



## Committee Minutes

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### **Pentland Hills Regional Park Joint Committee**

**Regional Park Headquarters, Biggar Road,  
Edinburgh, 13 March 2009**

**Present:-**

**Members:-**

**Midlothian Council** – Councillor Thomson (Chair).

**The City of Edinburgh Council** – Councillors Hart, Keir and Paisley.

**West Lothian Council** – Councillor Carl John.

**Scottish Natural Heritage** – J Winning.

**In attendance:-**

A McGregor (Acting Regional Park Manager), L Denholm (Midlothian Council), C Alcorn (West Lothian), D Jamieson and K Logie (City of Edinburgh Council) and D Emerson (City of Edinburgh Council).

## **1 Minutes**

### **Decision**

- 1) To approve the minutes of the meeting of the Pentland Hills Regional Park Joint Committee held on 17 October 2008 as a correct record.
- 2) To note the minutes of the meeting of the Pentland Hills Regional Park Consultative Forum of 7 November 2008.

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## **2 Midlothian Council – Notice of Intention to Withdraw from Minute of Agreement**

Midlothian Council had given notice of an intention to withdraw from the minute of agreement governing the management and operation of the Pentland Hills Regional Park. In terms of the minute of agreement, any party wishing to withdraw had to give one year's advance notice and to continue making its agreed budget contributions during that year. Notice had been given that they wished to withdraw from the agreement as at 31 March 2010.

The Acting Regional Park Manager explained that any decision to withdraw would have significant implications for the future funding and management and staffing of the Regional Park. Officers of Midlothian Council and the City of Edinburgh Council had been meeting to discuss the issues and minimise any impact on services. He intended to report further on any arrangements to the next meeting of the Joint Committee.

Councillor O Thomson referred to the background to the situation. He was aware that officers were discussing the issues, including future finance, and were hopeful that progress could be made. He suggested that the Committee await a further report to the next meeting.

J Winning (SNH) added that Scottish Natural Heritage would be able to write to Midlothian Council regarding the benefits of supporting the Regional Park.

### **Decision**

- 1) To note the notice of intention to withdraw from the minute of agreement by Midlothian Council with effect from 31 March 2010.
- 2) To note that officers from Midlothian and the City of Edinburgh Councils were discussing the issues involved and to await the further report to the next meeting of the Joint Committee.
- 3) To note the intention of Scottish National Heritage to write to Midlothian Council.

(Reference – report by the Parks and Greenspace Manager 13 March 2009, submitted.)

## **3 Regional Park – Update and Overview**

The Acting Regional Park Manager gave a presentation on activities in the Regional Park, including the work-plan for the next year.

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Points included in the plans were:

- proposed designation of Harperigg Reservoir as a local nature reserve;
- work on bio-diversity projects, including plantings of juniper, in association with Friends of Pentlands.
- tree planting and footpaths;
- the development of the education programme and work with schools, including work with the Forest Schools Co-ordinator; and
- campaign on dog-fouling.

### **Decision**

To note the update.

## **4 Proposed Flotterstone Gateway Centre – Consultancy Services**

The Joint Committee had previously asked officers to report back on the terms and performance on the consultancy contract in regard to fundraising for the proposed Flotterstone Gateway Project.

The Parks and Greenspace Manager now reported that consultants had been appointed on 5 April 2007 with a contract for a fixed term of one year and a total value, as tendered, for £41,360. The contract had been funded by the City of Edinburgh Council without a contribution from the Pentland Hills Regional Park budget. The project had been supported with external funding from the Tyne-Esk Leader + Programme.

The aim of the contract had been to secure funding and to identify and pursue corporate funding/donations or sponsorship opportunities. The contract had been suspended on 17 December 2007 due to prevailing budget pressures. The Parks and Greenspace Manager explained the circumstances that had led to the decision to suspend the contract, in particular a limited output, brought about in part by the time required to finalise the designs, costings and financial contributions of the project and which had put significant pressure on the consultant's workplan and meant that fundraising activities were not started until later in the contract than planned. The level of activity for fund-raising in the period leading up to suspension was therefore less than anticipated. A total of £29,931 had been paid in fees to the consultants.

The Parks and Greenspace Manager said that, considering all the circumstances, he considered that it could reasonably be concluded that the

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funding consultant had delivered that which was contractually required in what were, at times, challenging circumstances.

### **Decision**

- 1) To note the circumstances leading up to the suspension of the consultancy contract for the Flotterstone Gateway Centre and to note the expenditure on and outputs from the contract.
- 2) To ask the Parks and Greenspace Manager to consult the Procurement Manager further on any residual contract issues.

(References – Pentland Hills Regional Park Joint Committee 17 October 2008 (item 5); report by Parks and Greenspace Manager 13 March 2009, submitted.)

## **5 Charitable Trust – Research**

The Joint Committee had asked the officers to report further on the idea of establishing a company limited by guarantee to assist with fundraising and project delivery. The proposal had originally been intended for the proposed Flotterstone Gateway Centre and later widened to consider a general Trust being set up with a view to raise funds for projects to benefit the Regional Park.

The Parks and Greenspace Manager reported that, having taken advice from a number of sources and met managers of existing trusts operating within the countryside sector in Scotland (including Edinburgh and Lothians Greenspace Trust, Perth and Kinross Countryside Trust, Fife Coast and Countryside Trust, and Water of Leith Conservation Trust) it was felt that the Regional Park would not have the sufficient size or scale to compete effectively for external funding. Experience from elsewhere had indicated that competition for funding was intense and that the amounts currently available, particularly for the type of projects being delivered by the Regional Park, was very limited.

It was therefore felt that the idea of setting up the Trust was fairly risky at the present time and unlikely to be of significant benefit to the Regional Park. Rather, it was considered that the service should develop partnership links with trusts such as the Edinburgh and Lothians Greenspace Trust and the Central Scotland Forest Trust and to further develop the working partnership with Friends of the Pentlands. There was significant potential for the Regional Park Service to work with trusts to provide “added value” to a number of selected projects.

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### **Decision**

- 1) To note that there was unlikely to be significant benefit at the present time in trying to establish a new Trust dedicated to the Pentland Hills Regional Park.
- 2) To agree that the Regional Park Service should seek greater partnership with the Edinburgh and Lothians Greenspace Trust and the Central Scotland Forest Trust on selected projects and to further develop the successful working partnership with Friends of the Pentlands.

(References – Pentland Hills Regional Park Joint Committee 17 October 2008 (item 6); report by Parks and Greenspace Manager 13 March 2009, submitted.)

## **6 Scottish Natural Heritage – Future Funding Arrangements**

As part of Scottish Government agreed changes, Scottish Natural Heritage were no longer to provide grant support directly to local authorities and, rather the total monies for Scotland of £3.7m would be transferred to local authorities by means of the local government finance settlement. There were to be interim arrangements for the next two years with the new funding system fully incorporated within the core settlement to local authorities for the year 2011/12.

The Regional Park Manager had asked SNH for clarification of the matter. Scottish Natural Heritage had responded to the effect that a four year average of core, administration and project costs, for the Regional Park had been assessed at £44,037 (i.e. £30,000 for core and administration grant and £14,037 for project grants), to be shared out equally between the three local authorities (i.e. £14,697 to each authority). As this arrangement had been approved by the Scottish Government, there was no scope to alter the arrangements. Rather, SNH had suggested that it was a matter the local authorities themselves as to how monies were to be allocated to the Regional Park.

The Parks and Greenspace Manager said that on the basis of equal sharing of the monies, the City of Edinburgh Council, as a managing authority, would have a budget shortfall of almost £29,394 for 2009/10. In the circumstances he was recommending that Midlothian and West Lothian Councils be requested to contribute £14,697 each towards the Regional Park budget, in addition to contributions set out in the Minute of Agreement for the Regional Park, or as otherwise agreed by the authorities.

He added that the uncertainty of the situation after 2011 perhaps threw up a need for the partners to examine the whole issue of the future funding to the

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Regional Park and to re-visit the Minute of Agreement and to this end he would draw up a paper for the Joint Committee's consideration.

**Decision**

- 1) To note the arrangements that were to come into place for transfer of SNH funding to local authorities, effective from 1 April 2009.
- 2) To request that, for the two years of transition (2009/10 and 2010/11) that Midlothian Council and West Lothian Council should each contribute £14,687 in addition to contributions set out in the minute of agreement or as otherwise agreed.
- 3) To note that this did not prejudice the right of any party to withdraw from the minute of agreement upon 12 months notice.
- 4) To ask the Parks and Greenspace Manager to prepare a paper on the longer term funding and agricultural issues for the Regional Park.

(Reference – report by Parks and Greenspace Manager 13 March 2009, submitted.)

## **7 Regional Park Headquarters – Re-Location**

(The Committee resolved that this item be considered in private as it would involve the likely disclosure of exempt information as defined in Paragraph 8 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1983.)

The Parks and Greenspace Manager gave an update on considerations for alternative headquarters accommodation once the current lease ran out.

**Decision**

- 1) To note the progress to date on identifying alternative headquarters accommodation for the Regional Park Service.
- 2) To note the intention to vacate the storage facility at Currie at the earliest opportunity.
- 3) To support in principle the sale of the property at Currie.
- 4) To recommend that the alternative storage/workshop facility at Hillend Country Park be considered for lease from Midlothian Council and that contributions be sought from local authorities for a notional capital sum of £10,000 for upgrading works.

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- 5) To note that the further work required to identify an alternative HQ will be progressed once the joint management and funding arrangements were known following Midlothian Council's notice of intention to withdraw from the current minute of agreement.
- 6) To ask the officers to consider any potential for provision of headquarters accommodation at Hillend with Midlothian Council as the landowners.
- 7) To ask the City of Edinburgh Council whether any capital receipts realised from the sale of the storage facility at Currie might be "ring fenced", to be applied for any requirement to provide accommodation or storage for the Regional Park.

(Reference – report by the Parks and Greenspace Manager, 13 March 2009, submitted.)

## **8 Date of Next Meeting**

Friday 21 August 2009 (10.00 am).