

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2025

BY: Executive Director for Council Resources

SUBJECT: Proposed Changes to the Common Good Committees' Scheme of Administration

1 PURPOSE

- 1.1 To seek Council approval of proposed changes to the Scheme of Administration for Common Good Committees.

2 RECOMMENDATIONS

Council is requested to:

- 2.1 approve the proposed changes associated with Common Good Committees, including the revised Scheme of Administration, effective from the start of the 2025/26 committee session;
- 2.2 approve the appointment of the Provost as Convener of the Common Good Committee; and
- 2.3 note that a change to the approved Schedule of Meetings for 2025/26 will be required (with proposed meeting dates of the new Committee set out in Section 3.4 below).

3 BACKGROUND

- 3.1 The Common Good Committees for Dunbar, Haddington, Musselburgh and North Berwick have operated in their current format since 2013. The operation and remit of Common Good Committees has been included in the ongoing wider review of Common Good and, as a result of this review, the following changes are proposed:

- The existing four Common Good Committees will be amalgamated to form one Common Good Committee;

- The membership of the new Common Good Committee will comprise all of the Elected Members representing the wards covered by the current Common Good Committees;
 - The financial limit for approval of grants by the new Committee will increase from £10,000 to £50,000, with recommendations for grant awards in excess of £50,000 being presented to Council for approval, alongside a report by the Head of Communities which will set out their own recommendations, taking account of budgetary considerations;
 - The new Committee will have oversight of the management of Common Good assets;
 - An annual plan for maintenance of Common Good assets will be presented to the Committee for consideration, with officers being given delegated authority to carry out scheduled maintenance; any unscheduled or urgent maintenance will also be delegated to officers, and reported to the Committee at the earliest opportunity;
- 3.2 The proposed Scheme of Administration is attached at Appendix 1 (with tracked changes to show where changes have been made).
- 3.3 In addition to the proposed changes to the Scheme of Administration, the receipt of applications and the competency checking process, currently carried out by officers in Finance, Legal and Democratic Services, will be transferred to the Connected Communities Team. Community Councils will be consulted on grant applications relating to their area, and their views will be presented to the Committee alongside applications.
- 3.4 If the proposals outlined above are approved, the approved Schedule of Meetings for 2025/26 will require to be amended. It is proposed that the existing dates for Common Good meetings are cancelled and that the new Committee will meet on the following dates: 4 September 2025, 13 November 2025, 27 January 2026, 12 March 2026, 19 May 2026, 18 June 2026. These proposed dates are aligned with Council meeting dates, should any grant applications require determination by the Council.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy. The proposed consultation on Common Good applications with

Community Councils should have a positive impact on community wellbeing.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders

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COMMON GOOD COMMITTEES

A Remit and Powers

The following business and functions are delegated by the Council to the Common Good Committees:

1. ~~Common Good Funds are the assets and income of some former Burghs of East Lothian. They represent a substantial portfolio of land, property and investments and by law continue to exist for the Common Good of the inhabitants of the former Burghs to which they relate.~~
2. ~~East Lothian Council has a wide discretion over the use of its Common Good Funds so long as they are applied for the benefit of the community using reasonable judgement and having regard to the interests of the inhabitants of the former Burgh.~~
3. ~~Council will approve an annual budget for each of the Common Good Funds that will include provision for the maintenance of assets and any committed items of expenditure.~~
14. In accordance with the annual budget set by the Council in relation to funding provision for grant awards and the maintenance of Common Good assets, the Common Good Committee for each area will administer its own Common Good Funds with support from officers.
25. ~~Each~~ The Common Good Committee has authority to:
 - ~~A~~ award a grant of up to £10,000£50,000, provided there are sufficient funds within the budget for that area.
 - ~~Approve revenues expenditure of up to £10,000 for the maintenance of the assets of the fund provided that can be met within the approved budget.~~
6. Each application for a grant will be considered on its own merits. The Committee must consider whether or not it is a reasonable judgement for them to consider making a disbursement of funds from the Common Good Fund for the benefit of the Community. ~~This can, for example, include expenditure on:~~
3. Should the recommendation for funding of a grant exceed £50,000, or the remaining budget for the particular Common Good area, the Common Good Committee will make a recommendation to the Head of Communities. The Head of Communities, in consultation with the Head of Finance and the Monitoring Officer, will prepare a report for Council referencing any such recommendations received but making their own recommendation, taking into account budgetary considerations. It will be for the Council to determine the allocation of funding and any variation of the approved budget.
4. In relation to expenditure on the maintenance of assets, Council officers will prepare and present an annual maintenance plan for Common Good assets to the Committee for approval. Officers will then have delegated authority to arrange for approved maintenance to be carried out. Should the cost of agreed maintenance exceed the approved budget, a report to Council will be required. Where urgent repairs are

required, officers will authorise this work to be carried out, and a report will be submitted to the next scheduled meeting of the Committee.

5. The Committee will have oversight of the management of Common Good assets, including any proposed sales and leases of such assets.

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

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

~~7. The Common Good Committees may make recommendations to the Head of Finance in relation to expenditure over £10,000. The Head of Finance will prepare a report for Council referencing any such recommendations received but making their own recommendation, taking into account budgetary considerations. Council will make the decision on any matter involving expenditure of more than £10,000.~~

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

B Membership and Attendance

~~1. Each~~The Common Good Committee will consist of ~~all those~~see Councillors ~~for those areas who represent the following wards, namely:~~

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

~~2. Meetings of Common Good Committees may be attended only by Councillors who are members of that Committee. Only members of the Common Good Committee may participate in meetings of the Committee.~~

~~3. The Chair will be appointed by a vote at the start of the first meeting following the local government election and will hold that post until the next local government election.~~

C Quorum

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

D Substitutes

1. There shall be no substitutes.

E Meetings

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

F Reporting Arrangements

1. Minutes shall be presented to the Common Good Committee for approval.
2. A six-monthly report detailing all discretionary grant awards for each fund will be prepared by the Head of Finance Communities and will be lodged in the Members' Library ~~and made available electronically to all Members of the appropriate Common Good Committee.~~

G Miscellaneous

- ~~4. The Chair will be appointed by a vote at the start of the first meeting following the local government election and will hold that post until the next local government election.~~
1. The Council will approve an annual budget for each Common Good area (Dunbar, Haddington, Musselburgh, North Berwick) that will include provision for the maintenance of assets and any committed items of expenditure.
2. The relevant Community Council shall be consulted on all matters relative to its Common Good area coming before the Committee.
3. Common Good funds cannot be used to fund the following:
 - Applications for projects that do not benefit the residents of the relevant Common Good area
 - Applications from individuals or organisations that neither live nor operate within the relevant Common Good area
 - Applications to cover the running costs of an organisation (i.e. wages, utility bills, other such recurring operating costs)
 - Applications for projects that another organisation has a legal right or duty to provide
 - Activities promoting political beliefs, gambling or immoral activities
 - Applications for retrospective funding for work/projects that have been completed
 - Applications relating to projects commencing in future years (i.e. the application should relate to the current financial year).