



## MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 29 APRIL 2025  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON  
AND VIA HYBRID MEETING FACILITY

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### Committee Members Present:

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 Gilbert  
Councillor N Hampshire

Councillor L Jardine  
Councillor C McFarlane  
Councillor C McGinn  
Councillor G McGuire  
Councillor S McIntosh  
Councillor K McLeod  
Councillor J McMillan (Convener)  
Councillor L-A Menzies  
Councillor B Ritchie  
Councillor T Trotter  
Councillor C Yorkston

### Council Officials Present:

Mr L Rockey, 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 E Dunnet, Head of Finance  
Mr D Hood, Head of Operations (Adult Social Care)  
Ms N McDowell, Head of Education  
Ms W McGuire, Head of Housing  
Mr T Reid, Head of Infrastructure  
Ms C Rodgers, Head of Communities  
Ms E Barclay, Democratic Services Assistant  
Mr S Cooper, Service Manager – Communications  
Mr K Dingwall, Service Manager – Planning/Chief Planning Officer  
Mr C Grilli, Service Manager – Governance  
Mr C Hamm, Sustainability and Climate Change Officer  
Mr E Hendrikson, Team Manager – Amenity Services

### Visitors Present:

John Boyd, Audit Scotland

### Clerk:

Mrs L Gillingwater

### Apologies:

None

## **Declarations of Interest/Transparency Statements:**

Item 3: Transparency statement – Councillor Jardine stated that she had a child at East Linton Primary School.

Items 4 and 15: Declaration of Interest – Councillor Forrest advised that he had a conflict of interest in these items due to work that he had done in relation to Common Good and that he would leave the meeting for the duration of those items.

Item 15: Declaration of Interest – Councillor Cassini advised that she had a conflict of interest, as a patron of the Honest Toun Association, and that she would leave the meeting for the duration of that item.

Item 15: Transparency statement – Councillor Menzies stated that she was a Council-appointed board member of EnjoyLeisure.

The Convener 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.

Prior to the commencement of business, the Provost welcomed the Council's external auditor, John Boyd of Audit Scotland, to the meeting.

The Provost also welcomed the new Chief Executive, Laurence Rockey, to his first Council meeting. Mr Rockey thanked the Provost, and he also thanked Lesley Brown for acting as interim Chief Executive prior to his arrival. He noted that his first impressions of the Council were very positive, and that he was struck by the strong sense of culture and partnership working. He looked forward to his new role.

## **1. MINUTES FOR APPROVAL**

The minutes of the following meetings of East Lothian Council were approved:

- (a) Special East Lothian Council, 18 February 2025
- (b) East Lothian Council, 25 February 2025

## **2. ANNUAL AUDIT REPORT 2023/24**

The Provost invited Mr John Boyd of Audit Scotland to present the Council's Annual Audit Report for 2023/24.

Mr Boyd presented the report, drawing attention to the key messages of the audit, noting in particular that the Council had been given an unmodified audit opinion, effectively 'a clean bill of health'. He highlighted the Council's strong financial management arrangements, despite the current financial pressures. He warned that, with a potential financial gap of £79m over

the next five years, the Council would be required to take difficult decisions to meet rising cost pressures and service demands. As regards the Best Value thematic review, Mr Boyd reminded Members that the theme for 2023/24 had been Workforce Planning; for the coming year it would be Transformation. He also made reference to the Council's Best Value Report, due to be submitted to the Accounts Commission in June 2025, as well as the audit action plan (as set out in Appendix 1 of the report).

Councillor Menzies asked about the importance of the Council having an unmodified audit opinion. Mr Boyd explained that this meant 'free from error', and that he did not have to alter or caveat his opinion in any way when expressing his conclusions based on the audit work.

In response to a question from Councillor McLeod relating to the Edinburgh Innovation Hub, Mr Boyd noted that at the 2023/24 year-end, the level of activity at the EIH was relatively low. As the level of activity was now increasing, he was questioning how the Council would ensure that it was getting value for this public investment: for example, monthly/regular reporting from the Joint Venture. Councillor McLeod also asked about the Council's self-evaluation process. Mr Boyd advised that he would strongly encourage self-evaluation, as it was better for the Council to evaluate and manage its performance before the involvement of the external auditor.

Councillor Akhtar asked for further detail on the Best Value thematic reviews. Mr Boyd pointed out that the Accounts Commission had published a report on Workforce Planning in 2024, and that they had set out their expectations in relation to Transformation. Work on this was now underway as regards how this aligned to the Council's strategy and corporate planning; this would be compared to the work of other local authorities, with good practice being shared.

After thanking Mr Boyd for his report, Councillor Hampshire indicated that the Council had had to make difficult decisions during this year's cross-party budget process, and that further difficult decisions lay ahead. He emphasised the challenges facing the Council regarding growth and increasing demand on services. On digital transformation, he stressed the need to progress this agenda.

As Convener of the Audit and Governance Committee, Councillor Menzies welcomed the report and pointed out that it was important for the public to see that the Council was working hard on their behalf and that money was being spent appropriately. She recognised that staff were under pressure in the current challenging financial climate, and she thanked them for their efforts.

Councillor Forrest thanked the Head of Finance and her staff for their work in ensuring that the Dr Bruce Fund was meeting its charitable objectives.

Councillor Akhtar thanked staff for their hard work during a period of significant growth. She welcomed in particular the independent view of the external auditor that the Council had strong financial management arrangements in place, and that the Council had been given 'a clean bill of health'.

The Provost thanked Mr Boyd for his report and for his attendance at the meeting.

## **Decision**

The Council agreed to note the Annual Audit Report for 2023/24.

### 3. FINANCE UPDATE

A report was submitted by the Executive Director for Council Resources providing an update on the final local government finance settlement following approval of the Council's budget for 2024/25; seeking approval of an amendment to the 2025/26 capital programme; and providing an update on the broader actions agreed as part of the budget, and next steps to develop the financial strategy and budgets for 2026/27 onwards.

The Head of Finance, Ellie Dunnet, presented the report, highlighting a number of funding streams that were still to be distributed, and updating Members on funding streams confirmed since the budget was set (outlined at Sections 3.2-3.5 of the report). On the capital programme, she drew attention to the need for work to be undertaken at East Linton Primary School, noting that this work would be funded through developer contributions, with no additional borrowing required. She noted that a report would be presented to Council in June as regards other paused capital projects. Ms Dunnet provided an update on a number of other budget actions, as set out in Section 3.8 of the report.

With reference to the Annual Audit Report, Councillor Menzies sought an update on the Council's reporting systems. Ms Dunnet explained that work was underway to improve internal processes, and a new financial system was being introduced which would result in significant changes and improvements to many processes; phase 1 would be implemented in the current calendar year.

Councillor Trotter asked for further information on allocations of the various funding streams highlighted in the report. Ms Dunnet advised that these funding streams would be used for their intended purpose, and that further details regarding the Council's allocations and also how the funding was being used would be provided in the regular finance update reports.

Councillor Jardine asked about the impact of the employers National Insurance contribution (ENIC) changes. Ms Dunnet indicated that there would be a shortfall of £1.8m, with provision for this having been made in the budget. The position regarding commissioned services was unclear at this time, but she estimated it could be between £1m and £2m. She added that £144m had been allocated by the Scottish Government for ENIC, with the Council receiving a share of that funding, but that the funding from the UK Government for Scotland would not be confirmed until May.

In response to questions from Councillor Allan regarding the use of reserves and support for services as they make efficiency savings, Ms Dunnet pointed out that using reserves to balance the budget was not sustainable and that having a reduced level of reserves presented a financial risk to the Council. She noted that the budget approved by Council in February did not rely on the use of reserves (other than earmarked reserves). She stressed the importance of focusing on sustainability in future financial planning. On the safeguarding of services, Ms Dunnet advised that the budget for 2025/26 was balanced, and it was hoped there would be no need to introduce short-term reactive measures during the year. She did warn, however, that in the longer term it may not be sustainable to safeguard services at their current level, and that resources would need to be directed towards key priorities.

Councillor McIntosh asked about the future plans for East Linton Primary School. Ms Dunnet explained that the proposed work was a short-term measure, and that long-term planning for East Linton Primary School was required. Nicola McDowell, Head of Education, added that, looking at the roll projections for the school, there was capacity for the expected numbers of pupils, but that the work to the toilets was required now. Tom Reid, Head of Infrastructure, noted that there was backlog maintenance on a number of assets, including schools. He hoped that, working in partnership with the Scottish Government, these maintenance issues could be addressed outwith the Local Development Plan process.

Councillor Akhtar asked when the additional funding for services relating to children and young people would be received and also about the roll-out of breakfast club funding. Ms Dunnet indicated that £0.6m of funding would be provided for Additional Support for Learning (ASL); other areas would be kept under review but that the work would be underway in advance of the funding being received. On breakfast clubs, she would report back in due course.

Councillor Jardine thanked Ms Dunnet for her responses regarding the challenges facing the Council. She noted in particular work underway to engage with communities as part of the budget-setting process.

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

## **Decision**

The Council agreed:

- i. to note the current funding position for 2025/26 based on the final local government finance order, as set out in paragraphs 3.2-3.5 of the report;
- ii. that provision would be made within the 2025/26 capital programme for East Linton Primary School toilet upgrades, noting that this would be fully funded from developer contributions;
- iii. to note that a further update on paused capital projects would be brought back to a future Council meeting; and
- iv. to note the wider updates and ongoing work to support budget development for 2026/27 onwards.

## **4. COMMON GOOD BUDGET 2025/26**

A report was submitted by the Executive Director for Council Resources providing an update on Common Good Funds and seeking approval of the proposed budgets for 2025/26.

**Declarations of Interest:** Having declared an interest in this item, Councillor Forrest left the meeting.

**Sederunt:** Councillor Cassini left the meeting.

The Head of Finance, Ellie Dunnet, presented the report, summarising the current financial position as regards the Common Good funds, as well as the risks and the 2025/26 budget considerations.

Councillor Trotter questioned if sufficient funding was being set aside for the maintenance of assets. Ms Dunnet confirmed that consideration had been given to the level of investment required in the coming year, and that this would be kept under review; she added that there may be an impact on grant funding for the 2026/27 financial year.

Councillor Gilbert sought an assurance that international tariffs would not adversely affect Common Good income. Ms Dunnet was unable to provide such an assurance, as the tariffs may have an impact on money invested, but that it was too soon to say. She noted that regular meetings were held with the investment managers, who would be monitoring the markets and would seek to ensure that the funds were protected from exposure. On the matter of the

Brunton Hall, raised by Councillor Gilbert, Ms Dunnet advised that this situation remained under review, and that over time the current level of grant funding may not be sustainable.

In response to questions from Councillor Bruce, Ms Dunnet advised that the fund balances for 2024/25, which would reflect the performance of the investments, were not yet available; she anticipated that the performance would be stronger than the previous year. With specific reference to the Musselburgh fund, she explained that there was a forecast overall positive fund balance of over £9m, so providing a grant budget at the proposed level for 2025/26 was affordable.

Councillor Allan asked about the medium-term planning for grant funding and how the expectations of communities would be managed. Ms Dunnet reminded her that the grant funding proposals covered only one year. The Common Good budgets would be kept under review in the context of the impact of inflation on repairs and maintenance.

The Provost questioned whether longer-term planning in relation to Common Good assets was required. Ms Dunnet noted that planning for future liabilities was an important aspect of the work around assets. Tom Reid, Head of Infrastructure, added that condition surveys on assets would be carried out, which would provide information on maintenance requirements and liabilities.

Opening the debate, Councillor Bruce expressed his concern about the medium- and long-term planning regarding Common Good funds. In particular, he didn't feel comfortable allocating grant funding without knowing what the plans for managing Common Good assets were, and he suggested that the Council should wait for the Head of Infrastructure reporting back to Council on the maintenance requirements for Common Good assets before approving grant budgets.

The Provost reassured Councillor Bruce about the rigorous process undertaken by Common Good Committees when determining grant applications.

Councillor Akhtar made reference to the positive community work being undertaken as a result of Common Good grant funding, and stated that she was in favour of continuing making this funding available to community groups.

Councillor McIntosh sympathised with Councillor Bruce's position, particularly in view of the situation with the Brunton Hall and Musselburgh Town Hall. However, she felt that, pending the outcome of the place-based review, the Council should continue to provide a Common Good grants budget for the current financial year. She added that she had not felt comfortable varying the 2024/25 Common Good budget to allow for additional grant funding to be awarded, and she was not in favour of that happening again.

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

For (19): Councillors Akhtar, Allan, Bennett, Collins, Dugdale, Findlay, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McGuire, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston

Against (1): Councillor Bruce

Abstentions (0)

## Decision

The Council agreed:

- i. to note the ongoing financial challenges relating to the current economic climate and the risks that this presents to the Common Good Funds; and
- ii. to approve the 2025/26 grants budget for Dunbar, Haddington, Musselburgh and North Berwick, as set out in Appendices 2a-2d, noting the context for future budget development.

**Sederunt:** Councillors Cassini and Forrest returned to the meeting.

## 5. EAST LOTHIAN INTEGRATION JOINT BOARD BUDGET-SETTING REPORT

A report was submitted by the Director for Health and Social Care proving the Council with an understanding of the outcome of the Integration Joint Board (IJB) budget-setting process and the implications for Council delegated services.

The Director of Health and Social Care, Fiona Wilson, presented the report, drawing particular attention to Tables 1 and 2, which set out the Council's budget offer and the IJB's financial plans. She made reference to the challenges and risks associated with the funding challenges, noting that additional in-year pressures were emerging that would require efficiencies to be identified and delivered.

Councillor Menzies asked questions in relation to prescribing and preventative work. David Hood, Head of Operations, provided detail on work underway to deliver savings on prescribing, which he anticipated could generate savings of c. £900,000. On partnership working with EnjoyLeisure, Mr Hood stated that one of the strategic priorities was early intervention and prevention, and that there was an agreement in place whereby GPs could refer people to EnjoyLeisure for an activity programme – this programme would continue, albeit there were capacity and funding challenges which would need to be considered. He also spoke of social prescribing and the opportunities to reduce prescription drug spend – this work was at an early stage, but he anticipated that this would generate savings.

Councillor Forrest requested an update on the provision of day centre services in Musselburgh. Ms Wilson indicated that the planning for a new day centre was ongoing and an integrated impact assessment had been undertaken; however, it would be difficult to commit to this project due to the current financial situation.

Councillor Allan asked about contingency plans should the IJB be unable to balance its budget. Ms Wilson reported that the IJB had a balanced budget for the current financial year, with plans in place to deliver efficiency savings. She highlighted the need to balance risks with service delivery, noting that the partners would work together should additional pressures emerge.

Responding to a question from Councillor Hampshire on the pay awards for 2025, Mr Hood advised that the Council had allocated funding based on a 3% pay increase. The NHS pay review body had recommended an increase of 4.25% for 2025 and 3.75% for 2026. This proposal had now been presented to the trade unions for consultation with members.

Councillor Menzies raised the idea of social prescribing, in particular making better use of East Lothian's leisure facilities for some health conditions and as a preventative measure, rather than medication; she pointed out the long-term health benefits related to exercise, as well as

the economic benefits. She suggested that the Council and the IJB should consider this idea going forward.

Councillor Akhtar highlighted the importance of the Council seeing how the additional IJB funding would be spent. She spoke in support of Councillor Menzies' comments, adding that day centres also provided support to residents, as well as early intervention and prevention measures. She recognised the financial challenges facing health and social care services. She also stressed the need to keep people in their own homes, and to have integrated community-based support services.

## **Decision**

The Council agreed:

- i. to note the contents of the report and the implications of the Council funding allocation on their delegated services; and
- ii. to note that the budget offer reflects the funding required for 2025/26 but does not consider the substantial forecast financial gaps in funding beyond 2025/26 which remains a significant risk for the IJB in delivering a balanced budget position.

## **6. HOUSING MANAGEMENT IT SYSTEM AND RENT REVIEW UPDATE**

A report was submitted by the Executive Director for Place updating the Council on the progress and current position of two key interlinked projects: the Housing Management IT System (HMIS) and Rent Review.

The Head of Housing, Wendy McGuire, presented the report, summarising the progress made as regards the implementation of the new HMIS. She could not confirm at this time if the system would be ready to go live on 1 October, but noted that the contract with the current supplier could be extended to the end of 2025, if required. On the rent review, she explained that the review was not concerned with seeking to increase income levels or aligning rent levels with the Scottish average, but that it would ensure fairness and equity across different property types and sizes to provide a clear and transparent rent structure. She drew attention to the project plan, attached as Appendix 1 to the report.

In response to questions from Councillor Bruce, Ms McGuire indicated that the scope of the review had been set in consultation with the appointed consultant. Councillor Bruce expressed his concern that Members had not been involved in this decision, remarking that the Council should be seeking to remedy the fact that East Lothian's rents were much lower than the Scottish average, which he believed was impacting on the Council's ability to invest in housing. Ms McGuire noted that with a 6.5% rent increase for 2025/26, she did not expect the Council rents to remain at the lower end of rent levels. She stressed that the purpose of the rent review was to ensure the financial sustainability of the Housing Revenue Account (HRA) going forward, and that setting rent levels was a separate process.

Councillor Gilbert questioned the timings of the delivery of the HMIS and the rent review. Ms McGuire explained that the rent review was dependent on the HMIS; if the HMIS was not live before the end of 2025, then the new rent structure could not be implemented until 2027.

With reference to the issues experienced regarding the implementation of the new HMIS, Ms McGuire advised that, as project sponsor, she would be looking at 'lessons learned'. She added that the Improvement Service, in conjunction with local authorities, was looking at a national housing system, and she was on the working group for that project.



Councillor Allan asked if protections were in place should vulnerable tenants be 'priced out' of Council accommodation as part of the rent review. Ms McGuire assured her that this aspect was included as part of the modelling work, and that transitional relief would be available to protect tenants.

Councillor McIntosh asked about mitigation measures in the event that the new system has teething problems. Ms McGuire advised that officers were working with the Tenants and Residents' Panel to ensure that vulnerable groups would be supported. She indicated that the new system would have a lot of benefits, one of which would be allowing officers more face-to-face time with vulnerable tenants.

Councillor Jardine opened the debate, advising that, as a housing professional, she was satisfied with the governance around the linking of these two projects, and that she was content that the rent restructure was concerned with aligning systems rather than setting rent levels, as the latter was part of the Council's budget-setting process.

Councillor Hampshire spoke of the importance of implementing the new technology, but he recognised the frustrations in progressing these two projects. He assured Members that there would be no sudden change to rent levels, adding that it was a Council decision to set rent levels, and the Council had always sought to make rents affordable. He noted, however, that there were disparities in rent levels between certain types of property and that this issue needed to be resolved.

Councillor Menzies thanked Ms McGuire and her team for progressing these projects without being allocated additional resource, at a time when there was increased demand on that service. She was of the view that the Council rents were set at too low a level, but she recognised that this could not be addressed as part of the rent review.

Concluding the debate, Councillor Bruce expressed his disappointment that the delivery of the projects had been delayed, given that the need for a new rent system had been identified in 2019. He argued that Members, rather than officers, should have determined the scope of the rent review, and that the process undertaken was not correct. He agreed with Councillor Menzies that rent levels should be increased.

## **Decision**

The Council agreed to note progress on the Housing Management IT System and Rent Review projects, recognising the complexities and challenges with each.

## **7. A1 ROAD NETWORK: LITTER MANAGEMENT RESPONSIBILITIES**

A report was submitted by the Executive Director for Place seeking approve for the Chief Executive to write to Scottish Ministers on behalf of the Council requesting a review of responsibilities for litter management on the A1 in East Lothian.

The Team Manager for Amenity Services, Ed Hendrikson, presented the report, advising of the current arrangements for litter management on the A1, and highlighting the two sections of the road that were within the Council's responsibility. He set out the risks and challenges associated with this, and proposed that the current arrangements should be reviewed to provide consistency.

In response to questions from Members, Mr Hendrikson explained that the cost of lane closures to undertake litter management on the two sections managed by the Council were borne by the Council. He indicated that much of the litter was thrown out of vehicles or fell from lorries, and that only the Council and not BEAR had enforcement powers. He hoped that

publicising the issue would lead to a reduction in litter. Mr Hendrikson pointed out that other local authorities were also looking at the issue of litter management on trunk roads.

Councillor McGinn welcomed the report, highlighting that the anomaly should be corrected, and there was a need to consider the safety of the workforce.

Councillor Hampshire spoke of his own frustration about levels of litter, and of complaints from residents on this issue. He hoped that the proposed letters would have an impact when the contract is next reviewed.

Councillor McIntosh commended the work of the Amenities Team, as well as volunteer groups, regarding litter management. She stated that it should be socially unacceptable for people to throw litter from vehicles; she also commented this was a particular issue around 'drive-thru' food establishments, and proposed that as part of Local Development Plan 2 there should be a presumption against such outlets. She suggested that the Council should do everything in its powers to prevent littering, and that this matter should be better publicised.

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

## **Decision**

The Council agreed:

- i. that the Chief Executive should write to Scottish Ministers requesting a review of litter management responsibilities for the full section of the A1 and a move towards consistency with areas part of the special road order to allow the Council to focus resources on population centres, local road network and area of ownership/responsibility; and
- ii. that the Chief Executive should write to other local authorities with trunk road litter management responsibilities and CoSLA, providing information on the local context and seeking support for the requested review.

## **8. CLIMATE CHANGE STRATEGY UPDATE AND SUMMARY**

A report was submitted by the Executive Director for Place providing the fifth annual update to Council on the progress of delivering the actions and commitments in the Council's Climate Change Strategy 2020-25, and summarising achievements of that Strategy in anticipation of beginning the delivery of the Council's Climate Change Strategy 2025-30.

The Sustainability and Climate Change Officer, Cheyne Hamm, presented the report, drawing attention to the progress made on the seven outcomes (set out in Appendices 2 and 3 to the report).

Councillor Gilbert asked for further detail on progress as regards recycling and waste. Tom Reid, Head of Infrastructure, pointed out that the information in the report was now out of date, and that with the introduction of the three-weekly refuse collection, it was likely that there would be an improvement in recycling rates. He added that the data related to domestic waste, with commercial waste being treated separately.

In response to questions from Councillor McIntosh, Mr Hamm indicated that officers were looking to implement the introduction of e-bikes for Council staff, but that issues around insurance needed to be resolved. On a flood protection scheme for Haddington, Mr Reid advised that the Council was awaiting information from the Scottish Government. He added

that it was likely that a special meeting of Council would be required in the autumn to consider the Musselburgh Flood Protection Scheme.

Councillor Menzies questioned why emissions from Council buildings had not reduced after the heating had been set at 18C. Mr Hamm explained that the Council's estate had expanded; however, the emissions per square metre had reduced. On Key Priority Area 8, Mr Hamm advised that officers were working on a 'learning for sustainability' strategy as part of the Curriculum for Excellence, which would determine how the Council engages with young people on climate change and sustainability matters.

Councillor Trotter requested an update on Bikeability. Mr Hamm reported that the Council had achieved 100% success rate for the third year in a row, with 1,300 children being involved in the initiative this year.

Responding to questions from Councillor Jardine, Mr Hamm stressed the importance of the e-learning module on Council staff commuting, and highlighted the benefits of the cycle to work and electric vehicle schemes. He also indicated that promoting car sharing schemes in rural communities were a priority for officers in order to reduce emissions. Mr Reid added that the concept of journey hubs was being explored, and that the Council would be working with communities to promote car sharing; there were now also cars available that could be booked by Council staff and members of the public.

Councillor asked for an update on the installation of public water fountains and taps. Mr Hamm pointed out that there was currently no funding available for this, but noted that drinking water was available at all Council work sites.

Concluding the questions, Councillor Dugdale asked about the environmental impact of staff travelling to work versus working from home. Mr Hamm advised that home working resulted in significant lower emissions. He added that there had been no impact analysis undertaken of staff travelling to work by bus rather than car.

Councillor Hampshire welcomed the support from across the Council to deliver on the climate change actions. He accepted there was still a lot of work to be done, and that additional financial assessment would be required to achieve this.

## **Decision**

The Council agreed:

- i. to note the progress made in decarbonising the Council's services and operations, and making a climate-positive East Lothian; and
- ii. to note the key projects and achievements delivered by members of the Climate and Nature Emergency Group, and the key risks set out in the report.

## **9. EAST Lothian Council Climate Change Strategy and Action Plan 2025-30**

A report was submitted by the Executive Director for Place present the proposed East Lothian Council Climate Change Strategy 2025-30 and its associated Action Plan for approval.

The Sustainability and Climate Change Officer, Cheyne Hamm, presented the report, referring to the development of the Strategy and its four themes. He noted that there were more than 200 actions set out with the Strategy, progress on which would be monitored and reported on annually.

Councillor Hampshire suggested that it would be helpful for Members to have an idea of the investment required and of the benefits of savings made. Mr Hamm advised that further work on the costings was required, noting the need for transparency about the challenges and the need for investment to deliver the actions. Councillor Hampshire also asked about how coastal erosion would be tackled. Tom Reid, Head of Infrastructure, reported that funding had been received from the Scottish Government to enhance coastal management, and that a report would be presented to Council in the next 12-18 months advising of mitigation measures and costs. However, he warned that there would be significant challenges in tackling coastal erosion.

In response to questions from Councillor McIntosh, Mr Hamm indicated that the 'transformative future' was the best option for achieving net zero; if the targets were met each year, there would be less climate change and sea level change to adapt to, and savings could be made in the long term. He made reference to community consultation on the various projects, which was included in the action plan, and hoped to get a high level of youth engagement. As regards scope 3 emissions, particularly re. financial investments, Mr Hamm advised that officers were starting to prepare for this in a more robust way; he expected that the Scottish Government would provide methodology to public bodies so that there was a consistent approach to reporting.

Councillor Akhtar asked about the management of food waste. Mr Hamm reported that the Council was working with partners to produce a 'good food nation' plan, which was a national initiative. He also advised that an East Lothian-wide Climate Change Strategy would be developed, in partnership with partners and communities.

Councillor Ritchie welcomed the report. She particularly welcomed the proposed engagement with young people and looked forward to seeing their ideas develop. She also highlighted the importance of considering climate change alongside planning and development, as well as the provision of high-quality local jobs.

Councillor Jardine spoke of the cross-party approach to tackling climate change. She was particularly impressed with the graphic on mitigation, contained within the Strategy.

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

## **Decision**

The Council agreed:

- i. to approve the proposed East Lothian Council Change Strategy 2025-30;
- ii. to approve the proposed East Lothian Council Climate Change Action Plan 2025-30; and
- iii. to approve the monitoring arrangements in the draft Climate Change Strategy, which is to review documents annually to monitor progress and update as needed.

## **10. MEMBERSHIP OF THE CROSS-PARTY CLIMATE CHANGE AND SUSTAINABILITY FORUM**

A report was submitted by the Executive Director for Council Resources seeking approval to add Councillor McMillan as a permanent member of the Cross-party Climate Change and Sustainability Forum.

The Clerk presented the report, advising of the recommendation put forward by the Cross-party Climate Change and Sustainability Forum to appoint the Provost as a permanent member of that group.

The Provost welcomed the invitation to join this group. As Chair of the group, Councillor McIntosh looked forward to working with him in this regard and having his expertise and perspective.

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

### **Decision**

The Council agreed to approve the appointment of Councillor McMillan as a permanent member of the Cross-party Climate Change and Sustainability Forum.

## **11. APPOINTMENT OF RETURNING OFFICER**

A report was submitted by the Executive Director for Council Resources seeking approval to appoint the Council's new Chief Executive, Laurence Rockey, as the Returning Officer for the East Lothian area.

The Clerk presented the report, reminding Members that following the retirement of the previous Chief Executive, the Head of Corporate Support had been appointed as Returning Officer pending the arrival of Laurence Rockey as the new Chief Executive. With Mr Rockey now in post, she proposed that he be appointed as Returning Officer with immediate effect.

The Provost welcomed this appointment and wished Mr Rockey well in the role of Returning Officer. Mr Rockey indicated that he looked forward to taking on the role and being involved in elections.

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

### **Decision**

The Council agreed to appoint Laurence Rockey to carry out the role of Returning Officer within the East Lothian area, with immediate effect.

## **12. SCHEDULE OF MEETINGS 2025/26**

A report was submitted by the Executive Director for Council Resources setting the Schedule of Meetings of the Council, committees and other forums for 2025/26.

The Clerk presented the report, advising of the proposed meeting dates for 2025/26, noting that the pattern of meetings broadly reflected that of recent years. She noted that the schedule was subject to change, and that any changes would be communicated to Members and officers as soon as practicable.

In response to questions from Councillor Gilbert, the Clerk provided the rationale for holding meetings on certain days of the week, pointing out that a number of Members had other employment outside Council and that some may have contractual arrangements to allow them time off to undertake Council business that could not be easily changed mid-term. She

welcomed feedback from Members, noting that she had taken account of feedback in advance of preparing the 2025/26 schedule. On the question of adjusting the start time of meetings with long agendas, Councillor Gilbert was advised that this could be considered where appropriate.

Councillor Findlay raised a question regarding the timing of Local Review Body site visits.

**Post-meeting note:** the clerk to the Local Review Body confirmed that the timings of a small number of site visits had been altered due to clashes with other committee meetings.

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

## **Decision**

The Council agreed:

- i. to approve the proposed Schedule of Meetings for 2025/26; and
- ii. to authorise the Head of Corporate Support to make minor adjustments to the schedule, as necessary, and to communicate any such adjustments to Members as soon as practicable.

## **13. MOTION: SECURITY OF THE NATION'S ENERGY SUPPLY**

A motion was submitted by Councillors Hampshire and Akhtar:

East Lothian Council has for over 20 years been supporting the energy industry to deliver significant change in our energy supply. We are continuing to consider every opportunity that will help the nation reduce its reliance on fossil fuels and reduce their energy demands and costs. We will deliver more with the energy industry in East Lothian in the areas included in this motion if we have more support from both of our governments.

### *Changing World*

The UK's Department for Energy Security and Net Zero, in partnership with the International Energy Agency (IEA), will host an international summit on the future of energy security in London on 24–25 April 2025. The summit will focus on the geopolitical, technological and economic factors influencing global energy security, with a focus on the growing role of clean energy and its supply chains, as well as the availability of critical minerals and metals.

### *Affordable Energy*

To give the country the best possible chance to deal with the global uncertainty of our energy supply, our governments must consider the development of all possible technologies to secure our energy security. This needs to secure an affordable energy cost for our industry, commercial and domestic consumers.

### *Renewable Energy*

To deliver this, our governments must continue to expand the availability of all renewable technologies and their associated infrastructure. They must also urgently support new net zero base load generation. The replacement of the two nuclear reactors at Torness Power Station with new modular reactors is vital for the stability of the National Grid.

### *Hydrogen Production*

Our governments must continue their work with the energy industry to expand the sites available for hydrogen production and storage to reduce our use of natural gas that is currently used by our industrial, commercial and domestic consumers.

### *UK Oil and Gas Production*

Oil and gas will continue to be required by the UK economy for many years, but we must do all we can to reduce what we use. However, in a changing world we must continue to protect our current oil and gas fields so the UK has a secure energy supply and a sustainable transition strategy. The government's commitment to continue the development of carbon capture and storage is vital to reach net zero and support our economy.

### *Proposal*

East Lothian Council calls on the Council Leader to write to UK Government Secretary of State for Net Zero and to the First Minister of Scotland to request that they take whatever action is necessary to secure the nation's net zero energy supply and reduce the cost of energy for our industrial, commercial and domestic consumers, and:

- request that all decisions on any energy projects, not just the projects under 50mw in a council area, are decided by the local planning authority through the normal planning process. The Energy Consents Unit would still be responsible for granting a licence to the applicant, but communities would feel their views on any application were fully considered by their local elected representatives;
- request that local government is an integral part of any planning for the delivery of new technologies that they will be expected to accommodate in their area. Councils will also have the appropriate powers and resources to deal with any proposals they need to consider;
- request that government develops a national energy master plan, so we understand the full extent of the nation's future demands. This will allow a fair allocation of energy sites that are required for new developments so we can properly consult and plan projects. This will help us reduce the cumulative impact on our countryside that will accommodate the renewable technology and its infrastructure.
- Request that the fees for energy applications are set at a reasonable level to cover the full cost of planning assessments by the relevant professionals.

In accordance with Standing Order 11, Councillor Hampshire, seconded by Councillor Jardine (who, together with Councillor McIntosh had submitted an amendment to the motion), proposed that the motion be continued to a later date, to allow for further discussion at the Cross-party Climate Change and Sustainability Forum.

The Provost then moved to the roll call vote on the proposal to continue this item of business, which was approved unanimously.

### **Decision**

The Council agreed to continue the motion.

## **14. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 10 FEBRUARY TO 13 APRIL 2025**

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 February 2025.

Councillor Menzies urged Members to read the reports submitted to the Members' Library.

### **Decision**

The Council agreed to note the reports submitted to the Members' Library Service between 10 February and 13 April 2025, as listed in Appendix 1 to the report.

### **SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION**

The public were excluded from the following business containing exempt information by virtue of Paragraph 6 of Schedule 7A to the Local Government (Scotland) Act 1973.

#### **Common Good Applications**

A private report seeking determination of an application for Common Good funding was approved, with funding being awarded as follows: The Honest Toun Association [Musselburgh]: £15,000.



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**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Council Resources

**SUBJECT:** Year-end Financial Review 2024/25

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2

## 1 PURPOSE

- 1.1 To provide an update on the **DRAFT** financial position for the year ending 31 March 2025.

## 2 RECOMMENDATIONS

- 2.1 The Council is recommended to:
- Note the **DRAFT** revenue and capital out-turn positions, that these are provisional and remain subject to audit.
  - Following the decision of the IJB to allocate its remaining unallocated reserves to meet NHS delegated pressures and in line with section 9.14 of the Scheme of Integration, agree to an additional contribution of £2.803 million to the IJB to fund the overspend in Council Services.
  - Agree to provide a letter of guarantee to support the going concern assumption for Enjoy Leisure and Brunton Theatre Trust.
  - Agree to the updated budget mitigation measures noting the change to recruitment measures and that they will remain under review through the quarterly monitoring process.
  - Agree to increase the unallocated reserves balance to £8.506 million.

## 3 BACKGROUND

- 3.1 During 2024/25, the Council has considered financial reviews setting out the challenges of managing the financial position of the Council. The Council continues to face increasing demand and cost pressures which

present ongoing challenges to financial sustainability. The most significant of these pressures arises from demand led service areas particularly within Health & Social Care Services delegated to the IJB, Children's Services and Homelessness. In addition, there remain in-year pressures arising from the timing and delivery of planned financial savings.

- 3.2 The Council continues to face several significant financial and other risks, both this year and in future years, and these will continue to be closely monitored.
- 3.3 In response to these risks, and with a view to managing the in-year financial pressures, Council approved a series of control measures at the June 2024 meeting which the Council Management Team (CMT) is responsible for applying.
- 3.4 The significance of these pressures continues to be reflected in the Corporate Risk Register where "Managing the Financial Environment" remains a high risk and consequently addressing this is a key corporate priority.
- 3.5 This report sets out the financial results for the 2024/25 financial year across all service areas. These results will remain in draft and subject to change pending the finalisation of the 2024/25 audit.

#### **Unaudited Accounts – 2024/25**

- 3.6 The draft accounts covering the financial year 2024/25 are in the process of being finalised for publication. The timetable for considering the annual accounts is set out below:
  - In accordance with requirements, the Chief Financial Officer will be responsible for ensuring the draft accounts are submitted for audit by the statutory deadline of 30 June 2025. The **DRAFT** accounts will be submitted formally to the Members' Library Service following submission to audit.
  - The audit will be undertaken between September and November 2025.
  - Aligned to statutory requirements, the draft accounts will be available for public inspection during the first three weeks of July 2025.
  - Elected Members will be offered a briefing in August 2025 to support a wider understanding of the final accounts and key issues contained in them.
  - In August 2025, the **DRAFT** accounts will be presented to Council for consideration to support formal requirements to enable Members to scrutinise the unaudited accounts by 31 August 2025.

- Following an indication by external audit of their planned work schedule, the audited accounts are expected to be formally considered by Audit and Governance Committee at the end of November 2025.
- 3.7 The accounts and financial results will remain in **DRAFT** pending the completion of the audit. Members will be kept fully apprised of any material changes that may arise during the audit.

### **General Services Revenue Summary – 31 March 2025**

- 3.8 An analysis of the financial position across service groups is set out in **Appendix 1** with further details in the paragraphs below.
- 3.9 Several budgets have changed to reflect necessary accounting adjustments to ensure that the surplus or deficit on service areas reflects only costs that are chargeable direct to the taxpayer. The most significant of these adjustments relates to statutory accounting adjustments for pensions made under IAS19. No budget variances have arisen from these adjustments.
- 3.10 In summary, before adjusting for transfers to earmarked reserves and significant one-off mitigations, there is an overspend of £4.408 million.
- 3.11 The transfers to earmarked reserves totalled £2.911 million. These were:
- Scottish Future Trust Funding for Wallyford Learning Campus - £1.722 million (transferred to the SFT earmarked reserve)
  - Service Concessions Adjustments - £1.073 million (transferred to the service concession earmarked reserve)
  - Other Earmarked Reserves - £116,000 (transferred to the ring-fenced funds and other balances earmarked reserve)
- 3.12 The one-off mitigations totalled £2.735 million. These were:
- Sports and Leisure VAT Rebate (one-off mitigation) - £1.4 million
  - Car Parking VAT Rebate (one-off mitigation) - £275,000
  - Insurance Premium Prepayment (one-off mitigation) - £735,000
  - Release of a Provision (one-off mitigation) - £325,000
- 3.13 Taking the planned use of reserves and one-off VAT mitigations, totalling £5.646 million, into account, the ledger position is an underspend of £1.238 million.
- 3.14 The main areas of pressure were:
- Children's Services overspend, £2 million – relating to external residential pressures. This pressure is shown in the management line in **Appendix 1** with the external residential schools' budget overspending by more than £2 million. Work is ongoing to identify

options in East Lothian for clients in external settings who could be brought back safely to the area. Additional funding was agreed in the budget that was approved in February 2025 to offset this pressure.

- H&SC – IJB overspend, £2.8 million – the overspend is due to pressures in Commissioned Care Services, specifically External Care Homes and Support Services, as well as delays to delivering some of the planned savings within the timescales reflected in the budget. Further information on the IJB out-turn is provided in sections 3.32 to 3.37. Additional funding was agreed in the budget that was approved in February 2025 with the intention of mitigating these pressures in 2025/26.
- H&SC – Non-IJB overspend, £395,000 – this relates to the former Supporting People funding and the third sector contracts being funded exceed the budget. This budget will transfer to Community Housing in 2025/26, and additional funding was agreed in the budget that was approved in February 2025 to offset the pressure.
- Community Housing overspend, £437,000 – this includes an undelivered saving of £275,000 (see section 3.20 for conformation this will be achieved in 2025/26) as well as continuing high demand for homeless services. Additional funding was agreed in the budget that was approved in February 2025 to offset this pressure.
- Infrastructure overspends, £529,000 – the main reason for these pressures are three undelivered savings totalling £744,000 (see section 3.20 for an update in delivery progress). Without these pressures the service would have delivered a surplus.
- Other Undelivered Savings overspend, £1 million – this relates to the Asset Review and an update is provided in section 3.20).

3.15 These pressures were offset by:

- One-off mitigations, £2.735 million – see section 3.12.
- Additional Council Tax income, £1.3 million – see section 3.31.
- Staffing Underspends £3.7 million – this is the net position after adjusting for the £2.5 million staff turnover savings and is due to vacancies aligned to the intervention measures agreed by Council to mitigate the forecast in-year overspend.

#### Approved Mitigations

3.16 At the 25 June 2024 Council meeting, the Council approved the following control measures which the Council Management Team is responsible for applying, they are:

- Recruitment – posts will only be filled if there would be an obvious detrimental impact on the three agreed short-term Council Plan priorities from not doing so and sign-off has been given by CMT and

EMT. This may result in ongoing disruptions to service delivery and closure of council facilities and bi-weekly recruitment will continue.

- All Council managers must operate within approved budget levels, preserving underspends where possible.
  - Where a service is overspent or at risk of overspending, urgent financial recovery actions will be required to bring spending in line with approved budget levels.
  - Use of agency staff should be kept to a minimum and should be kept under close review.
  - Council officers will continue to collaborate with partner bodies including the IJB to explore all options to try and mitigate overspends and ensure spending remains aligned to approved budgets.
  - In-year financial review papers will continue to be reported to Council rather than Cabinet.
- 3.17 Except for recruitment controls the other five mitigations should be accepted as expected business practice and continued for the next 12 months.
- 3.18 For recruitment, posts will only be filled if there is an obvious detrimental impact on the service being provided from not doing so and sign-off has been given by CMT and EMT. This will apply to all posts.
- 3.19 These control measures will remain under review through the quarterly budget monitoring process.

#### 2024/25 Efficiencies

- 3.20 During 2024/25, Council approved £7.925 million of planned efficiencies, of which, £5.906 million have been delivered and £2.019 million have not been delivered in full. **Appendix 2** sets out the position in more detail. The savings that have not been delivered this year are:
- Charging for Garden Waste Collection, £57,000 – due to the timing of the introduction of the service, July 2024, a full year of income was not achieved in 2024/25. Based on uptake, the full income target will be met in 2025/26.
  - Review of Management of Sports Facilities, £187,000 – this was part of a total saving of £310,000, meaning £123,000 was delivered in 2024/25. This work has now been completed and the saving will be achieved in 2025/26.
  - Asset Review, £1 million – work is ongoing and in time savings that meet the target are expected to be delivered.
  - Review of Adaptations, £275,000 – this saving will be achieved in 2025/26.

- Income generation, £500,000 – work is progressing to develop proposals, and income is expected to be achieved in 2025/26 but depending on timing of implementation it may not be the full amount.
- 3.21 In addition to the above, a saving planned for 2023/24, to review public holidays, has not yet been delivered.

### Reserves

- 3.22 The impact of the 2024/25 revenue out-turn will be a net increase in earmarked and unallocated reserves of £1.959 million (the £1.238 million underspend in the ledger adjusted by the affordable housing earmarked reserve). This comprises drawdowns for planned use of reserves, offset by contributions to earmarked reserves where funds will be required to fulfil a specific purpose in the future.
- 3.23 The Council's approved reserves strategy sets out the requirement to maintain a minimum unallocated balance on the general fund, which at the start of the financial year was set at 2.5% of the annual revenue budget. It is proposed to increase the unallocated reserves by just over £900,000 to £8.506 million to meet this target. This can be achieved through a transfer of reserves which had been earmarked for planned use during 2024/25 but were not required.
- 3.24 An indicative summary of general reserves at 31 March 2025 is provided in **Appendix 3**.
- 3.25 The closing reserves balance at 31 March 2025 enables unallocated balances to be maintained above the minimum acceptable level set out within the financial strategy. However, as noted in the 2023/24 Annual Audit Report:
- The Council's level of uncommitted general reserves as a percentage of overall budget is below the Scottish average as at 31 March 2023 of 3.2% (based on the 2024/25 budget, the minimum unallocated balance would need to increase to £11.7 million to align with the 2023/24 Scottish average).
  - The Council should continue to review the level of earmarked and uncommitted reserves to ensure these provide sufficient contingency and continue to support financial sustainability over the short, medium, and long term.
  - One of the key measures of the financial health of a body is the level of reserves held.
- 3.26 In addition, the risks around the low level of unallocated reserves relative to the level of risk facing the Council has continued to be raised within the Financial Strategy and wider Council finance reports. Given the extent of risk factors which the Council continues to face, it is essential that action is taken to preserve the unallocated general fund balance over the coming year, to ensure that the Council holds adequate contingency and would have the capacity to respond to any future unforeseen events.



### Additional Scottish Government Funding

- 3.27 Since Council approved the 2024/25 budget in February 2024, there has been additional funding of £12.554 million from the Scottish Government to support policy commitments which is unchanged since the Quarter 3 report. This is set out in more detail in **Appendix 4**.
- 3.28 Of the additional funding received, approximately £5m was transferred to the IJB to fund the delivery of policy commitments within Health and Social Care. These funding streams are to support existing commitments or specific national policy objectives, so they did not help to offset wider pressures on the Council's financial position.
- 3.29 In line with Council's decision in April 2024, additional funding of £1.217m was applied as follows and is reflected within the forecast position noted in this report:
- To mitigate the risks of overspends which arise from delays to delivering agreed savings.
  - To reduce the planned use of reserves in 2024/25
  - To offset wider and emerging risks throughout the next financial year.
- 3.30 Other funding has been for policy commitments, including funding for the additional element of the pay award, the retained teachers support and additional funding for the Scottish Welfare Fund.

### Council Tax

- 3.31 At this stage, there is a forecast surplus in the Council Tax budget of £1.3 million (1.7% of the budget). This is due to an increase in the number of dwellings over and above the estimates incorporated into the budget, along with earlier occupation of the dwellings being completed this financial year. This has been taken account of in the Council Tax assumptions for 2025/26.

### Integrated Joint Board

- 3.32 The IJB has delegated authority over most of the Health and Social Care budget along with a small number of other budgets within Community Housing, the Housing Revenue Account and Housing Capital. The management of these resources remains in line with the scheme of integration and wider overall IJB resources.
- 3.33 The IJB delivered an overspend of £2.8 million due to the increasing demand for Adult Social Work and Learning Disability commissioned care services for clients including Care Home placements and Care at Home services as well as delays in the delivery of agreed savings. These are demand led areas of service.
- 3.34 The IJB Chief Officer established a group to review progress with the service recovery plan and consider options to mitigate these pressures

and reduce costs across the wider IJB operations. The Finance Service participates in supporting this ongoing work.

- 3.35 The IJB took a decision to allocate all its unallocated reserves to meet NHS delegated pressures. This means it is unable to meet the level of overspend in 2024/25 for Council Services from its own reserves and in line with the scheme of integration, the Council is responsible for funding the pressure, this is set out specifically in section 9.14 which states:

*“...the Parties recognise and accept that an overspend is at the risk of the Party incurring the overspend and the residual amount of overspend after usage of reserves must, in the absence of any other agreement, be met by that Party.”*

- 3.36 The Council has recognised the demand challenges facing Council delegated IJB services and has increased funding for 2025/26 by around £4 million on top of passported funding from the Scottish Government to help address these pressures.
- 3.37 The Council’s Chief Financial Officer has stressed the need to the IJB Chief Financial Officer for the IJB to develop robust and deliverable medium-term financial plans, which can meet the full extent of the projected budget gap including that arising from delegated Council functions in collaboration with the funding partners.

#### Council’s Group Components

- 3.38 In previous years, a “letter of guarantee” was provided to both Enjoy and Brunton Theatre Trust in closing off their final accounts. The “guarantee” whilst not prescriptive in respect of quantum, gave both organisations positive assurance that the Council would collaborate proactively with them to manage cash flow and fulfil their obligations should the need arise.
- 3.39 It is recommended that a similar “letter of guarantee” is supported for both Enjoy and Brunton Theatre Trust as part the 2024/25 accounts closedown.

#### Financial Sustainability

- 3.40 Given the risks and challenges facing the Council, it remains essential that the Council’s financial strategy and wider policies supports the Council’s financial sustainability and capacity to sustain front line service delivery over the medium term. These pressures arise from significant increases to the cost of delivering services, growing demands aligned to population growth, and continued reductions and direction in national funding. The recurring pressures mean that the five-year outlook for the Council reflects significant gaps between available funding and expenditure demands. Although a balanced budget has now been agreed for 2025/26, without significant increases in funding, the Council will face difficult decisions about how the gap can be closed in the years beyond this.
- 3.41 As a reminder, the Council has a minimum level of unearmarked general reserves. Any unplanned use of reserves arising from overspends will place this below the minimum agreed level and will require other

earmarked reserves to be repurposed to replenish this. This presents a risk to the Council's capacity to enable change and reshape service delivery to deliver planned savings.

- 3.42 The national settlement remains aligned to the delivery of wider national policy commitments and settlement conditions which means there are limited options available to redirect funding streams without an impact on the specific policy delivery.
- 3.43 Alongside these national commitments, East Lothian remains one of the fastest growing councils in Scotland with population growth continuing to increase year on year. The ongoing costs and demands of supporting this growth alongside wider challenges remain significant. Without changes in how the Council delivers services and prioritises investment, the financial position will become unsustainable.

### **General Services Capital Summary – 31 March 2025**

- 3.44 **Appendix 5** shows the approved and updated 2024/25 budgets and expenditure for the financial year, showing spend of £95 million relative to the updated gross expenditure budget of £118 million. A significant proportion of this underspend has already been re-profiled as part of the work on the 2025/26 capital plan and will be used in future years. Where appropriate, this is matched against anticipated income in line with individual project requirements.
- 3.45 Capital income applied during 2024/25 was £59.7 million with the most significant element being other funding contributions totalling £20.9 million. This includes income from Transport Scotland for the Markle level crossing and £17 million of funding from the UK Government Levelling Up Fund in relation to works at the Cockenzie site.
- 3.46 A summary of the key movements from the Quarter 3 projections are shown below:
- Expenditure on Roads Externally Funded projects was ahead of projection (primarily for the Markle level crossing replacement) and reflected progress on site. This is fully externally funded (Other Sources).
  - Blindwells, Craighall and Whitecraig new build primary schools are progressing towards completion but a change in profile of expenditure reduced the actual expenditure in comparison to the Quarter 3 projection.
  - Progress on the Cockenzie Levelling Up funded works on the coal bund removal and site along with the Link Road construction has meant that expenditure in 2024/25 is ahead of original profile. This is funded by a mix of external UK Government funding and use of capital receipts generated from this project.
  - In line with proper accounting practice, the Innovation Hub construction reported in-year has been removed as capital

expenditure as the Joint Venture will own it. The removal of spend is also reflected in a corresponding removal of capital grant.

- The PPP Projects include the disclosure of the lease liability as well as lifecycle capital spend, in accordance with the relevant accounting standard.

3.47 The borrowing requirement reduced from a projected figure of £46.8 million to £36 million. Other significant movements to income include an increase of £4 million in Other Funding received and applied and the PPP lease liability of £3.3 million. The introduction of the accounting standard IFRS16 has resulted in a remeasurement of PPP assets and a subsequent adjustment to the borrowing required.

### **Housing Revenue Account Summary – 31 March 2025**

3.48 The HRA delivered a closing budget surplus of £2.017 million which is in line with budgeted assumptions and the planned opening budget for 2025/26 within the HRA budget that was approved in February 2025. **Appendix 6** sets out the revenue spend for the year.

3.49 Aided by the appointment of a new Senior Project Officer, there has been significant work undertaken to reduce the number of void properties and, at the end of the 2024/25 financial year, the number of voids had reduced from 273 at the start of the year to 178 on 31 March 2025, a net reduction of 95. This has been achieved by increased repairs to voids properties. Void costs fell again in Quarter 4 meaning two quarters of reduced costs in the second half of the year. The service plans to continue to target void numbers with additional work in the first half of 2025/26 after which activity should return to more normal levels. Both the pressures from void rent loss and the additional repair costs led to increased costs that were offset by additional income and varying the CFCR level.

3.50 Looking ahead, to meet the two key tests in the financial strategy, a £1 million and a debt-to-income ratio below 40%, a review of the rent strategy is required, and work is ongoing to take forward a rent review, with financial modelling currently ongoing along with a longer term HRA business plan and that will be developed over summer 2025. This will consider fully the requirements to maintain the proposed capital investment in modernising properties and building new Council houses.

3.51 Capital spend was £32.4 million, slightly higher than the budget by £892,000 and higher than was projected at Quarter 3. Further details are provided in **Appendix 7**. The main reasons for this were:

- Additional spend on void properties leading to an increase in the modernisation budget spend.
- The energy efficiency budget was fully spent with measures including, roofing with integrated PV with battery storage, various insulation measures, the installation of condensing gas boilers, air source heat pumps and high heat retention storage users as well as supplementing

the windows and doors programme with installations to improve the thermal efficiency of over 700 properties.

- New Affordable Council Housing expenditure though still under budget was higher than projected at Quarter 3 at £13.852 million (£350,000 higher).
- Open Market Acquisitions (5 units), fees and Mortgage to Rent properties (1 unit) were in line with budget projections.

3.52 Borrowing to fund the capital programme, despite the CFCR level being reduced, was around £1.4 million lower than budgeted due to additional grants from the Scottish Government late in the financial year.

3.53 There remain significant challenges in delivering the programme due to several factors including uncertainties on the level of subsidy, shortage of labour resources, uncertainty in the housing market due to the current economic situation, rising costs and challenges in awarding and mobilisation of contracts.

### **Conclusion**

3.54 The Council continues to operate in a challenging, complex, and ever-changing financial environment. There is an underspend of £1.238 million in General Services Revenue; however, without £5.646 million of one-off mitigations and the impact of enhanced mitigation measures overseen by CMT, especially on recruitment, then it is likely that a significant overspend would have been reported for 2024/25. The affordability of the capital programme is also uncertain as material and contract costs increase, and the cost of borrowing remains high.

3.55 The Council will continue to take steps to ensure that it can sustain the delivery of vital services to the community and effectively manage wider assets. The scale of the challenge will require difficult decisions in the years ahead to ensure ongoing financial sustainability.

## **4 POLICY IMPLICATIONS**

4.1 There is no direct policy implications associated with this report, although, ongoing monitoring and reporting of the Council's financial performance is a key part of the approved Financial Strategy.

## **5 INTEGRATED IMPACT ASSESSMENT**

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

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – as described above and in the supporting appendices.
- 6.2 Personnel - none
- 6.3 Other – none

## **7 BACKGROUND PAPERS**

- 7.1 Council – 25 February 2025 – Item 2 – Q3 Financial Review 2024/25
- 7.2 Council – 10 December 2023 – Item 3 – Financial and Capital Strategies 2025-2030
- 7.3 Council – 10 December 2024 – Item 3 – Quarter 2 Financial Review 2024/25
- 7.4 Council – 29 October 2024 – Item 2 – Finance Update
- 7.5 Council – 27 August 2024 – Item 3 – Quarter 1 Financial Review 2024/25
- 7.6 Council – 20 February 2024 – Item 3 – Treasury Management Strategy
- 7.7 Council – 20 February 2024 – Item 2, 2a, 2b – Budget Papers

<b>AUTHOR'S NAME</b>	Ellie Dunnet David Henderson Ann-Marie Glancy
<b>DESIGNATION</b>	Head of Finance Service Manager – Service Accounting Service Manager - Corporate Accounting
<b>CONTACT INFO</b>	<a href="mailto:edunnet@eastlothian.gov.uk">edunnet@eastlothian.gov.uk</a> <a href="mailto:dhenderson2@eastlothian.gov.uk">dhenderson2@eastlothian.gov.uk</a> <a href="mailto:aglancy@eastlothian.gov.uk">aglancy@eastlothian.gov.uk</a>
<b>DATE</b>	10 June 2025

Appendix 1  
East Lothian Council  
Budget Monitoring 2024/25 - Year-End

Service	Head of Service	Business Unit	2024/25 Budget	Year to Date			2024/25 Budget Variance to Date	2024/25 Budget Variance to Date	Financial Risk Assessment
				2024/25 Actual to Date	2024/25 Budget to Date	2024/25 Budget Variance to Date			
				£'000	£'000	£'000			
Education & Children's	Children's	Performance & Service Delivery	1,382	1,342	1,394	-52	-3.73%		
Education & Children's	Children's	Management	4,013	6,625	4,018	2,607	64.88%		
Education & Children's	Children's	Assessment HUB and Early Interventions	2,016	1,921	2,027	-106	-5.23%		
Education & Children's	Children's	Long Term Social Work Supervisory Groups	3,288	3,309	3,296	13	0.39%		
Education & Children's	Children's	TAC, Disability & Resources	1,883	1,719	1,890	-171	-9.05%		
Education & Children's	Children's	Fostering, Adoption & Internal Resources	6,275	5,887	6,305	-418	-6.63%		
Education & Children's	Children's	Early Years Intervention	948	699	952	-253	-26.58%		
Education & Children's	Children's	Disability Short Breaks	768	1,153	768	385	50.13%		
EDUCATION & CHILDREN'S	CHILDREN'S TOTAL		20,573	22,655	20,650	2,005	9.71%		
Education & Children's	Education	Inclusion & Wellbeing	13,409	14,129	13,413	716	5.34%		
Education & Children's	Education	Pre-School Education	16,575	15,655	16,580	-925	-5.58%		
Education & Children's	Education	Primary Schools	57,284	55,651	57,623	-1,972	-3.42%		
Education & Children's	Education	Secondary Schools	59,501	54,316	55,623	-1,307	-2.35%		
Education & Children's	Education	Schools' Support	3,790	3,744	4,314	-570	-13.21%		
Education & Children's	Education	East Lothian Works	1,326	1,220	1,340	-120	-8.96%		
EDUCATION & CHILDREN'S	EDUCATION TOTAL		151,885	144,715	148,893	-4,178	-2.81%		
EDUCATION & CHILDREN'S TOTAL			172,458	167,370	169,543	-2,173	-1.28%		
Council Resources	Finance	Financial Services	3,761	2,876	3,419	-543	-15.88%		
Council Resources	Finance	Revenues & Financial Support	4,895	4,634	4,926	-292	-5.93%		
Council Resources	Finance	Procurement	1,230	1,428	1,239	189	15.25%		
COUNCIL RESOURCES	FINANCE TOTAL		9,886	8,938	9,584	-646	-6.74%		
Council Resources	Corporate	IT Services	3,547	3,712	3,566	146	4.09%		
Council Resources	Corporate	People & Council Support	4,605	4,440	4,670	-230	-4.93%		
Council Resources	Corporate	Governance	2,379	2,163	2,400	-237	-9.88%		
Council Resources	Corporate	Communications	555	498	557	-59	-10.59%		
COUNCIL RESOURCES	CORPORATE TOTAL		11,086	10,813	11,193	-380	-3.39%		
COUNCIL RESOURCES TOTAL			20,972	19,751	20,777	-1,026	-4.94%		
Health & Social Care Partnership	Head of Operations	Adult Social Work	31,995	33,046	32,030	1,016	3.17%		
Health & Social Care Partnership	Head of Operations	Acute & Ongoing Care	10,220	10,971	10,350	621	6.00%		
Health & Social Care Partnership	Head of Operations	Rehabilitation	2,154	2,005	2,169	-164	-7.56%		
Health & Social Care Partnership	Head of Operations	Learning Disability & MH Community Services	19,269	21,013	19,299	1,714	8.88%		
Health & Social Care Partnership	Head of Operations	Head of Operations	5,083	5,177	5,084	93	1.83%		
Health & Social Care Partnership	Head of Operations	Business & Performance IJB	4,821	4,359	4,836	-477	-9.86%		
HEALTH & SOCIAL CARE PARTNERSHIP	IJB TOTAL		73,542	76,571	73,768	2,803	3.80%		
Health & Social Care Partnership	Head of Operations	Non-IJB	540	935	540	395	73.15%		
HEALTH & SOCIAL CARE PARTNERSHIP	Non-IJB TOTAL		540	935	540	395	73.15%		
HEALTH & SOCIAL CARE PARTNERSHIP TOTAL			74,082	77,506	74,308	3,198	4.30%		
Place	Development	Planning & Environmental Services	1,103	824	1,323	-499	-37.72%		
Place	Development	Economic Development	854	880	856	24	2.80%		
PLACE	DEVELOPMENT TOTAL		1,957	1,704	2,179	-475	-21.80%		
Place	Housing	Housing, Strategy & Development	284	362	384	-22	-5.73%		
Place	Housing	Property Maintenance Trading Account	-1,153	-1,153	-1,153	0	0.00%		
Place	Housing	Community Housing Group	2,828	3,273	2,836	437	-15.41%		
PLACE	HOUSING TOTAL		1,959	2,482	2,067	415	20.08%		
Place	Infrastructure	Asset Maintenance & Engineering Services	3,517	3,805	3,528	277	7.85%		
Place	Infrastructure	Strategic Asset & Capital Plan Management	-1,233	-1,822	-1,214	-608	50.08%		
Place	Infrastructure	Facility Trading Activity	-427	-582	-428	-154	35.98%		
Place	Infrastructure	Facility Support Services	4,118	4,083	4,167	-84	-2.02%		
Place	Infrastructure	Landscape & Countryside Management	6,288	6,518	6,392	126	1.97%		
Place	Infrastructure	Active Business Unit	3,799	3,843	3,806	37	0.97%		
Place	Infrastructure	Roads Network	4,138	4,976	4,448	528	11.87%		
Place	Infrastructure	Roads Trading Activity	-670	0	-740	740	-100.00%		
Place	Infrastructure	Transportation	2,237	1,813	2,282	-469	-20.55%		
Place	Infrastructure	Waste Services	9,609	9,836	9,700	136	1.40%		
PLACE	INFRASTRUCTURE TOTAL		31,376	32,470	31,941	529	1.66%		
Place	Communities & Partnerships	Connected Communities	6,279	5,964	6,321	-357	-5.65%		
Place	Communities & Partnerships	Protective Services	2,083	2,010	2,098	-88	-4.19%		
Place	Communities & Partnerships	Customer Services Group	4,514	4,273	4,566	-293	-6.42%		
PLACE	COMMUNITIES & PARTNERSHIPS TOTAL		12,876	12,247	12,985	-738	-5.68%		
PLACE TOTAL			48,168	48,903	49,172	-269	-0.55%		
SERVICE TOTAL			315,680	313,530	313,800	-270	-0.09%		
Non-Service Expenditure Sub-Total			16,383	15,998	18,262	-2,264	-12.40%		
Total Expenditure			332,063	329,528	332,062	-2,534	-0.76%		
Funded By Sub-Total			-329,128	-330,766	-329,127	-1,639	-0.50%		
Net Expenditure			2,935	-1,238	2,935	-4,173	142.18%		
Reserves Funding Sub-Total			-2,935	0	-2,935	2,935	100.00%		
TOTAL LEDGER POSITION			0	-1,238	0	-1,238	-0.37%		
Transfer to Service Concessions Earmarked Reserve							1,073		
Transfers to SFT Earmarked Reserve							1,722		
Transfers to Ring Fenced and Other Balances Ear Markede Reserve							116		
Sports & Leisure VAT Rebate (one-off)							1,400		
Car Parking VAT Rebate (one-off)							275		
Insurance Premium Prepayment							735		
Release of Provision							325		
Total							5,646		
REVISED POSITION ADJUSTED FOR ONE-OFF MITIGATIONS							4,408	1.33%	
RECONCILIATION									
Ledger Underspend							-1,238		
Committed for Future Budgets							172		
Transformation Fund							1,486		
Ring Fenced Funds and Other balances							-101		
Service Concession reserve							-1,073		
SFT Earmarked Reserve							-1,722		
Total Reserves Funding							-1,238		
Reconciliation							0		
MOVEMENT IN RESERVES									
Ledger Underspend							-1,238		
Increase in Empty Homes Premium for Affordable Housing Reserve							-755		
Decrease in Committed for Future Budgets							940		
Increase in Contingency Reserve							-906		
Increase in Capital Grants Unapplied							-2,792		
Reduction in Capital Receipts							7,410		
HRA							-482		
Total Movement in Reserves							2,177		
Usable Rserve									
Opening Usable Reserves							-55,507		
Movement in Reserves							2,177		
Closing Usable Reserves							-53,330		

## Appendix 2

### East Lothian Council

#### 2024/25 Budget Efficiencies - Year-End

Service	2024/25		
	Achieved	Amber	Unachievable
	£'000	£'000	£'000
Education	530	0	0
Finance	630	0	0
Corporate Services	38	0	0
Development	120	0	0
Housing	48	275	0
Infrastructure	2,327	744	0
Communities	1,113	0	0
Non Service Expenditure	1,100	1,000	0
<b>Total</b>	<b>5,906</b>	<b>2,019</b>	<b>0</b>
	74.52%	25.48%	0.00%

**7,925**



Appendix 3  
 East Lothian Council  
 2024/25 Reserves

Description	Opening Balance	Change	Revised Balance 2024/25	Other Adjustments	Closing Balance 2024/25
	£'000	£'000	£'000	£'000	£'000
<b>General Fund Reserve</b>					
<b>Earmarked</b>					
Committed for Future Budgets	1,112	-172	940	-940	0
Transformation Fund	18,525	-1,486	17,039	0	17,039
DSM	1,148	0	1,148	0	1,148
Ring Fenced Funds and Other balances	1,825	101	1,926	0	1,926
Service Concession reserve	1,043	1,073	2,116	0	2,116
SFT Earmarked Reserve	1,292	1,722	3,014	0	3,014
Empty Homes Premium for Affordable Housing	1,624	755	2,379	0	2,379
<b>Total Earmarked Reserves</b>	<b>26,569</b>	<b>1,993</b>	<b>28,562</b>	<b>-940</b>	<b>27,622</b>
Contingency	7,600	-34	7,566	940	8,506
<b>Total General Fund Reserves</b>	<b>34,169</b>	<b>1,959</b>	<b>36,128</b>	<b>0</b>	<b>36,128</b>
<b>Other Reserves</b>					
Insurance Fund	2,684	0	2,684	0	2,684
Capital Receipts Reserve	14,013	-7,410	6,603	0	6,603
Capital Grants Unapplied Account	3,106	2,792	5,898	0	5,898
HRA	1,535	482	2,017	0	2,017
<b>Total Other Reserves</b>	<b>21,338</b>	<b>-4,136</b>	<b>17,202</b>	<b>0</b>	<b>17,202</b>
<b>Total Reserves</b>	<b>55,507</b>	<b>-2,177</b>	<b>53,330</b>	<b>0</b>	<b>53,330</b>

**Appendix 4****East Lothian Council****Budget Monitoring 2024/25 - Additional Funding from the Scottish Government**

	£million
<b>2024/25 GRG (per Budget Amendment)</b>	<b>238.012</b>
<b>Additional Funding - GRG</b>	
Early Learning £12 per hour funding	0.350
Social Care £12 per hour funding	4.995
Other	0.045
Additional GRG for 2024/25 Settlement	1.217
Employability Child Poverty Co-ordinators	0.066
Council Tax Freeze (£3.4m built into approved budget)	0.004
2023/24 Local Government Pay Offer	0.403
Scottish School Milk Subsidy Scheme	0.023
Sustained Temporary Accommodation Pressures	0.015
Teacher Pension Funding (£1.589m built into approved budget)	0.146
Teachers Induction (£0.674m built into approved budget)	-0.092
Retained Teacher Support (was a specific grant at budget setting)	2.952
Ukraine Resettlement	0.053
2024/25 Local Government Pay Offer	1.504
2024/25 SNCT Pay Deal (recurring)	0.559
Climate Intelligence Service	0.002
Building Standards Hub	-0.023
Educational Psychologist Refund	0.008
Scottish Welfare Fund	0.327
<b>Total Additional Funding</b>	<b>12.554</b>
<b>Revised GRG</b>	<b>250.566</b>

Appendix 5  
East Lothian Council  
General Services Capital Budget Monitoring Summary 2024/25  
Year-End

	Annual (In-Year)						
	Approved Budget 2024/25	Updated Budget 2024/25	Actual 2024/25	Updated Budget-Actual Variance 2024/25	Previously reported Outturn to Council	Actual to P9 Projection Variance	Reprofiled during budget process
Expenditure	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Community Projects</b>							
Community Intervention	300	300	21	(279)	150	(129)	-
Community Intervention Fund - Pump Tracks	475	475	178	(297)	240	(62)	77
Community Public Art	160	160	36	(124)	200	(164)	-
Bleachingfield Centre Remodelling Works	100	100	99	(2)	105	(6)	-
Dunbar Conservation Area Regeneration Scheme (CARS)	355	760	-	(760)	150	(150)	560
East Saltoun Community Hall	-	-	-	-	-	-	-
North Berwick Skatepark	-	13	14	1	10	5	-
Support for Business	-	-	5	5	6	(1)	-
Fisherrow - spend to save project	225	250	250	-	250	-	-
CCTV	123	219	8	(212)	8	(0)	169
Town Centre Regeneration	514	937	237	(700)	558	(321)	-
<b>Total Community Projects</b>	<b>2,253</b>	<b>3,215</b>	<b>848</b>	<b>(2,368)</b>	<b>1,676</b>	<b>(828)</b>	<b>806</b>
Town Centre Regeneration (PBIP) Grant	(500)	(820)	(507)	313	(470)	(37)	-
Other Funding Sources	(805)	(1,276)	(547)	730	(777)	230	(477)
GCG REFCUS	-	-	-	-	-	-	-
<b>Total Income: Community Projects</b>	<b>(1,305)</b>	<b>(2,096)</b>	<b>(1,054)</b>	<b>1,042</b>	<b>(1,247)</b>	<b>194</b>	<b>(477)</b>
<b>Community Projects - General Capital Grant/Borrowing Requirement</b>	<b>948</b>	<b>1,119</b>	<b>(206)</b>	<b>(1,325)</b>	<b>428</b>	<b>(634)</b>	<b>329</b>
<b>ICT</b>							
IT Programme & Digital Opportunities	2,200	2,400	2,380	(20)	2,400	(20)	-
Telecare System upgrade to Digital	-	-	316	316	335	(19)	-
<b>Total ICT</b>	<b>2,200</b>	<b>2,400</b>	<b>2,695</b>	<b>295</b>	<b>2,735</b>	<b>(40)</b>	<b>-</b>
Other Funding Sources	-	-	-	-	-	-	-
<b>Total Income: ICT</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>ICT - General Capital Grant/Borrowing Requirement</b>	<b>2,200</b>	<b>2,400</b>	<b>2,695</b>	<b>295</b>	<b>2,735</b>	<b>(40)</b>	<b>-</b>
<b>Fleet</b>							
Amenties - Machinery & Equipment - replacement	200	169	164	(5)	169	(5)	-
Vehicles	4,611	4,611	2,892	(1,719)	3,380	(488)	-
<b>Total Fleet</b>	<b>4,811</b>	<b>4,780</b>	<b>3,057</b>	<b>(1,723)</b>	<b>3,549</b>	<b>(492)</b>	<b>-</b>
Other Funding Sources	-	-	-	-	-	-	-
<b>Total Income: Fleet</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Fleet - General Capital Grant/Borrowing Requirement</b>	<b>4,811</b>	<b>4,780</b>	<b>3,057</b>	<b>(1,723)</b>	<b>3,549</b>	<b>(492)</b>	<b>-</b>
<b>Open Space</b>							
Synthetic Pitch Replacement Programme	157	230	356	127	324	32	-
Cemeteries (Burial Grounds)	637	911	727	(184)	911	(184)	-
River Tyne / Haddington Flood Protection scheme	-	-	0	0	-	0	-
Coastal / Flood Protection schemes - Musselburgh	2,050	1,904	1,254	(650)	1,575	(320)	326
Coastal Change Management	85	85	40	(45)	40	-	45
Coastal Car Park Toilets	256	262	257	(5)	298	(41)	-
Core Path Plan	50	100	-	(100)	100	(100)	-
Harbour Walls	600	600	376	(224)	375	0	233
Mains Farm Town Park & Pavilion	-	-	-	-	-	-	-
Nature Restoration	-	59	56	(3)	59	(3)	-
Replacement Play Equipment	327	459	454	(5)	459	(5)	-
Polson Park	160	160	-	(160)	20	(20)	140
Sports and Recreation LDP	3,026	3,182	1,519	(1,662)	1,532	(13)	1,329
Street litter bin replacement	40	40	39	(1)	40	(1)	-
Waste - New Bins	160	160	256	96	201	54	-
Waste - Machinery & Equipment - replacement	40	40	13	(27)	19	(5)	-
<b>Total Open Space</b>	<b>7,588</b>	<b>8,191</b>	<b>5,348</b>	<b>(2,843)</b>	<b>5,953</b>	<b>(605)</b>	<b>2,073</b>
Developer Contribution	(2,457)	(2,656)	(1,485)	1,171	(1,512)	27	(1,029)
Capital Receipts	(350)	(350)	(189)	161	(189)	-	-
Other Funding Sources	(1,267)	(1,140)	(809)	331	(745)	(64)	-
<b>Total Income: Open Space</b>	<b>(4,074)</b>	<b>(4,147)</b>	<b>(2,483)</b>	<b>1,664</b>	<b>(2,446)</b>	<b>(37)</b>	<b>(1,029)</b>
<b>Open Space - General Capital Grant/Borrowing Requirement</b>	<b>3,514</b>	<b>4,045</b>	<b>2,865</b>	<b>(1,179)</b>	<b>3,507</b>	<b>(641)</b>	<b>1,044</b>
<b>Roads, Lighting and related assets</b>							
Cycling Walking Safer Streets	478	478	537	59	1,040	(504)	-
East Linton Rail Stop / Infrastructure	-	-	0	0	-	0	-
Parking Improvements	330	559	13	(545)	296	(283)	242
Roads	5,500	5,500	5,442	(58)	5,500	(58)	-
Roads - Externally Funded Projects	8,462	8,462	10,695	2,233	8,462	2,233	-
<b>Total Roads, Lighting and related assets</b>	<b>14,770</b>	<b>14,999</b>	<b>16,687</b>	<b>1,688</b>	<b>15,298</b>	<b>1,389</b>	<b>242</b>
Developer Contribution	-	-	-	-	-	-	-
Other Funding Sources	(8,940)	(8,940)	10,614	(1,674)	(9,503)	(1,112)	-
<b>Total Income: Roads, Lighting and related assets</b>	<b>(8,940)</b>	<b>(8,940)</b>	<b>(10,614)</b>	<b>(1,674)</b>	<b>(9,503)</b>	<b>(1,112)</b>	<b>-</b>

Appendix 5  
East Lothian Council  
General Services Capital Budget Monitoring Summary 2024/25  
Year-End

	Annual (In-Year)						
	Approved Budget 2024/25	Updated Budget 2024/25	Actual 2024/25	Updated Budget-Actual Variance 2024/25	Previously reported Outturn to Council	Actual to P9 Projection Variance	Reprofiled during budget process
Expenditure	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Roads etc. - General Capital Grant/Borrowing Requirement	5,830	6,059	6,073	14	5,796	277	242
<b>Property - Education</b>							
Aberlady Primary - extension	2,289	2,328	25	(2,303)	30	(5)	1,993
Blindwells Primary - new school	19,453	17,975	16,723	(1,252)	19,702	(2,979)	(1,724)
Craighall Primary - New School	19,217	17,107	15,743	(1,364)	19,101	(3,359)	(2,034)
East Linton Primary - new school	-	-	-	-	-	-	-
Free School Meals Expansion to P6-7	-	17	-	(17)	100	(100)	-
Gullane Primary - extension including Early Learning and 1140	-	-	-	-	-	-	-
Kingsmeadow Primary School	-	-	30	30	-	30	-
Knox Academy Extension	50	50	-	(50)	52	(52)	-
Law Primary - extension including Early Learning and 1140	67	622	118	(504)	143	(25)	-
Letham Primary - New School	-	42	17	(25)	17	0	25
North Berwick High School - Extension	450	688	293	(395)	688	(395)	-
Ormiston Primary - extension	-	82	89	8	82	8	-
Pinkie St Peter's Primary - sports hall extension	505	556	109	(447)	115	(6)	-
Pinkie St Peter's Primary - extension including Early Learning and 1140	279	449	4	(445)	150	(146)	-
Preston Lodge High School - extension (phase 1)	-	-	-	-	-	-	-
Prestonpans Primary - upgrades	243	243	-	(243)	-	-	-
Ross High School - extension	-	-	(160)	(160)	(147)	(13)	-
School Estate - Curriculum Upgrades	1,045	1,083	817	(267)	1,083	(267)	-
St Gabriel's Primary - extension including Early Learning and 1140	-	-	-	-	3	(3)	-
Wallyford Primary - New School	108	108	12	(96)	17	(5)	91
Wallyford Learning Campus	1,001	1,101	646	(455)	1,412	(766)	-
West Barns Primary - extension including Early Learning and 1140	46	37	-	(37)	-	-	-
Whitecraig Primary - new school including Early Learning and 1140	16,058	15,755	8,927	(6,828)	10,164	(1,237)	-
Windygoul Primary - Early learning and 1140 extension	150	133	99	(35)	-	99	133
<b>Total Property - Education</b>	<b>60,962</b>	<b>58,376</b>	<b>43,491</b>	<b>(14,885)</b>	<b>52,712</b>	<b>(9,221)</b>	<b>(1,515)</b>
Developer Contribution	(12,184)	(8,869)	(6,308)	2,561	(7,965)	1,656	(601)
Developer Contribution (Post completion)	(14)	(14)	-	14	-	-	-
1140 Grant Income	(167)	(144)	(1,642)	(1,497)	-	(1,642)	(17)
Other Funding Sources	-	-	(105)	(105)	(6)	(99)	-
<b>Total Income: Property - Education</b>	<b>(12,365)</b>	<b>(9,028)</b>	<b>(8,055)</b>	<b>973</b>	<b>(7,971)</b>	<b>(84)</b>	<b>(618)</b>
<b>Property Education - General Capital Grant/Borrowing Requirement</b>	<b>48,597</b>	<b>49,348</b>	<b>35,436</b>	<b>(13,912)</b>	<b>44,741</b>	<b>(9,305)</b>	<b>(2,133)</b>
<b>Property - Other</b>							
Accelerating Growth	14,853	15,582	14,281	(1,301)	20,227	(5,946)	-
- Cockenzie	-	507	6,239	5,732	4,964	1,275	-
- Levelling Up Project Cockenzie	10,978	11,164	8,014	(3,150)	5,669	2,345	5,495
- Blindwells	-	35	21	(14)	194	(173)	-
- Innovation Hub	3,876	3,876	-	(3,876)	9,390	(9,390)	-
- A1/QMU Junction	-	-	6	6	10	(4)	-
Brunton Hall - Improved Community Access	-	-	-	-	-	-	-
Court Accommodation - incl. SPOC	820	952	898	(54)	874	25	-
Loch Centre Tranent - Major Refurbishment Works	721	721	27	(694)	55	(28)	-
New ways of working Programme	988	1,548	89	(1,459)	250	(161)	1,081
Prestongrange Museum	1,599	1,746	88	(1,658)	400	(312)	371
Property Renewals	2,000	2,000	1,888	(112)	2,000	(112)	-
Replacement Childrens House	867	867	-	(867)	-	-	867
Sports Centres	240	240	231	(9)	240	(9)	-
Whitecraig Community Centre	-	49	-	(49)	-	-	-
<b>Total Property - Other</b>	<b>22,088</b>	<b>23,704</b>	<b>17,502</b>	<b>(6,202)</b>	<b>24,046</b>	<b>(6,544)</b>	<b>7,813</b>
Developer Contribution	-	-	-	-	-	-	-
Developer Contribution (Post completion)	-	-	-	-	-	-	-
Capital receipts	(1,098)	(1,590)	(5,944)	(4,355)	(4,879)	(1,065)	-
TCR	(150)	(304)	(88)	216	(304)	216	-
Other Funding Sources	(10,228)	(10,613)	(8,340)	2,273	(5,948)	(2,392)	(4,705)
<b>Total Income: Property - Other</b>	<b>(11,476)</b>	<b>(12,507)</b>	<b>(14,372)</b>	<b>(1,865)</b>	<b>(11,131)</b>	<b>(3,241)</b>	<b>(4,705)</b>
<b>Property Other - General Capital Grant/Borrowing Requirement</b>	<b>10,612</b>	<b>11,197</b>	<b>3,130</b>	<b>(8,067)</b>	<b>12,915</b>	<b>(9,785)</b>	<b>3,108</b>
Total Property Spend - Education and Other	83,050	82,080	60,993	(21,087)	76,757	(15,765)	6,298
<b>Total Income: Property - Education and Other</b>	<b>(23,841)</b>	<b>(21,535)</b>	<b>(22,427)</b>	<b>(892)</b>	<b>(19,101)</b>	<b>(3,326)</b>	<b>(5,324)</b>
<b>Property-Education and Other - General Capital Grant/Borrowing Requirement</b>	<b>59,209</b>	<b>60,545</b>	<b>38,566</b>	<b>(21,979)</b>	<b>57,656</b>	<b>(19,090)</b>	<b>974</b>
Capital Plan Fees	2,524	2,524	2,293	(231)	2,617	(324)	-
PPP Projects	-	-	3,799	3,799	-	3,799	-
<b>Total Gross Expenditure</b>	<b>117,196</b>	<b>118,189</b>	<b>95,720</b>	<b>(22,469)</b>	<b>108,585</b>	<b>(12,866)</b>	<b>9,419</b>
Other Funding Sources	-	-	(534)	(534)	-	(534)	-
PPP Lease Liability Restatement	-	-	(3,265)	(3,265)	-	(3,265)	-
<b>Total Income:PPP Projects</b>	<b>-</b>	<b>-</b>	<b>(3,799)</b>	<b>(3,799)</b>	<b>-</b>	<b>(3,799)</b>	<b>-</b>

Appendix 5  
East Lothian Council  
General Services Capital Budget Monitoring Summary 2024/25  
Year-End

	Annual (In-Year)						
	Approved Budget 2024/25	Updated Budget 2024/25	Actual 2024/25	Updated Budget-Actual Variance 2024/25	Previously reported Outturn to Council	Actual to P9 Projection Variance	Reprofiled during budget process
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Expenditure							
Income							
Developer Contribution	(14,640)	(11,525)	(7,794)	3,731	(9,477)	1,683	(1,630)
Developer Contribution (Post completion)	(14)	(14)	-	14	-	-	-
1140 Grant Income	(167)	(144)	(1,642)	(1,497)	-	(1,642)	(17)
Town Centre Regeneration (PBIP) Grant	(650)	(1,124)	(595)	529	(774)	179	-
Capital receipts	(4,448)	(4,940)	(9,133)	(4,193)	(8,068)	(1,065)	-
Other Funding Sources	(21,240)	(21,970)	(20,949)	1,021	(16,978)	(3,970)	(5,183)
GCG REFCUS			-	-	-	-	-
Lease Liability	-	-	(3,265)	(3,265)	-	(3,265)	-
Scottish Government General Capital Grant	(24,877)	(24,877)	(16,343)	8,534	(26,486)	10,143	-
Total Income	(66,037)	(64,594)	(59,719)	4,875	(61,783)	2,064	(6,830)
Borrowing Requirement	51,158	53,594	36,001	(17,594)	46,802	(10,801)	2,589

Appendix 6  
East Lothian Council  
Budget Monitoring HRA 2024/25 - Year-End

	2024/25 Budget £'000	2024/25 Actual £'000	2024/25 Variance (Surplus) / Deficit £'000
Total Income	-40,854	-41,093	-239
Total Expenditure	38,150	39,094	944
(Surplus) / Deficit for Year	-2,704	-1,999	705

	2024/25 Budget £'000	2024/25 Actual £'000
<b>Management of Balances</b>		
Opening (Surplus) / Deficit	-1,535	-1,535
CFCR	2,200	1,517
(Surplus) / Deficit for Year	-2,704	-1,999
Closing (Surplus) / Deficit	-2,039	-2,017

## Appendix 7

### East Lothian Council

#### Budget Monitoring HRA Capital 2024/25 - Quarter 3

	2024/25 Budget	2024/25 Actual	2024/25 Variance (Surplus) / Deficit
	£'000	£'000	£'000
Modernisation	10,600	12,543	1,943
Energy Efficiency Fund	2,500	2,505	5
New Council Housing	16,732	15,182	-1,550
Fees	1,467	2,051	584
Mortgage to Rent	280	190	-90
<b>TOTAL</b>	<b>31,579</b>	<b>32,471</b>	<b>892</b>

Funded By:

	2024/25 Budget	2024/25 Actual	2024/25 Variance (Surplus) / Deficit
	£'000	£'000	£'000
Grants	-632	-3,677	-3,045
Grants MTR	-196	-123	73
CFCR	-2,200	-1,517	683
Borrowing	-28,551	-27,154	1,397
<b>TOTAL</b>	<b>-31,579</b>	<b>-32,471</b>	<b>-892</b>





**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Education and Children's Services

**SUBJECT:** Learning Estate Paused Capital Projects

---

3

## **1 PURPOSE**

- 1.1 To seek approval for an amendment to the 2025/26-2029/30 capital programme whereby projects previously paused are un-paused due to need.

## **2 RECOMMENDATIONS**

Council is recommended to:

- 2.1 Agree that provision will be made in the capital programme for the following projects, which will be fully funded by developers' contributions:
- Alterations and refurbishment to Elphinstone Primary School to provide additional teaching and toilet provision.
  - Additional toilet and catering provision as an initial phase at Knox Academy with planning being undertaken on phase 2 to deliver additional teaching space.
  - Alteration and refurbishment of Macmerry Primary School to provide additional teaching and toilet provision
  - Extension of Longniddry Primary School to provide additional teaching and early years provision.
  - Masterplan works to be undertaken relating to the planned extension of Windygoul Primary School.
  - Feasibility works to commence on the future requirements for alteration and expansion of Preston Lodge High School.
- 2.2 Agree that provision will be made in the capital programme for the following projects which will require an element of council borrowing:

- Planned extension of Letham Mains Primary School to deliver additional teaching, toilet and circulation space. This project will be funded by a combination of developer's contributions and Council borrowing of £1.912M.
  - Increasing the playing pitch capacity to meet the planning requirement for Pinkie St Peter's School.
- 2.3 Note that several Learning Estate projects are recommended to remain paused and subject to further review once updated roll projections are available at the end of 2025. These projects relate to: Wallyford Primary School, Rosehill High School, North Berwick High School, Prestonpans Tower Upper and Lower Campus.

### **3 BACKGROUND**

#### Capital Programme – Review of Paused Learning Estate Projects

- 3.1 The capital programme agreed by Council included several projects which have been paused, pending a review of requirements against the Council's statutory duties and key priorities. A review of all Learning Estate paused projects has now been undertaken which has considered projected capacity breaches as well as available developer contributions against the priority assessment tools from the Learning Estate Improvement Plan.
- 3.2 As a result of this review, it is recommended that several projects be reinstated on the capital programme and that a number are reviewed further at the end of 2025 once updated roll projections are available. A summary of the proposed expenditure relating to these projects is also included at Appendix 1.
- 3.3 It should be noted that further requirements may arise following updated roll projections and ongoing reviews of our Learning Estate, but consideration has been given to meet immediate priorities within existing contributions where possible and any further requirements will be included in future capital plan proposals.

#### Projects Recommended to be reinstated on the Capital Budget:

- 3.4 Elphinstone Primary School

As a result of a forecast breach in capacity, a need has been identified for capital investment in Elphinstone Primary School to provide alterations and refurbishment of the existing building to provide additional teaching and toilet provision. It is anticipated the cost of the proposed works will be met from developer contributions already held or due to be collected by the Council and consequently will not give rise to an increased borrowing requirement. We therefore recommend these works are reinstated in the

capital programme. This is phase 1 to deliver one additional classroom through incorporating the community centre into the school.

### 3.5 Letham Mains Primary School

As a result of a forecast breach in capacity, a need has been identified for capital investment in Letham Mains Primary School to extend the existing building to accommodate additional teaching and toilet provision. It is anticipated the cost of the proposed works will be met from a combination of developer contributions and a borrowing requirement of around £1.912M. We therefore recommend these works are reinstated in the capital programme.

The cost of this extension is expected to exceed the developer's contributions by around £1.912M for 3 classrooms including toilet and circulation space; this is in line with the figures reported in the previous capital plan. This extension was previously forecast as part of the planning of this development. However, the construction costs have increased considerably so can no longer be met within the existing contributions.

### 3.6 Knox Academy

As a result of a forecast breach in capacity, a need has been identified for capital investment in Knox Academy to alter and extend the existing building to accommodate additional teaching space, catering and toilet provision. It is anticipated the cost of the proposed works will be met from developer contributions already held by the Council and consequently will not give rise to an increased borrowing requirement. We therefore recommend these works are reinstated in the capital programme.

The exact scale and cost of these works are not finalised at this point but whilst the capacity breach isn't forecast until 2030 there are £452K of contributions that expire prior to 31/12/2027 and a further £2.17m that will expire if the Council does not have the project in the capital plan for spend between 2027 and 2030 to enable the continuing requirement to be invoked. Due to the complexity of the PPP contract and timescales for S75 contributions, works are required to progress imminently.

### 3.7 Macmerry Primary School

As a result of a forecast breach in capacity, a need has been identified for capital investment in Macmerry Primary School to provide alterations and refurbishment of the existing building to provide additional teaching and toilet provision. It is anticipated the cost of the proposed works will be met from developer contributions already held or due to be collected by the Council and consequently will not give rise to an increased borrowing requirement. We therefore recommend these works are reinstated in the capital programme.

### 3.8 Longniddry Primary School

As a result of a forecast breach in capacity, a need has been identified for capital investment in Longniddry Primary School to extend the existing

building to accommodate additional teaching and toilet provision. It is anticipated the cost of the proposed works will be met from developers' contributions already held or due to be collected by the Council. We therefore recommend these works are reinstated in the capital programme.

The immediate priority is a breach in early years provision in 2026 with the school roll due to breach in 2031. A review of requirements with early years is progressing to determine timing and development of the brief. This expansion can be carried out within the developers' contributions.

### 3.9 Windygoul Primary School

As a result of a forecast breach in capacity, a need has been identified for capital investment in Windygoul Primary School to extend the existing building to accommodate additional teaching space, changing facilities for the community spaces and toilet provision. It is anticipated the cost of the proposed works will be met from developers' contributions already held or due to be collected by the Council. We therefore recommend these works are reinstated in the capital programme to allow masterplan works to be undertaken in the first instance.

The breach in capacity is projected in 2031 but S75 contributions are linked into changing facilities for the community spaces which requires to progress sooner.

### 3.10 Preston Lodge High School

As a result of a forecast breach in capacity a need has been identified for capital investment in Preston Lodge High School to alter and extend the existing building to accommodate additional teaching space and toilet provision. It is anticipated the cost of the proposed works will be met from developers' contributions already held or due to be collected by the Council and consequently will not give rise to an increased borrowing requirement. We therefore recommend these works are reinstated in the capital programme to allow feasibility works only currently.

The breach in capacity is currently projected in 2034 but has been previously pushed back with house building on sites elongated in timescales and forecast pupil roll projections reducing. Therefore, we recommend planning works commence given the timescales involved in the PPP Contract to reconfigure school internally and potentially have a small extension to increase capacity.

### 3.11 Pinkie St Peters Primary School

As a result of a planning requirement, a need has been identified for capital investment in Pinkie St Peters Primary School to deliver an additional pitch. We therefore recommend these works are reinstated in the capital programme.

Whilst the works to expand the school are complete the remaining works will replace the pitch capacity lost under the expansion of the school to meet the planning requirement for the project. There are no developer

contributions remaining so this will result in a borrowing requirement for the Council.

Projects recommended remain paused on the Capital Budget pending a further review at the end of 2025.

#### 3.12 Wallyford Primary School

There is a capacity breach forecast for 2030. Options to increase capacity will need to be considered, taking into account the current roll and future projections. Review again once roll projections are updated at the end of 2025.

There are £8m secured developers' contributions for phase 2 mainly relating to Dolphingstone development; however, these may not cover the total cost of the extension due to significant construction cost increases.

#### 3.13 Rosehill High School

There is a capacity breach forecast for 2032. This should be reviewed once roll projections are updated at the end of 2025.

#### 3.14 North Berwick High School

There is no imminent breach forecast but there are contributions remaining. This should be reviewed once roll projections are updated at the end of 2025.

#### 3.15 Preston Tower Lower Campus

Upgrades are required to improve condition. This should be reviewed in a year.

#### 3.16 Prestonpans Upper Campus

Upgrades are required to improve condition. This should be reviewed in a year.

### **4 POLICY IMPLICATIONS**

- 4.1 The Council has a statutory responsibility to provide Education and associated infrastructure. The requirements recommended in most cases are proposed to meet an increase in capacity through use of developer contributions.

### **5 EQUALITIES IMPACT ASSESSMENT**

- 5.1 An Equality Impact Assessment has not been conducted prior to the drafting of this report.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial –the delivery of these projects will require the use of education S75 contributions received along with an element of capital borrowing. There are several projects which will be fully funded by developer contributions but the estimated timing of receipt of these means that the Council will initially need to partly fund via borrowing which will be offset completely in future years once all contributions are received. The projects would require to be reinstated in the Capital Plan.
- 6.2 Personnel – Considerations required on resourcing and contractor availability to deliver these projects along with other capital works.
- 6.3 Other – None

## **7 BACKGROUND PAPERS**

- 7.1 Appendix 1 – Summary of proposed expenditure relating to project recommended to be reinstated on the capital plan.

<b>AUTHOR'S NAME</b>	Claire Morris
<b>DESIGNATION</b>	Team Manager – School Estates' and PPP Project
<b>CONTACT INFO</b>	<a href="mailto:cmorris@eastlothian.gov.uk">cmorris@eastlothian.gov.uk</a>
<b>DATE</b>	09/06/25

	Proposed Capital Plan								
	Year 1	Year 2	Year 3	Year 4	Year 5	5 Year Total	External Funding	GCG funding Borrowing Requirement	Comment
Pause Project for review	2025-26	2026-27	2027-28	2028-29	2029-30				
Elphinstone Primary - extension	626	1,469				2,095	-2,095	-	Additional teaching and toilet provision to be developed within existing contributions
Knox Academy Extension	342	110	120	2,050		2,622	-2622	-	Stage 1 works for design and additional toilets and catering capacity only at this time. Breach in 2030 further expenditure required but within contributions
Letham Primary - Extension	55	318	3,336	963		4,672	-2760	1,912	Extension for additional teaching, GP and toilets
Longniddry Primary - extension	507	1500	1500	500		4,007	-4,007		Additional early years, teaching and toilet provision to be developed within existing contributions
Macmerry Primary - extension		521	502			1,023	-1,023		Additional teaching, toilet provision
North Berwick High School - Extension (phase 2)									Remain paused - review end of 2025
Pinkie St Peter's Primary - sports hall extension		484				484		484	Pitch to meet planning requirement
Preston Lodge High School - extension (phase 1)		1000				1,000	-1,000		Breach 2034 feasibility works only at this time
Prestonpans Primary - upgrades								-	Remain paused - review end of 2025
Wallyford Primary - New School - Phase 2								-	Remain paused - review end of 2025
Wallyford Learning Campus- Phase 2								-	Remain paused - review end of 2025
Windygoul Primary - extension		104	540			644	-644	-	Masterplan works and pavilion
<b>Total</b>	<b>1530</b>	<b>5,506</b>	<b>5,998</b>	<b>3513</b>	<b>54</b>	<b>16,547</b>	<b>-14,151</b>	<b>2396</b>	





**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Place

**SUBJECT:** Reduced Fees for Health-related Planning Applications

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**4**

## **1 PURPOSE**

- 1.1 To seek approval for reduced fees to be applied to certain applications within the Planning Service of East Lothian Council.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that Council approves the introduction from the 01 July 2025 of a 50% reduction of fees for planning applications, certificates of lawful use or development, certificates of proposed use or development, advertisement consents, and applications made under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) in the following circumstances:
- Where the application relates to development which, in the opinion of the planning authority, has the primary purpose of contributing to a not for profit enterprise or a social enterprise, and
  - Where the application relates to development which, in the opinion of the planning authority, is likely to contribute to improving the health of residents in the area to which the application relates.

## **3 BACKGROUND**

- 3.1 The Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022 (the Regulations) sets out the level of fees required as part of the submission of planning applications and other associated applications. It also introduced an ability for Planning Authorities to waive or reduce any planning fee for certain applications.
- 3.2 Regulation 5 of the Regulations provides that a planning authority may waive or reduce an application fee for certain types of development, including:

- Where the application relates to development which, in the opinion of the planning authority, has the primary purpose of contributing to a not for profit enterprise or a social enterprise; and
- Where the application relates to development which, in the opinion of the planning authority, is likely to contribute to improving the health of residents in the area to which the application relates.

3.3 The statutory definition of what constitutes a ‘not for profit’ or ‘social enterprise’ is set out within the Town and Country Planning (Scotland) Act 1997 (as amended) as follows:

- \* “not for profit enterprise” means an organisation which a person might reasonably consider to exist wholly or mainly to provide benefits for society;
- \* “social enterprise” means an organisation whose activities are wholly or mainly activities which a person might reasonably consider to be activities carried on for the benefit of society (“its social objects”), and which:
  - generates most of its income through business or trade;
  - reinvests most of its profits in its social objects;
  - is independent of any public authority; and
  - is owned, controlled and managed in a way that is consistent with its social objects.

3.4 A number of local authorities, including Edinburgh, Glasgow, and Perth & Kinross, already offer reduced planning fees for these types of applications.

3.5 Having considered the implications of reducing or waiving the fee on these types of applications, it is recommended that a 50% reduction of the fee would be appropriate. This would encourage health-related developments, which would improve the health of residents within the local area. However, there remains a significant amount of work involved in determining these applications and it is therefore still appropriate to take 50% of the fee for the service.

3.6 The Regulations state that the planning authority may only waive or reduce application fees following the publication of a charter on its website.

3.7 If approved, the Council website will be updated to include a charter information on the reduction of planning fees and updated customer guidance, as set out in Appendix 1.

## **4 POLICY IMPLICATIONS**

4.1 None.

## 5 INTEGRATED IMPACT ASSESSMENT

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

## 6 RESOURCE IMPLICATIONS

- 6.1 Financial – The proposed fee reductions would lead to a small reduction in planning fee income. If the 50% reduction had been applied for the last three years, then planning fee income would have reduced by £4,800 in 2023, and by £4,250 in 2024.
- 6.2 Personnel – It is considered that at present there is sufficient capacity within the Planning Service to continue to deal with the workload generated by these types of applications.
- 6.3 Other – The Planning Service will keep full records of these types of applications processed and the impact of the reduction of income generated. This fee change will be kept under yearly review as part of the annual budget setting process.

## 7 BACKGROUND PAPERS

- 7.1 Planning Circular 2/2022 The Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022: [Planning Circular 2/2022 The Town and Country Planning \(Fees for Applications\) \(Scotland\) Regulations 2022 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/planning-circular-2-2022-the-town-and-country-planning-fees-for-applications-scotland-regulations-2022/pages/1-1-introduction.aspx)

<b>AUTHOR'S NAME</b>	Daryth Irving Keith Dingwall
<b>DESIGNATION</b>	Senior Planner Head of Development (Chief Planning Officer)
<b>CONTACT INFO</b>	<a href="mailto:dirving1@eastlothian.gov.uk">dirving1@eastlothian.gov.uk</a> ; <a href="mailto:kdingwall@eastlothian.gov.uk">kdingwall@eastlothian.gov.uk</a>
<b>DATE</b>	09/06/2025

## **APPENDIX 1**

### **Discretionary Charging Charter– Waived or Reduced Fees**

Regulation 5 of the Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022 provides local authorities with the discretionary power to waive or reduce fees in the following circumstances:

- Where the application relates to development which, in the opinion of the planning authority, has the primary purpose of contributing to a not for profit enterprise or a social enterprise, AND
- Where the application relates to development which, in the opinion of the planning authority, is likely to contribute to improving the health of residents in the area to which the application relates.

Applications must meet both the above criteria to be considered for an exemption.

East Lothian Council will reduce the required fee by 50% for planning applications, certificates of lawful use or development, certificates of proposed use or development, advertisement consents, applications made under Section 42 of The Town and Country Planning (Scotland) Act 1997 (as amended) and determinations as to whether the planning authority's prior approval is required. The amount levied will depend on the type of application. For example, a £200 fee would be reduced to £100. The full statutory fee should be paid when the application is submitted. The Council will make a decision on receipt of an application as to whether a 50% reduction is applicable and will refund the applicant accordingly.

Prospective applicants should make clear in their supporting information if they are seeking a reduction in the application fee. Clear justification should be given for why the applicant believes that a reduction in the fee is applicable.

The statutory definition of what constitutes a 'not for profit' or 'social' enterprise is set out within the Town and Country Planning (Scotland) Act 1997 (as amended) as follows:

- "not for profit enterprise" means an organisation which a person might reasonably consider to exist wholly or mainly to provide benefits for society,
- "social enterprise" means an organisation whose activities are wholly or mainly activities which a person might reasonably consider to be activities carried on for the benefit of society ("its social objects"), and which— generates most of its income through business or trade -- reinvests most of its profits in its social objects, is independent of any public authority, and is owned, controlled and managed in a way that is consistent with its social objects

If prospective applicants are of the opinion that their organisation meets the above criteria to be considered a not for profit or social enterprise, they should provide a supporting statement outlining why. Any statement should clearly cover the criteria described above. Supporting evidence should also be supplied.

There is no statutory definition of a proposal which is 'improving the health of residents'. Prospective applicants should provide supporting information with any application detailing why they are of the opinion that their proposal will improve the health of residents in the local area.

If a required fee is not paid, the application will not be progressed to determination

Category	Charge
<p>Where an application relates to development which, in the opinion of the planning authority, has the primary purpose of contributing to a not-for-profit enterprise or a social enterprise, and where the application relates to development which, in the opinion of the planning authority, is likely to contribute to improving the health of residents of the area to which the application relates.</p> <p>Note: "not for profit enterprise" and "social enterprise" have the meanings in section 252(1F) of the Town and Country Planning (Scotland) Act 1997 (as amended).</p>	<p>Fee reduced by 50% for planning applications, certificates of lawful use or development, certificates of proposed use or development, advertisement consents, and applications made under Section 42 of The Town and Country Planning (Scotland) Act 1997 (as amended).</p> <p>Reduced fees subject to agreement by the Planning Authority</p>



**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

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**5**

## **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

<b>AUTHOR'S NAME</b>	Carlo Grilli
<b>DESIGNATION</b>	Service Manager – Governance
<b>CONTACT INFO</b>	cgrilli@eastlothian.gov.uk
<b>DATE</b>	4 June 2026

## 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).

**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Place

**SUBJECT:** Short-life Cross-party Group for Housing

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**6**

## **1 PURPOSE**

- 1.1 To note the role and remit of the Short-life Cross-party Group for Housing.

## **2 RECOMMENDATIONS**

- 2.1 To establish a Short-life Cross-party Group for Housing to monitor, review and have oversight of the affordable housing emergency over the next eighteen months.
- 2.2 To approve the Terms of Reference attached at Appendix A.

## **3 BACKGROUND**

- 3.1 In February 2025, Council agreed to a review of the governance and scrutiny of housing with an ask to consider the establishment of a Housing Committee. A thorough analysis was undertaken, and Council were assured that good governance and scrutiny was in place. However, it was noted that the current housing emergency would merit the creation of a short-life cross-party group to maintain oversight.
- 3.2 The short-life working group will have no specific decision-making powers and is not part of the Council's formal Scheme of Administration; however, this group will help to support political oversight on the delivery of the Housing Emergency Action Plan.
- 3.3 The proposed membership of the group is detailed below and will be supported by members of the Council Management Team and the Housing Services Management Team:
- Cabinet Spokesperson for Housing & Property Maintenance (Chair)
  - Council Leader

- Depute Leader
- Leader of the Opposition
- Leader of the Conservative Group
- Green Party Member
- Independent Member

3.4 The remit of the group is set out below:

It is intended that the role and objectives of the group will be:

- Supporting the development and implementation of a Housing Emergency Action Plan which also align to the Council's budget.
- Providing political oversight and monitor progress against the delivery of the Housing Emergency Action Plan
- Providing political oversight of the delivery of the Homelessness Action plan with consideration to the overall impact on budgets
- Promoting greater awareness and understanding of key stakeholder engagement.
- Communicating delivery challenges and opportunities to respective political groups and acting as a conduit to represent the priorities of wider political groups in relation to the Housing Emergency.

3.5 The suggested agenda items for the meetings are set out below:

- Oversight of the Housing Emergency Action Plan
- Progress against the delivery of the Housing Emergency Action Plan
- Progress against the delivery of the Homelessness Action Plan

3.6 Council is recommended to approve the Terms of Reference attached at appendix A.

## 4 **POLICY IMPLICATIONS**

4.1 None

## **5 INTEGRATED IMPACT ASSESSMENT**

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

## **6 RESOURCE IMPLICATIONS**

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

## **7 BACKGROUND PAPERS**

- 7.1 Appendix A – Short-life Cross-party Group for Housing Draft Terms of Reference
- 7.2 Strategic Housing Investment Plan 2025
- 7.3 Local Housing Strategy
- 7.4 Homelessness Action Plan
- 7.5 Housing Emergency Action Plan

<b>AUTHOR'S NAME</b>	Wendy McGuire
<b>DESIGNATION</b>	Head of Housing
<b>CONTACT INFO</b>	<a href="mailto:wmcguire@eastlothian.gov.uk">wmcguire@eastlothian.gov.uk</a>
<b>DATE</b>	June 2025

## **APPENDIX A**

### **Terms of Reference – Short-life Cross-party Housing Group**

#### **Purpose & Overview**

The purpose of the group will be to oversee the development, implementation and monitoring of the Housing Emergency Action Plan. The creation of the group should help support political oversight of the delivery on the actions identified to mitigate the housing emergency by facilitating opportunities for cross-party working and ensuring that the inputs which contribute throughout this process are politically balanced and represent the wider priorities of East Lothian Council.

This group will be a short-life informal working group and meetings will not be held in public or formally minuted. The group will act as a sounding board and will not hold any decision-making powers; however, the content of discussions may be used to steer and inform the recommendations which are put forward through formal governance arrangements.

#### **Remit**

The role and objectives of the group will be:

- ▶ Supporting the development and implementation of a Housing Emergency Action Plan which also align to the Council's budget
- ▶ Providing political oversight and monitor progress against the delivery of the Housing Emergency Action Plan
- ▶ Providing political oversight of the delivery of the Homelessness Action Plan with consideration to the overall impact on budgets
- ▶ Promoting greater awareness and understanding of key stakeholder engagement
- ▶ Communicating delivery challenges and opportunities to respective political groups and acting as a conduit to represent the priorities of wider political groups in relation to the Housing Emergency.

This will be kept under regular review and modified as appropriate.

The working group will not:

- ▶ Replace formal governance arrangements for setting housing policy
- ▶ Act as a barrier to transparency in the delivery of the Housing Emergency Action Plan.



- ▶ Supersede arrangements for delegated officer decision making on operational matters.
- ▶ Replace current arrangements through which officers work to support political groups on an individual basis.

## **Membership**

Political representation: All political group leaders and Cabinet Spokesperson for Housing and Property Maintenance. Members are asked to send a substitute representative where they are unable to attend.

Chair / Vice Chair: Housing Spokesperson / Council Leader

- Leader of the Opposition
- Leader of the Conservative Group
- Green Party Member
- Independent Member

The Group will be supported by members of the Council Management Team and the Housing Services Management Team.

## **Transparency and Accountability**

To aid transparency, relevant updates on the work of the group will be reported to Cabinet or Council through regular financial update reports.

## **Quorum**

4-member representation.

## **Frequency of Meetings**

The group will meet quarterly over the course of the next 18 months.

At certain times of the year it may be necessary to arrange additional meetings for specific areas of focus relating to the budget.



**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Council Resources

**SUBJECT:** Summer Recess Arrangements 2025

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7

## **1 PURPOSE**

- 1.1 To advise Members of the arrangements for dealing with urgent Council business during the summer recess 2025, and to seek approval of the addition of a Recess Committee to the Scheme of Administration.

## **2 RECOMMENDATIONS**

Council is requested to:

- 2.1 Note the application of the recess business arrangements, in accordance with Standing Order 15.6, outlined at Section 3.1;
- 2.2 Approve the addition of a Recess Committee to the Scheme of Administration, and the terms of reference for that committee (set out in Appendix 1); and
- 2.2 Note that a summary of business carried out during the recess period, including the minutes of Recess Committee meetings, will be brought to the Council meeting of 26 August 2025, and that copies of all reports approved during the recess period will be lodged in the Members' Library.

## **3 BACKGROUND**

- 3.1 Rule 15.6 of the Council's Standing Orders states that:

Between the last scheduled Council meeting prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader (if appointed), together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council

presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

For the avoidance of doubt, matters that require approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

- 3.2 Section 56 of the Local Government (Scotland) Act 1973 states that a local authority may discharge its functions by committee of the authority, sub-committee, officer or another authority. To ensure the Council is adhering to these requirements during recess periods, it is proposed that the council formalises the arrangements set out in Standing Order 15.6 detailed above by formally establishing a Recess Committee within the Scheme of Administration. The draft terms of reference of the Committee are attached at Appendix 1.
- 3.3 The deadline for business being submitted under the above arrangements is noon on 11 August 2025. This will allow time for the Recess Committee to be convened and for the Council report to be prepared in accordance with the deadlines for the Council meeting of 26 August.
- 3.4 Business dealt with under delegated powers and submitted to the Members' Library will continue to be processed using the normal procedures.

## **4 POLICY IMPLICATIONS**

- 4.1 None

## **5 INTEGRATED IMPACT ASSESSMENT**

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

## **6 RESOURCE IMPLICATIONS**

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

## **7 BACKGROUND PAPERS**

- 7.1 East Lothian Council's Standing Orders

<b>AUTHOR'S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager – Democratic and Licensing
<b>CONTACT INFO</b>	<u><a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a></u>
<b>DATE</b>	28 May 2025

**Standing Orders – Scheme of Administration  
Recess Committee**

**A Remit and Powers**

The following business and functions are delegated by the Council to the Recess Committee:

1. To decide any matter of urgency arising during any recess period and to exercise all functions of the Council or Committee, which would otherwise have dealt with the matter that:
  - (a) cannot await the resumption of the normal meetings timetable; and
  - (b) cannot appropriately be decided by the Chief Executive or Executive Director in accordance with urgency provisions within the Standing Orders.

**B Membership and Attendance**

1. The membership of the Recess Committee shall consist of:

Leader of the Council (Convener)  
Provost (Depute Convener)  
Depute Leader of the Council (if appointed)  
Depute Provost (if appointed)  
Convener/Depute Convener of the appropriate committee

**C Quorum**

1. 2 Council Members

**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. The Clerk shall be responsible for taking minutes of the meetings of the Recess Committee.
2. All matters dealt with by this committee will be reported by way of a summary report to the first Council meeting of following the recess, detailing the nature of the business and which Members were involved in taking the decisions. A minute of the committee meeting(s) will also be presented to Council for approval.

3. All reports submitted in accordance with SO15.6 will be published in the Members' Library.

**G Miscellaneous**

1. The Committee arrangements are set out in Standing Order 15.6, which states:

Between the last scheduled meeting of the Council prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader (if appointed), together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

Matters that require approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

2. Non-elected representatives appointed to the Education and Children's Services Committee will be consulted on education-related matters coming forward to the Recess Committee, in accordance with the Local Government (Scotland) Act 1973.





**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Council Resources

**SUBJECT:** Appointments to Committees and Partnerships

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**8**

## **1 PURPOSE**

- 1.1 To advise Council of proposed changes to the SNP Group's membership of Committees and Partnerships.

## **2 RECOMMENDATIONS**

- 2.1 Council is asked to approve the proposed changes to the SNP Group's membership of Committees and the East Lothian Integration Joint Board, as set out below:
- Education and Children's Services Committee – Councillor Cassini to replace Councillor Trotter
  - Joint Consultative Committee – Councillor Jardine to replace Councillor Cassini
  - East Lothian Integration Joint Board – Councillor Allan to replace Councillor Jardine

## **3 BACKGROUND**

- 3.1 The SNP Group is proposing a number of changes to its membership of Committees and the East Lothian Integration Board, as set out below:
- Education and Children's Services Committee – Councillor Cassini to replace Councillor Trotter
  - Joint Consultative Committee – Councillor Jardine to replace Councillor Cassini

- East Lothian Integration Joint Board – Councillor Allan to replace Councillor Jardine
- 3.2 With Councillor Jardine relinquishing her position on the Integration Joint Board, her position on the IJB’s Audit & Risk Committee will also need to be filled. It is for the IJB to determine who should be appointed to the Audit & Risk Committee.
- 3.3 If approved, these changes will be implemented with effect from the beginning of the 2025/26 committee session.

## **4 POLICY IMPLICATIONS**

- 4.1 None

## **5 INTEGRATED IMPACT ASSESSMENT**

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

## **6 RESOURCE IMPLICATIONS**

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

## **7 BACKGROUND PAPERS**

- 7.1 East Lothian Council’s Standing Orders

<b>AUTHOR’S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager – Democratic and Licensing
<b>CONTACT INFO</b>	<a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a>
<b>DATE</b>	9 June 2025

**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Council Resources

**SUBJECT:** Appointment to the Posts of Head of Development and  
Head of Communities & Partnerships

9

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## **1 PURPOSE**

- 1.1 To advise Council of the decision of the Chief Officer and Head Teacher Appointments Sub-Committee to appoint Keith Dingwall to the post of Head of Development, and to appoint Eamon John to the post of Head of Communities & Partnerships.

## **2 RECOMMENDATIONS**

- 2.1 To note the decision of the Chief Officer and Head Teacher Appointments Sub-Committee to appoint Keith Dingwall to the post of Head of Development and Eamon John to the post of Head of Communities & Partnerships.
- 2.2 To advise Council that following receipt of satisfactory pre-employment checks Keith Dingwall was offered the post of Head of Development and commenced employment in the post on 2 June 2025.
- 2.3 To advise Council that following receipt of satisfactory pre-employment checks Eamon John was offered the post of Head of Communities & Partnerships and will commence employment in the post on 30 June 2025.
- 2.4 To note the minute of the Chief Officer and Head Teacher Appointments Sub-Committee held on 30 April 2025 for the appointment of the Head of Development (Appendix 1).
- 2.5 To note the minute of the Chief Officer and Head Teacher Appointments Sub-Committee held on 16 May 2025 for the appointment of the Head of Development (Appendix 2).

### **3 BACKGROUND**

3.1 An external recruitment campaign to recruit to the vacant posts of Head of Development and Head of Communities & Partnerships ran from Friday 21 March 2025 until Monday 14 April 2025.

3.2 The cross-party Chief Officer and Head Teacher Appointments Sub-Committee was established in accordance with Council's Standing Orders and charged with making an appointment to the permanent posts of Head of Development and Head of Communities & Partnerships. The Sub-Committee comprised:

#### **Head of Development**

Cllr Norman Hampshire (Convenor)  
Cllr John McMillan  
Cllr Lyn Jardine

#### **Head of Communities & Partnerships**

Cllr Norman Hampshire (Convenor)  
Cllr Shamin Akhtar  
Cllr Lyn Jardine

3.3 The Sub-Committees received professional officer advice throughout by Council officials: Laurence Rockey, Chief Executive; Sarah Fortune, Executive Director for Council Resources; Lesley Brown Executive Director for Educations & Children's Services; Paul Ritchie, Service Manager – People and Council Support and Zoe McFadzean, Team Manager – HR Operations. Solace in Business provided additional independent advice throughout the recruitment campaigns, candidate selection and the candidate interview process.

3.4 The Sub-Committee met on 16 April 2025 in relation to the Head of Development post and on 24 April 2025 in respect of the Head of Communities & Partnerships, to consider applications received and the shortlisting recommendations that had been provided by Solace in Business. The shortlisted candidates were taken forward to an assessment centre day on 28 April 2025 and 7 May 2025, respectively.

3.5 The candidates completed a series of online psychometric tests and during the assessment day they undertook a technical interview with the Chief Executive, Executive Director, HR Adviser and Solace in Business representative. An outcome-based report on the candidates' overall performance was prepared by Solace in Business. The report was shared with and discussed by the Sub-Committee prior to the formal interviews to help inform its decision making.

3.6 The final competency-based interviews conducted by the Sub-Committee took place on 30 April 2025 for Head of Development and 16 May 2025 for Head of Communities & Partnerships. The candidates were required to present a pre-prepared presentation and were asked pre-set competency-based interview questions.

3.7 Following the interviews, taking full account of the candidates' individual performances in relation to the competency-based interview and presentation along with the feedback from the assessment day, the Sub-Committee determined that Keith Dingwall was the preferred candidate for the post of Head of Development and Eamon John for the post of Head of Communities & Partnerships.

- 3.8 The relevant pre-employment checks were carried out and found to be satisfactory, following which a formal offer was made to the successful candidates.

#### **4 POLICY IMPLICATIONS**

- 4.1 None

#### **5 INTEGRATED IMPACT ASSESSMENT**

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

#### **6 RESOURCE IMPLICATIONS**

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

#### **7 BACKGROUND PAPERS**

- 7.1 None

<b>AUTHOR'S NAME</b>	Paul Ritchie
<b>DESIGNATION</b>	Service Manager – People and Council Support
<b>CONTACT INFO</b>	prtichie@eastlothian.gov.uk
<b>DATE</b>	21 May 2025

**MINUTES OF THE MEETING OF THE  
CHIEF OFFICER AND HEAD TEACHER APPOINTMENTS SUB-COMMITTEE  
For the Post of HEAD OF DEVELOPMENT**

**Held on 30 April 2025 in John Muir House, Haddington**

**Chief Officer and Head Teacher Appointments Sub-Committee:**

Councillor Norman Hampshire (Convenor)  
Councillor John McMillan  
Councillor Lyn Jardine

**In Attendance:**

Amy Billington, Solace in Business, External Independent HR Adviser

**Council Officials in Attendance:**

Laurence Rockey, Chief Executive  
Sarah Fortune, Executive Director for Council Resources  
Paul Ritchie, Service Manager – People and Council Support (HR Adviser)

Each candidate was seen in turn.

Candidates began their interview by giving a presentation on the same pre-set subject to the Sub-Committee. This was followed by a series of set competency-based questions from the Sub-Committee members supplemented by additional questions where required.

Following the conclusion of formal interviews, the Sub-Committee discussed the relative merits of each candidate and considered advice from those in attendance. The Sub-Committee scored the candidates. The Sub-Committee accordingly declared Keith Dingwall to be the preferred candidate and agreed to appoint him, subject to satisfactory pre-employment checks.

The Service Manager – People and Council Support explained that the usual pre-employment checks on the preferred candidate would be carried out prior to formal offer being made.

**MINUTES OF THE MEETING OF THE  
CHIEF OFFICER AND HEAD TEACHER APPOINTMENTS SUB-COMMITTEE  
For the Post of HEAD OF COMMUNITIES AND PARTNERSHIPS**

**Held on 16 May 2025 in John Muir House, Haddington**

**Chief Officer and Head Teacher Appointments Sub-Committee:**

Councillor Norman Hampshire (Convenor)  
Councillor Shamin Akhtar  
Councillor Lyn Jardine

**In Attendance:**

Amy Billington, Solace in Business, External Independent HR Adviser

**Council Officials in Attendance:**

Laurence Rockey, Chief Executive  
Lesley Brown, Executive Director  
Zoe McFadzean, Team Manager – HR Operations (HR Adviser)

Each candidate was seen in turn.

Candidates began their interview by giving a presentation on the same pre-set subject to the Sub-Committee. This was followed by a series of set competency-based questions from the Sub-Committee members supplemented by additional questions where required.

Following the conclusion of formal interviews, the Sub-Committee discussed the relative merits of each candidate and considered advice from those in attendance. The Sub-Committee scored the candidates. The Sub-Committee accordingly declared Eamon John to be the preferred candidate and agreed to appoint him, subject to satisfactory pre-employment checks.

The Team Manager – HR Operations explained that the usual pre-employment checks on the preferred candidate would be carried out prior to formal offer being made.





**REPORT TO:** East Lothian Council

**MEETING DATE:** 24 June 2025

**BY:** Executive Director for Council Resources

**SUBJECT:** Submissions to the Members' Library Service,  
14 April – 8 June 2025

---

**1 PURPOSE**

- 1.1 To note the reports submitted to the Members' Library Service since the last meeting of Council, as listed in Appendix 1.

**2 RECOMMENDATIONS**

- 2.1 Council is requested to note the reports submitted to the Members' Library Service between 14 April and 8 June 2025, as listed in Appendix 1.

**3 BACKGROUND**

- 3.1 In accordance with Standing Order 3.4, the Chief Executive will maintain a Members' Library Service that will contain:
- (a) reports advising of significant items of business which have been delegated to Councillors/officers in accordance with the Scheme of Delegation or officers in conjunction with Councillors, or
  - (b) background papers linked to specific committee reports.
- 3.2 All public reports submitted to the Members' Library are available on the Council website.

**4 POLICY IMPLICATIONS**

- 4.1 None

## **5 INTEGRATED IMPACT ASSESSMENT**

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

## **6 RESOURCE IMPLICATIONS**

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

## **7 BACKGROUND PAPERS**

- 7.1 East Lothian Council's Standing Orders – 3.4

<b>AUTHOR'S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager – Democratic Services & Licensing
<b>CONTACT INFO</b>	<a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a> x7292
<b>DATE</b>	9 June 2025

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD  
14 APRIL – 8 JUNE 2025**

<b>Reference</b>	<b>Originator</b>	<b>Document Title</b>	<b>Access</b>
33/25	Head of Infrastructure	Sale of Land at Galt Avenue, Musselburgh	Private
34/25	Exec Director of Education & Children's Services	Review of Principal Teacher Resources in Primary Settings	Private
35/25	Exec Director for Council Resources	Creation of Team Manager – Operations within Property Maintenance	Private
36/25	Head of Corporate Support	Establishment Changes April 2025	Private
37/25	Head of Development	Development Plan Scheme 15	Public
38/25	Exec Director for Council Resources	Service Review Report - Assistant Area Officer	Public
39/25	Head of Infrastructure	Guidance for Development in Churchyards Owned by ELC	Private
40/25	Head of Finance	Bad Debt and Credit Balance Write Offs Q3 & Q4 2024-2025	Public
41/25	Exec Director for Council Resources	Confirmation of Tree Preservation Order at Whittingehame House [T.P.O. no. 146 (2025)]	Public
42/25	Head of Development	Response to Scottish Government Consultation on Community Benefits from Net Zero Energy Developments	Public
43/25	Head of Corporate Support	Quarterly Customer Feedback Reporting	Public
44/25	Exec Director for Council Resources	Service Review Report – East Lothian Works	Private
45/25	Head of Infrastructure	Proposed Sale of Land – Dunbar	Private
46/25	Head of Infrastructure	Grant of Servitude Rights to provide footpath to Longniddry Station	Private
47/25	Head of Infrastructure	Grant of Servitude Rights at Spott Road Industrial Estate	Private
48/25	Head of Education	ELC Guidelines for Mothballing of Schools	Public
49/25	Head of Education	ELC Guidelines for School Closure Statutory Consultation	Public
50/25	Head of Infrastructure	Response to Consultation on the Natural Environment (Scotland) Bill	Public
51/25	Exec Director for Council Resources	Supplementary Payment for Practice Educators	Private

9 June 2025

