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**MINUTES OF THE MEETING OF THE  
PETITIONS AND COMMUNITY EMPOWERMENT REVIEW COMMITTEE**

**WEDNESDAY 18 SEPTEMBER 2024  
COUNCIL HYBRID SYSTEM**

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**Committee Members Present:**

Councillor J Findlay  
Councillor N Hampshire  
Councillor J McMillan (Provost/Convener)  
Councillor L Menzies

**Council Officials Present:**

Mr C Grilli, Service Manager – Governance  
Mr T Reid, Head of Infrastructure  
Ms N McDowell, Head of Education

**Others Present**

Ms C King (Item 1)  
Mr C Hoy (Item 2)  
Ms D Brash (Item 3)

**Clerk:**

Ms M Scott, Committees Officer

**Apologies:**

Councillor G McGuire (sub. Councillor J Findlay)  
Councillor L Jardine (sub. Councillor L Menzies)

**Declarations of Interest:**

None

**1. PETITION PET0224 – CALLING ON EAST LOTHIAN COUNCIL TO REAIN  
FORTNIGHTLY BIN COLLECTIONS**

A report had been submitted by the Executive Director for Council Resources to advise of a petition submitted by Catherine King, principal petitioner, calling on East Lothian Council to retain fortnightly bin collections.

The Provost explained the procedure for the meeting and invited Catherine King to speak to the petition.

Ms King explained that many people in the community felt the Council were not listening and provided personal statements from individuals who had signed the petition, all of which were in relation to the yellow bag scheme and taking away their

right to privacy. Ms King added that when people had made a request for a larger bin to accommodate for the items going into yellow bags, they had a member of staff from the Council look through their landfill and recycling. She understood that East Lothian Council faced financial struggles, but highlighted that: Edinburgh and Midlothian were in the same situation and still offered fortnightly bin collections; that there had been no consultation with the public on the decision to change to three-weekly collections; and that there are now arguments between neighbours due to people putting waste into others' bins. Ms King said that people did not want to be identified by a yellow bag and would like fortnightly bin collections to be reinstated.

Councillor McMillan assured Ms King that Members would listen and thanked her for acknowledging that officers did contact her in relation to her petition. He pointed out that the petition asked for fortnightly bin collections to be reintroduced, but the emphasis in her speech had been around the discretion and confidentiality around the yellow bags.

Councillor McMillan asked if within the time the three weekly collections had been introduced, whether Ms King felt things had settled down and were now less of a problem than they had been at the start of her petition; he wanted to separate out the issues of the yellow bags and the three-weekly bin collections, or to ascertain whether she felt they were a linked problem. Ms King said she felt these were linked and at the time her petition had to be submitted, there had been no knowledge of the yellow bag scheme, so she had been unable to highlight this in her petition. She highlighted that people within East Lothian were now having to put locks on their bins and said that the absence of private waste disposal had a detrimental effect on mental health. Ms King stated the problems remained the same as they had been when the three-weekly collections were introduced in April.

Councillor Menzies asked if Ms King had information on where all the people who signed the petition lived, to check if they lived within East Lothian. Ms King reported that when anyone signed the petition, they had to provide their postcode, and all this information had been provided to the Council on submission of the petition. Carlo Grilli, Service Manager – Governance, confirmed that a petition's competence required the petitioner to provide signatories' addresses; it would be possible to analyse the addresses and report back to the Committee members.

Councillor Hampshire asked Ms King if she knew what happened to the waste material within the green bins. Ms King guessed this was incinerated, which he confirmed was correct and damaging to the environment. He asked if Ms King felt it was a good idea for the Council to try to reduce the amount of waste within green bins. Ms King explained she had looked at the recycling statistics, and East Lothian was in the top four; she could not see how soiled nappies or incontinence pads could be recycled. She described herself as a green activist, but did not feel leaving soiled nappies and pads at the roadside was acceptable. Councillor Hampshire pointed out that more recycling would lead to more free space in green bins for waste and noted that recycling collections were weekly. He added that more people were engaging with recycling, which had many benefits, including the reduction of half a million pounds within the Council budget.

Councillor Findlay was shocked to hear that green bins were being inspected. Ms King confirmed this had happened to anyone who had requested a larger green bin, so they did not have to put incontinence pads at the side of the road, as it identified someone in the household had a medical condition. She added that she had been sent photographs of stickers placed on green bins to say they would continue to be

monitored, which was against human rights and privacy laws. Councillor McMillan stated that as this had been raised, it would be looked into.

Tom Reid, Head of Infrastructure, explained the reasons three-weekly bin collections were introduced, including the Climate Change Policy, it's fit within the National and Local Waste Strategy Policies; like all other local authorities, East Lothian Council were signatories to the Scottish Waste Charter, which had an expectation of families being limited to 80 litres of waste per week to encourage recycling. Mr Reid stated the specific model was chosen for East Lothian due to its weekly recycling collections; so if people recycled as much as possible, the demand on the 80 litres was minimal. He added that education on collections was provided through the calendars, information packs, the Council website, and through schools.

Mr Reid made it clear the service provided for HP absorbent hygiene products was not a statutory requirement, but we did identify there was a margin within society that needed extra support; other authorities had introduced of a yellow bag. Mr Reid understood Ms King's point around the identification from the bag, but the reason this was chosen was to prevent black bags piling up and also fly tipping. He also highlighted the difficulty of controlling behaviours, explaining if a black sack was provided as opposed to a yellow one, others would abuse this and leave out additional waste to be collected. Mr Reid stated the Recycling Advisor roles, who complete inspections, are not about the HP products, but they would speak with people who were struggling with this; primarily their role was to ensure people were recycling. Mr Reid confirmed that 759 homes currently used the HP waste products bags out of 54,000. He explained it was not advertised, as the team felt it would be at risk of abuse. He added that anyone having problems managing waste could contact Waste Services, where information could be provided, or a visit could be arranged to tailor the requirements of the household.

Mr Reid reported since changing to three-weekly collections, there had been a dramatic reduction in fuel usage. Recycling weights had increased and over the first few months, and the team tracked 455 tonnes less of material going to disposal. He informed Members that fly tipping had stabilised at the start, however, had shown a slight increase when three-weekly collections came. This would be reported to the Policy and Performance Review Committee. He made clear that there was no excuse for fly tipping with the facilities and services available in East Lothian.

He explained the Council set a budget target of reducing disposal costs by £500,000 which equates to 3600 tonnes of material being sent for recycling rather than incineration; and this had to be met to balance the Council budget. Mr Reid detailed the preferred solutions for waste; prevention, reuse, recycle, recovery, then disposal. Mr Reid stated the Scottish Government had set a target of 70% for household waste, and before the three-weekly collections came in, East Lothian was at 53%; he expected to see an increase after the first years' reporting. He added that an incineration tax was a risk, and would result in an uplift on the charge, which was currently £120-£150/tonne. Mr Reid reported the cost to return to fortnightly collections would include costs of a new calendar, additional vehicle and crews, and a direct operations cost of around £400,000, the loss of the £500,000, as well damage to environmental targets.

Mr Reid explained HP had been brought in to support people. He was happy to consider Ms King's points, but noted difficulties in how the Council could provide a solution that is affordable and prevent people from joining a service they were not entitled to. He also explained transition was always a difficult period but highlighted that there had now been a dramatic reduction in waste; although there were hot spots

at specific blocks of flats and families still requiring intervention; things had mostly settled down. Mr Reid noted that out of 759 households signed up to the HP service, there had only been two complaints to Waste Services about the colour of the bags.

Councillor McMillan stated he had received more than two positive comments in regard to the HP service, especially around the speed of introduction. He asked if it would be possible to look at ways to collect waste from these households that did not infringe on confidentiality in the future. Mr Reid confirmed there would be potential solutions, but they would come at a dramatic cost as the yellow bag scheme made collections easy; changing to an additional bin system would slow down on collection speed and also the capital cost of bins was high. He added that Recycling Advisors could assist people to see if they were missing items that could be recycled to free up space within their green bin for their waste materials. Mr Reid explained that a new vehicle and crew would also be required if moving to an additional bin collection.

Responding to another question from Councillor McMillan, Mr Reid confirmed the majority of fly tipping was not household domestic waste, but commercial waste from rogue traders. He added that issues with queues at recycling centres were related to illegal traders in vans; thus, a van booking system had now been introduced to better manage this. Mr Reid added that there had been some success in enforcement.

Councillor Hampshire asked if it was recorded where if there were households with a bin so full the lid did not close, and whether assistance could be provided. Mr Reid confirmed crews would report where any bin lids were up, or side waste was produced. Recycling Advisors could engage on a family-by-family basis to offer education and support.

Responding to questions from Councillor Findlay, Mr Reid explained that the team would have to engage wardens to find out who did not qualify for additional waste collection to take action, so this would not be a route the Council would consider. He also confirmed Recycling Advisors engaged when someone asked for a larger bin to ensure they received the correct service and support.

Ms King asked if Mr Reid had thought about consulting with the East Lothian Care Team, as they would have been able to identify people who would be in need of the HP service. Mr Reid confirmed a One Council approach was taken, so all services knew the direction the Council was going in, but he reminded Ms King the yellow bag service was not a statutory service. Mr Grilli stated there was a legislative issue as even though we were one Council, the care team held the information for the purpose of social work and not waste collection; the information cannot be shared under GDPR.

Responding to a question from Councillor McMillan, Reid confirmed Recycling Advisors could be deployed quickly; he explained this service was set up to support the community and was never operated to be a penal inspection.

Responding to multiple questions from Councillor Menzies, Mr Reid provided information on how queues at recycling centres had been resolved and explained the insurance risk around yellow bags not being presented at roadside due to stairwells, uneven paths, or dogs in gardens. He added that additional time and resources would be required for anything other than a kerbside collection of the bag; if the decision was made to change to a bin, an additional vehicle and crew would be required along with cost for the bins.

Councillor Menzies asked if there was a possibility of bringing in a similar service as the brown bin scheme for HP. Mr Reid stated it was his understanding the Council

were not allowed to make a charge for domestic waste collection, but even if this was allowed, the percentage of people using the HP disposal service were disabled or had special requirements meant they may not be financially able to accommodate the cost.

Councillor Menzies asked if we could cascade the information to the Health and Social Care Partnership, care companies, and social workers to pass on to families they worked with who may benefit from the HP service. Mr Reid confirmed this could be done but could increase the issue of people using the scheme when they did not actually require it. He was happy to take on the action of making care organisations aware of the scheme so they could make Waste Services aware of anyone who may benefit from the scheme.

In response to a question from Councillor McMillan, Mr Reid said he did not have figures for how many larger bins had been issued to the households signed up to the HP service, but he could provide Members with a report from the beginning of three-weekly collections on how many large bins had been issued or refused.

In summing up, Ms King made it clear her petition was about more than the issue of the yellow bag and was instead about the whole holistic approach to the system. She thanked Members for their time and excellent comments and asked for a copy of the report on larger bins issued or refused when it was available.

Councillor McMillan thanked Ms King for her positive engagement with the Committee, and highlighted the Council's open relationship between constituents and Councillors to answer any queries they may have.

Mr Reid drew Members' attention to the policy position, legal framework, targets, budget constraints, and the full Council decision that was taken. He confirmed he would contact health care providers in regard to the yellow bags and provide a report on the larger bins issued and refused. Mr Reid acknowledged the message around the yellow bags; he said this would be looked at, but noted there would be real constraints and challenges.

Councillor Menzies stated since she became a Councillor, she had been in contact with Mr Reid to push for three-weekly bin collections, and believed it was the correct policy. She offered her full support to Mr Reid's stance. Councillor Menzies spoke of her own experience struggling with the capacity of her family's green bin when the changes were first introduced, but increased recycling had freed up space in her general waste bin. She also contacted Waste Services for advice and had been provided with helpful information to help manage waste. Councillor Menzies appreciated Ms King raising the issues of embarrassment and giving people dignity; she agreed this should be worked on. She thanked Ms King and Mr Reid for their time, and advised that she would not support the petition, even though she appreciated the points raised. She hoped Ms King knew Members were listening to the concerns raised in her petition.

Councillor Hampshire stated that Members knew this change would be unpopular, but said changes had to be made due to the impact on the environment. He noted that, due to the changes brought in, East Lothian was now one of the top councils for recycling in Scotland. He appreciated recycling was extra work for residents but highlighted the need to free up space within their green bins. He noted the yellow bag would always be available for people who required it, and when the message about that had reached caring staff, people would begin to use it and manage with the three weekly collections. Councillor Hampshire also noted the significant income recycling

brought into the Council, which that reduced the cost of providing the service as well as the environmental factor.

Councillor Findlay drew on his own experiences of three-weekly bin collections while having family stay with him; being unaware of the yellow bag scheme had led him to believe there are more issues than he first thought there would be. He stated he would support the petition as he thought the policy needed to be looked at to address various issues that had raised since it had been introduced.

Councillor McMillan admired the things the Council had done and was very impressed by the quick response from Waste Services. He felt overall that the policy was right, and through engaging with the Council and officers, the needs of individuals and families could be addressed. He hoped Ms King realised Members were listening and took on board the need to review the HP service. He noted that the key drivers around national policy were compliant and the work around educating people had been good. He thought that no one should become complacent on the need for education on recycling and protecting the planet. Councillor McMillan urged residents to call Waste Services if they needed assistance with their waste, and highlighted the actions Mr Reid was going to take forward.

The Provost then moved to a roll call vote, and Members did not support the petition by majority vote.

### **Decision**

The Petitions and Community Empowerment Review Committee agreed to not support the petition and therefore no further action would be taken.

## **2. PETITION PET0324 – CALLING ON EAST LoTHIAN COUNCIL TO REOPEN MACMERRY RECYCLING CENTRE**

A report had been submitted by the Executive Director for Council Resources to advise of a petition submitted by Craig Hoy, MSP and principal petitioner, calling on East Lothian Council to reopen Macmerry Recycling Centre. Convener, Councillor McMillan asked Members to note the amended petition figure as 2168.

Mr Hoy presented his petition to Committee, which called for the reopening of Macmerry Recycling Centre, which was signed by 2168, who were almost all residents of East Lothian. He outlined why he believed the closure of the recycling centre had negatively impacted residents, damaged the environment, and contradicted Council policy, which included greater inconvenience and higher costs for residents and the increase in fly tipping. Mr Hoy added that due to the East Lothian being one of the fastest growing areas in Scotland, recycling provisions should be expanding. He quoted a statement from Councillor Hampshire in February supporting East Lothian opening another recycling facility. He stated East Lothian Council had a responsibility for recycling centres to be accessible and convenient for all. He compared the distances and costs of travel for residents in Haddington to their now nearest recycling centres when compared to the Macmerry site. Mr Hoy highlighted that residents who were struggling with the three-weekly bin collections may need to visit recycling centres more often, which would put more pressure on these centres, especially as Dunbar and Blindwells continued to expand. He also drew Members' attention to the negative impact on the environment by increased congestion, which he felt contradicted the Council's Climate Change Policy, and felt the Council risked

discouraging responsible disposal practices. Mr Hoy finished his presentation by saying the solution to all the problems for residents was to reopen the Macmerry Recycling Centre or provide a new recycling centre close to Haddington.

Councillor Menzies asked how many of the signatures were from the Macmerry area. Mr Hoy confirmed 22% were from Tranent or Macmerry, 39% were from Haddington postcodes, and only ten were from outside East Lothian.

Councillor Hampshire explained that the Council had to make difficult budget decisions, with it being almost impossible to make any new investment in anything. He asked Mr Hoy how he expected the Council to make investments by making cuts to other services, which were already being done. Mr Hoy stated that there had been two aspects of the Conservative group budget submission that could have been examined and provided enough funding for the Macmerry facility to remain open; and he felt if residents had been given the choice between the recycling centre closing or the restructure of two middle managers within the Council, then they would have opted for greater access to recycling. Councillor Hampshire stated the budget that had to be delivered is the one proposed by the administration which had significant savings across all services. He added that there had been a number of health and safety concerns from officers over the years at Macmerry Recycling Centre, so when an operative retirement, the decision had been made to mothball the site. Councillor Hampshire asked if Mr Hoy accepted the difference in health and safety between Macmerry site when compared to Dunbar or Kinwegar. Mr Hoy asked for additional information on any accidents that had taken place at East Lothian sites, and it was agreed Mr Reid would address this within his presentation.

Councillor McMillan asked why Mr Hoy went down the route of a petition as opposed to engaging with Council officers and Councillors to gain answers to questions he had raised. Mr Hoy stated concerns had been raised to him from the public in regard to the closure of the Macmerry site; due to his active role in the community, he took up the petition on their behalf.

Mr Reid reported that the Council had declared a budget emergency in the last financial year, at a time when there was a recruitment freeze, retirements within the service, and Macmerry Recycling Centre required investment to complete repairs. He added that the savings targets of £75,000 a year were set for the service. Mr Reid noted, following the closure of the Macmerry site, there was an increase in fly tipping around the area by rogue traders and vans across the county; a further update would be provided at PPRC. He explained every local authority was expected to provide one household recycling centre, so East Lothian remained above requirement with three open centres. Mr Reid explained that Kinwegar and Dunbar Recycling Centres were purpose built. He noted North Berwick met site licensing criteria, whereas Macmerry required investment to get there. Mr Reid reported to reopen the Macmerry site would cost around £70,000; from recorded waste at Kinwegar, it seemed all waste from the Macmerry site had transferred there.

Councillor Findlay asked if an impact assessment had been done before the closure of Macmerry on the increase in car journeys. Mr Reid confirmed no detailed assessment had been completed on the grounds that it was not known how many people used the site or where they were travelling from.

Councillor Hampshire asked what the capital cost would be for delivery of a site like Dunbar, and the revenue cost of running that site. Mr Reid explained the Kinwegar site was done in two stages, with the recycling section costing around £3.5 million capital investment, whereas Dunbar was completed with help from strategic waste fund from the Scottish Government, so cost around £1.5 million. He estimated to

design a similar site now would cost around £5 million, with operating costs of £150,000-£200,000 per annum. He pointed out that there was currently no capital or revenue to expand waste services across the county.

Responding to questions from Councillor Menzies, Mr Reid confirmed no impact assessment in terms of equalities had been carried out for the Macmerry site, as the team would encourage anyone with challenges or disabilities to use Kinwegar or Dunbar as they were flat. He explained some of the materials from North Berwick, Dunbar, and Macmerry went to Kinwegar to be bulked and shipped due to it being more cost effective, whereas garden waste went directly to East Fenton and glass went to Dryden Aqua.

Councillor McMillan asked Mr Reid what feedback or proposals he had received from Members when the decision was made to close Macmerry. Mr Reid stated there had been little Member discussion since the decision had been made to mothball the site, with some complaints received from residents within Haddington and the Bogs areas. These residents had been redirected to Kinwegar and been happy with this. He added that staffing resource had increased at Kinwegar to capture the additional workload.

Councillor McMillan asked if anything could be done to reduce the concern about miles now being travelled to reach a recycling centre. Mr Reid explained staff tried to encourage people not to just make dedicated journeys to the site but instead to think about visiting enroute to somewhere else.

Mr Hoy summed up by saying everyone wanted to do what was best for residents of East Lothian and the environment, and he felt residents of Haddington especially had been inconvenienced by the closure of Macmerry. He accepted the financial constraints the Council operated under, but he felt there were ways to cover the revenue cost. He hoped Members would reconsider the closure of Macmerry.

Mr Reid drew Members to the fact that mothballing Macmerry was a Council decision based on budget and the requirements for services to deliver savings. He highlighted East Lothian still provided three recycling centres, when they legally only had to provide one, and that Kinwegar was a better designed site to deal with capacity than Macmerry would ever be.

Councillor Menzies commented that although the Macmerry site was well, used it was not completely appropriate for use; her only objection to the site being mothballed was that she felt the site should have instead been closed fully. She agreed completely with Mr Reid's points and highlighted even though the Conservative budget showed a way to make savings, there was not £5 million capital to produce a site usable by everyone. Councillor Menzies explained that even though people may be inconvenienced having to travel to another site, it would mean they planned out their journeys better to avoid using so much fuel; for these reasons, she would not be supporting the petition. She added that even if all costs were taken out of the equation, she would still not be in support of the Macmerry reopening as it was not safe for anyone with mobility issues.

Councillor Findlay was concerned the Macmerry site was deemed as unsuitable or unsafe, as he worried the site in North Berwick could be next to close. He noted the Conservative group had an alternative proposal to the closure of the Macmerry site, but this was rejected by Council, so he felt the closure of Macmerry was a political decision and he would be supporting the petition.

Councillor Hampshire confirmed he was on record saying there was a need for another recycling centre similar to Dunbar or Kinwegar, but this is not currently

possible due to the Council's financial situation. He added that the Conservative group did make a proposal to keep the Macmerry site open, but this included taking £1 million from EnjoyLeisure, which would have resulted in the closure of two swimming pools. Councillor Hampshire explained that the Council would continue to have to make difficult decisions to ensure savings, but when finances became available, this could be looked at again in the future. He would not be supporting the petition, as he felt it had been brought forward for political purposes and not community benefit.

Councillor Findlay asked to make a point of order to refute Councillor Hampshire's statement, as there was no evidence of the petition having been brought forward for political purposes. Mr Grilli explained in terms of the Standing Orders; this would not fall under the point of order category due to just disagree with another Councillor.

Councillor McMillan was sorry to hear of the mothballing of Macmerry, which had had helpful and friendly staff, but felt it that, in terms of safety, the correct decision had been made to mothball and then close. He added that he would welcome continued improvement and exploration of a site near Haddington if it were possible in the future but would not support the petition.

Mr Reid made it clear that Macmerry and North Berwick sites were both safe and managed, but risks were increased due to the tipping points being access by staircases.

The Provost then moved to a roll call vote, and Members did not support the petition.

### **Decision**

The Petitions and Community Empowerment Review Committee agreed not to support the petition by majority, and therefore no further action would be taken.

### **3. PETITION PET0424 – CALLING ON EAST LOTHIAN COUNCIL TO ERECT A FENCE AROUND ST. GABRIEL'S RC PRIMARY SCHOOL**

A report had been submitted by the Executive Director for Council Resources to advise of a petition submitted by Diane Brash, principal petitioner, calling on East Lothian Council to erect a fence around St. Gabriel's RC Primary School.

Ms Brash presented her petition to Committee, which called for East Lothian Council to erect a fence around St Gabriel's Primary School. She made it clear that this petition was not a complaint against East Lothian Council or St Gabriel's RC Primary School, as the school was well loved by the community, with staff having positive relationships with pupils and parents. Ms Brash explained the main reason for the petition was children's safety; she said this was highlighted by the recent events in Southport, and showed a need for a fence with a lockable gate around the school grounds. She added the school had lovely grounds and the community had worked hard to raise money for more outdoor equipment for the children, but that the grounds had been vandalised in the past. Ms Brash explained that the playground was also used as a walkway for dog walkers, who did not clean up after their dogs. She also highlighted incidents whereby children from another school accessed the playground and threw stones, and another where the police had to be called to remove teenagers from the roof of the school; parents therefore felt that the playground was not safe for pupils.

Councillor Hampshire asked if Ms Brash thought having the main gate locked would cause difficulty for parents who needed to collect or drop off their children outside of normal hours. Ms Brash confirmed that she was not requesting for the main gate to be locked for people who would access the school office. She noted that dog fouling happened more often in the evenings. She added that other schools within East Lothian had lockable gates and fences, and confirmed the school had CCTV on the front doors.

Councillor Menzies asked if the Parent Council had given any thought on how high or what style of fence they would like to be erected at the school. Ms Brash advised that a fence similar to Preston Tower Primary School was sought, as the current fence at the back wall was low, and would easily allow for someone to enter the playground or remove a child from the playground.

Councillor Menzies noted that schools around East Lothian with fences and lockable gates and schools that were more open faced the same issues of dog fouling; this was problematic, but not a school issue. She added that whenever children were out in the playground there would be staff present whether the school was fenced or more open to ensure the children's safety therefore, she wasn't sure the fence would work as intended. Ms Brash explained the current low gate meant that the playground was still easily accessed even when locked, unlike the fence at Preston Tower, which provided a deterrent by being difficult to climb over.

Councillor McMillan asked if Ms Brash had reported any of the issues mentioned to the Anti-Social Behaviour Teams or Police Scotland. She confirmed she had spoken with Councillor Yorkston, and she planned to get information on the number of vandalism incidents within the school area.

Tom Reid, Head of Infrastructure explained that two areas of security needed to be considered, which were the building perimeter and the school itself; in line with the Cullen report, he confirmed St Gabriel's met all the criteria with a secure perimeter and secure entrance. He expressed that he was not aware of any school within East Lothian that had a completely secure external perimeter; they were all different, due to age, condition, investment and the nature of their location. He noted that most schools allowed access to their grounds at night for open space for children to play, or they rented out their playing fields for sports and clubs; some Head Teachers actively encouraged the community to come in and use facilities. Mr Reid acknowledged that this generated some vandalism issues. He also highlighted a report coming forward to give an updated position on the condition of all school perimeters. He explained that the cost to fully fence a singular primary school, let alone all of them, would be incredibly high; there was no money set aside for that in the current capital plan or, as far as he was aware, there was no money coming from a Scottish Government initiative. Mr Reid also explained that buildings with fenced perimeters still had instances of vandalism, and occurrences of fences being breached or damaged to gain access; therefore, a fence would not necessarily provide the outcome the petitioner was looking for. He suggested that the outcome of the report be awaited for any recommendations, weaknesses, or repairs that needed to be carried out. He urged the petitioner to report any incidents to the Anti-Social Behaviour Team or to Police Scotland, so that incidents could be tracked and perpetrators identified. He would raise the dog fouling to ask whether a campaign could catch those responsible. Mr Reid also gave background to the Cullen Report.

Nicola McDowell, Head of Education, provided the Committee with reassurance about the security and safeguarding procedures in place during the school day, stating that at least four adults were in the playground at St Gabriel's every day, also supplemented by the Head Teacher or Deputy Head Teacher, where possible. She added that, in

addition, there was also currently a work experience staff member from East Lothian Works. Ms McDowell said staff do recognise that local residents walk through the school as a shortcut, but she had been reassured staff challenged people who did this, and had collaborated with Police Scotland and Community Wardens when needed. She gave an account of the school's secure entry system, and advised that the four doors leading to the school could be locked down easily. She also advised that CCTV covered the playground, and a camera was being installed to send images to wardens; the camera would be triggered automatically by activity. Ms McDowell agreed with Mr Reid that the decision as to whether a fence around the playground was required needed to lie within the context of the wider security report. She added that school staff were well aware of the issues that happened in the evenings around the school. She reiterated that staff provided a high standard of supervision and safeguarding during the school day, and taught children to respect their surroundings. Ms McDowell concluded by thanking the parents and carers at St Gabriel's for their support.

Responding to a question from Councillor McMillan, Mr Reid explained an officer report would be considered, and decisions would be made on necessary recommendations and cost implications; support would then be sought from the Education and Children's Services Committee. He added that the report would then be considered by Council, as the outcome could have significant financial implications for budget setting procedures.

Councillor Findlay asked what percentage or number of primary schools already had a fence. Mr Reid said he did not have that information to hand, but that the majority of schools would have a form of perimeter management; he was not aware of any having a completely secure perimeter, as schools had evolved the use of playground accessibility and functionality.

Mr Reid responded to a question from Councillor Hampshire, making him aware that the review would look at all aspects of security within schools. He would check whether CCTV coverage and linking in with Community Wardens would form part of it.

Councillor Menzies asked if there had been any incidents at St Gabriel's of children leaving the playground without permission, or being taken without forewarning to a teacher. Ms McDowell confirmed no such incidents had been brought to her attention.

In summing up, Ms Brash explained she was happy with the security of the actual school itself. Her concern was only with the playground and how open it was, especially from the back wall and the smaller gate; she was hopeful that the officer report would show that.

Mr Reid summed up by stating he was grateful for the petition and the concerns raised, and he would ensure the report covered all aspects of security. He reiterated the decision-making process around the forthcoming report. He made Committee members aware that he had already flagged the dog fouling issue as a concern to his team, and a short campaign would be run to try and catch perpetrators and prevent this in the future.

Councillor Menzies commented she would welcome the report to both the Education and Children's Services Committee and Council, and was thankful to Ms Brash for bringing her petition about the security of the school forward. She noted that fences or CCTV did not preclude people going into areas, but instead, if schools were used more often as the centre of communities and as community hubs, this would prevent a lot of the criminality. Councillor Menzies added that having high fences around

schools may give children the message that society was not safe, and they should be fearful; she felt that should be challenged.

Councillor Findlay thanked Mr Reid for his action on the dog fouling, as this was an issue at all school playing fields.

Councillor McMillan thanked Ms King and Ms Brash for recognising the good work the Council did, despite the issues their petitions had brought forward. He echoed Councillor Menzies' comments on community involvement. He was grateful for the reassurance from Ms McDowell regarding school security, and thanked Mr Reid for his actions. Councillor McMillan also encouraged both Ms King and Ms Brash to speak with their local Councillors, and to engage with Police Scotland and the Anti-Social Behaviour Team. He hoped they felt they had been listened to at Committee, and although he would not support the petition, he did support the idea behind it; he commented that anything that requiring to be addressed would be dealt with through the report.

Councillor McMillan moved to a roll call vote, where Members unanimously agreed not to support the petition, with a view that an officer report would be presented to the Education and Children's Services Committee by March 2025. Petitioners were made aware that if they were not satisfied with the outcome from that report, they could submit another petition, as long as it was after six months of their original petition.

### **Decision**

The Petitions and Community Empowerment Review Committee agreed not to support the petition on the basis that an officer report on school security would be presented to the Education and Children's Services Committee by March 2025.

Signed .....

Councillor J McMillan  
Convener of the Petitions and Community Empowerment Review Committee