait until the Scottish Government had announced its budget for 2025/26. Ms McGuire reiterated that the urgent nature of the emergency facing the Council required an urgent response to avoid the imminent loss of affordable housing units.

Councillor Bennet asked about other housing pressures. Ms McGuire agreed that it was not just about homelessness but wider problems around overcrowding and a growing aging population increasing the need for accessible housing. She added that the loss of new build housing would significantly impact the budgets available to address those needs.

Councillor Dugdale asked whether there were any mitigations that could be foreseen and what would be the consequence of losing 109 units. Ms McGuire explained some of the options and innovative models explored for the site in Haddington. She said that further discussion was taking place with the Scottish Government but that changes coming forward in the housing bill and the increase in house prices in East Lothian had impacted the viability of these options. The last resort would be to accept a commuted sum.

Ms McGuire responded to several questions from Councillor McIntosh. She referred to the consultation work done on the LHS and said that she had clarified that the housing emergency related only to affordable housing as the Council was meeting requirements around market housing. She stated that private sector developers had a requirement to deliver 25% of each site as affordable housing but currently things were not on track to reach that target. She said that if the Council accepted commuted sums, it would lose affordable units and developers would replace these with market homes.

Councillor McIntosh pointed out that 25% affordable on each site would result in always having too many market homes, and that the percentage should be increased. Keith Dingwall, Service

Manager – Planning, reminded Members that the requirement stipulated in the 2018 Local Development Plan (LDP) was 25% for affordable housing and it had also set out where the market housing should be. He said that the Council was currently developing LDP2 and would consider this issue but any decision to increase the affordable housing requirement would have to be evidence based and subject to the provisions of relevant legislation.

Councillor McIntosh asked further questions about the impact of the homelessness action plan agreed in September and funding requirements. Ms McGuire advised that the team had managed to significantly reduce the number of homelessness applications and the number of households in temporary accommodation. Nicola Sandford, Team Manager - Homelessness, said her team had undertaken quite a significant programme of transformation to reduce the number of cases. However, over the last two months 33% of clients presenting as homeless were from outwith East Lothian and she was concerned that, if it was not possible to limit or mitigate this then it would overturn all of the previous work to improve the situation. She added that while she did not have exact figures, the number of people from East Lothian applying to other local authority areas was less than 33%.

Replying to final questions from Councillor McIntosh, Ms McGuire outlined the funding required to deliver the SHIP but acknowledged that it was an ambitious document and the focus needed be on areas of high demand and social rents, as well as looking at innovative measures such a low-cost home ownership. She said that the Council had pushed back on declaring an emergency until it had done everything in its power to try to mitigate the situation and this work would continue. Today's declaration was purely in recognition of the potential imminent loss of affordable units and the need for additional funding from government to avoid such a loss.

Councillor Gilbert asked for further details of stakeholder engagement and about the Shelter Framework. Ms McGuire said that a significant amount of consultation had been undertaken in developing the LHS, lessons had been learned from the previous strategy and different approaches adopted to target harder to reach groups. She said she had seen the Shelter Framework for the first time yesterday. She had reviewed it but felt that the Council already had action plans in place and had already exhausted all options. She reiterated the imminent loss of affordable units that could result without a declaration.

Councillor Forrest asked about adapted properties and the impact on health and social care services of any delay in the delivery of this housing. Ms McGuire acknowledged that some of the housing pressures came from growth in the older population. While the Council had an extensive adaptations programme and medical programme, without new build housing, this would not be sufficient to meet the overall need. In addition, the 10% target of wheelchair accessible properties would also be impacted in the number of new build homes was reduced.

Councillor Hampshire asked about the impact of accepting commuted sums in place of housing units, and the importance of having flexibility to use funding to suit local priorities. Ms McGuire explained that the Council would have to use the sums to find and buy land to deliver the affordable units and economies of scale would mean that it would be difficult for the Council to afford to buy sufficient land to deliver the same number of units on a different site. She said that the previous funding provided by the Scottish Government had been for a specific purpose which, in her view, did not offer the Council the best value for money. She felt that the money would have been better utilised in delivering brand new affordable units.

Councillor Akhtar asked for further detail on the potential impact for health and social care, especially learning disability and mental health services. Ms McGuire said that housing was fundamental to so many areas and made a huge contribution to the work of these services. As part of the LHS, officers worked closely with health & social care colleagues on assessments for specialised housing for those with learning and physical disabilities. She provided examples of projects and sites which related to key targets in the LHS. She said that

the most important outcome from this work was that people from East Lothian, who were placed elsewhere, were now able to move back to East Lothian and be supported here.

Councillor Menzies asked about borrowing against the Housing Revenue Account (HRA). The Head of Finance, Ellie Dunnet, advised that there was no specific cap on borrowing set by (CIPFA). Councils applied their own judgements taking account of revenue impact, the impact of the increased debt burden on future council tax and rent payers, and the CIPFA principles of affordability and sustainability.

Councillor Menzies asked further questions about the impact and potential benefit of increasing the Council's borrowing. Ms Dunnet said she was unable to provide figures immediately but would do so after the meeting.

Provost McMillan suggested that a short adjournment to allow Ms Dunnet time to provide this information to the Members, as this additional might inform their consideration of this report.

There was an adjournment of 30 minutes. The webcast was paused during this time.

Provost McMillan invited Ms Dunnet to make a further statement in response to Councillor Menzies' questions.

Ms Dunnet advised that a 1% rise in the debt cap would create additional borrowing headroom in the region of £6M, to be paid back over 50-60 years. A similar rise in rents would provide a similar level of additional borrowing but without the risks to the sustainability of the HRA. She reminded Members that the Council was already consulting over a potential rent increase for the coming year which would provide additional borrowing capacity. She stated that the Council's estimated HRA debt was due to rise to £400M by 2028/29 and Council borrowing to date had already exceeded £500M, which was significant for a council of this size. She concluded that, in her view, increasing the debt cap beyond the 40% which previously set would not represent a prudent approach to the HRA and would go against the financial strategy set by the Council. She also confirmed that the additional borrowing from a 1% rent increase related to a single year increase but could result in debt charges on affordable housing over a period of 50-60 years.

Sederunt: Councillor Gilbert left the meeting.

Provost McMillan moved to the debate and invited statements from Members.

Councillor Forrest began by thanking housing staff for their efforts to mitigate the current affordable housing crisis. He referred to the LHS which set out the significant pressures and the action plan in place to deliver a balanced housing system. He pointed to the increase in population and the changing demographic, which combined with rising prices and change to homelessness legislation, had placed further pressure on the system. He said that the Council managed over 9000 properties and had 4500 people on the housing list as of 31/03/24. It has allocated 664 council properties in the last year, including 209 new builds. In response to the national housing emergency the Council had put in place an action plan which had resulted in a reduction in live case numbers and the numbers and time spent in temporary accommodation. He acknowledged that the Council had previously been very fortunate in receiving record levels of investment to deliver new housing. However, despite having sites ready to deliver, the recent loss of funding meant that there could be a permanent loss of affordable units. He referred to the recent submission of the latest SHIP and the concern that, if additional funding was not forthcoming, there would be a heightened risk of losing up to 1200 units over the next 5 years. He said this was compounded by the recent to homelessness legislation which had resulted in 33% of applications over the past two months coming from people out with East Lothian. For all of these reasons, he felt that he had no other choice but

“to propose an affordable housing emergency which requires an urgent response to ensure we [the Council] do not lose any affordable units coming through our section 75 obligations.”

Provost McMillan, and Hayley Barnett, Head of Corporate Support, confirmed that Councillor Forrest’s proposal was an amendment to the report recommendations and would require a seconder. It would be considered as an additional recommendation - 2.6.

Councillor Hampshire seconded the proposal saying that he fully agreed Councillor Forrest’s statement. He also commended the efforts of housing staff which had resulted in a reduction in homelessness cases. He noted that some other local authorities had already declared housing emergencies but that East Lothian Council had decided first to consider alternative options. He said that the Council had worked hard with partners to deliver as much affordable housing as possible, however, it was clear from the SHIP that if things continued as they were now, it would not be possible to provide permanent housing for all those in need. He said that this had led to the proposal to declare an affordable housing emergency and to advise the Government that the Council had done all it could and now need more funding. Addressing the question of additional borrowing, he said that the Council had managed its housing stock well and had kept rents affordable and to ask people to pay more in rent so the Council could borrow more was not acceptable. The Council needed to secure additional government funding and maintain its existing housing stock. He reiterated that he was fully behind declaring this emergency and approaching the UK and Scottish Governments to secure more funding to deliver the numbers of affordable homes required in East Lothian.

In response to queries from Councillor Jardine, Provost McMillan confirmed that, as allowed for under the Council’s Standing Orders, he would be accepting the amendment. He advised that the exceptional circumstances were the timing and nature of the report and the limited time for consideration prior to the meeting. He also confirmed that he would be willing to extend this consideration to any other Members who wished to propose amendments. He also set out the procedure to be followed for the debate and vote.

Councillor Menzies stated that she wished to move that consideration of recommendation 2.5 – the declaration of an affordable housing emergency – be postponed allowing Members to give further thought to the information put forward today on borrowing.

Ms Barnett advised that as this was a motion to postpone, Councillor Menzies would be given the opportunity to make a statement and, should the motion be seconded, the meeting would move immediately to a roll call vote on the motion.

Councillor Menzies began by emphasising that councillors should take responsibility for their decisions and their impact on communities. She pointed out that this situation had not happened in a vacuum and referred to the decline in the Council’s housing stock from over 16,500 units in 1979, to just over 9,500 today. Taking into account the highest property prices in Scotland and the second lowest council rents, she said that the budget gap in housing had been increasing year on year. She agreed that matters were now at crisis point and that urgent action was required. However, she felt that the mitigations already discussed had not addressed the key issue which was that the Council did not charge enough for its rents. She said that Members should be given more time to consider the information on borrowing provided at the end of today’s discussion and to consider how best to fully investigate these issues and mitigate for the future. This was why she was moving to postpone the decision on declaring an affordable housing emergency.

Councillor Cassini seconded the motion.

Following queries on process from Councillor McIntosh, there was a very brief adjournment to clarify the procedure for the vote and managing the remainder of the meeting. The webcast was paused during this time.

Provost McMillan advised that he would move directly to a vote on Councillor Menzies' motion to postpone consideration of recommendation 2.5 in the report. If the motion was successful, he would continue with the debate and vote on recommendations 2.1 to 2.4. If the motion was unsuccessful, the meeting would continue to debate and vote on the full report recommendations and the amendment by Councillor Forrest. He moved to a roll call vote on Councillor Menzies' motion:

For – **5** (Councillors Allan, Cassini, Jardine, McIntosh and Menzies)
Against – **15** (Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Findlay, Forrest, Hampshire, McFarlane, McGinn, McGuire, McLeod, Ritchie, Yorkston and Provost McMillan)

The clerk confirmed that the motion to postpone consideration of recommendation 2.5 was rejected by 15 votes to 5. She also confirmed that Councillor Gilbert had left the meeting prior to the vote. Provost McMillan returned to the debate, inviting further comments from Members.

Councillor McGuire said that all of his questions had been answered by officers and he was mindful of the very pertinent point made by Councillor Forrest regarding the loss of land if the Council did not act now. He noted that the Scottish Government had recently declared a national housing emergency, but he said he had heard nothing about how they intended to address it. As a result, councils had been left to do the best they could for themselves, and he supported Councillor Forrest's amendment.

Councillor McIntosh acknowledged the current housing crisis but felt that the Council had defined it in very narrow terms, with an emphasis on house building allocations and the suggestion that additional funding would solve the problem. Referring to the Shelter Framework, she urged Members to adopt a broader, rights-based approach which did not just look at numbers but engaged with people to understand their lived experience of housing in East Lothian. She said that the issue was not just about supply, but also the quality of homes; whether they were warm, wind and water tight, and whether they were near public transport, childcare facilities and places of work. She did not think that these questions had been asked and she gave examples of recent contacts from constituents concerned about housing issues, antisocial behaviour, health information required for housing applications, property maintenance and the overall impact on people's mental health. She agreed with recommendations 2.1 to 2.4 in the report and that the Council should declare a housing emergency. However, she proposed an amendment to Councillor Forrest's amendment: "To declare an affordable housing emergency, with a housing emergency action plan produced following rights-based PANEL principles, to follow to full Council within 6 months."

Councillor Jardine seconded the amendment proposed by Councillor McIntosh.

Councillor Forrest indicated that he was not willing to accept any revision to his amendment Ms Barnett advised that Councillor McIntosh's proposal would be taken as a separate amendment and outlined the procedure for voting following the debate.

Councillor Jardine stated that, generally, she would support the declaration of an affordable housing emergency. However, she stressed that it was up to Members to ensure that they had applied sufficient scrutiny to the performance, strategic direction and planning of officers, as well as being confident that any actions were achievable. She stressed that the Council could not over promise and under deliver on this important issue. Members needed to be clear that their role was strategic, and that the Council was doing all it could to engage with stakeholders and address systemic problems. She commended the cross-party approach advocated in the report and said she would be happy to join with Councillor Hampshire in discussions with both UK and Scottish Government. However, referring to the Shelter Framework document, she said she was not convinced that issues of engagement had been sufficiently addressed and

that the Council needed to produce a more wide-ranging and collaborative plan to address the problems in the overall system.

Councillor Hampshire said that while Members had very recently received a letter from Shelter encouraging them to declare an emergency, it was clear that Shelter were unaware of the plans the Council had already put in place. He emphasised the imminent loss of around 100 affordable units over 3 sites across the county and the potential impact on families currently living in temporary accommodation. He reinforced the need to highlight the seriousness of the situation to both governments and said that if Members did not act, they would be failing their constituents very badly. He reiterated that the Council had done all it could to deliver affordable units but continuing to borrow to meet the 25% target would require further government support.

Councillor Akhtar said that Members had to do their best for people in East Lothian and had spent a considerable amount time discussing these issues over the past months and years. She said that this decision was about constituents and communities and reflected the fact that housing was fundamental to everyone's health and wellbeing. It contributed to eradicating poverty and reducing inequality. She pointed out that a significant amount of engagement activity had been done while developing the action plans mentioned today, ensuring that hard-to-reach groups were included. She was confident that officers had sought the views of those with lived experience; and that these had clearly informed the direction of travel. She referred to the growing population in the county, and particularly the continuing increase in the older population which was driving higher demand for accessible and adaptable homes. She quoted figures from developments across the county which had delivered affordable and accessible homes and pointed out that Haddington had the largest population of over 65s and so would be worst hit by a reduction in social housing. She said that all homes delivered had made significant impact on health & social care services and on constituents and it was vitally important to support as many people as possible to live at home, regardless of their needs. The private sector did not provide the level of variety and adaptable homes. She supported Councillor Forrest's amendment and offered her thanks to officers for their hard work and professionalism.

Councillor McGinn said that very difficult decisions must be made in a time of crisis. He said that all of his colleagues had been involved in discussions with constituents around their housing issues. However, unless the Council gained support to tackle these issues, it would not ease the strain on services, meet targets on tackling poverty, closing the attainment gap and reducing homelessness. He agreed that homelessness and health were inextricably linked and that the current situation was a crisis. He stated that, if Members were determined to seek the best for their constituents, they must declare a housing emergency because to ignore this position was to ignore their constituents' pleas for help.

Councillor Dugdale commended the report and noted that today's discussion had clearly demonstrated the loss of planned affordable homes. She viewed this as an imminent risk and an urgent situation which required action to move things forward. She commented on the serious impact on those families experiencing homelessness, overcrowding or who did not have access to appropriate housing. She said that the Council had chosen to put an action plan in place first to try to mitigate these issues, and officers had worked hard to deal with the situation. However, the Council now faced the loss of homes that were desperately needed and while funding was not the only thing, it was critical to enable these developments. She would be supporting Councillor Forrest's amendment.

Councillor Menzies noted that Members were, broadly speaking, in agreement on the issue of a housing emergency but she said that the proposed amendments represented two clear approaches: one to declare an emergency and write to both governments; and the other to declare an emergency, write those letters and make a plan to work our way out of this situation. She emphasised the need for a plan and pointed out that it was not just an imminent loss of

100 houses but also the previous significant reduction in housing stock over previous decades. In these circumstances, she thought that taking 6 months to develop a plan was reasonable. She spoke of her own experience of homelessness and that she was currently supporting family members in difficult circumstances who were in need of housing. She did not believe that a letter to government or an increase in funding was the answer. Additional work was needed, and Members needed to take responsibility for these actions. She would be supporting Councillor McIntosh's amendment.

Provost McMillan thanked Members for their comments. He said that the key issue for him was the risk of losing sites and therefore losing homes for people. He offered his thanks to officers for bringing the paper forward and for their professionalism in their advisory role. He noted that short term actions were required to address short term threats, and influence short term issues, such as the forthcoming Scottish Government budget. It was up to Members to make a decision and urgency was imperative. He would be supporting Councillor Forrest's amendment.

Sederunt: Councillor Cassini left the meeting.

Ms Barnett reminded Members of Councillor Forrest's amendment ("Amendment 1"). The clerk advised that the original report recommendations ("the Motion") would be considered against Amendment 1:

Motion - 3 (Councillors Allan, Jardine and Menzies)
Amendment 1 - 16 (Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Findlay, Forrest, Hampshire, McFarlane, McGinn, McGuire, McIntosh, McLeod, Ritchie, Yorkston and Provost McMillan)

Councillor Forrest's amendment (Amendment 1) was approved by a majority of 16 votes to 3. Ms Barnett confirmed that the surviving position – Amendment 1 - would now be considered against Councillor McIntosh's amendment to the report recommendations ("Amendment 2").

Amendment 1 - 15 (Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Findlay, Forrest, Hampshire, McFarlane, McGinn, McGuire, McLeod, Ritchie, Yorkston and Provost McMillan)
Amendment 2 - 4 (Councillors Allan, Jardine, McIntosh and Menzies)

Councillor Forrest's amendment (Amendment 1) was approved by a majority of 15 votes to 4.

Decision

The Council agreed:

- i. To note the impact on the positive progress made by Officers in delivering the action plan in response to housing and homelessness pressures in East Lothian and the National Housing Emergency set out in section 3.5.
- ii. To note the seriousness of fewer affordable units and the wider impact on housing pressures as set out in sections 3.6 to 3.9 and note the actions officers have taken to mitigate the loss of affordable housing units set out in section 3.13.
- iii. To note the risk to both the HRA and General Services budgets.
- iv. To agree to write to both the UK Government and the Scottish Government to seek additional funding support as part of the UK Governments budget announcement on 30 October 2024, to help address this matter, together with an ask to widen the criteria for the Acquisitions Fund already granted and set out in section 3.16.

- v. To note that Officers have exhausted all possible opportunities to address the challenges in the housing system and considers declaring a housing emergency as a consequence of the challenges outlined in this report.
- vi. To declare an affordable housing emergency which required an urgent response to ensure the Council did not lose any affordable units coming through its section 75 obligations.

Provost McMillan thanked officers and Members for their contributions and brought the meeting to a close.

Signed

Provost John McMillan
Convener of the Council