

MINUTE of MEETING of the WEST LoTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 15 August 2017.

Present – Provost Tom Kerr (Chair), Depute Provost Dave King (Vice-Chair), Leader of the Council Lawrence Fitzpatrick, Councillors Alison Adamson, Frank Anderson, Stuart Borrowman, William Boyle, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, David Dodds, Angela Doran, Bruce Fairbairn, Peter Heggie, Chris Horne, Carl John, Peter Johnston, Charles Kennedy, Sarah King, John McGinty, Andrew McGuire, Dom McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, Kirsteen Sullivan, David Tait, Damian Timson

Apologies – Councillor Jim Dickson.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. ORDER OF BUSINESS

The Provost ruled that the order of business be changed to allow Item 5 (Election Business) and Item 7 (Vacancies on Committees and Outside Bodies) to be taken together.

3. MINUTES

- (a) The Council approved the minute of meeting of West Lothian Council held on 11 May 2017 and adjourned meetings held on 18 May and 25 May 2017. The minute was then signed by the Chair.
- (b) The Council approved the minute of the special meeting of West Lothian Council held on Thursday 25 May 2017. The minute was then signed by the Chair.
- (c) The Council approved the minute of meeting of West Lothian Council held on 7 June 2017. The minute was then signed by the Chair.
- (d) The Council noted correspondence arising from previous decisions.
- (e) The Council noted the minute of meeting of the Performance Committee held on 10 April 2017.

- (f) The Council noted the minute of meeting of the Audit and Governance Committee held on 27 February 2017.
- (g) The Council noted the minute of meeting of Education (Quality Assurance) Committee held on 28 March 2017.

4. CONSIDERATION OF STANDARDS COMMISSION FINDINGS

The Council considered a report (copies of which had been circulated) by the Monitoring Officer concerning the findings of the Standards Commission following a hearing on a complaint against a former West Lothian councillor, Angela Moohan.

The Monitoring Officer reported that on 24 May 2017, the Standards Commission held a hearing in relation to a complaint against former Councillor Angela Moohan of a breach of the Councillors' Code of Conduct. The Commission had determined that there had been a breach of the Code of Conduct in relation to the requirements to register remunerated employment and to declare non-financial interests and the financial interests of others.

A copy of the Commission's findings was attached as an appendix to the report.

It was noted that the council had a statutory duty to consider the findings of the Commission. The council then had to report the outcome of that consideration to the Commission.

The Monitoring Officer recommended that the Council:-

1. Note the findings of the Standards Commission in relation to a complaint against former Councillor Angela Moohan contained in the appendix to the report.
2. Consider those findings as required by section 18 (2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 and note that the outcome would be reported back to the Standards Commission.

Decision

To note the terms of the report.

5. VACANCIES ON COMMITTEES AND OUTSIDE BODIES

The Council considered a report (copies of which had been circulated) by the Chief Executive inviting the Council to revisit appointments made in May and June 2017 to bodies in the Scheme of Administration and to outside bodies, and to address vacancies on some of those bodies.

The report recalled that in May and June 2017, council determined the

number of member appointments to each of the committees and other bodies established by the council in its internal decision-making structure and allocated them amongst political parties and the sole Independent member. Most members were appointed at the council meetings, but some were left to be notified later.

The report went on to advise that some positions had not been filled and the relevant political groups had been asked to consider making appointments to fill the remaining places which were allocated to them. Appendix 1 provided a list of the bodies in the Scheme of Administration where there were still vacancies.

Council was asked to consider what action should be taken to address these remaining appointments.

In relation to outside bodies, the council had also made appointments in May and June to a variety of outside bodies. Again, some of the members were not appointed there and then but were to be notified later.

The relevant political groups had been asked to consider making appointments to fill the remaining places which were allocated to them. Appendix 2 provided a list of the bodies in the Scheme of Administration where there were still vacancies.

It was recommended that the Council:-

1. appoint one member as the council's representative on the Children's Panel Area Support Team (Appendix 3).
2. note the vacancies in membership of the bodies in the Scheme of Administration (Appendix 1) and to consider what action should be taken.
3. note the vacancies in outside body appointments (Appendix 2) and to consider what action should be taken.

The Council then heard a statement by the SNP Group Leader that the SNP Group would not nominate to a number of Committees as the Group considered that the Committee system did not ensure political balance and did not reflect the views of the local electorate as expressed at the last West Lothian Council election.

The SNP Group Leader then nominated members to the Livingston Youth Trust and West Lothian Fairtrade Steering Group.

Decision

Livingston Youth Trust – To agree to appoint Councillor Moira Shemilt to the Livingston Youth Trust.

West Lothian Fairtrade Steering Group – To agree to appoint Councillor Frank Anderson to the West Lothian Fairtrade Steering Group.

Education PDSP (Appendix 1)

Motion

“That the composition be changed to 3 Labour, 1 Independent, 2 Conservative and 1 SNP member”.

Moved by Councillor Lawrence Fitzpatrick, seconded by Councillor Kirsteen Sullivan.

Amendment

“That the composition be changed to 3 SNP, 2 Labour, 2 Conservative.”

Moved by Councillor Peter Johnston, seconded by Councillor Janet Campbell.

It was agreed that a roll call vote be taken which resulted as follows:-

Motion

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
Dave King
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Amendment

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Carl John
Peter Johnston
Sarah King
Andrew Miller
Moir Shemilt
David Tait

Decision

The motion was successful by 20 votes to 12 votes and it was agreed accordingly. Councillor Borrowman was therefore appointed to fill the vacancy on the PDSP.

Licensing Board

It was noted that there was a legal requirement to appoint between 6 and 10 members to the Licensing Board. The Council had previously decided to appoint 10 members which meant the quorum for a Board meeting was five. Only six names had been forthcoming to date.

The Council then heard a motion by Councillor Lawrence Fitzpatrick and three separate amendments by Councillors Peter Heggie, Peter Johnston and Damian Timson relating to a change to the number of members to be appointed and the composition of that number. The motion and amendments were as follows:-

Motion

“To reduce the number of members to 6 comprising 3 Labour and 3 Conservative” – Moved by Councillor Lawrence Fitzpatrick, seconded by Councillor Kirsteen Sullivan.

First Amendment

“To appoint a minimum of 8 members, comprising 4 Labour and 4 Conservative” – Moved by Councillor Peter Heggie, seconded by Councillor Damian Timson.

Second Amendment

Should 6 members be appointed, the composition should be 3 SNP, 2 Labour and 1 Other; and

Should 8 members be appointed, the composition should be 4 SNP, 2 Labour and 2 Conservative” – Moved by Councillor Peter Johnston, seconded by Councillor Frank Anderson.

Third Amendment

“To appoint 8 members, comprising 4 Conservative, 3 Labour and 1 Independent” – Moved by Councillor Damian Timson, seconded by Councillor Peter Heggie.

The Governance Manager advised the Council that the number of members to be appointed should be agreed before the composition of that number could be determined. The Provost ruled that a vote be taken to reach a decision on whether the Board should comprise 6 or 8 members.

The roll call vote resulted as follows:-

6 Members

Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Dave King
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul

8 Members

Alison Adamson
Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Bruce Fairbairn
Peter Heggie
Chris Horne
Carl John

Abstain

Stuart Borrowman

Kirsteen Sullivan

Peter Johnston
 Charles Kennedy
 Tom Kerr
 Sarah King
 Andrew Miller
 Moira Shemilt
 David Tait
 Damian Timson

Decision

It was agreed by 19 votes to 12 votes, with 1 abstention (and 1 member absent) that 8 members be appointed.

West Lothian Licensing Board - Composition

The motion by Councillor Lawrence Fitzpatrick then fell as it concerned the appointment of 6 members and the Council had agreed to appoint 8 members.

The first part of the amendment by Councillor Peter Johnston fell as it concerned the appointment of 6 members.

A roll call vote was taken on the first amendment against the second amendment, the terms of which were as follows:-

First Amendment

“That the composition of the Licensing Board be changed to:- 4 Labour and 4 Conservative” – Moved by Councillor Peter Heggie, seconded by Councillor Damian Timson.

Second Amendment

“That the composition of the Licensing Board be changed to:- 4 SNP, 2 Labour and 2 Conservative” – Moved by Councillor Peter Johnston, seconded by Councillor Frank Anderson.

First Amendment

Alison Adamson
 Tom Conn
 David Dodds
 Angela Doran
 Bruce Fairbairn
 Lawrence Fitzpatrick
 Peter Heggie
 Chris Horne
 Charles Kennedy
 Tom Kerr
 Dave King
 John McGinty
 Andrew McGuire
 Dom McGuire

Second Amendment

Frank Anderson
 Willie Boyle
 Diane Calder
 Janet Campbell
 Pauline Clark
 Robert De Bold
 Carl John
 Peter Johnston
 Sarah King
 Andrew Miller
 Moira Shemilt
 David Tait

Abstain

Stuart Borrowman
 Harry Cartmill

Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

The first amendment was successful by 18 votes to 12 votes, with 2 abstentions (and 1 member absent).

A roll call vote was taken on the first amendment against the third amendment , the terms of which were as follows:-

First Amendment

“That the composition of the Licensing Board be changed to:- 4 Labour and 4 Conservative” – Moved by Councillor Peter Heggie, seconded by Councillor Damian Timson.

Third Amendment

“To appoint 8 members, comprising 4 Conservative, 3 Labour and 1 Independent” – Moved by Councillor Damian Timson, seconded by Councillor Charles Kennedy.

<u>First Amendment</u>	<u>Third Amendment</u>	<u>Abstain</u>
Tom Conn	Alison Adamson	Frank Anderson
David Dodds	Stuart Borrowman	Willie Boyle
Angela Doran	Harry Cartmill	Diane Calder
Lawrence Fitzpatrick	Bruce Fairbairn	Janet Campbell
Tom Kerr	Peter Heggie	Pauline Clark
Dave King	Chris Horne	Robert De Bold
John McGinty	Charles Kennedy	Carl John
Andrew McGuire	Damian Timson	Peter Johnston
Dom McGuire		Sarah King
Cathy Muldoon		Andrew Miller
George Paul		Moir Shemilt
Kirsteen Sullivan		David Tait

Decision

The First Amendment was successful by 12 votes to 8 votes, with 12 abstentions and 1 member absent. Accordingly, it was agreed that the Licensing Board comprise 4 Labour members and 4 Conservative. The Council then appointed Provost Tom Kerr as the additional Conservative member and noted that the Labour nomination would be advised in due course.

Firefly Arts – 1 Member

Nomination

“To appoint Dom McGuire as the Council’s representative” – Proposed by Councillor Lawrence Fitzpatrick, seconded by Councillor Dom McGuire.

Decision

There being no further nominations, it was agreed that Councillor Dom McGuire be appointed.

Children's Panel Area Support Team – 1 MemberNominations

“To appoint Councillor Angela Doran” – Proposed by Councillor Lawrence Fitzpatrick, seconded by Councillor Kirsteen Sullivan.

“To appoint Councillor Andrew Miller” – Proposed by Councillor Peter Johnston, seconded by Councillor Frank Anderson.

It was agreed that a roll call vote be taken which resulted as follows:-

<u>Angela Doran</u>	<u>Andrew Miller</u>	<u>Abstain</u>
Harry Cartmill	Frank Anderson	Alison Adamson
Tom Conn	Willie Boyle	Bruce Fairbairn
David Dodds	Diane Calder	Peter Heggie
Angela Doran	Janet Campbell	Chris Horne
Lawrence Fitzpatrick	Pauline Clark	Charles Kennedy
Tom Kerr	Robert De Bold	Damian Timson
Dave King	Carl John	
John McGinty	Peter Johnston	
Andrew McGuire	Sarah King	
Dom McGuire	Andrew Miller	
Cathy Muldoon		
George Paul		
Kirsteen Sullivan		

Decision

It was agreed by 14 votes to 12 votes with 6 abstentions (and 1 member absent) that Councillor Angela Doran be appointed.

Election Business (Other)St John's Hospital Stakeholder Group

The Council was informed of the resignation of Councillor Andrew McGuire from the St John's Hospital Stakeholder Group.

Decision

To agree that Councillor Andrew McGuire be replaced by Councillor Dom McGuire on the St John's Hospital Stakeholder Group.

Licensing Committee

The Council was informed of the resignation of Councillor Dave King from

the Licensing Committee.

Decision

To agree that Councillor Dave King be replaced by Councillor Harry Cartmill on the Licensing Committee.

6. NOTICE OF MOTION - NEW BUILD HOUSING AND HOMELESSNESS - SUBMITTED BY COUNCILLOR FRANK ANDERSON

The Council considered a motion submitted by Councillor Anderson in the following terms:-

“The SNP Group welcomes the additional £3 billion+ committed to the new build housing and in particular, the £8.963 million allocated to West Lothian for 2017/18.

Furthermore, we welcome the allocation of a further £38.048 million to West Lothian over the next 3 years.

The SNP Group therefore calls for a report to the next SF&C PDSP detailing the sites identified for building 2000 council houses, how we can stipulate that all new build have PV capacity, and can be adapted to accept ‘storage’ batteries.

The SNP Group further calls for a report on how we are tackling homelessness. This report to include the amount spent on bed and breakfast accommodation per year, the options to alleviate using B&B (including the possible use of prefabricated tiny(?) houses, or the conversion of a suitable building). This report to also include the option of a new build ‘homeless unit’ within the Livingston area.”

Moved by Councillor Frank Anderson, seconded by Councillor Sarah King.

Amendment

“West Lothian Council recognises the funding that the Scottish Government is allocating to the funding of social affordable rented housing across Scotland. However the allocation to West Lothian is far short of what is required to achieve our target of 3000 new build affordable homes by 2022.

We have been allocated	2017/18	£8.963m
	2018/19	£11.397m
	2019/20	£12.894m
	2020/21	£13.757m
	Total	£47.011m

This resource planning by the Scottish Government will not meet our target for funding. It is also not guaranteed as it can be diverted elsewhere if not spent to the Scottish Governments expectations.

For future new build in West Lothian it falls far short of the £114 million that is needed to build another 1000 new homes in West Lothian as part of our

3000 new affordable homes programme over a ten year period to 2022. The Scottish Government should recognise this and fully fund our programme to address the shortage of council housing here in West Lothian.

As for photo-voltaic panels, the SNP posture as supporters of the technology, however while in office between 2007 and 2012 only installed PV in ten houses. Even in these houses they failed to make any provision for energy storage batteries.

Homelessness is a social problem not unique to West Lothian. It is a problem that is endemic to the whole of Scotland. Every major town and village is suffering from the shortage of council or affordable housing. Shelter Scotland reports that there are 30,000 homeless people in Scotland across all local authority areas. 10,000 live in temporary accommodation, tomorrow 5,000 children will wake up without a home, and every 20 minutes a household in Scotland becomes homeless. At the same time there are 150,000 on council housing waiting lists. The SNP Government has turned a housing shortage into a crisis, through ignoring their day to day responsibilities and focussing on separation from the UK instead.

West Lothian Council is in the process of preparing a report on homelessness and this will be presented to the P.D.S.P in October 2017. “

Moved by Councillor Paul, seconded by Councillor Muldoon.

The roll call voted resulted as follows:-

<u>Motion</u>	<u>Amendment</u>	<u>Abstain</u>
Frank Anderson	Stuart Borrowman	Alison Adamson
Willie Boyle	Harry Cartmill	Peter Heggie
Diane Calder	Tom Conn	Chris Horne
Janet Campbell	David Dodds	Charles Kennedy
Pauline Clark	Angela Doran	Damian Timson
Robert De Bold	Bruce Fairbairn	
Carl John	Lawrence Fitzpatrick	
Peter Johnston	Tom Kerr	
Sarah King	Dave King	
Andrew Miller	John McGinty	
Moir Shemilt	Andrew McGuire	
David Tait	Dom McGuire	
	Cathy Muldoon	
	George Paul	
	Kirsteen Sullivan	

Decision

The amendment was successful by 15 votes to 12 votes, with 5 abstentions (and 1 member absent) and it was accordingly agreed.

7. NOTICE OF MOTION - NEW BUILD PROGRAMME - SUBMITTED BY COUNCILOR FRANK ANDERSON

The Provost ruled that the motion would not be considered as such motions required 3 months' notice under Standing Order 2(2).

The Governance Manager provided clarification in relation to the Provost's ruling and that the motion was equivalent to the review of an appointment.

8. NOTICE OF MOTION - FAMILY FRIENDLY WORKING ARRANGEMENTS - SUBMITTED BY COUNCILLOR FRANK ANDERSON

The Council considered a motion submitted by Councillor Anderson in the following terms:-

"The SNP Group welcomes and recognises the strides made in Holyrood to make the business day/week more family friendly. The working week changes have been credited, partially, with encouraging more females to enter the political arena.

The SNP Group therefore calls for an officer report, before the end of August 2017, on how Council meetings business can better reflect 'work/life balance' and be more family friendly, this to include making the venue more accessible with crèche facilities available, if necessary."

Moved by Councillor Frank Anderson, seconded by Councillor David Tait.

Amendment

"Council recognises the importance of no barriers perceived or otherwise to entering elected office in West Lothian Council and the importance in a democracy of encouraging people to stand for office and if successful participate fully in Council matters.

To this end Council instructs the Chief Executive to bring a report to the next Council on the arrangements at Westminster, Holyrood and a sample of Scottish local authorities, as regards working arrangements which are structured to recognise family demands as regards childcare/caring responsibilities not only to members but staff and the public."

Moved by Councillor Lawrence Fitzpatrick, seconded by Councillor Damian Timson.

Councillor Shemilt had left the meeting prior to a vote being taken. The roll call vote resulted as follows:-

Motion

Frank Anderson
Willie Boyle
Diane Calder

Amendment

Alison Adamson
Stuart Borrowman
Harry Cartmill

Janet Campbell
Pauline Clark
Robert De Bold
Carl John
Peter Johnston
Sarah King
Andrew Miller
David Tait

Tom Conn
David Dodds
Angela Doran
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
Dave King
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Decision

The amendment was successful by 20 votes to 11 votes, with 2 members absent. The amendment was agreed accordingly.

9. NOTICE OF MOTION - FAIRTRADE FOUNDATION UNDER THREAT -
SUBMITTED BY COUNCILLOR FRANK ANDERSON

The Council considered a motion submitted by Councillor Anderson in the following terms:-

“The SNP Group are dismayed to note that some of Britain’s leading supermarkets are contemplating dropping the Fairtrade label. In fact, Sainsbury’s has already started trials of its own ‘Fairly Traded’ label to replace their support of the Fairtrade certification scheme.

The Fairtrade Foundation is an internationally renowned and respected certification scheme, which empowers and supports farmers around the world by ensuring they are paid a minimum price for their produce, as well as a financial bonus which is reinvested in their local communities in the form of education, pension and sick pay.

Sainsbury’s own scheme disempowers farmers who can work hard to produce the items we take for granted in our weekly shop such as tea, coffee, sugar and bananas. Farmers will no longer be guaranteed this bonus, which can run into thousands of pounds and make a critical difference in poorer parts of the world.

The SNP Group are concerned that these types of schemes are being introduced as a cost cutting measure to improve the company’s own bottom line.

We urge Council to support this motion and write to, in particular, Tesco and Sainsbury urging them to rethink their policy and not to abandon their

support of Fairtrade.”

Moved by Councillor Frank Anderson, seconded by Councillor Peter Johnston.

First Amendment

“Council is dismayed to note that some leading retailers are contemplating dropping the Fairtrade label. In fact, Sainsbury’s has already started trials of its own “Fairly Traded” label to replace their support of the Fairtrade certification scheme.

The Fairtrade Foundation is an internationally renowned and respected certification scheme, which empowers and supports farmers around the world by ensuring they are paid a minimum price for their produce, as well as a financial bonus which is reinvested in their local communities in the form of education, pensions and sick pay.

Indeed the Fairtrade Foundation has been supported by the Council, communities and residents of West Lothian.

West Lothian is a Fairtrade Zone with 4 Fairtrade towns (Bathgate, Linlithgow, Livingston and Whitburn), in addition Uphall is a Fairtrade Village and we have a mini Fairtrade Zone in Fauldhouse and Breich Valley.

The above form part of the West Lothian Fairtrade Zone Steering Group Partners in addition to West Lothian College, West Lothian Chamber of Commerce, West Lothian Federation of Small Businesses and Voluntary Sector Gateway West Lothian.

Council supports the annual Fairtrade Fortnight and maintains a Directory of Fairtrade in West Lothian which highlighting the retailers, cafes and restaurants selling Fairtrade products in West Lothian.

Council has supported each West Lothian Fairtrade group through the process of both gaining their Fairtrade status and maintaining it once it has been achieved.

National supermarkets introducing their own schemes and interpretations of what is “Fairtrade” will undermine and cause unnecessary division and confusion on what is “Fairtrade”

Sainsbury’s own scheme disempowers farmers who can work hard to produce the items we take for granted in our weekly shop such as tea, coffee, sugar and bananas. Farmers will no longer be guaranteed this bonus, which will run into thousands of pounds and make a critical difference in poorest parts of the world.

Council is concerned that these types of schemes are being introduced as a cost cutting measure to improve the company’s own bottom line.

Council therefore agrees to write to Tesco and Sainsbury urging them to rethink their policy and not to abandon their support of Fairtrade Foundation certification.

Council also agrees to write to MPs and both Constituency and List MSPs in the Lothians asking them to support the continuation of Fairtrade Foundation certification when Fairtrade products are bought at Westminster and Holyrood.”

Moved by Councillor Tom Conn, seconded by Councillor Dom McGuire.

Second Amendment

“The Conservative Group note a change in many retailer’s plans to continue to use the Fairtrade agreement in their projected merchandise plans. We support the practice of fair trading across the Globe.

The Fairtrade initiative was launched in the 1980’s in Holland with its aim being fair trading conditions for small farmers in developing countries; this was picked up in 1992 by Oxfam and the world development movement.

Twenty five years later Fairtrade has grown in to retail mainstream and is worth £2bn annually.

This initiative is being reviewed renewed and replaced by a number of retailers and producers such as Tesco, M&S, Cadbury, Green & Blacks and Sainsbury’s to “Fairly Traded”.

Instead of second guessing why Sainsbury’s have changed the manner in which they engage with a fair trading practice the Conservative group propose that West Lothian Council write to Sainsbury’s in order to ask for clarification on their policy and why this change of practice.”

Moved by Councillor Peter Heggie, seconded by Councillor Chris Horne.

The Provost invited the mover of the motion and the mover of the first amendment to consider adopting a composite motion. Councillors Frank Anderson and Tom Conn agreed that, given that the first amendment incorporated the terms of the motion, a joint position would be agreed.

A roll call vote was then taken on the joint motion against the second amendment moved. The result was as follows:-

<u>Motion</u>	<u>Amendment</u>	<u>Abstain</u>
Frank Anderson	Alison Adamson	Stuart Borrowman
Willie Boyle	Bruce Fairbairn	
Diane Calder	Peter Heggie	
Janet Campbell	Chris Horne	
Harry Cartmill	Charles Kennedy	
Pauline Clark	Tom Kerr	
Tom Conn	Damian Timson	
Robert De Bold		
David Dodds		
Angela Doran		
Lawrence Fitzpatrick		
Carl John		

Peter Johnston
Dave King
Sarah King
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
David Tait

Decision

The composite motion was successful by 23 votes to 7 votes, with 1 abstention (and 2 members absent). The terms of the composite motion was follows:-

“Council is dismayed to note that some leading retailers are contemplating dropping the Fairtrade label. In fact, Sainsbury’s has already started trials of its own “Fairly Traded” label to replace their support of the Fairtrade certification scheme.

The Fairtrade Foundation is an internationally renowned and respected certification scheme, which empowers and supports farmers around the world by ensuring they are paid a minimum price for their produce, as well as a financial bonus which is reinvested in their local communities in the form of education, pensions and sick pay.

Indeed the Fairtrade Foundation has been supported by the Council, communities and residents of West Lothian.

West Lothian is a Fairtrade Zone with 4 Fairtrade towns (Bathgate, Linlithgow, Livingston and Whitburn), in addition Uphall is a Fairtrade Village and we have a mini Fairtrade Zone in Fauldhouse and Breich Valley.

The above form part of the West Lothian Fairtrade Zone Steering Group Partners in addition to West Lothian College, West Lothian Chamber of Commerce, West Lothian Federation of Small Businesses and Voluntary Sector Gateway West Lothian.

Council supports the annual Fairtrade Fortnight and maintains a Directory of Fairtrade in West Lothian which highlighting the retailers, cafes and restaurants selling Fairtrade products in West Lothian.

Council has supported each West Lothian Fairtrade group through the process of both gaining their Fairtrade status and maintaining it once it has been achieved.

National supermarkets introducing their own schemes and interpretations of what is “Fairtrade” will undermine and cause unnecessary division and confusion on what is “Fairtrade”

Sainsbury's own scheme disempowers farmers who can work hard to produce the items we take for granted in our weekly shop such as tea, coffee, sugar and bananas. Farmers will no longer be guaranteed this bonus, which will run into thousands of pounds and make a critical difference in poorest parts of the world.

Council is concerned that these types of schemes are being introduced as a cost cutting measure to improve the company's own bottom line.

Council therefore agrees to write to Tesco and Sainsbury urging them to rethink their policy and not to abandon their support of Fairtrade Foundation certification.

Council also agrees to write to MPs and both Constituency and List MSPs in the Lothians asking them to support the continuation of Fairtrade Foundation certification when Fairtrade products are bought at Westminster and Holyrood."

10. NOTICE OF MOTION - WEST LOTHIAN'S LABOUR/TORY DEAL - AN AFFRONT TO DEMOCRACY! - SUBMITTED BY COUNCILLOR FRANK ANDERSON

The Council considered a motion submitted by Councillor Anderson in the following terms:-

"Council congratulates Almond Valley Labour Party for their efforts in seeking their party's national executive to fully investigate the deal between the Labour and Tory political groups on West Lothian Council.

Council notes that this Tory/Labour "deal" has resulted in 5 members of the 7 strong Tory Group receiving enhanced payments and that in return Tory votes have secured 9 members of the 12 strong Labour Group similar rewards.

Council further notes that this Labour/Tory "deal" has further resulted in the political balance within this council's democratic process being farcically skewed to deliver enhanced representation for both Labour and Tory parties – in complete opposition to the views of our local electorate – with the council's largest party, the SNP, being denied the representation our electorate voted for.

Council further notes the Labour/Tory "deal" delivered by Labour and Tory members voting in concert has put in place;

1. A Council Executive with Labour Party 12 members given 7 seats, the Tory Party of 7 members given 4 seats and the SNP with 13 members given 2 seats.
2. An Education Policy Development PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats

and the SNP with 13 members given 1 seat.

3. A Partnership and Resources PDS with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
4. A Development and Transport PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
5. A Culture and Leisure PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
6. An Environment PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
7. A Social Policy PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
8. A Voluntary Organisations PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
9. A Services for the Community PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
10. A Health and Care PDSP with the Labour Party with 12 members given 4 seats, the Tories with 7 members given 2 seats and the SNP with 13 members given 1 seat.
11. A St. John's Stakeholder Group with no SNP representation.
12. A West Lothian Integration Joint Board with no SNP representation.
13. West Lothian's COSLA Convention representation with the Labour Party with 12 members given 2 seats, the Tories with 7 members given 1 seat and the SNP with 13 members given 1 seat.

In light of all the above this Council agrees to:-

1. Instruct officers to report to the next scheduled meeting of West Lothian Council detailing the steps necessary to ensure that the political balance of all parts of this council's democratic process most accurately reflects with wishes of our local electorate as expressed at the last West Lothian Council election.
2. Provide full details of the collusion between the Labour and Tory council groups which has delivered the wholly undemocratic system detailed above to the national executive committee of the Labour Party in Scotland to assist them in their investigations of the deal

between the Labour and Tory parties in West Lothian.

3. Call for a report on how structure would look under a “truly” - proportional system. Write to Scottish Government asking them to consider introducing legislation to compel Councils to reflect the wishes of the electorate.

Councillors in Receipt of Additional Payments

	Provost	Tom Kerr	Conservative
	Leader of the Council	Lawrence Fitzpatrick	Labour
1	Audit Committee – Chair	Chris Horne	Conservative
2	Culture and Leisure Chair	Dave King	Labour
3	Development Management Committee – Chair	Charles Kennedy	Conservative
4	Development and Transport – Chair	Cathy Muldoon	Labour
5	Education Executive – Chair	David Dodds	Labour
6	Environment – Chair	Tom Conn	Labour
7	Governance and Risk Committee – Chair	Damien Timson	Conservative
8	Health and Care – Chair	Harry Cartmill	Labour
9	Licensing Committee – Chair	Peter Heggie	Conservative
10	Services for the Community – Chair	George Paul	Labour
11	Social Policy – Chair	Angela Doran	Labour
12	Voluntary Organisation – Chair	Kirsteen Sullivan	Labour
	NHS Lothian Health Board	John McGinty	Labour

Councillor Peter Johnston reported an amendment to the motion which involved removing Councillor Borrowman from the list of Councillors in receipt of additional payments. This amendment was reflected in the table above.

Moved by Councillor Peter Johnston, seconded by Councillor Robert De Bold.

Amendment

“This council re-affirms it’s already stated position of it being a minority Labour Administration with no power sharing arrangements.”

Moved by Councillor Lawrence Fitzpatrick, seconded by Councillor Kirsteen

Sullivan.

Councillor Janet Campbell had left the meeting prior to a vote being taken. The roll call vote resulted as follows:-

<u>Motion</u>	<u>Amendment</u>
Frank Anderson	Alison Adamson
Willie Boyle	Stuart Borrowman
Diane Calder	Harry Cartmill
Pauline Clark	Tom Conn
Robert De Bold	David Dodds
Carl John	Angela Doran
Peter Johnston	Bruce Fairbairn
Sarah King	Lawrence Fitzpatrick
Andrew Miller	Peter Heggie
David Tait	Chris Horne
	Charles Kennedy
	Tom Kerr
	Dave King
	John McGinty
	Andrew McGuire
	Dom McGuire
	Cathy Muldoon
	George Paul
	Kirsteen Sullivan
	Damian Timson

Decision

The amendment was successful by 20 votes to 10 votes, with 3 members absent. The amendment was agreed accordingly.

11. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 243 documents for execution.

Decision

That the deeds be executed.