



Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

15 February 2018

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 20 February 2018** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minutes of Meeting of Council Executive held on Tuesday 06 February 2018 (herewith).

Public Items for Decision

5. Petition - "cuts to Instrumental Music Services in West Lothian Primary and Secondary Schools (please note the petition can be viewed by contacting Committee Services and is not attached to the Agenda Pack)
6. Procurement Arrangements - Direct Award to Barnardo's Scotland - Report by Head of Corporate Services (herewith)
7. West Lothian Council Response to the second Consultation on Local Heat and Energy Efficiency Strategies and Regulation of District and Communal Heating - Report by Head of Finance and Property Services

8. Registration and Licensing of Animal Sanctuaries and Rehoming Activities in Scotland - Report by Head of Planning, Economic Development and Regeneration (herewith)
9. 2017-18 General Fund Revenue Budget - Month 9 Monitoring - Report by Head of Finance and Property Services (herewith)
10. 2017-18 General Services Capital Budget - Month 9 Monitoring - Report by Head of Finance and Property Services (herewith)
11. 2017-18 Housing Revenue Account - Month 9 Monitoring Report - Report by Head of Depute Chief Executive (herewith)
12. 2017-18 Housing Capital Report - Month 9 Monitoring Report - Report by Depute Chief Executive (herewith)
13. Former Winchburgh Day Care Centre and Former Beattie School, Main Street, Winchburgh - Proposed Sale to Jamal Jabir and Sheamus Goonan - Report by Head of Finance and Property Services (herewith)
14. Site at Nairn Road, Deans Industrial Estate, Livingston - Proposed Sale to Picardy Enterprises Ltd - Report by Head of Finance and Property Services (herewith)
15. Police Scotland 2018-189 Annual Police Plan - Consultation - Report by Head of Housing, Customer and Building Services (herewith)

Public Items for Information

16. St John's Hospital Stakeholder Group - Report by Depute Chief Executive (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST Lothian Council held within COUNCIL CHAMBERS, WEST Lothian Civic Centre, on 6 FEBRUARY 2018.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Tom Conn, David Dodds, Peter Heggie, Chris Horne, Peter Johnston, Charles Kennedy, George Paul, Damian Timson, Andrew McGuire, (Substituting for Cathy Muldoon), Dom McGuire, (Substituting for Harry Cartmill), Moira Shemilt, (Substituting for Frank Anderson)

Apologies – Councillor Frank Anderson, Harry Cartmill, Cathy Muldoon

1. DECLARATIONS OF INTEREST

Agenda Item 6 – Paediatric Services at St John's Hospital – Councillor Andrew McGuire declared an interest in that he was a paid employee of Neil Findlay, MSP, and as such would not take part in the consideration or decision of this item of business.

2. MINUTE

The Council Executive confirmed the Minute of its meeting held on 23 January 2018 as a correct record. The Minute was thereafter signed by the Chair.

3. CORRESPONDENCE (HEREWITH).

The Council Executive noted the correspondence.

4. PAEDIATRIC SERVICES AT ST JOHN'S HOSPITAL

Councillor Andrew McGuire having previously declared an interest left the meeting room prior to this item of business being considered.

The Council Executive welcomed Jacquie Campbell, Chief Officer Acute Services and Tracey Gillies, Medical Director NHS Lothian.

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing an update on the position regarding the reduction in Paediatric Services at St John's Hospital in Livingston.

The report advised that a decision was taken by NHS Lothian to close the children's short stay assessment unit at St John's Hospital on 3 December, 9 December, 23 and 24 December, and 30 and 31 December 2017.

This followed a reduced service in Paediatric Services at St John's

Hospital in 2012, 2015 and from 7 July 2017.

At its meeting on 19 December 2017, Council Executive agreed a motion to write to the Cabinet Secretary for Health and Sport and the West Lothian constituency and list MSPs stating the council's position. The council received a letter from Fiona Mitchell, Director – Women's and Children's Services of NHS Lothian providing a written update and was appended to the report.

The report recommended that the Council Executive:

1. Note the updated position regarding the closure of the children's short stay assessment unit at St John's Hospital; and
2. Decide at action should be taken by the council in relation to this issue.

Jacquie Campbell, Chief Officer Acute Services and Tracey Gillies, Medical Director NHS Lothian delivered an update on the current position in relation to recruitment of consultants and Nurse Practitioners. It was advised that recruitment of nurse practitioners was not successful however, two current staff members were being trained and it was expected would be to be in a position to take up the post in the autumn. It was also advised that a consultant who was recruited at the end of 2017 had joined the team and that the most recent recruitment campaign had been a success with an offer having been made to another candidate which would take the total to seven.

Jacquie Campbell and Tracey Gillies further advised that even with the additional consultants and nurse practitioner training there were still gaps in the rota that were required to be filled before 24/7 paediatric services could be safely resumed. It was also confirmed that NHS Lothian was absolutely committed to 24/7 paediatric services at St John's Hospital.

Motion

Council Executive notes with increasing regret the ongoing closure of the children's short stay assessment and fully shares the distress and anxiety caused to parents' and children directly affected.

Councillors are increasingly alarmed at the distressing tales related by parents who have had to travel often in the middle of the night for their children to obtain urgent medical attention and that latest figures reveal that 432 children have had to be transferred to the Sick Kids since the reduced service was introduced. In many cases parents have had to meet expensive taxi fares for these journeys. In such cases, Council Executive requests NHS Lothian to provide free transport.

Council Executive agrees that five closures since 2012 is totally unacceptable.

Once again Council Executive calls on Shona Robison to work to provide at the earliest date the option 1 arrangement set out by the Royal College for Paediatricians and commit to a full return of the service at the earliest

possible date, all on the premise that Council Executive considers that NHS Lothian can only provide a permanent resolve with the absolute urgent commitment of Scottish Government.

Council Executive also agrees to write to the West Lothian local MSPs and the Lothian List MSPs to support our council's position.

- Moved by the Chair and seconded by Councillor Kirsteen Sullivan

Amendment

To agree paragraphs 1, 2, 3 and 5 to delete paragraph 4 of the motion and to add Council Executive calls on NHS Lothian to take all steps necessary to ensure a return to full 24/7 service as a matter of urgency”..

- Moved by Councillor Peter Johnston and seconded by Councillor Moira Shemilt.

A Roll Call Vote was taken which resulted as follows :-

Motion

Tom Conn

David Dodds

Lawrence Fitzpatrick

Peter Heggie

Chris Horne

Charles Kennedy

Dom McGuire

George Paul

Damian Timson

Kirsteen Sullivan

Amendment

Peter Johnston

Moira Shemilt

Decision

Following a roll call vote the motion was successful by 10 votes to 2 and it was agreed accordingly.

5. REPORT ON THE PROVISION OF SHORT BREAKS FROM CARING FOR FAMILIES OF CHILDREN AND YOUNG PEOPLE WITH A DISABILITY

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on the progress made in relation to the provision of residential short breaks from

caring for families with children with a disability in West Lothian.

The report recalled that a range of support was offered to meet the assessed needs of children and their families. Primarily this resulted in the Child Disability Service (CDS) providing a break from caring for the parent/family and offered support to access appropriate social opportunities for the child. In the main, breaks from caring would be day time and evening breaks but for a smaller number of children these breaks included overnight care.

The report advised that in 2016 a proposal was developed with a view to moving from commissioning residential short breaks support from an external provider to delivering the service in-house within the council. This proposal has now been revisited and it has been determined the proposed approach was no longer financially viable.

The viability of the proposal had also been impacted on by an increase in the number of parents choosing to access other provision through the implementation of the Self-Directed Support framework which allowed people who were eligible for support to make informed choices about what their support looked like and how it was delivered. This change had not affected the level of residential short breaks support received by any child or their family.

In conclusion the report advised that the implementation of SDS had an impact on the financial viability of the proposal that was submitted to the Council Executive on 30 August 2016, for the development of an in-house residential short break service within the council. Social policy remained committed to ensuring that children and young people with a disability and their families had access to a wide range of flexible services designed to meet their individual needs. A key element of this support where there was complex and severe need was access to overnight respite.

The report recommended that Council Executive consider and approve the proposed approach in relation to the future provision of residential short breaks from caring for children and young people with a disability in West Lothian.

Decision

To approve the terms of the report.

6. WEST LOTHIAN KINSHIP CARE LOOKED AFTER ALLOWANCE AND KINSHIP CARE ORDER ALLOWANCE PROCEDURE

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy advising of an update to the existing West Lothian Kinship Care Looked After Allowance and Kinship Care Order Allowance Procedure.

The report advised that on 1 October 2015 an agreement between the Scottish Government and local authorities came into force to ensure parity of allowances between kinship carers and foster carers. This applied to

both formal and informal kinship care arrangements.

In the provision of a level of financial support, the Scottish Government recognised that some or all kinship carers would be eligible for child related benefits which were intended to cover accommodation and maintenance. Under these circumstances the Scottish Government advised that these should be deducted from the amount of allowance payable to the kinship carer. The level of financial support provided by the Scottish Government to local authorities assumed the deduction of eligible benefits.

The existing procedure on kinship care allowances has been updated to take into account child related benefits that kinship carers may be eligible for and would be encouraged to apply for. The Scottish Government stated that local authorities should deduct these from the amount they paid to kinship carers. This would not adversely affect the rate of allowance both formal and informal kinship carers received in comparison to foster carers as their final payments would be the same. The only difference would be that child related benefits would account for part of what kinship carers received. This would ensure a fair, consistent approach and best value approach to the payment of kinship care allowances.

The report recommended that the Council Executive:-

1. Agree the proposed update to the West Lothian Kinship Care Looked After Allowance and Kinship Care Order Allowance Procedure; and
2. Note that child related benefits would account for part of future payments.

Decision

To approve the recommendations of the report.

7. PERIOD POVERTY

The Council Executive considered a report (copies of which had been circulated by the Head of Finance and Property Services) providing an update on the steps taken to ensure that young girls and vulnerable women had access to free sanitary products.

West Lothian Community Planning Partnership's Better Off: Anti-Poverty Strategy had an overall purpose to help minimise the impact of poverty on the people of West Lothian. Its objective was to ensure that people were equipped to cope with the constraints and welfare reform.

There was a considerable body of evidence about the impact of poverty on peoples' lives including the growing public awareness and understanding of the impact and stigma for women around the cost of sanitary products.

The report noted that sanitary products were not luxury items and there were costs for women and young girls associated with feminine hygiene which was a significant cost over a lifetime. Poverty, health conditions

and a lack of access to sanitary products all made dealing with menstruation difficult.

The Government's Programme for 2017/18 contained measures to tackle period poverty. A scheme to fund access to free sanitary products in schools, colleges and universities would be delivered. Action to support those on low incomes, but not in education, would be considered.

It was agreed at Council Executive on 28 November 2017 that a pilot scheme be established to provide free sanitary product dispensing machines in seven secondary schools with funding for a stock of sanitary products in primary and additional support schools in 2017/18.

Period Poverty was discussed with members of the Anti-Poverty Strategy Development Group and work was undertaken to gather information and evidence on access to free sanitary products for vulnerable women. The range of organisations and services which work with vulnerable women was appended to the report.

As part of West Lothian LEADER funding, a social enterprise called "Hey Girls" was put forward for application for a project which focussed on education and reducing stigma around period poverty. Hey Girls was a social enterprise that would be selling sanitary products. It was being promoted through Grazia magazine in January 2018, and through a range of "bloggers" and other media routes. The organisation was set up so that for every sanitary product that was sold another would be donated.

All of the services and organisations were very positive about reducing the stigma of period poverty. Whilst many had no real evidence of need, it was felt that a supply of products along with information on how to refer onto financial advice and support would help to better understand the unmet need. However, concern was raised by all parties in relation to sustainability.

The report concluded that West Lothian Council and partners were working collaboratively to consider ways in which access to free sanitary products could be improved and that it was combined with information on where good financial advice was available. The Anti-Poverty Development Group would continue to monitor and evaluate the activity and would work closely with the Scottish Government on the roll out of their programme later in 2018.

The report recommended that Council Executive

1. The contents of the report and, in particular, the emerging partnership arrangement between West Lothian Food Bank and both internal and external services.
2. Approve a commitment of £18,000 to pilot a period poverty payment to women in receipt of a crisis grant in 2018/19.

Decision

To approve the terms of the report.

8. WATSON PARK, ARMADALE – PROPOSED PROPERTY AND OPEN SPACE INVESTMENTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the proposals for the improvement of facilities at Watson Park, Armadale, and in particular, the development of new changing rooms, planned improvements at the bowling club and works to enhance the wider open space and park facilities.

The report recalled that the council as part of its approved General Services Capital programme for 2013/14 to 2017/18 identified the provision of a new changing pavilion together with the undertaking of wider park improvements at Watson Park, Armadale. Appendix 1 contained a plan showing the location of the park, the existing bowling club and facilities together with the proposed new changing facility location.

The proposal consisted of three main property investments and a number of open space improvements including the following:-

- Development of a new stand-alone team sports changing facility
- Modernisation of Bowling Club
- Former Depot & Existing Changing Rooms – Demolition of Storage
- Park Improvements

It was noted that a separate project for the war memorial within the park would be developed in 2018/19 prior to both the pavilion project and wider park improvement project.

IN conclusion the report advised that officers working collaboratively with stakeholder had identified deliverable proposals that would enable the modernisation of the bowling club and the delivery of new changing facilities which would support pitch and wider park improvements. Through the active engagement with stakeholders and ongoing dialogue it was hoped that the community would become more empowered to enable additional investment and greater management roll in Watson Park.

The report recommended that Council Executive:-

1. Approve the progressing of a new changing facility in partnership with the community football club;
2. Approve working in partnership with the bowling club management committee to identify and undertake a programme of compliance and condition works to sustain and where possible improve the facility;
3. Approve the undertaking of the wider park improvements noted in the report and that these would commence following development of the new changing facility to minimise disruption and potential additional

costs;

4. Note the stakeholder consultation and engagement undertaken to date and the outcome of this, which was reflected in the investment proposals contained in the report; and
5. Note the ongoing engagement with stakeholders and the wider community to develop proposals further and encourage community empowerment in the management of the assets subject to investment.

Decision

To approve the terms of the report.

9. REVIEW OF FINANCIAL REGULATIONS

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services, providing an update on financial regulations.

It was advised that financial regulations were essential to conduct business efficiently, secure best value and ensure proper administration of financial affairs in accordance with the Local Government (Scotland) Act 1973.

The result of the last review of the financial regulations was approved by Council Executive on 4 June 2013. Minor changes were subsequently reported to and approved by Council Executive on 26 May 2015. Under the terms of the council's Code of Corporate Governance, the financial regulations must be reviewed at least once every administrative term.

Based on the review undertaken, it was concluded that the overall format of the financial regulations remained fit for purpose. The scope of the review was to identify any changes that may be required to the content of the regulations. As such, the updated regulations contained minimal changes but had been revised to take account of current circumstances.

Appendix 1 to the report contained the updated financial regulations and the current financial regulations were contained in appendix 2. The Head of Finance and Property Services then provided a summary of the main changes within the report.

The report recommended that the Council Executive approve the revised financial regulations as set out in Appendix 1 to the report.

Decision

To approve the terms of the report.

10. REVENUE BUDGET STRATEGY 2018/19 TO 2022/23

Deputation

The Council Executive heard from Ms Morag Davidson in relation to her concerns on proposals contained in the Revenue Budget Strategy about taxi-cards, concessionary rail travel and Blue Badges. Ms Davidson asked the Council Executive to consider what she felt were serious disproportionate measures to ability centres and concessionary travel, and the impact they would have on disabled people. She advised she had six home-schooled children with disabilities and the proposals on ability centres and concessionary travel would have a direct impact on them.

Report by Head of Finance and Property Services

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the proposed approach to developing a revenue budget strategy for the five year period 2018/19 to 2022/23 to meet the financial planning parameters agreed by West Lothian Council on 20 February 2017 and on 7 November 2017.

On 20 February 2017, West Lothian Council agreed that the established integrated approach to corporate and financial planning should continue for the five year period 2018/19 to 2022/23.

Council Executive on 20 June 2017 noted the proposed approach to developing corporate and financial planning based on the previous approach for 2018/19 to 2022/23.

A report on the updated projected 2018/19 to 2022/23 budget gap and consultation exercise was considered by the Council Executive on 19 September 2017. It was acknowledged that the financial position was very challenging and it was agreed that officers undertake preparatory work on options for future potential savings.

It was agreed at council on 7 November 2017 that the timescales for delivery of savings would be included in reports to be presented to council in February 2018, in line with previous practice. In addition, the full budget report would include the impact or savings on council jobs, service performance and quality.

The Transforming Your Council (TYC) consultation held between 16 October and 12 November 2017 set out that the council was facing an estimated budget gap of £73 million against which officers had identified savings of £63 million. Additional savings of £10 million were required to be identified in addition to measures included within the consultation. The consultation sought stakeholder opinions on the following three key areas:-

- Priorities for the next five years based on the eight priorities of the Corporate Plan 2012/17.
- Officer budget proposals that sought to address the anticipated budget gap through reductions and/or changes to services provided by the council.
- Council tax levels including an assumed increase of 3% per annum,

and on the potential to increase council tax levels by greater than 3%

The TYC consultation received 7,026 responses, with over 45,000 comments from all respondents. The majority of responses were in agreement with officers' proposed measures. A series of PDSP meetings were held between 18 and 21 December 2017 to consider the feedback from the consultation, which included statistical information relating to responses for measures and a high level summary of comments and feedback.

Following the consultation and the previous budget update model report in October 2017, the council received confirmation of the draft 2018/19 Scottish Government grant funding from the Local Government Finance Settlement. The settlement included a package of measures offered to councils. Budget assumptions were updated to incorporate the settlement and other known model assumption changes.

The report summarised the material changes to the budget model since the previous update in October 2017 and included details in relation to:-

- Staffing Costs
- Service Pressures and Developments
- Scottish Government Grant Funding

Table 1 summarised the main elements of the budget model for each of the five years.

The position was broadly consistent with previous forecasts, and reflected the outcome of the local government finance settlement for 2018/19 and latest budget model assumptions.

The nature of long term forecasting meant that it was challenging to identify expenditure pressures and income for future years. There were significant risks and uncertainties associated with the long term financial assumptions which were outlined in the report.

Audit Scotland and the Chartered Institute of Public Finance and Accountancy both identified the need for public bodies to focus on their medium to long term financial sustainability.

The Accounts Commission emphasised that evidence had shown that councils were finding the financial pressures increasingly difficult to manage, and that effective leadership and robust planning were essential to help councils meet the challenges ahead. In addition they believed that all councils should have a long term financial strategy covering five years and should be supported by detailed plans covering a minimum of three years.

In January 2013, the council implemented a new approach to corporate and financial strategy incorporating eight priorities and an integrated approach to planning.

The Council Executive on 20 June 2017 noted the proposed approach to

developing corporate and financial planning for 2018/19 to 2022/23. The continued very constrained financial position faced by the council meant that resources would have to be prioritised on an ongoing basis. Within this context, the proposed approach was essential to ensuring that the council could continue to balance the budget over the five year period.

The Head of Finance and Property Services advised that to ensure that the council was operating on a sustainable financial footing, fundamental changes were required to some services which contributed less to the delivery of council priorities, subject to the results of the consultation exercise. This was consistent with the findings of the Accounts Commission which believed that all options for change need to be investigated.

As agreed the council continued to adopt a priority based revenue plan for 2018/19 to 2022/23, to set out how the Corporate Plan priorities would be delivered. The report then provided a summary of the agreed approach. Appendices 1 and 2 provided information showing how each council service and activity had been assessed against the priority and enabler themes. Appendix 1 also included frontline activities that supported the delivery of the council's eight priorities while Appendix 2 also included all support activities.

Further information was provided in Appendix 3 on officer proposed budget reduction measures providing a comprehensive list of proposed savings at a service level. There was also a description of the proposed savings, the total value and anticipated full time equivalent (FTE) reduction, in addition to whether the measure was a prioritisation or a efficiency saving. Appendix 3 included the results of the initial equality impact relevance assessment which identified where detailed equality impact assessments were required.

Additional information on lead in times for savings and if the savings were at the start, middle or end of the five year plan was also provided as agreed at Policy and Resources PDSP on 19 January 2018.

It was advised that at this stage the estimated budget gap was £65.3 million and there were officer savings of £65.1, which left an outstanding budget gap of £200,000. Officers continued to seek to develop additional savings to address the remaining gap. This included consideration of good ideas from the consultation and a summary of these suggestions would be included in the revenue budget report to the full council.

In addition to the development of the council's corporate, revenue, and capital financial plan, West Lothian Leisure was working on a five year financial strategy. An update on the strategy was presented to the West Lothian Leisure Advisory Committee on 1 February 2018, and further discussions were necessary to ensure West Lothian Leisure could make changes to ensure a sustainable operating model.

The report went on to advise that the West Lothian Integration Joint Board (IJB), in partnership with West Lothian Council had responsibility for the strategic planning of adult social care functions and delivery. As part of the council's annual budget, a contribution was approved to the IJB based on the budget available for delegated adult care functions.

In line with the previous committee decisions and motions the Head of Finance and Property Services would present a report to full council on 13 February 2018, setting out the five year revenue strategy and detailed revenue budgets for the three years 2018/19 to 2020/21. This was consistent with the established strategic approach to financial and corporate planning which ensured that the council could respond proactively to the magnitude of the challenges in delivering essential services whilst financial resources were constrained.

The Head of Finance and Estates advised that officers were finalising the revenue budget based on the parameters and considerations which were outlined in the report. Details of the structure and elements that would be incorporated in the budget paper were outlined in the report.

In conclusion it was advised that the report provided the Council Executive with an update on the development of a five year revenue budget strategy for 2018/19 to 2022/23. Following conclusion of the Transforming Your Council Consultation officers were developing detailed measures to ensure that the council had a robust priority based financial plan over the five year period.

It was recommended that the Council Executive:-

1. Note the conclusion of the Transforming Your Council consultation and that responses and suggestions received as part of the consultation would be used to help inform measures to balance the revenue budget for the five year period up to 2022/23;
2. Note the revised budget model, the updated revenue budget gap of £65.3 million and the hugely challenging financial position facing the council over the next five years;
3. Note work undertaken to date by officers in developing the five year revenue budget strategy for the period 2018/19 to 2022/23;
4. Note the outcome of the officers' prioritisation analysis of services against the proposed Corporate Plan priorities and the three year enabler themes, as set out in appendices 1 and 2 of the report;
5. Note officer savings proposals at service and unit level, as set out in Appendix 3 of the report; and
6. Note that the Head of Finance and Property Services would present a report to full council on 13 February 2018 containing a five year revenue financial plan and a three year detailed revenue budget for 2018/19 to 2020/21

Motion

Council Executive notes the immensely challenging financial position facing the council as a result of reductions in ongoing Scottish Government funding, over a long period, not being sufficient to cover the increasing costs of providing essential local services. This resulted in savings of £92 million

being implemented from 2007/08 to 2017/18, with further required savings of £65.3 million estimated for the five years to 2022/23, making the total savings to West Lothian Council £157.3 million.

There have been continuous reductions year on year in Scottish Government support for essential local services. Council Executive notes that the council has continued to improve performance in most areas, as independently assessed in the recent Best Value assurance report by the Accounts Commission. Part of the reason for ongoing good performance is the integration of corporate and financial planning and preparation of long term plans.

Despite the spin being placed on the Scottish Budget it continues to be a significant real term cut in funding to the council. The funding settlement is not sufficient to meet the additional cost of delivering essential services to all the community.

The minority Labour Administration has listened and reflected carefully to responses containing over 45,000 comments on what proves to be the most successful consultation ever undertaken by the council.

	Tough Choices 2010	Delivering Better Outcomes 2012	Delivering Better Outcomes 2014	Transforming Your Council 2017
Individuals	148	949	1,900	6,296
Employees	540	1,835	1,422	627
Organisations/Groups	218	169	145	103
Additional (survey)	596	N/A	N/A	N/A
Totals	1,502	2,953	3,467	7,026

Council Executive therefore welcomes the progress being made in developing a credible financial plan for 2018/19 to 2022/23, which allows council to set a balanced budget being a legal requirement. In relation to the recommendations in the report Council Executive:

1. Notes the conclusion of the Transforming Your Council consultation and that responses and suggestions will be used to help inform measures to balance the revenue budget for the five year period up to 2022/23;
2. Notes the revised budget model, the updated revenue budget gap of £65.3 million and the hugely challenging financial position facing the council over the next five years which has been forced by Scottish Government reduced support to the council;
3. Notes work undertaken to date by officers in developing a new five year revenue budget strategy for the period 2018/19 to 2022/23;
4. Notes the outcome of the officers' prioritisation analysis of services against the proposed Corporate Plan priorities and the three enabler themes, as set out in Appendices 1 and 2;
5. Notes officer saving proposals at service and unit level, as set out in

Appendix 3, and further recognises that the Transforming Your Council consultation provided significant feedback on these proposals. Council Executive believes it is important to take account of the wide range of helpful comments received during the consultation and also that the council's budget process reflects the views of elected members.

Council Executive therefore instructs the Head of Finance and Property Services to incorporate the impact of the following changes into his budget report to Council, including adjusting the proposed savings as required, which reflect this minority Labour Administration's pre-election commitments to the citizens of West Lothian particularly the young, our senior citizens and those in greater need:

- **H3b - Amalgamate three libraries into one location**
Officers are instructed to review the proposal to amalgamate the three Livingston libraries into one location, and to develop an alternative proposal for inclusion in the budget report to deliver savings while retaining two library facilities in Livingston.
- **H4c - Close Fauldhouse swimming pool**
Officers are instructed to remove this proposal from the proposed budget saving measures.
- **O1a - Cease the concessionary rail scheme**
Officers are instructed to remove the proposed saving of £286,000 from the proposed budget saving measures. Officers are instructed to review the existing concessionary rail scheme, including appropriate discussions with Abellio, with the Head of Operational Services to report to the Development and Transport Policy Development and Scrutiny Panel (PDSP) on the findings.
- **O1b - Reduction in mainstream school transport to the statutory minimum and removal of fare paying option**
Officers are instructed to remove the proposed saving of £922,000 from the proposed budget saving measures.
- **O1c - Cease subsidised bus services**
Officers are instructed to remove the proposed saving of £1.872 million from the proposed budget saving measures, and to include proposals in the budget report to retain the time limited funded bus routes for a further year at a cost of £290,000. Officers are also instructed to consider for inclusion in the budget report the opportunity to raise additional income through fare increases. Officers are instructed to extend existing bus contracts by one year, review existing bus services and consider future options, with the Head of Operational Services to report to the Development and Transport PDSP on the findings.
- **O1d - Withdrawal of school homelessness transport scheme**
Officers are instructed to remove the proposed saving of £161,000 from the proposed budget saving measures. Officers are instructed to

review the school homelessness transport scheme, with the Head of Operational Services to report to the Development and Transport and Education PDSPs on the findings.

- **O1e - Public transport contracts budget model savings**
Officers are instructed to remove the proposed saving of £456,000 from the proposed budget saving measures.
- **O3a - Staffing restructure to reflect revised core public transport activities**
Officers are instructed to remove the proposed saving of £183,000 from the proposed budget saving measures.
- **O7b - Closure of three community recycling centres (CRCs)**
Officers are instructed to remove the saving proposal of £321,000 to close three community recycling centres, and to develop for inclusion in the budget report an alternative proposal for savings in this area that allows these CRCs to remain open.
- **O7d - Charge for brown bin usage**
Officers are instructed to review the saving proposal of £433,000 to charge for brown bin usage, and to develop an alternative proposal for inclusion in the budget report for savings in this area that do not include charging.
- **SJ1a - Review of day care services including provision at Carmondean, Eliburn and Pathways**
Officers are instructed to retain the three existing day care centres at the Ability Centre at Carmondean, Eliburn and Pathways, to review the proposal to rationalise day care services for adults, and to develop an alternative proposal for inclusion in the budget report to deliver savings in adult day care.
- **SJ6d and S4d - Responsibility for payment of Protecting Vulnerable Groups (PVG) checks passed to employees**
Officers are instructed to revise the proposal for inclusion in the budget report to transfer responsibility for payment of PVG checks to employees to ensure that this applied at a grade that would not affect lower paid workers.
- **SJ1e and S1i - Review of learning disability, physical disability and looked after children transport**
Officers are instructed to remove the proposed saving provision for learning disability, physical disability and looked after children transport, and to develop an alternative proposal for inclusion in the budget report to deliver efficiency savings in this area.
- **E1a - Restructure of youth services to focus on More Choices, More Chances (MCMC) activity**
Officers are instructed to remove the proposed saving of £1.270 million from the proposed budget saving measures. Officers are instructed to review the impact of youth services provision in tackling

inequalities, developing skills to improve employability, increasing participation, raising attainment and achievement of young people and promoting health and wellbeing of young people. The review should identify the most effective deployment of resources and partnership working to ensure positive outcomes for young people and communities, and the results should be reported to Education PDSP.

- **E1c - Mainstream instrumental music provision into general curriculum**

Officers are instructed to remove the proposal to mainstream instrumental music provision into the general curriculum, and to develop an alternative proposal for inclusion in the budget report to deliver savings in this area which would retain a substantial level of music tuition.

- **F4c - Reduce and rationalise non-core properties**

Officers are instructed to update this proposal as required in the budget report to reflect any changes to other proposals.

6. Agrees that the Head of Finance and Property Services will present a report to full Council on 13 February 2018 containing a five year revenue financial plan and a three year detailed revenue budget for 2018/19 to 2020/21, which takes account of decisions made at Council Executive today.

The Head of Finance and Property Services has verified the financial consequences of the motion.

- Moved by the Chair and seconded by Councillor Kirsteen Sullivan.

Amendment

Council Executive notes that the officer report details increase revenue funding for West Lothian Council in the 2018/19 year of £7.7m and that with an assumed council tax increase of £3.3m this council has increased resources of £11m for this year.

Council Executive notes with concern that elected members are still being denied the detail required to properly scrutinise budget reduction proposal with, for example, information with regards to the timescales for the implementation of measures not available and information on exactly how proposed cuts will be delivered not available.

Council Executive further accepts that making elected members wait until the budget meeting papers are published to see, for the first time, the details of reduction measures fails totally to meet accepted open and transparent standards of governance.

Council Executive therefore welcomes the progress being made in developing a credible financial plan for 2018/19 to 2022/23, which allows council to set a balanced budget being a legal requirement. In relation to

the recommendations in the report Council Executive:

1. Notes the conclusion of the Transforming Your Council consultation and that responses and suggestions will be used to help inform measures to balance the revenue budget for the five year period up to 2022/23;
2. Notes the revised budget model, the updated revenue budget gap of £65.3 million and the hugely challenging financial position facing the council over the next five years which has been forced by Scottish Government reduced support to the council;
3. Notes work undertaken to date by officers in developing a new five year revenue budget strategy for the period 2018/19 to 2022/23;
4. Notes the outcome of the officers' prioritisation analysis of services against the proposed Corporate Plan priorities and the three enabler themes, as set out in Appendices 1 and 2;
5. Notes officer saving proposals at service and unit level, as set out in Appendix 3, and further recognises that the Transforming Your Council consultation provided significant feedback on these proposals. Council Executive believes it is important to take account of the wide range of helpful comments received during the consultation and also that the council's budget process reflects the views of elected members.

Council Executive therefore instructs the Head of Finance and Property Services to incorporate the impact of the following changes into his budget report to Council, including adjusting the proposed savings as required, which reflect this minority Labour Administration's pre-election commitments to the citizens of West Lothian particularly the young, our senior citizens and those in greater need:

- **H3b - Amalgamate three libraries into one location**
Officers are instructed to review the proposal to amalgamate the three Livingston libraries into one location, and to develop an alternative proposal for inclusion in the budget report to deliver savings while retaining two library facilities in Livingston.
- **H4c - Close Fauldhouse swimming pool**
Officers are instructed to remove this proposal from the proposed budget saving measures.
- **O1a - Cease the concessionary rail scheme**
Officers are instructed to remove the proposed saving of £286,000 from the proposed budget saving measures. Officers are instructed to review the existing concessionary rail scheme, including appropriate discussions with Abellio, with the Head of Operational Services to report to the Development and Transport Policy Development and Scrutiny Panel (PDSP) on the findings.

- **O1b - Reduction in mainstream school transport to the statutory minimum and removal of fare paying option**
Officers are instructed to remove the proposed saving of £922,000 from the proposed budget saving measures.
- **O1c - Cease subsidised bus services**
Officers are instructed to remove the proposed saving of £1.872 million from the proposed budget saving measures, and to include proposals in the budget report to retain the time limited funded bus routes for a further year at a cost of £290,000. Officers are also instructed to consider for inclusion in the budget report the opportunity to raise additional income through fare increases. Officers are instructed to extend existing bus contracts by one year, review existing bus services and consider future options, with the Head of Operational Services to report to the Development and Transport PDSP on the findings.
- **O1d - Withdrawal of school homelessness transport scheme**
Officers are instructed to remove the proposed saving of £161,000 from the proposed budget saving measures. Officers are instructed to review the school homelessness transport scheme, with the Head of Operational Services to report to the Development and Transport and Education PDSPs on the findings.
- **O1e - Public transport contracts budget model savings**
Officers are instructed to remove the proposed saving of £456,000 from the proposed budget saving measures.
- **O3a - Staffing restructure to reflect revised core public transport activities**
Officers are instructed to remove the proposed saving of £183,000 from the proposed budget saving measures.
- **O7b - Closure of three community recycling centres (CRCs)**
Officers are instructed to remove the saving proposal of £321,000 to close three community recycling centres, and to develop for inclusion in the budget report an alternative proposal for savings in this area that allows these CRCs to remain open.
- **O7d - Charge for brown bin usage**
Officers are instructed to review the saving proposal of £433,000 to charge for brown bin usage, and to develop an alternative proposal for inclusion in the budget report for savings in this area that do not include charging.
- **SJ1a - Review of day care services including provision at Carmondean, Eliburn and Pathways**
Officers are instructed to retain the three existing day care centres at the Ability Centre at Carmondean, Eliburn and Pathways, to review the proposal to rationalise day care services for adults, and to develop an alternative proposal for inclusion in the budget report to

deliver savings in adult day care.

- **SJ6d and S4d - Responsibility for payment of Protecting Vulnerable Groups (PVG) checks passed to employees**

Officers are instructed to revise the proposal for inclusion in the budget report to transfer responsibility for payment of PVG checks to employees to ensure that this applied at a grade that would not affect lower paid workers.

- **SJ1e and S1i - Review of learning disability, physical disability and looked after children transport**

Officers are instructed to remove the proposed saving provision for learning disability, physical disability and looked after children transport, and to develop an alternative proposal for inclusion in the budget report to deliver efficiency savings in this area.

- **E1a - Restructure of youth services to focus on More Choices, More Chances (MCMC) activity**

Officers are instructed to remove the proposed saving of £1.270 million from the proposed budget saving measures. Officers are instructed to review the impact of youth services provision in tackling inequalities, developing skills to improve employability, increasing participation, raising attainment and achievement of young people and promoting health and wellbeing of young people. The review should identify the most effective deployment of resources and partnership working to ensure positive outcomes for young people and communities, and the results should be reported to Education PDSP.

- **E1c - Mainstream instrumental music provision into general curriculum**

Officers are instructed to remove the proposal to mainstream instrumental music provision into the general curriculum, and to develop an alternative proposal for inclusion in the budget report to deliver savings in this area which would retain a substantial level of music tuition.

- **F4c - Reduce and rationalise non-core properties**

Officers are instructed to update this proposal as required in the budget report to reflect any changes to other proposals.

Council Executive accepts that this council's budget process has been seriously flawed and agrees with our council Trades Unions that this process has **"not been fit for purpose"**.

Council Executive further notes that the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended defines the public sector equality duty as being to ensure that public authorities (of which this council is one) must positively contribute to a more equal society through advancing equality in their day to day business that in seeking to do so public authorities should;*

- Take effective action on equality
- Make the right decisions first time around
- Develop better policies and practices based on evidence
- Be more transparent, accessible and accountable
- Deliver improved outcomes for all

In implementing this duty the following principles are clearly established;

- The duty is on the decision maker personally in terms of what he or she knew and took into account. A decision maker cannot be assumed to know what was in the minds of his or her officials giving advice on the decision.
- Each need of the duty must be considered. The requirement to have due regard to the need to advance equality of opportunity is a separate obligation, in addition to the need to avoid unlawful discrimination.
- The general equality duty must be complied with before and at the time a particular policy is under consideration, as well as at the time a decision is taken. A public authority subject to the general equality duty cannot satisfy the general equality duty by justifying a decision after it has been taken.
- A public authority must consciously think about the need to do the things set out in the general equality duty as an integral part of the decision making process. Having due regard is not a matter of box ticking. The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision. There should be evidence of a structured attempt to focus on the details of equality issues.
- A public authority must have sufficient evidence on which to base consideration of impact of a policy or decision. It will need to consider whether it has sufficient information about the effects of the policy, or the way a function is being carried out, on the needs set out in the general equality duty.

In terms of meeting the Specific Duties authorities are required to;

- Assess the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty, in so far as is needed to meet the general equality duty.
- In making the assessment the authority must consider relevant evidence relating to people who share a protected characteristic – including any evidence received from those people.
- In developing a policy or practice an authority must take account of the results of their assessment of that policy or practice.
- An authority's consideration of whether or not an assessment of impact is needed cannot be treated as an assessment itself.

* every bullet point in this paper is taken – word for word from the Essential guide to the Public Sector Equality Duty – A guide for public authorities in Scotland July 2016.

Council Executive notes that, as of today 6th February, the decision makers of this council- councillors- have not seen, read or been able to consider any EIA's relevant to proposed budget reduction measures.

Council Executive further notes that there are no scheduled meetings planned to allow councillors to fulfil their responsibilities under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 before decisions are proposed to be taken on such budget reduction measures on 13th February.

Council Executive accepts that this clear failure to provide councillors with the required opportunity to consider EIA's with regards to budget reduction measures "before and at the time a particular policy is under consideration, as well as at the time a decision is taken" has placed this council in serious conflict with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

Council Executive therefore instructs officers to ensure meetings of all relevant PDSP's take place, prior to the Council Meeting of the 13th February and that EIA's for every budget reduction proposal are full considered and scrutinised before budget reduction proposal are determined.

The Head of Finance and Property Services has verified the financial consequences of the motion.

- Moved by Councillor Peter Johnston and seconded by Councillor Moira Shemilt.

A Roll Call Vote was taken which resulted as follows :-

<u>Motion</u>	<u>Amendment</u>
Tom Conn	Peter Johnston
David Dodds	Moira Shemilt
Lawrence Fitzpatrick	
Peter Heggie	
Chris Horne	
Charles Kennedy	
Andrew McGuire	
Dom McGuire	
George Paul	
Damian Timson	
Kirsteen Sullivan	

Decision

Following a roll call vote the motion was successful by 11 votes to 2 and it was agreed accordingly.

11. 2018 SMART CITY SUMMIT & EXPO (SCSE)

The Council Executive considered a report (copies of which had been circulated) advising of an invitation that had been received from the Taipei Representative Office in the UK Edinburgh Office, for an official delegation from West Lothian Council to attend and participate in the 2018 Smart City Summit & Expo (SCSE) in Taipei from 27 – 30 March 2018.

The report advised that this was a unique invitation and opportunity to take part in the 2018 Smart City Summit & Expo in Taipei. The SCSE was the largest business 2 Business exhibition in Asia with over 23,000 visitors and 200 speakers in 2017.

For 2018 West Lothian would be the only representative from Scotland which would include delegates from 30 other countries such as Japan, Korea, India and Italy.

As part of the invitation the council would be given an exhibition booth to display West Lothian as a place to do business. This was a unique opportunity to attract inward investment to West Lothian.

The event organisers confirmed that they would cover the cost of a flight to Taipei and local accommodation, as well as local accommodation for four members of the delegation.

The report recommended that the Council Executive:-

1. Note the invitation received from the Taipei Representative Office in the UK, Edinburgh Office;
2. Approve the attendance at the Summit of the Executive Councillor Development and Transport and the Provost, and note that they would be accompanied by a council officer and a representative of West Lothian College.

Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Kirsteen Sullivan

Amendment

Council Executive notes that today we are considering a report which recommends;

- The removal of funding for travel for homeless children to their local school

- The removal of funding for rail concessions from the elderly
- The removal of funding for taxi cards for the elderly
- The removal of funding for subsidised buses
- The removal of council funding for Business Improvement Districts
- The removal of council funding for economic development

At the same time we are asked to spend public money to send three council delegates to a Smart City event in Taiwan.

Committee notes Smart City Expo tells us it is aimed at cities, businesses, entrepreneurs, startups, social innovators, research centres, universities, public or non-governmental organisations to present and get up-to-date with the most innovative developments transforming our cities.

Committee further notes that Smart City events are held on a regular frequency in leading cities across the world with, most recently on 1st February London hosting such an event.

Committee further notes that West Lothian has no cities.

Committee further notes that no evidence has been presented to demonstrate any direct benefit to this council from such attendance.

Committee therefore accepts that in these difficult times it is wholly inappropriate for West Lothian Council to spend public money in sending three council delegates to a conference/event in Taiwan and therefore reject this proposal.

- Moved by Councillor Peter Johnston and seconded by Councillor Moira Shemilt

A Roll Call Vote was taken which resulted as follows :-

<u>Motion</u>	<u>Amendment</u>
Tom Conn	Peter Johnston
David Dodds	Moira Shemilt
Lawrence Fitzpatrick	
Peter Heggie	
Chris Horne	
Charles Kennedy	
Andrew McGuire	
Dom McGuire	
George Paul	
Damian Timson	

Kirsteen Sullivan

Decision

Following a roll call vote the motion was successful by 11 votes to 2 and it was agreed accordingly.

12. COUNCILLORS' CODE OF CONDUCT - ANNUAL REVIEW 2015/16 -

The Council Executive considered a report (copies of which had been circulated) the Chief Executive concerning the annual review of the operation of the Councillors' Code of Conduct.

The report explained that, under legislation, the council had a duty to promote observance by councillors of high standards of conduct and to assist councillors to observe the Code.

The Council Executive was informed that the annual presentation on the year 2016/17 had been held on 7 November 2017. 22 members had attended and 14 officers were present. Statistical information was presented about complaints received, investigated and reported on by the Commissioner, and some underlying trends were noted. Appendix 1 to the report contained a list of complaints received by the CES during the year.

Appendix 2 to the report contained the presentation that was presented to members on 7 November 2017.

It was noted that the Commissioner's annual report for 2016/17 was available on the internet. It contained a very full set of statistics and tables to show the work carried out during the year and identified trends. Some of the more significant statistics were extracted and set out in a table within the report by the Governance Manager.

There were a few issues to note from the Commissioner's report. These were:-

- There were fewer complaints received, more complaints concluded, but there was still a backlog at the year end.
- The CES made the highest ever number of "breach" referrals on the SCS.
- Far more complaints led to a "no breach" finding.
- Cases were more complex to investigate – more documentation was produced which took more time to investigate.
- The target was to complete 60% of cases within 3 months, but that target was achieved in only 56% of cases.
- The increase in output meant there was a substantial budget overspend on investigation staff.

- There were fewer complaints coming from the public, more were coming from councillors, and more were being received from council officers.
- Hardly any complaints were made about non-councillors.

The report went on to provide information on the highlights from the SCS's activities for the year.

In West Lothian, there had been one complaint referred to and investigated by the CES in 2016/17. The complaint was not found to be in breach. There were two West Lothian complaints determined by the SCS during the report year. Both cases concerned failure to declare an interest, each of which was censured, the lowest sanction available.

The report advised that there were more cases that involved West Lothian councillors that were dealt with by the CES and at hearings by the SCS. The two breach/censure cases were unrelated and isolated examples of councillors not seeming to have a clear understanding of the Code and not applying the objective test consciously and properly to items of business. The Governance Manager considered there was no sign of a trend of more frequent complaints or transgressions, and that the council and West Lothian councillors continued to maintain high standards of conduct.

The report advised that the SCS identified two key areas of its future activity to be the exercise by councillors of their enhanced right to freedom of expression in political and public interest issues, and drawing the line between strategy/policy and management/operational matters. The overall issue of respect was heavily involved in both those issues.

The report recommended that the Council Executive:-

1. Note the summary of the issues arising in relation to the Councillors' Code of Conduct in 2016/17.
2. Note that the annual presentation on the Code was given to members on 7 November 2017.
3. Note in particular, developments in relation to members' freedom of speech, members conduct towards officers, and the line between strategy/policy and management/delivery.

Decision

To note the terms of the report.

13. SCOTTISH PUBLIC SERVICES OMBUDSMAN: ANNUAL REPORT 2016-2017

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing an update on the Scottish Public Services Ombudsman's annual report 2016-2017.

The SPSO reported that for 2016-17, the number of complaints received regarding local government had decreased by 11% compared with the previous year. The number of upheld complaints for local government had increased from 55% in 2015-16 to 60% in 2016/17. The SPSO highlighted that the top areas complained about remained the same as previous years, with the greatest number of complaints being received about Housing and Social Work respectively with Planning in third place. These subjects accounted for 50% of all local government complaints in 2015-16.

The SPSO's Annual Letter to West Lothian Council was attached as Appendix 1 to the report. Appendix 2 provided tables of statistics to illustrate West Lothian Council complaints received by subject area and complaints determined by outcome for 2013-14 and 2014-15. Appendix 3 contained SPSO recommendations and service improvement actions for complaints closed in 2016/17.

The Council Executive was informed that the SPSO reported that whilst the total number of complaints received about West Lothian Council had increased slightly in 2016/17 there were no fully upheld complaints after SPSO investigation.

The SPSO continued to expect organisations to be more proactive in ensuring that opportunities for learning from complaints were taken and mistakes were not repeated through the measures outlined in the report.

A report would be submitted quarterly to the council's Complaints Steering Board and quarterly to the Performance Committee outlining the learning from SPSO decisions, which have been implemented by the council in response to complaints made. The learning would be appended to the annual report to Partnership and Resources PDSP for information.

The report recommended that Council Executive:-

1. Note the Scottish Public Services Ombudsman's (SPSO) annual report 2016-2017; and
2. Note West Lothian Council's performance in relation to the number of complaints received by the SPSO and the outcome; and
3. Note learning from SPSO complaints which was appended to the report for information.

Decision

1. To note the terms of the report.
1. Agree that a further update be provided to the Partnership and Resources PDSP in June 2018;
2. Note that another report on the PDSP agenda, Revenue Budget Strategy 2018/19 to 2022/23, provided an update on the forecast budget model for the period.

Decision

To note the terms of the report.



COUNCIL EXECUTIVE

PROCUREMENT ARRANGEMENTS – DIRECT AWARD TO BARNARDO'S SCOTLAND

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval to make a direct award to Barnardos' Scotland for the provision of a Social Emotional and Behavioural Needs Early Intervention Service for children under 12 and those going through transition into secondary mainstream school and, their families.

The contract will commence 1 April 2018 and will be for a period of 1 year.

B. RECOMMENDATION

It is recommended that Council Executive approves a one off direct award for Barnardo's Scotland of £39,910.00 for the delivery of a Social, Emotional and Behavioural Needs Early Intervention Service for West Lothian's children and their families.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Direct awards will be made in accordance with Standing orders of West Lothian Council and the Public Contracts (Scotland) Regulations 2015.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	Revenue budget available financial year 2018/19 from Education Services - £39,910.

VII	Consideration at PDSP	None
VIII	Other consultations	Head of Finance and Property Services, and Corporate Procurement Unit

D. TERMS OF REPORT

Background

West Lothian Council Education Services currently utilises Barnardo's Scotland to provide an early intervention service for children under the age of 12 and those going through transition into secondary mainstream and their families with the aim of:

- Supporting children to be successful learners ;
- Supporting families to have a more positive family life ;
- Supporting children to deal positively with peers and with emotional issues ;
- Preventing children being educated outwith the authority.

This service, as an early intervention service, aims to work with families before they hit crisis point, where possible.

Previously, a Business Case Exemption was approved allowing derogation from the council's Standing Orders for the Regulation of Contracts. However, as the total aggregated expenditure has exceeded the approval authority of the Head of Corporate Services, Council Executive is asked to consider this Report.

Children referred require to be under the age of 12 and have been identified by school, NHS or Social Work as presenting persistently with one or more of the following:

- The child's behaviour at school is having a detrimental effect on the child's ability to learn ;
- The child's behaviour at home is a cause for concern to parents, and or, other agencies ;
- The child is struggling to make positive peer relationships and/or cope with social situations ;
- The child has suffered a significant loss or trauma.

Interventions provided through the service include: role modelling (working alongside families with morning routines, parenting strategies); scenario work (eating together, home work, playing); family work (improving communication and strengthen or build relationships within the family); individual work with child/parent (resilience, problem solving skills and promoting positive mental health); group work (providing supportive and positive experience along with peers); ADHD Parenting Programmes; advocating and mediating.

This early intervention service is based on building positive experiences and strengths within families and building individual confidence and self-esteem in the children and adults that are involved. It is vital therefore that there is a consistently planned consolidation and review of the work that is undertaken with each family to maintain targeted and focused interventions on an individual basis. Consistency is a key element of ensuring successful outcomes.

A Strategic Commissioning Plan is currently being developed to ensure that partners plan services which meet the needs of and improve the quality of life for children and families in West Lothian. This is included in the West Lothian's Children's Services Plan 2017-2020. The comprehensive Strategic Needs Assessment which is being undertaken for this purpose will identify any future need for the early intervention service currently provided by Barnardo's Scotland.

Whilst it is recognised that there may be other service providers who could perform similar services, the consequences of not engaging services for a one year period are – to be completed.

Notwithstanding the comprehensive Strategic Needs Assessment identified within section Di of this report, it is noted that in the absence of any future decision, a tendering arrangement would be required for any continued service.

Budget Allocation

Budget is included within the Education Services budget for the – to be completed

Tender Process

Notwithstanding the comprehensive Strategic Needs Assessment identified within section Di of this report, it is noted that in the absence of any future decision, a tendering arrangement would be required for any continued service

E. CONCLUSION

It is recommended that the Council Executive approves a one off direct award for Barnardo's Scotland of £39,910 for financial year 2018/2019, to maintain continuity of services for children and families until the West Lothian Strategic Needs Assessment is completed.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: None

Contact Person: David Brown, Corporate Procurement Manager

David.Brown@westlothian.gov.uk - Tel No (01506) 283259

Julie Whitelaw
Head of Corporate Services
6 March 2018



COUNCIL EXECUTIVE

WEST LOTHIAN COUNCIL RESPONSE TO THE SECOND CONSULTATION ON LOCAL HEAT & ENERGY EFFICIENCY STRATEGIES, AND REGULATION OF DISTRICT AND COMMUNAL HEATING

REPORT BY HEAD OF FINANCE & PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to advise Council Executive of the council's proposed response to the Scottish Government's second consultation on Local Heat & Energy Efficiency Strategies and Regulation of District and Communal Heating and seek approval for its submission to the Scottish Government.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the contents of the report and proposed consultation response attached as Appendix 1, and;
2. Approves the response for submission to the Scottish government.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act:</p> <p>(a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act;</p> <p>(b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;</p> <p>(c) in a way that it considers is most sustainable.</p> <p>The response does not raise any equality issues. SEA not required</p>
III	Implications for Scheme of Delegations to Officers	None.

IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	Outcome 7 - We live longer, healthier lives and have reduced health inequalities, and; Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	If the responsibilities for local authorities outlined in the consultation response are implemented there will be an as yet unquantified financial and staffing implication for the council.
VII	Consideration at PDSP	The report was considered at Environment PDSP on 7 February 2018 where it was recommended that the response should be submitted to Council Executive for approval.
VIII	Other consultations	Colleagues in Housing, Development Planning and Development Management have been consulted.

D. TERMS OF REPORT

D.1 Background

In 2017 the Scottish Government designated Energy Efficiency as a National Infrastructure Priority. The key delivery mechanism for this is Scotland's Energy Efficiency Programme (SEEP), with a long term objective of a near zero-carbon building stock by 2035. Decarbonisation of heat systems throughout the country forms an important part of this and there are specific targets set out within the Heat Policy Statement published in 2015, including an ambition to have 40,000 homes connected to district or communal heating by 2020. In order to deliver the SEEP objectives, it is recognised that the development of a strategic approach to heat networks is required. The Scottish Government previously consulted on their approach to Local Heat and Energy Efficiency Strategies (LHEES) and District Heating in early 2017. Following analysis of the responses, and as part of the development of the wider draft Energy Strategy and Climate Change Plan, this second consultation with more details of the Government's proposals has been issued. The consultation closes on 20 February 2018.

D.2 Summary of the Consultation and Implications

The consultation is set out in two broad areas – one focusing on LHEES and the other on District Heating Licensing & Connection.

LHEES

With regards to LHEES, the consultation outlines the preferred approach to their development and implementation, proposing a statutory duty on local authorities to create an LHEES for their area which would designate zones for energy efficiency and heat decarbonisation, covering a period of 15-20 years. These zones would help to phase the operation of area-based SEEP delivery programmes for energy efficiency and would also set out the most appropriate heat decarbonisation options

for specific areas. Support for developing LHEES will be made available, outlined in section D.3 of this report. It is proposed that LHEES would be submitted to the Scottish Ministers for approval, and for funding of associated delivery programmes. In delivering our LHEES function, it is proposed that local authorities will do so in consultation with members of the Community Planning Partnership, and with reference to wider community planning duties and Local Outcomes Improvement Plans. In addition, as the duty to report on tackling fuel poverty and climate change aligns closely with local authorities' plans for improving the energy efficiency of buildings and decarbonising the heat supply, this duty will move from the Local Housing Strategy to the LHEES.

The zones set out in the LHEES will be indicative, and will not prevent other forms of heating from being used in those zones through legislative means. The identified zones may be considered within the planning system in the preparation of the Local Development Plan and the determination of planning applications and the Scottish Government will look at opportunities to align LHEES with the planning system where appropriate. Within the confines of Scottish public procurement regulations, areas zoned for district heating would have particular consideration of public sector buildings as a starting point for future network development – there are implications here for cost of heat supply that would need to be considered.

In addition to the LHEES, the Government are proposing to introduce a new district heating consent system which would be managed and enforced by local authorities. Under the proposed approach, development of district heating would require the consent of local authorities who would be given a new statutory power to award this consent, subject to the applicant meeting certain requirements set by the Scottish Ministers. It is envisioned that district heating developments will be initiated in two ways; "Strategy driven", led by the zoning within the LHEES and initiated by the local authority (either through collaboration with third parties, developing networks themselves or inviting applications from third parties) or "Speculative" where third parties make an application to develop a heating network.

District Heating Licensing & Connection

This section of the consultation outlines proposals for a national licensing system for district heating developers and operators, including requirements to meet fit-and-proper criteria and minimum technical standards (based on CIBSE Code of Practice). The licensing process would also include provision for contingencies ensuring that consumer's heating is maintained in the event of supplier or developer failure through not meeting licence conditions or insolvency.

Consumer protection is also a key part of licensing, and while this is an area reserved to the UK Government, there is an emphasis on developers and operators being required to sign up to existing voluntary codes of conduct (including the Heat Trust). Proposals are to be brought forward later this year in a separate consumer consultation on potential enhancements to user protection, ensuring that consumers are at the heart of decision making. The proposed licensing system is also likely to include a dispute resolution mechanism.

In relation to connections, the consultation sets out that for existing publicly owned buildings, the Scottish Government will "encourage" connections to district heating where it is socio-economically viable. It is also proposed that the wider public sector should assess the potential for low carbon heat, including connection to district heating, in collaboration with local authorities preparing their LHEES. In our response to question 13 of the consultation, we make it clear that while it is right that we should consider connection to networks, this should not be to the financial detriment of the council given current and future financial constraints. For new

buildings, connections would be encouraged through the consent process and Scottish Planning Policy.

D.3 Support for Local Authorities

Support for local authorities outlined in the consultation document takes two forms. Firstly a potential National Delivery Mechanism which would assist in delivering the proposed LHEES functions and district heating regulation as well as SEEP more widely. This would be delivered through either an existing government or independent body, a newly established body with either SEEP only or wider fuel poverty interests, or provided directly from the Scottish Government. Secondly, capacity building support for LHEES is proposed, based on the lessons learned from eleven SEEP funded pilots. It is envisaged that this support will include dedicated consultancy expertise from organisations such as Resource Efficient Scotland, Energy Savings Trust and Scottish Futures Trust as well as external consultancy to enable different approaches to data collection, analysis and prioritisation of actions. The findings from the pilot projects will be used to develop and inform the design of any future duty and the associated guidance documents or regulation.

Additional support is available from existing sources such as the Heat Network Partnership.

E. CONCLUSION

Decarbonisation of heat across Scotland is an important part of Scottish Government targets and therefore falls within the Public Bodies Duties of the Climate Change (Scotland) Act 2009. The introduction of a statutory requirement for local authorities to develop and implement LHEES and the anticipated long term role in the consenting and possible development of district heating networks will have as yet unquantifiable resource implications for the council, despite the fact that there is currently limited scope in West Lothian for district heating. It is important therefore that the council's views are represented as part of this consultation process.

F. BACKGROUND REFERENCES

Analysis of responses to the Consultation on Heat & Energy Efficiency Strategies, and Regulation of District Heating.

<http://www.gov.scot/Publications/2017/11/4994>

Second Consultation On Local Heat & Energy Efficiency Strategies, And Regulation Of District And Communal Heating.

<http://www.gov.scot/Resource/0052/00527606.pdf>

Appendices/Attachments: One

Appendix 1 – Consultation Response

Contact Person: Peter Rogers, Energy & Climate Change Manager, 01506 281107, peter.rogers@westlothian.gov.uk

Donald Forrest

Head of Finance and Property Services

20 February 2018

Appendix 1 – Consultation Response

Local Heat & Energy Efficiency Strategies		
1	<p>Do you agree with our proposed overall approach to LHEES? Y/N</p> <p>Please explain your answer, including any available evidence or examples.</p>	<p>Yes, however more detailed information on development of proposals and their delivery would be preferred. While Local Authorities are rightly identified as the appropriate lead organisation, work must be done to ensure that relevant stakeholders are kept fully informed and encouraged to engage meaningfully with the process.</p> <p>It is important to note that district heating will not be the most appropriate route to energy efficiency or decarbonising heat supplies, particularly in areas where housing is predominantly low and medium density, although this should be highlighted as part of comprehensive socio-economic assessments. Where this is the case, additional support should be provided to investigate alternatives.</p> <p>Consideration needs to be given to the resource implications on Local Authorities, both in terms of development and implementation of LHEES and their integration with other strategies, plans and proposals.</p>
2	<p>What are your views on asking local authorities to report on tackling fuel poverty and climate change in the LHEES rather than the LHS?</p>	<p>In theory this is a sensible approach as it would allow the council to create one strategy document that combines several approaches of dealing with fuel poverty and climate change. However, most LA's will already have done a large amount of work into the LHS and it would require further work to remove these elements from a LHS. It would be advisable that a transition period is allowed for where current LHS documents that still have a period left before they are reissued (e.g. 2017 – 2022) are not overhauled but that the LHEES reflects what is stated in the LHS.</p> <p>It is unclear from the consultation document if the LHEES will detail the councils approach to addressing fuel poverty as there are further methods to address this, as well as energy efficiency measures or connection to a DHN, that should remain in an LHS but may also be referenced in other strategy documents.</p>
District Heating Zones, Concessions & Consents		
3	<p>Do you agree with our proposed overall approach to zoning? Y/N</p> <p>Please explain your answer.</p>	<p>Yes – however the proposal seems focused and geared towards enabling and developing DHN's to address emissions through heating without an equal emphasis on Energy Efficiency in order to reduce energy demand. DHNs will not be viable in every case, but where they are property owners should be encouraged to reduce demand through increased energy efficiency measures before</p>

		connection to a DHN. The emphasis on the importance of demand reduction at both domestic and non-domestic levels should be expanded.
4	<p>What are your views on the proposed district heating consent process? In particular, what are your views on:</p> <p>a) the appropriateness of any potential options for a relevant body to act as ‘the developer of last resort’, to ensure completion of development.</p> <p>b) options for ensuring that district heating operators have similar or the same rights as other statutory undertakers for permitted development and wayleaves.</p> <p>Please provide any appropriate evidence to explain your answer</p>	<p>Agree with the general process of consents, although there is no suggestion as to how local authorities are supposed to structure or resource this additional workload. Also, the requirements for proposed developers to meet specific conditions relating to the development of district heating networks is appropriate, although it is noted that the potential conditions included do not consider specific requirements on ensuring consumer protection – while it is considered as part of the licensing process, it is likely that the developer may also be involved as operator and therefore it must be a priority as early as the consent stage, particularly in a non-competitive environment. Under the “Strategic” options for development, where will the necessary support and expertise come from to allow LA’s to develop proposals?</p> <p>With regards to “developer of last resort”, not all local authorities have the expertise or resource required to fulfil this role, nor do they have appropriate ESCO’s in place to take forward. A publicly owned national provider would be the best option in this case.</p> <p>Developers should have the same rights as other statutory undertakers with regards to wayleaves etc. As noted, all applications for developments of plant such as generation and storage equipment would be subject to normal planning consents.</p>
Socio-economic Assessment		
5	<p>What are your views on the proposals for socioeconomic assessment?</p>	<p>Agree with what is proposed. Would argue that for larger DHN projects a full Carbon Footprint Lifecycle Assessment should also be carried out as with larger projects there will be significant embedded emissions in the plant and equipment as well as construction and installation. These should not be ignored when assessing a projects overall viability of reducing emissions from connected users.</p> <p>As noted in the consultation document, comprehensive best practice guidance on the specific requirements of socio-economic assessments should be provided to lead authorities.</p>
6	<p>What are your views on the proposals for data for LHEES?</p> <p>Please explain your answer,</p>	<p>Agree on the approach to heat demand data, but for LHEES to be most effective and to make best use of available resources, information around surplus heat is critical. If heat demand</p>

	including any available evidence or examples.	information can be shared subject to data sharing agreements, there is no reason why surplus heat generators should not be compelled to provide this information on a similar basis. Where organisations feel that there is a commercially sensitive reason for not providing the required information, they should have to apply for an exemption outlining their reasoning.
7	What types of data information would industry be willing to provide a local authority or national delivery mechanism to develop LHEES, so that they can identify opportunities (potentially in aggregate) for heat demand reduction and heat recovery, both on and off site?	N/A
8	What data from industry would be most helpful in developing district heating projects?	Heat demand profiles (half hourly data where possible); size of existing heating plant; any surplus heat output.
9	What data could be provided without compromising the competitiveness of these organisations. Please explain your answers, including any available evidence or examples.	All of that mentioned in response to Q8, with specific data sharing limitations.
Licensing for District and Communal Heating		
10	What are your views on our proposed approach to district heating licensing? Please explain your answer, including any available evidence or examples.	Agree with the approach to licensing as set out.
11	Taking into account the limitations of the Scottish Government's legislative competence in relation to consumer protection: a) what are your views on our proposals around consumer protection b) how do you think could we provide a robust complaint resolution process in relation to District Heating in Scotland? Please explain your answers, including any available evidence or examples.	Given the nature of district heating and the lack of competition, building consumer protection in from the beginning is the logical and correct thing to do. This process should begin at the consent stage and be further developed through licensing. The key issue is protecting costs to end consumers, ensuring that those in fuel poverty have significant protection on price and ensuring that appropriate education on equipment, metering and controls is provided to end users. Significant issues have arisen previously through a lack of understanding of how a district heating system is operated and charged for. Obligations should be placed on operators to monitor consumption at an individual building level and provide specific advice (and potentially building energy audits) to those with high consumption. While the Scottish Government cannot legislate

		on consumer protection, it is welcomed that further consideration will be given to enhancing voluntary codes of conduct, providing consumers with further confidence and reassurance.
12	<p>What are your views on how consumer advice should be provided for district heating customers in Scotland – what form should this take? Who should it be aimed at? What should be provided?</p> <p>Please explain your answers, including any available evidence or examples.</p>	<p>Consumer advice should take a number of forms. This should include independent information and advice on general issues from a reputable source such as the Energy Saving Trust and also specific information from DH providers on the correct operation and monitoring of DH systems. This should be both in writing and with specific face to face provided to end users at the point of handover. Information should be clear, jargon free and direct consumers to where they can find more information and advice.</p>
Enabling Connections		
13	<p>What are your views on the proposed approach to connecting heat users?</p>	<p>For existing buildings, while it is recognised that local authorities have certain obligations under the Climate Change (Scotland) Act 2009, serious consideration would need to be given to the costs of heat associated with district heating systems, along with whole life costings of their use when compared to conventional heating systems (including installation and maintenance). In a time of constrained budgets this is even more critical and while this is touched on in the consultation document, it is important that the emphasis is on what will be best value based on individual circumstances and we should not be compelled to provide anchor loads etc based purely on emissions reductions.</p> <p>The proposals for new buildings are logical.</p>
14	<p>What are your views on the proposed phased approach to non-domestic sectors with potentially usable surplus heat?</p> <p>Please explain your answers, including any available evidence or examples.</p>	<p>This is a complex area, and while surplus heat from non-domestic sources could provide a valuable contribution to district heating it is appreciated that this is not a core consideration for businesses, and neither is it desirable under legislation for excessive heat to be produced. There is also the uncertainty of relying on specific users (either as supplier or user of heat) and the implication of long term contracts etc. The proposals set out for encouraging connections set out in the consultation document seem reasonable. Where there is existing regulation or guidance available (for Energy from Waste plants as an example), this should be pro-actively approached as a source of heat as part of the planning process.</p>
Further Call For Evidence		
15	<p>Requiring all regulated non-domestic sectors (see Box 1) with potentially usable surplus heat to carry out energy efficiency assessments,</p>	<p>This would be a logical step and would provide useful data for the development of socio-economic models. Recovery and use of surplus heat should be incentivised where possible,</p>

	including heat (and its recovery, and onsite and offsite use), and implement recommendations where feasible.	although consideration will need to be given to the long term nature of contracts required.
16	How should energy efficiency (including heat) be assessed across the regulated non-domestic sectors – including consideration for energy efficiency beyond the site boundary?	N/A
17	Could a more consistent approach be achieved within the PPC regime, with the existing energy efficiency requirements for Part A sites being applied to Part B sites?	N/A
18	Which benchmarks or criteria should be used / considered in assessing energy efficiency?	N/A
19	What range of industrial processes should be covered, including size and sector, and why? Please explain your answers, including any available evidence or examples.	N/A
Enabling Activity and Additional Areas for Consideration to Support Our Regulatory Approach		
20	What are your views on the establishment of a national delivery mechanism to support local authorities in delivering their proposed functions for LHEES and district heating, and which could support delivery and governance of SEEP more widely? What form should it take? What functions should it have? Please explain your answer, including any available evidence or examples.	Would agree that this is a good idea but would highlight the need for LHEES documents to have guidance provided by the Scottish Government and a review process similar to that of the LHS to ensure a level of standardisation and consistency across Local Authorities. Due to the wide range of potential functions that this body could provide as detailed in the consultation document it covers a wide range of expertise that already exists and is available but from several separate bodies/organisations (e.g. Energy Action Scotland, Home Energy Scotland etc) so there may be duplication of resources or a need to restructure some current bodies/organisations.
21	Please let us know any views you have on the most cost effective way of supporting schemes that are socio-economically appropriate and in line with the local authority LHEES.	Support through a specific body, linked with the wider SEEP programme, would be the most cost effective method of support as it would ensure there is no duplication of roles and specific, specialist support can be provided on a consistent basis.
22	We would welcome stakeholders' views on our suggested approach to wider UK heat market reform, and in particular: a) any additional evidence that can be offered around the approach that should be taken to decisions on decarbonisation of the gas supply b) any views on the issues being	N/A

	considered within the remit of the ADE taskforce	
Assessing Impact		
23	Please tell us about any potential impacts, either positive or negative, you feel our proposed approach may have on particular groups of people, with reference to the “protected characteristics”.	It is difficult to identify any positive or negative impacts at this stage, although it should be noted that some of those within the protected characteristics are statistically more likely to be in fuel poverty. Robust socio-economic assessments must ensure that connection to a district heating network does not have a negative impact on them.
24	<p>Are there any special provisions/ measures we should consider/ make/include:</p> <p>a) to ensure protected characteristics are taken account of in the LHEES? In your opinion, should the LHEES process specifically include/ address the protected characteristics?</p> <p>b) to ensure protected characteristics are taken account of in the socio economic assessment? In your opinion, should that process specifically include/address the protected characteristics?</p> <p>c) in terms of the installation of networks in order to minimise disruption to people with mobility problems or any other protected characteristic?</p> <p>d) in terms of consumer protection, that would better assist in ensuring that people with protected characteristics will be safeguarded (taking account of our limited legislative competence in this area)?</p> <p>e) in terms of communications, that would better assist in ensuring that people with protected characteristics will be kept informed and can fully participate?</p> <p>Please explain your answers, including any available evidence or examples.</p>	Carefully planned, licensed and regulated heat networks should have no negative impact on those with protected characteristics.
25	Please tell us about any potential costs or savings that may occur as a result of our proposed approach and any increase or reduction in the burden of regulation for any sector. Please be as specific as possible. Please explain your answer, including any available evidence or examples.	It is likely that there will be a significant additional burden within local authorities, despite the support proposed. Development of LHEES and the additional work required in consents etc, along with work to integrate zoning within LDP's and other policy and strategy documents With regards to additional costs, it is difficult to quantify until more detail is available, but it is certain that there will be an impact, particularly in

		staff resources.
26	Please tell us about any impact on individual privacy/data that may result from our proposals. If there is an impact on individual privacy, are there any special provision/measures we should consider/make/include that would better assist in ensuring that this privacy impact is lessened/negated? Please explain your answer, including any available evidence or examples.	Cannot foresee any privacy issues.



COUNCIL EXECUTIVE

REGISTRATION AND LICENSING OF ANIMAL SANCTUARIES AND REHOMING ACTIVITIES IN SCOTLAND

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The Purpose of this report is to advise the panel of the Scottish Government consultation on proposed additions to the animal welfare licensing regime and to agree the response to the consultation.

B. RECOMMENDATION

It is recommended that Council Executive:

1. notes the terms of the report and the proposed new additions to the animal welfare licensing regime in Scotland;
2. agrees the terms of this report as West Lothian Council's formal response to the Scottish Government consultation; and
3. agrees to submit the response to the Scottish Government.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Animal Health and Welfare (Scotland) Act 2006
III	Implications for Scheme of Delegations to Officers	Nil
IV	Impact on performance and performance Indicators	No relevant performance indicators
V	Relevance to Single Outcome Agreement	<p>Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business</p> <p>We live in resilient, cohesive and safe communities</p>

		We live longer, healthier lives and have reduced health inequalities
VI	Resources - (Financial, Staffing and Property)	There are potential financial and staff resource implications, which are outlined in the report. No funding is attached to the proposals.
VII	Consideration at PDSP	This matter was presented to the Environment PDSP on 7 February with the recommendation that it agreed the report and proposed response to the Scottish Government be presented to the Council Executive with the recommendation that the response is approved.
VIII	Other consultations	Nil

D. TERMS OF REPORT

D1 Introduction

Many types of premises caring for or breeding animals are currently subject to licensing by the local authority.

Animal sanctuaries and rehoming activities are currently not regulated and therefore have no routine resource impact on local authorities. These include the premises of larger Scottish and UK organisations such as the Scottish SPCA, Dogs Trust and Cats Protection, as well as a number of smaller centres. Rehoming activities also involve organisations or individuals operating without specific premises to keep animals, such as organisations rehoming dogs directly from rescue centres in other countries.

While most of these are run by persons with the best interests of the animals at heart, there are concerns that:

- Welfare may suffer if more animals are kept than the premises have room for;
- Animals might not be well matched to new owners, resulting in them being returned or placed with other rehoming centres;
- Some rehoming centres are operating as pet retailers, circumventing the need for them to be licensed as such under the Pet Animals Act 1951; and
- Some animals that are imported for rehoming may be carrying diseases not normally found in the UK.

An unknown number of sanctuary and rehoming organisations are operated in West Lothian, although the most notable is the Dogs' Trust at West Calder.

D2 Background to Licensing and Registration

Proposed licensing of rehoming centres and animal sanctuaries has been discussed by the Scottish Government with stakeholders alongside the concerns surrounding pet breeding and sale. The concept of licensing is supported by the larger rehoming organisations, noting the differences between rehoming and sanctuaries

[The Programme for Government 2017-18](#) committed The Scottish Government to prepare legislation for registration and licensing of animal sanctuaries and rehoming activities, allowing for independent accreditation of applicants. The overall aim is to regulate:

- to protect animal welfare in a way that is not unduly burdensome for those doing a good job at present;
- to be effective in dealing with cases where welfare is not being sufficiently protected; and
- where such rescue activities are effectively operating commercially in the guise of a charity.

D3 Licensing and Registration Proposals

The Scottish Government launched its [consultation on the proposals](#) on 12 December, with closing date of 4 March 2018

The main features of the system proposed are:

- to bring animal sanctuaries and rehoming centre under regulation, whilst minimising the additional workload on local authorities;
- a threshold number of cared-for animals determining whether light registration or stricter licensing is to be applied;
- whether licences should be flexible and may be awarded, on a risk-based assessment, for a period of up to 3 years; and
- independent accreditation by agent(s) approved by the Scottish Ministers, to replace the need for inspection by local authorities.

D4 Matters arising from the proposals

The consultation document contains the principles of the proposed legislation, but limited detail. The consultation response is therefore based on the principles and specific questions asked. However, the following matters are worth noting specifically:

- A proposed two tier system of registration (for smaller operations) and licensing (for larger operations) is proposed;
- It is proposed that inspection of premises may be carried out by a third party, accredited by the Scottish Government Ministers. (This may include the SSPCA). However, scope remains for it to be carried out by local authorities;
- Licensing and enforcement would sit with local authorities, in line with other animal welfare licences;
- Licence length may vary up to 3 years, on a risk assessed basis;
- Licensing will be required by any registered charity (no matter what size);
- Licensing will be required for any organisation which receives payments,

fees or commission (irrespective of size);

- The proposals include the application of a 'fit and proper person' test to be applied to applicants for registration or licensing;
- Multi-site organisations may apply 'centrally' for relevant licensing;

There is lack of clarity / consistency on whether the SSPCA would be involved in enforcement work in addition to inspections. (Question 12)

However, there is insufficient detail relating to:

- How a third party inspection body and local authority would interact, and exchange information;
- How conflicts of interest are to be avoided by third party inspectors who may be employed by organisations running such operations;
- The proposed tiers for determining whether registration or licensing will apply use the term *and / or*, making them ambiguous;
- Whether donations, compulsory or otherwise would count as a payment, requiring the organisation to be licensed;
- Enforcement powers, with the correspondence suggesting such powers may be for the Scottish Government Ministers, rather than local authorities. This requires clarification;
- How 'central' applications for licensing would work in practice, how local authorities would know what was happening in its area, how 'licence tourism' would be avoided and how matters arising could be resolved when licensed by others;
- How consistency across local authorities and third parties can be ensured and how disagreements between third party inspectors and local authority licensing officials will be resolved;
- How inspection and licensing fees would be set;
- How enforcement work by local authorities would be financed;
- The mechanism for issue of short term licences (based on a *welfare risk assessment*)

Where possible, these uncertainties have been reflected in the text of the consultation response.

E.

CONCLUSION

To ensure animal welfare standards, the Scottish Government wishes to bring animal sanctuaries and rehoming centres within the scope of animal welfare regulation by registration and licensing. To minimise the additional burden on local authorities it proposes that inspections may be carried out by a third party.

The principle of bringing such operations under appropriate, proportionate regulation is accepted. However, there remain significant uncertainties on the

proposals as outlined in the consultation. These are reflected in the proposed response. In addition, the potential benefits to local authorities of responsibility for inspection lying with an approved third party may be outweighed by the additional administrative workload arising.

F. BACKGROUND REFERENCES

[Animal Health and Welfare \(Scotland\) Act 2006](#)

[A Nation With Ambition: The Government's Programme for Scotland 2017-18](#)

[Registration and Licensing of Animal Sanctuaries and Rehoming Activities in Scotland](#)

Appendices/Attachments: Proposed Consultation Response

Contact Person: David L Brewster, Senior Environmental Health Officer, Telephone 01506 282376, e-mail <mailto:david.brewster@westlothian.gov.uk>

Craig McCorriston, Head of Planning, Economic Development and Regeneration

Date of meeting: 20 February 2018

Appendix: Proposed Consultation Response

Consultation questions

1. The Scottish Government proposes that animal sanctuaries and rehoming centres should be regulated. Do you agree?

Yes ☒ No ☐

2. Do you agree with the principle that registration is appropriate for those with fewer animals and that licensing is appropriate for those with more animals?

Yes ☒ No ☐

3. Do you have any comments on the thresholds that should apply? Should these be different for separate species?

Comments:

Small organisations may struggle financially to afford licensing fees, so a proportionate approach is welcomed in principle.

There is a lack of clarity in use of 'and / or' phrasing, making it uncertain how the thresholds would apply. Greater care is needed in the drafting to provide the clarity required.

The thresholds appear to have been written with dogs or cats in mind. However, other animals including farm animals, rodents, birds and exotics are also rescued or provided sanctuary. Therefore the thresholds need to be species (or at least grouping) specific to be meaningful and appropriate. These should take into account existing welfare standards and the nature of the animal concerned. For example, companion animals may require higher standards than non-companion species.

The threshold proposals uses the phrasing 'payment / fee / commission'. It is unclear whether this would include donations associated with sanctuary provision or rehoming. This needs to be clarified. In doing so, there is a need to seek a balance between:

- Small organisations, for whom a donation on rehoming would make a significant financial difference to the viability of the organisation; and
- Those who wish to operate on a commercial basis by encouraging or requiring 'compulsory' or 'recommended' donations

4. Larger organisations and charities that may have a network of homes and smaller branches in different local authority areas should be able to apply centrally for the relevant licensing. Do you agree?

Yes ☒ No ☐

5. The Scottish Government believes that all premises must be inspected before licensing (but not registration). We propose that, as well as local authorities, expert independent bodies, such as Scottish SPCA, should be able to carry out inspections. Do you agree?

Yes ☐ No ☒

Comments:

Whilst the intention to avoid additional burdens on local authorities are to be welcomed, it is not believed that third party inspection would routinely save any significant local authority officer time, given the additional administration involved in the transfer of information and co-ordination with operators and third party inspection organisations. In particular, there must be a clear legal basis on which to transfer information in order to ensure compliance with the forthcoming General Data Protection Rule. Local authorities do not, in general, wish to rely on consent for obtaining, maintaining and sharing personal data.

It is unclear how one charity regulating another may be viewed by organisations other than the SSPCA. In addition, measures will be required to prevent potential conflicts of interest which may arise from the SSPCA regulating some of its own activities.

Any third party inspection regime must be bound to liaise routinely with existing professional bodies representing local authority officers. These forums exist to promote good practice and consistency and any third party inspector operating outwith this framework may result in inconsistencies and differences of opinion with the local authorities responsible for licensing.

It is assumed that the local authorities would be the 'lead' body in the regulation of sanctuaries and rehoming activities. However, this is not made explicit. Lead responsibility must be clarified. In particular, no information is provided on who will arbitrate in situations where complaints or differences of professional opinion arise between 3rd party inspectors and local authorities responsible for licensing.

If inspection and licensing are to be separated, the administration system will need to be designed to manage this situation. It is not practical to have fees based on inspection and licensing where the inspection could be carried out by more than one organisation.

Who decides what an expert independent body is. In particular, who determines whether and organisation or individual has the degree of species specific knowledge required?

6. Do you agree that individuals with unspent convictions for animal welfare offences or other criminal convictions (e.g. fraud) should not be allowed to register or hold a licence for an animal sanctuary or rehoming activity?

Yes ☒ No ☐

Comments:

No comments

7. Are there other requirements, apart from criminal, that should be part of a 'fit and proper person' test for those running animal sanctuaries or rehoming activities?

Comments:

It should be necessary to demonstrate sufficient knowledge and / or experience in the animals to be kept or re-homed. This will vary with species concerned.

8. The Scottish Government proposes that reasonable costs of inspections should be charged to recover costs to inspectors approved by Scottish Ministers or local authorities. Do you agree with that proposal? *To note: It is expected that registration will be free or incur a nominal fee.*

Yes ☒ No ☐

9. Should licence fees be set by the authorised inspectors, local authorities or by the Scottish Government? Do you have any comments on what cost is reasonable and what should be included in this? (*For example, this might include recovery of administrative costs, or payment for the inspectors time etc*).

Comments:

Licence fees should be set by LA, as at present, and reflect true costs. Local authorities must be able to recover full costs associated with the new regulatory responsibilities, including any associated veterinarian fees. This will inevitably vary between local authorities as each endeavours to reflect true costs. In addition, the fee may require the size and complexity of the operation to be taken into account.

Licence fees and inspection fees will need kept separate, with local authorities offering to carry out inspections for a fee.

It should be noted that as local authorities may only charge to recover costs, charging levels for inspections will effectively be at cost price. Against this, it may prove difficult for other organisations to offer competitive inspection fees.

10. The Scottish Government considers that licences lasting more or less than one year may be issued on the basis of a welfare risk assessment. Do you agree?

Yes ☐ No ☒

Comments:

There is a lack of clarity in 'more or less than one year' It is ambiguous what is meant. What is a 'welfare risk assessment' in relation to inspection? The proposal needs clarified.

11. Do you consider that the relevant Local Authority should have a duty to enforce the regulations on animal sanctuaries and rehoming activities in Scotland?

Yes ☒ No ☐

12. Do you consider that the Scottish SPCA should be able to act on behalf of the relevant Local Authority using the powers contained in Animal Health and Welfare (Scotland) Act 2006 to enforce proposed regulations on animal sanctuaries and rehoming activities in Scotland?

Yes ☒ No ☐

13. Do you think that a national list of licensed premises and activities should be kept?

Yes ☐ No ☒

Comments:

Premises details should be kept locally by the local authority, consistent with other animal welfare licensing. If embedded in the legislation, this information could then be provided to the Scottish Government to form a national database. (If not embedded, it may not be possible to find a means to share the data legitimately)

It is noted that the proposal is for licensed premises, but excludes registered premises. Registered premises, due to their small size and potentially limited knowledge or skills may be more problematic.

14. Do you have any comments on who should be able to access information from the list, and if a charge should be made for information?

Yes ☒ No ☐

Comments:

This is two different questions. The existence of licensed premises should be public information.

As it is likely to be available under a local authority publication scheme or (if not) through Freedom of Information (Scotland) Act, it is unlikely to be workable to impose a charge to access the information.

15. The Scottish Government believes that enforcement agencies should be able to suspend, vary or revoke registrations and licences or issue improvement notices for minor irregularities. Do you agree with this proposal?

Yes ☐ No ☒

Comments:

Varying a licence or registration or use of an improvement notice may appropriate for more minor irregularities.

Suspension and Revocation are likely to be disproportionate for minor irregularities.

16. The Scottish Government proposes to adopt welfare standards based on those published by the Association of Dog and Cat Homes that all licensed animal sanctuaries and rehoming organisations should follow for the species they hold. Do you agree that this should be a condition of licensing? If you are aware of any other relevant standards please comment.

Yes ☒ No ☐

Comments:

This proposal relates to rehoming of cats and dogs only. Other groups of species may also be provided sanctuary or rehomed. Species specific guidance must be followed for all other animals.

17. Do you agree that appropriate fixed penalties should apply for minor non-compliance with the legislation?

Yes ☒ No ☐

About the consultation

While we have done our best to explain the issues facing us clearly, there may be aspects that you feel we have not explained well or have not covered at all. The following questions in this consultation paper are to provide you with the opportunity to raise such points, and to provide us with feedback on the consultation itself.

1. Are there any other measures you consider should be included in legislation for animal sanctuaries and rehoming activities in Scotland?

Yes ☒ No ☐

Comments:

Option of report to the Procurator Fiscal is required for major non-compliance with regulations, licence or infringement of thresholds.

2. Do you consider that that consultation explained the key issues sufficiently to properly consider your responses?

Yes ☐ No ☒

3. Do you consider that you had sufficient time to respond to the consultation?

Yes ☒ No ☐

4. Do you have any other comments on the way this consultation has been conducted?

Comments:

The consultation is limited in detail, making elements difficult to comment upon. In other areas it appears contradictory or inconsistent. Specific questions arising are:

- How a third party inspection body and local authority would interact, and exchange information;
- How conflicts of interest are to be avoided by third party inspectors who may be employed by organisations running such operations or by 'rival' organisations;
- In relation to questions 11 and 12, enforcement is only possible where legal powers to do so exist. In addition, there must be a means of sharing inspection outcomes. Any 3rd party organisation carrying out enforcement on behalf of a local authority, must have the means and experience to use and administer fixed penalty notices and to report matters to the Procurator Fiscal;

- For centralised licensing applications to work for larger operations, a mechanism for each site to be inspected will be needed. It is unclear how this will be achieved or managed;
- How a local authority would know what sanctuary and rehoming facilities are licensed in their area, if licensed or registered centrally;
- The proposed tiers for determining whether registration or licensing will apply use the term *and / or*, making them ambiguous;
- Whether donations, compulsory or otherwise would count as a payment, requiring the operation to be licensed;
- Enforcement powers, with the correspondence suggesting such powers may be for the Scottish Government Ministers, rather than local authorities. This requires clarification;
- Whether the SSPCA would be involved in inspection only, or enforcement work (as suggested in Question 12)
- How 'central' applications for licensing would work in practice, how local authorities would know what was happening in its area, how 'licence tourism' would be avoided and how matters arising could be resolved when licensed by others;
- How consistency across local authorities and third parties can be ensured and how disagreements between third party inspectors and local authority licensing officials will be resolved;
- How inspection and licensing fees would be set;
- How enforcement work by local authorities would be financed. Who pays for enforcement related inspections?;
- The mechanism for issue of short term licences (based on a welfare risk assessment)



COUNCIL EXECUTIVE

2017/18 GENERAL FUND REVENUE BUDGET – MONTH 9 MONITORING REPORT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To provide the Council Executive with a report on the financial position in relation to the General Fund Revenue Budget, following the completion of the month 9 monitoring exercise.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the outcome of the month 9 monitoring exercise is a forecast one-off underspend of £1.700 million, an increase of £650,000 reported at month 6;
2. Notes that Council Executive previously agreed to utilise £290,000 for the funding of time limited funding for buses in 2018/19;
3. Notes that Council has agreed that £835,000 is preserved in the unallocated general fund balance pending consideration of the West Lothian Leisure position;
4. Agrees that the additional £650,000 underspend at month 9 is also preserved in the unallocated general fund balance;
5. Notes the recurring pressures of approximately £2.558 million and that actions are being taken to address these pressures;
6. Notes the progress in delivering approved savings for 2017/18;
7. Agrees that Heads of Service take all management action necessary to ensure 2017/18 expenditure is managed within the forecast position, and approved budget reductions are achieved including amber savings;
8. Agrees that Heads of Service identify and implement actions to ensure that recurring budget pressures are managed within available budgets in 2018/19 and future years.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on customers' needs, being honest, open and accountable, making best use of resources, working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance indicators	Effective budget management is essential for service performance
V Relevance to Single Outcome Agreement	None.

- VI Resources – (Financial, Staffing and Property)** A one-off underspend of £1.700 million is forecast against budget in 2017/18. Recurring pressures totalling £2.558 million have been identified and management action is required to mitigate these pressures on a recurring basis from 2018/19 onwards.
- VII Consideration at PDSP** Not applicable.
- VIII Other Consultations** Depute Chief Executives and Heads of Service.

D. TERMS OF REPORT

D.1 Introduction

This report sets out the overall financial performance of the General Fund Revenue Budget for the period to 31 December 2017 and provides a year-end financial forecast which takes account of relevant issues identified in individual service budgetary control returns. The report also considers the position regarding the delivery of approved budget reduction measures.

The risk based budget monitoring process is undertaken in line with the council's budgetary control framework and procedures and helps contribute to spend being managed within available budget resources and approved savings being fully delivered.

D.2 Month 9 Summary Financial Information for 2017/18

The table below summarises the position in relation to service expenditure and provides a forecast outturn.

Service	2017/18 Budget £'000	Commitment at Month 9 £'000	Forecast Outturn £'000	Projected Variance Over / (Under) £'000
Education, Planning, Econ Dev & Regen				
Education	152,028	147,789	151,878	(150)
Planning, Econ Development & Regeneration	9,588	7,604	9,588	0
Education, Planning, Econ Dev & Regen - Total	161,616	155,393	161,466	(150)
Corporate, Operational and Housing				
Operational Services	56,525	50,861	56,975	450
Housing, Customer and Building Services	7,632	8,129	7,901	269
Corporate Services	11,409	10,586	11,224	(185)
Corporate, Operational and Housing - Total	75,566	69,576	76,100	534
Social Policy				
IJB – Adult and Elderly Services	69,109	51,214	69,109	0
Non IJB – Children's Services	32,178	25,073	32,178	0
Social Policy - Total	101,287	76,287	101,287	0
Chief Executive, Finance and Property	23,812	25,479	23,294	(518)
Joint Valuation Board	1,215	892	1,181	(34)
Service Expenditure - Total	363,496	327,627	363,328	(168)
Non-Service Expenditure	31,592	31,592	30,060	(1,532)
TOTAL EXPENDITURE	395,088	359,219	393,388	(1,700)

D.3 Summary of Main Issues in Service Expenditure Budgets

D.3.1 Education & Planning, Economic Development & Community Regeneration

Education

Overall, the Education budget is forecast to underspend by £150,000 in 2017/18 mainly as a result of one-off vacancies. Within the devolved schools management budgets, schools forecast that the carry forward balance of approximately £1 million will reduce to approximately £750,000 by the end of the financial year. Overspends are forecast for long term absence cover and maternity cover. These will be offset from savings arising from staff vacancies in central Education budgets. The Pupil Equity Fund of £5.052 million is expected to be fully spent, in line with the conditions of grant.

West Lothian Leisure (WLL) is currently projecting net spend of £911,000 against the approved budget deficit of £849,000 for 2017/18. The combined budget deficit and forecast overspend of £62,000 can be funded from the remaining reserves balance of WLL for 2017/18. WLL continue to develop their five year budget strategy for the period 2018/19 to 2022/23, however ongoing discussions indicate that WLL is likely to have a budget deficit in 2018/19. The West Lothian Leisure Advisory Committee has agreed that a special meeting of the committee will be organised to consider the position. At this stage, given the uncertainty of the WLL position it is recommended that the forecast underspend for the council in the current year is preserved pending consideration of the WLL position.

Planning, Economic Development & Regeneration

A break-even position is forecast for Planning, Economic Development and Regeneration. The main risk area relates to planning income which is forecast to under achieve against the budgeted income target. This is partially due to accelerated income received in previous years which was carried forward and an element of this income will be used to offset the income pressure this year. In addition, the impact of an increase to building warrant fees from 1 July 2017 is being monitored and should assist in meeting income targets. Housing activity will be monitored closely to assess the impact on income.

D.3.2 Social Policy

The Social Policy budget is forecast to breakeven, however there are a number of significant pressures that are being offset against underspends elsewhere in the service.

Within children and families there are recurring pressures relating to residential and foster care placements for looked after children. This is being offset against recurring underspends and is an area where major redesign is planned. It is forecast that the redesign along with close budget management will reduce the pressures in this area and help towards achieving a balanced budget in 2018/19.

The other main pressure area has been residential care for older people, where the number of placements has been greater than allowed for in the budgeted resource. This has been offset against a similar underspend in care at home for older people and taking account of budget growth and changes approved as part of the budget for 2018/19, it is proposed to realign these budgets going forward to better reflect the demands on the service.

The Social Policy budget will continue to be subject to demand pressures in the future and there is a continued risk that the growth in demand will be greater than allowed for in the budget. This will continue to be closely monitored and any new pressures will be highlighted at the earliest point.

D.3.3 Corporate, Operational and Housing Services

Corporate Services

Corporate Services is forecast to under spend by £185,000 in 2017/18 mainly as a result of one-off vacancies within the service. A number of staff vacancies have allowed the staffing performance factor to be met and budget risks, including the Occupational Health Scheme and printing costs, contained within overall resources.

Operational Services

There is no change to the previously reported overspend of £450,000 for Operational Services, however, there are a number of recurring pressures within Public Transport, in particular mainstream, additional support needs (ASN) and homelessness school transport. These recurring overspends are as a result of increased demand for services and inflationary pressures which require action to manage current overspends on an ongoing basis. For mainstream school transport a sustainable solution is being considered by officers. Homeless school transport is being considered alongside the wider discussion on homelessness. Officers are identifying options to contain expenditure while ASN expenditure will require a revised policy to control the number of ad-hoc journeys and proposals will be prepared for consideration by elected members. In addition, it was agreed at Council Executive on 6 February 2018 that a one-off £290,000 is retained for time limited funded buses for a further year in 2018/19.

Expenditure on overtime within Waste Management is greater than available resources Action to reduce the level of overtime has been taken and requires continued monitoring over the coming months.

There is a one-off pressure within Recycling and Waste Management as a result of the phasing of the transfer station. It is anticipated that this saving will be delivered on a recurring basis, however, this needs to be monitored closely to ensure tonnage diversion rates are consistent with assumptions made. Winter maintenance expenditure and the impact of seatbelt legislation on the mainstream school transport budget require close monitoring in the coming months.

In addition, there is an emerging pressure in relation to the blue bin recycling contract. Due to recent decisions taken by government with China to close the external market for recyclates, there has been a knock on effect to the global recycling market. As a result, the gate fee for blue bin material has increased by around 67% which has created an additional pressure of £86,000 for the remainder of 2017/18. It should be noted that the potential full year pressure based on the increased gate fee would be £400,000 and officers are currently exploring options to mitigate the increase in expenditure, including re-tendering the blue bin contract.

Housing, Customer & Building Services (General Fund Revenue)

For General Fund services, an overspend of £269,000 is forecast. The remainder of Housing, Customer and Building Services is reported separately as part of the Housing Revenue Account. The main pressure area is within Customer and Communities, where an overspend is forecast, principally due to staffing costs. This is largely due to the delay in the opening of Partnership Centres in Armadale and Whitburn, which will generate efficiencies when they are complete. However, there is an underlying recurring pressure of £211,000 and the Head of Service has progressed actions to ensure that a sustainable solution is delivered during 2018/19. Related measures include the introduction of self-access to buildings, a review of staffing and overtime, and management of sickness absence levels.

Within Homelessness, the projected overspend has increased to £202,000 reflecting an increase in the numbers being accommodated within Bed & Breakfast establishments. Ring-fenced funding to address homelessness, of £419,000, has been taken into account in the outturn position; and it has been confirmed that this funding will continue in 2018/19 and will increase by a further £78,000 in that year. Total expenditure on bed & breakfast accommodation of £839,000 is anticipated with an overspend of £170,000 factored into the overall Homelessness

position. Officer discussions are ongoing to develop a sustainable solution and to mitigate the social and financial impact on an ongoing basis, including the homelessness school transport pressures within Operational Services.

D.3.4 Chief Executive, Finance & Estates Services

A one-off underspend of £518,000 is currently forecast. This relates largely to positive rental income forecasts, property cost savings and staff vacancies across the service. The key risk in this area remains the potential impact of welfare changes.

D.3.5 Staff Performance Factor

A staff performance factor saving of £2.139 million is included in the 2017/18 budget and is an annual savings target to be met within service budgets each year. Based on the position at month 9, the majority of service areas are forecasting that the staff performance factor saving will be achieved through staffing underspends although this will be closely monitored for the remainder of the financial year. Within Housing, Customer and Building Services and Operational Services, the monitoring exercise has highlighted pressures within staffing costs and further action is being progressed to prevent any potential impact on future years budgets. Longer term consideration is also required by services on the ongoing action required to achieve this saving in future years, taking account of future staffing savings in the five year revenue plan.

D.3.6 Joint Valuation Board

An underspend of £34,000 is forecast for 2017/18 resulting from the refund of an unallocated reserve.

D.4 Non-Service Expenditure

There is an underspend of £1.532 million within non-service expenditure. This relates largely to underspends in the Council Tax Reduction Scheme (CTRS) and the insurance account. The underspend on the CTRS of £1.032 million reflects a lower than anticipated number of claimants although it is important to note that there are initiatives in place to increase uptake and it is anticipated that claimant numbers will increase over future years.

There is also an underspend on the council's insurance account of £500,000. This relates to a lower than anticipated number of claims and uninsured losses. It has been anticipated that recurring savings will be made within this area and savings are included in the 2018/19 revenue budget. In line with usual practice, any treasury surplus arising at the year-end will be transferred to the Capital Fund.

D.5 Funding in 2017/18

The council's revenue grant is forecast to be on budget. Any additional grant funding for 2017/18 announced during the year will be reported in future monitoring reports. Council tax income is forecast to breakeven for the year.

Revenue grant funding and council tax income is supplemented by non-recurring funding of some activities such as employability, some local bus services and fixed term staff, and it is important that service spend commitments attached to this funding take account of the duration of funding available.

D.6 Approved Budget Reduction Measures

A review of the delivery of budget reductions was completed by Heads of Service and has demonstrated that satisfactory progress is being made. There are several measures where the timing of the saving being implemented has resulted in a one off pressure for 2017/18. This is taken account of in the overall monitoring position. While these savings are anticipated to be fully achieved, the one off pressures arising in 2017/18 are being met through one off savings

identified. Progress towards the delivery of budget savings will be closely monitored for the remainder of the financial year and further information is set out below.

2017/18 Budget Reduction Measures

There are £8.783 million of budget reduction measures approved for 2017/18. Based on the latest review of delivery, £7.628 million (87%) of savings have been categorised as green. This reflects that there is an agreed plan in place which will achieve the recurring saving required. A further £1.155 million (13%) has been categorised as amber meaning that an achievable plan is still to be agreed or that there are existing / emerging issues that require additional actions to be undertaken in order to achieve the plan. One measure with a value of £103,000 within Housing, Customer and Building Services was previously categorised as red and now been categorised amber. As noted within this report, the change to amber reflects that an agreed action plan is now being progressed by the Head of Service.

D.7 Summarised Budget Position for 2017/18

The month 9 monitoring indicates a forecast one-off underspend of £1.700 million. As agreed by Council Executive on 14 November 2017, a one-off underspend of £1.050 million reported at month 6 was to be retained in the unallocated general fund balance, to assist in balancing the revenue budget in 2018/19. In addition, Council Executive agreed on 6 February 2018 to retain £290,000 for one-off funding of time limited buses in 2018/19. This would leave £1.410 million in the unallocated general fund balance. Council agreed that £835,000 would be preserved in the unallocated general fund balance and it is recommended that the potential deficit position for additional £650,000 underspend at month 9 is also preserved pending consideration of the West Lothian Leisure position for 2018/19.

There are considerable risks and uncertainties around various aspects of council spending, including the level of future pay awards, the costs of demand led services especially in social care, the level of inflationary increases in budget and the recycling market. There are also major risks connected to the future level of UK and Scottish Government funding and of policy changes that impact on local government in Scotland. Emerging risks with the blue bin gate fee and the budget deficit within WLL require close monitoring for the remainder of the financial year and into 2018/19.

The report also highlights a number of recurring overspends where action is required to identify options to sustainably manage spend within budget resources available. As at month 9, these pressures total £2.558 million and these will need to be managed in the current year and future years. In addition there remain a number of risks in the current year and demand led service delivery areas in particular will require to be closely monitored over the remainder of the financial year.

E. CONCLUSION

A one-off underspend of £1.700 million is forecast position for 2017/18. This is mainly as a result of one-off underspends on the Council Tax Reduction Scheme and insurance account and a number of vacancies across the service areas. Within service expenditure, there are a number of recurring overspends which have been highlighted and these will need to be managed in the current year and future years.

Monitoring of delivery of the 2017/18 budget reductions has demonstrated that satisfactory progress is being made. Further work is required to progress measures identified as amber. It is evident that service budgets are coming under increasing pressure and it is important that Heads of Service pro-actively manage budgets over the financial year to ensure spend is managed within available resources.

F. BACKGROUND REFERENCES

2017/18 General Fund Revenue Budget Month 6 Monitoring – Report by Head of Finance and Property Services to Council Executive on 14 November 2017.

Appendices/Attachments: None

Contact Person: Keith Johnstone, Group Accountant

keith.johnstone@westlothian.gov.uk - Tel No. 01506 281320

Donald Forrest

Head of Finance and Property Services

Date: 20 February 2018



COUNCIL EXECUTIVE

2017/18 GENERAL SERVICES CAPITAL BUDGET – MONTH 9 MONITORING REPORT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To provide Council Executive with a report on the financial position in relation to the General Services Capital Programme following the completion of the month 9 monitoring exercise.

B. RECOMMENDATIONS

It is recommended that Council Executive:

1. Notes the outcome of the month 9 monitoring exercise and the projected outturn;
2. Agrees that Asset Lead Officers and the Head of Finance and Property Services keep under review factors that impact on delivery of the approved capital programme;
3. Notes the progress on the delivery of the overall programme;

C. SUMMARY OF IMPLICATIONS

I. Council Values	Focusing on customers' needs, being honest, open and accountable, making best use of our resources, working in partnership.
II. Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council's General Services capital programme is managed within the stringent requirements set out in the Prudential Code.
III. Implications for Scheme of Delegations to Officers	None.
IV. Impact on performance and performance indicators	Effective capital implementation is vital to service performance.
V. Relevance to Single Outcome Agreement	None.
VI. Resources (Financial, Staffing and Property)	Capital expenditure of £44.992 million is projected in 2017/18.
VII. Consideration at PDSP	None.
VIII. Other consultations	The capital monitoring exercise has involved consultation with Depute Chief Executives, Heads of Service, asset lead officers and capital project managers.

D. TERMS OF REPORT

D.1 Background

The report provides Council Executive with an update on the 2017/18 General Services Capital Programme based on the results of a comprehensive monitoring exercise. The approved 2017/18 capital budget is £44.992 million, which assumes £4 million of overprogramming.

D.2 Summary of Month 9 Financial Information

The summarised committed and projected asset expenditure at month 9 is shown in the table below:

Asset Type	2017/18 Approved Budget £'000	Committed Expenditure at Month 9 £'000	2017/18 Projected Outturn £'000	2017/18 Projected Variance £'000
Property	21,402	21,720	23,020	1,618
Roads	15,727	7,541	12,271	(3,456)
Open Space	4,653	2,581	3,208	(1,445)
ICT	7,210	3,856	7,306	96
	48,992	35,698	45,805	(3187)
Remaining Overprogramming	(4,000)	N/A	(813)	3,187
TOTAL	44,992	35,698	44,992	0

Good progress is being made on a number of projects with the committed expenditure as a percentage of projected outturn at 79%. In overall terms, the monitoring exercise indicates projected outturn is on budget at £44.992 million based on further over-programming of £813,000 being assumed. However, if the programme progresses with no further slippage, the balance in resources will be funded by accelerated borrowing, which can be accommodated within Treasury Management forecasts.

D.3 Summary of Forecasts and Pressures

A forecast is provided below for each asset type, including details of material movements and pressures that have been identified:

Property

In overall terms the monitoring exercise indicates that projected outturn expenditure in 2017/18 is £23.020 million with £21.720 million of expenditure committed to date, representing 94% of the projected outturn. A number of projects are progressing quicker than anticipated, resulting in accelerated spend. A further review is required of a number of projects to finalise potential overspends that have emerged and have been previously reported. The majority of the potential overspends relate to contractor claims and negotiations are currently underway to finalise the claims and the costs incurred. The estimated cost pressures resulting from the negotiations has been accounted for within the resources available as part of the new capital programme.

The projects which have previously been reported as being subject to contractor claims are:

- Boghall Primary School - Nursery Extension
- Howden St Andrew's Primary School – Improvements
- Whitehill Service Centre

- East Calder Partnership Centre
- Linlithgow Partnership Centre

In addition to the above, projects at St Mary's Primary School, Bathgate and Torphichen Primary School are currently subject to contractor claims due to additional works being undertaken for fire safety, flooring and roof works. The contractor claims are being negotiated and final costs for the projects will be completed during the coming months.

Roads and Other Related Assets

Projected outturn expenditure in 2017/18 remains at £12.271 million, resulting in net slippage of £3.456 million. In terms of actual spending, £7.541 million of expenditure has been incurred at period 9, representing 62% of the 2017/18 projected outturn. The slippage was mainly due to a lack of design resources to plan and design the road and footway projects and also scheduling issues due to other works being undertaken on the road network by external organisations. Officers have taken actions to ensure that the projected outturn is fully achieved, with works packages being identified and commencing during January to March 2018. The mitigating actions will deliver the programme spend in line with the forecast outturn.

Open Space

The monitoring exercise indicates that projected outturn expenditure in 2017/18 is £3.208 million with £2.581 million of expenditure incurred to date. This represents 81% of the 2017/18 projected outturn and a net slippage position of £1.445 million has been forecast at month 9. Delivery of the open space programme is progressing well and the month 9 monitoring exercise identified the following issues which had previously not been accounted for.

Waste Containers

A projected overspend of £221,000 has been identified due to the cyclical replacement of Waste Containers. The overspend will be managed within the overall Open Space capital programme, and will be closely monitored by the asset lead officer and the manager of Waste Services to ensure that no further overspend occurs.

Cycling Pump Tracks

Four projects have been designed to include bicycle pump tracks. Due to the technical nature of designing and constructing the pump tracks this element of the projects has been delayed for completion during 2018/19, resulting in slippage of £240,000. The four projects are at Balbardie Park of Peace, Bridgend, Craigspark and Drumshoreland.

ICT

Projected outturn expenditure in 2017/18 is £7.306 million. In terms of actual spending to date, £3.856 million of expenditure, representing 53% of the 2017/18 projected outturn, has been incurred at period 9. This is less than anticipated for this point in the financial year, however it has been highlighted that this is due to the stage that a number of projects are currently reporting, meaning that they will be placing orders and processing invoices during early 2018. This includes the projects for Education PC Replacement and Education Wireless Local Area Network Refresh which are shown as having very little expenditure, however the project manager has confirmed that the full budget will be utilised in 2017/18. A slight overspend position, of £96,000, is anticipated at Month 9, which can be accommodated within the overall programme.

D.4 Risks

The month 9 forecast represents all current information held on the projects being undertaken in 2017/18. There are a number of risks which can be summarised as follows:

Property Assets

Some projects in the operational buildings category have been highlighted as risks due to delays that have been encountered for various reasons including; design development issues and community consultation and engagement requirements. As previously reported and highlighted earlier in the report, a number of projects are identified as risks due to the contractor claims which could result in project expenditure exceeding the original budget. Project teams are working to minimise delays, to identify savings and will endeavour to achieve project completion dates as close as possible to the original timescales as well as identifying options to reduce potential overspends.

Roads and Other Related Assets

There are risks that have been identified in the roads programme within Structures and Transportation, Roads and Footways and Town Centres and Villages. These projects have been previously identified as part of the 2017/18 monitoring process and were reported at month 6. Although the slippage remains a potential issue for the roads programme actions have been undertaken to try and ensure that the forecast outturn can be delivered.

Open Space Assets

There are risks identified within the open space category in relation to projects that are to be undertaken in partnership with development trusts. The additional time required to deal with these external bodies means that there is a risk of slippage in these projects.

ICT

There is a general risk of deliverability within agreed timescales throughout the ICT programme. IT Services continue to monitor progress to ensure that vital business systems are not unnecessarily delayed.

D.5 Resources

Resources are closely monitored over the financial year to ensure projected spend is matched by available capital resources and that funding represents the best value for money option available. The 2017/18 capital programme is funded from a variety of sources comprising:

Funding Source	£'000
Borrowing	6,632
General Capital Grant	17,780
Other Grants and Contributions (Developer Contributions & Capital Fund)	15,180
Capital Receipts	5,400
Total Resources	44,992

In overall terms, officers have assessed that the resource projections are achievable, although there are various risks that require ongoing monitoring.

D.6 Developer Contributions Update

During the first nine months of financial year 2017/18, developer contribution income of £1.418 million has been received. Further details can be found in appendix 2. The balance in the developer contributions accounts at the end of month nine is £21.144 million.

D.7 Other Strategic Issues

The Prudential Code requires the council to take into account a number of factors when agreeing capital spending plans and these are set out below:

Risk Management and Uncertainty

The budget monitoring process focuses attention on risks to the performance of the capital programme.

Affordability, Prudence and Sustainability

In overall terms, I would assess that the current capital programme remains affordable, subject to identified risks being managed. Capital receipts have been amended to reflect challenging market conditions but they will be kept under close review.

Stewardship of Assets

The council's strategic approach to capital planning, involves integration with asset management planning. Progress against each area of the Corporate Asset Management Plan is reported annually to elected members.

Value for Money and Best Value

All aspects of the programme are geared towards securing Best Value and are undertaken in accordance with the council's Best Value Framework.

D.8 Future Years Capital Investment Strategy

The Council on 13 February 2018 agreed the Corporate Asset Management Strategy and the General Services Capital Investment Strategy for the period 2018/19 to 2027/28. This will enable officers to prioritise preparation and design of works for 2018/19 and beyond.

E. CONCLUSION

Following the month 9 monitoring process, the 2017/18 outturn forecast is £44.992 million. Good progress is being made on delivery of the programme and, at the end of month 9, committed expenditure to date accounts for 79% of the projected forecast spend for the year. A number of key risks in relation to the delivery of the General Services capital programme have been identified and will continue to be managed by asset lead officers and monitored by the CMT. This includes a number of emerging pressures in the Property asset category where negotiations are underway with contractors due to delays on site and additional works undertaken.

F. BACKGROUND REFERENCES

General Services Capital Programme 2017/18 – Report by Head of Finance and Property Services to Council Executive 20 June 2017

2017/18 General Services Capital Budget – Month 6 Monitoring - Report by Head of Finance and Property Services to Council Executive 14 November 2017

Appendices/Attachments: Appendix 1 - General Services Capital Period 9 Monitoring
 Appendix 2 – Developer Contributions Period 9 Monitoring

Contact Person: Ailsa MacKerrow – ailsa.mackerrrow@westlothian.gov.uk
 Tel. 01506 281306

Donald Forrest
Head of Finance and Property Services
20 February 2018

APPENDIX 1**2017/18 GENERAL SERVICES CAPITAL BUDGET - PERIOD 9****PROPERTY ASSETS****Planned Improvements and Statutory Compliance**

	Annual Budget 2017/18 £'000	Total known commitment to year end £'000	P12 forecast 2017/18 £'000	P12 variance 2017/18 £'000	Variance Analysis
Nursery Schools	5	19	16	11	Overspend
Primary Schools	600	491	558	(42)	Slippage
Secondary Schools	511	520	520	9	Overspend
Special Schools	40	21	30	(10)	Saving
School Estate Wide Improvements (Kitchens)	50	3	50	0	On Budget
Arts Venues	0	7	6	6	Overspend
Care Homes	120	47	120	0	On Budget
Cemeteries	40	17	40	0	On Budget
Community Centres and Halls	231	204	246	15	Overspend
Country Parks	3	0	3	0	On Budget
Disability Day Centres	50	109	170	120	Accelerated
Partnership Centres	17	4	17	0	On Budget
Youth Residential Units	38	4	28	(10)	Saving
Miscellaneous	138	149	149	11	Overspend
Operational Offices	10	9	9	(1)	Saving
Tenanted Non Residential Properties	150	142	150	0	On Budget
General Statutory Compliance	1,425	1,473	1,532	107	Overspend / Accelerated
Total Planned Improvements	3,428	3,220	3,644	216	

Property Projects**Schools General Projects**

Boghall Primary School - Nursery Extension	572	673	675	103	Overspend
Free School Meals - Production Kitchens & Halls	360	230	230	(130)	Saving
Howden St Andrew's Primary School - Improvements	100	144	155	55	Overspend
Mid Calder Nursery Replacement	450	449	460	10	Overspend
Renewables (School Estate)	100	4	100	0	On Budget
St Mary's Primary School Bathgate Sports Provision	600	604	665	65	Overspend
Torphichen Primary School and Nursery - Extension and Improvemen	1,114	1,119	1,169	55	Overspend
West Calder High School	584	194	195	(389)	Slippage
Other School Projects	55	79	97	42	Overspend / Accelerated
	3,935	3,497	3,746	(189)	

Schools Projects - Developer Funded

St Anthony's Primary School Armadale - Phase 2 extension	379	173	240	(139)	Slippage
Winchburgh/Holy Family Primary School - Phase 4	375	305	375	0	On Budget
Various Projects	340	220	252	(88)	Slippage / Saving
	1,094	698	867	(227)	

Operational Buildings

Armadale Partnership Centre	100	348	350	250	Accelerated
Blackburn Partnership Centre	400	108	150	(250)	Slippage
East Calder Partnership Centre	1,500	1,807	1,837	337	Overspend / Accelerated
Kirknewton Changing Pavillion	250	12	20	(230)	Slippage
Linlithgow Partnership Centre	1,010	1,231	1,510	500	Overspend
Whitburn Partnership Centre	50	117	120	70	Accelerated
Other Operational Buildings	60	95	98	38	Overspend
	3,370	3,717	4,085	715	

Office and Depot Modernisation Projects	8,403	9,638	9,680	1,277	Overspend / Accelerated
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Energy Savings and Spend to Save	440	197	243	(197)	Slippage
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Miscellaneous Projects	732	754	755	23	Accelerated
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Total Property Projects	17,974	18,501	19,376	1,402	
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TOTAL PROPERTY ASSETS	21,402	21,720	23,020	1,618	
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APPENDIX 1**2017/18 GENERAL SERVICES CAPITAL BUDGET - PERIOD 9****ROADS AND RELATED ASSETS****Roads and Footways**

	Annual Budget 2017/18 £'000	Total known commitment to year end £'000	P12 forecast 2017/18 £'000	P12 variance 2017/18 £'000	Variance Analysis
A Class Roads	410	345	354	(56)	Slippage
B Class Roads	684	187	567	(117)	Slippage
C Class Roads	747	718	929	182	Overspend
U Class Roads	1,193	336	1,146	(47)	Slippage
Non Adopted Roads & Footways	978	376	566	(412)	Slippage/ Saving
Adopted Footways	960	588	829	(131)	Slippage
General Roads Projects	781	258	539	(242)	Slippage
	5,753	2,808	4,930	(823)	

Flood Prevention and Drainage

Broxburn Flood Prevention Scheme	235	12	210	(25)	Slippage
Other Flood Prevention and Drainage Schemes	1,073	721	956	(117)	Slippage
	1,308	733	1,166	(142)	

Road Lighting

	2,731	1,736	2,731	0	On Budget
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Structures and Transportation**Road Safety**

Cycling, Walking and Safer Streets	958	110	368	(590)	Slippage
Road Casualty Reduction Schemes	256	38	256	0	On Budget
School Travel Schemes	20	0	20	0	On Budget
	1,234	149	644	(590)	

Traffic Management

Active and Sustainable Travel Infrastructure Improvements	381	15	105	(276)	Slippage
Disabled Parking Act Implementation	40	73	73	33	Overspend
Linlithgow Parking Strategy	24	0	0	(24)	Slippage
Other	63	10	14	(49)	Slippage
	508	98	192	(316)	

Structures

Adopted and Non Adopted Bridges - Backlog and Lifecycle Investment	2,185	1,363	1,589	(596)	Slippage / Saving
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Total Structures and Transportation

	3,927	1,610	2,425	(1,502)	
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Town Centres and Villages Improvement Fund

	2,008	654	1,019	(989)	Slippage
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TOTAL ROADS ASSET

	15,727	7,541	12,271	(3,456)	
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Open Space Assets

Open Space and Sports Facility Projects	1,484	929	1,186	(298)	Slippage
Open Space and Sports Facility Planned Improvements	1,280	738	916	(364)	Slippage
Open Space Parks Drainage	54	69	54	0	On Budget
Children's Play Areas	533	492	533	0	On Budget
Synthetic Turf Pitches	891	292	282	(609)	Slippage
Cemeteries	148	46	98	(50)	Slippage
Land Decontamination	263	15	139	(124)	Slippage

TOTAL OPEN SPACE ASSET

	4,653	2,581	3,208	(1,445)	
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ICT Assets

Corporate and Modernisation	5,500	3,637	5,556	56	Overspend
School Specific Spend	1,710	219	1,750	40	Overspend
TOTAL ICT ASSET	7,210	3,856	7,306	96	

TOTAL	48,992	35,698	45,805	(3,187)	
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Overprogramming	(4,000)	0	(813)	3,187	
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TOTAL - ALL ASSETS	44,992	35,698	44,992	0	
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DATA LABEL: PUBLIC

APPENDIX 2
2017/18 DEVELOPER CONTRIBUTIONS - MONTH 9 MONITORING

A breakdown of contributions by policy is set out below.

Policy	Opening Balance 01/04/17	Income 2017/18	Draw downs 2017/18	Balance at 31/12/17	Details of Committed Funds		
	£	£	£	£			
Affordable Housing	1,159,587	280,300		1,439,887	Resource for council house building	-1439887.2	-1,439,887.00
Armada Academy	294	7,104		7,398	Committed to the General Services Capital programme	-7398.03	- 7,398.00
Denominational Secondary School Infrastructure	6,864,815	184,826		7,049,641	Will be used to extend/build provision for denominational secondary sector		
Travel Co-ordinator	46,415	0		46,415	Will be used to fund travel co-ordinator post	-7049641	-7,049,641.00
A801 Dualling	104,865	0		104,865	Committed to dualling of A801	-46415.1	- 46,415.00
Cemetery Provision	89,675	3,996		93,671	Committed to fund costs of extending cemeteries in West Lothian to support development	-104864.8	- 104,865.00
Public Art	318,973	7,834		326,807	Committed to provision of public art	(93,671.37)	- 93,671.00
St Nicholas PS, Broxburn	8,711	0		8,711	Will be used to fund extension to St. Nicholas Primary School. Refund has been paid for planning permission no longer required	-326806.08	- 326,806.00
St Paul's PS, East Calder	349,608	85,229		434,837	Will be used to fund extension to St. Paul's Primary School	-8711.27	- 8,711.00
Denominational Primary Winchburgh	974,780	0		974,780	Will be used to build provision for denominational primary school in Winchburgh	-434837.52	- 434,838.00
Play Areas	576,273	56,269		632,542	Committed to providing/improving play areas at the sites for which contribution was received	-974779.54	- 974,780.00
St Mary's PS, Polbeth	167,659	0		167,659	Will be used to fund extension of St Mary's Primary School	-632541.14	- 632,541.00
Pumpherston & Uphall PS	289,634	0		289,634	Will be used to fund the extension of Pumpherston & Uphall Primary School	-167659.19	- 167,659.00
A71 Developer Contributions	58,721	0		58,721	Committed to A71 Works	-289634.09	- 289,634.00
Parkhead PS Extension	522,874	0		522,874	Will be used to fund the extension of Parkhead Primary School	-58721	- 58,721.00
Linlithgow Academy	166,807	24,642		191,449	Fund for extension of Linlithgow Academy	-522873.55	- 522,874.00
Bathgate Academy	508,342	0		508,342	Will be used to fund Bathgate Academy extension	-191449.23	- 191,449.00
Whitburn Academy	416,847	20,907		437,754	Will be used to fund Whitburn Academy extension	-508341.66	- 508,342.00
Kirknewton PS	4,512	34,712		39,224	Will be used to fund extension of Kirknewton	-437754.44	- 437,754.00
A71 Wilkie Bypass	124,987	-4,041		120,946	Committed to A71 Works	-39223.76	- 39,224.00
Almondell & Calderwood Country Park	34,256	-586		33,670	Committed to improving Almondell & Calderwood Country Park	-120945.73	- 120,946.00
East Calder Park	159,029	-1,170		157,859	Committed to improving East Calder Park	-33669.91	- 33,670.00
East Calder Public Car Park	6,851	-117		6,734	Committed to improving East Calder Public Car Park	-157859.13	- 157,859.00
Public Transport	302,059	-5,454		296,605	Will be used to fund Public Transportation works.	-6734.19	- 6,734.00
St Paul's Primary School Footpath	32,968	0		32,968	St Paul's Primary School Footpath	-296605.1	- 296,605.00
East Calder Primary School	241,660	-28,945		212,715	East Calder Primary School	-32967.96	- 32,968.00
Town & Village Centre Policy	251,220	57,896		309,116	Town & Village Centre Policy.	-212714.79	- 212,715.00
Park & Ride, West Calder	76,383	0		76,383	West Calder Park and Ride	-212714.79	- 212,715.00
A71 Bus Priority Measures	15,112	-4,637		10,475	Committed to A71 Bus Priority works	-309116.05	- 309,116.00
Denominational Primary, Armadale	1,315	16,049		17,364	Will be used to fund extension of St Anthony's Primary School	-76382.79	- 76,383.00
Armadale Primary School S75	0	27,420		27,420	Will be used to fund works required at Armadale Primary School	-10474.94	- 10,475.00
Wester Inch, Bathgate	621,514	232,552		854,066	Comprises contributions for education, play areas & transportation. Is being used to extend Simpson Primary School, develop play areas, support bus route	-17364.09	- 17,364.00
Off site environmental works, West Mains	120,521	0		120,521	Will be used to fund off site works	-27420.11	- 27,420.00
Non-denominational Primary, Bathgate	2,173	0		2,173	Will be used to fund education infrastructure in Bathgate	-854065.96	- 854,066.00
Livingston Town Centre Variable Messaging System	90,538	0		90,538	Will be used to upgrade the Livingston Town Centre Variable Messaging System	-120521.4	- 120,521.00
Calders Non Denominational Secondary School	2,649,815	327,826		2,977,641	Calders Non Denominational Secondary School	-2173	- 2,173.00
Winchburgh Secondary	1,280,053	30,561		1,310,614	Will be used towards funding a new secondary school in Winchburgh	-90538.32	- 90,538.00
Murrayfield PS	316,467	0		316,467	Contributions to be used towards infrastructure costs for Redhouse Non-denominational Primary School	-2977641.1	-2,977,641.00
Our Lady of Lourdes	21,113	0		21,113	Contributions to be used towards infrastructure costs for Redhouse Denominational Primary School	-1310614.2	-1,310,614.00
Greendykes Junction, Broxburn	21,227	18,229		39,456	Contributions to be used towards works at Greendykes Junction, Broxburn.	-316467	- 316,467.00
Non-denominational Primary, Broxburn	30,000	0		30,000	Contributions to be used towards infrastructure costs for Broxburn Non-denominational Primary School	-21113	- 21,113.00
Mill Roundabout, Elilburn	91,199	0		91,199	Will be used to fund improvements at the roundabout	-21113	- 21,113.00
Open Space Cont S69	554,230	46,811		601,041	Will be used to fund Open Space projects in various sites	-39455.75	- 39,456.00
Kirknewton Park & Ride	51,299	0		51,299	Kirknewton Park & Ride	-30000	- 30,000.00
TOTAL	19,725,380	1,418,213	0	21,143,593		-91199.44	- 91,199.00
						-601040.56	- 601,041.00
						-51299.03	- 51,299.00



COUNCIL EXECUTIVE

2017/18 HOUSING REVENUE ACCOUNT – MONTH 9 MONITORING REPORT

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To provide the Council Executive with a report on financial performance in relation to the Housing Revenue Account (HRA) following the month 9 monitoring exercise.

B. RECOMMENDATION

It is recommended that Council Executive notes the outcome of the month 9 monitoring exercise and the projected outturn.

C. SUMMARY OF IMPLICATIONS

I	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
II	Implications for Scheme of Delegations to Officers	None
III	Impact on performance and performance Indicators	None
IV	Relevance to Single Outcome Agreement	None
V	Resources - (Financial, Staffing and Property)	A breakeven position is predicted at this stage.
VI	Consideration at PDSP	Not applicable
VII	Other consultations	Head of Finance & Property Services.

D. TERMS OF REPORT

D.1 Introduction

The council approved a £46.7 million HRA Revenue budget on 20 February 2017. The budget was subsequently revised to £46.2 million to reflect updated loan charge costs and income estimates reported at month 4. This report provides information on the financial position in relation to the HRA as at 31 December 2017 and provides a projection to the year end.

D.2 Summary of Month 9 Financial Information

The table below summarises the position for the main expenditure heads and provides a projected out-turn:

	2017/18 Budget £'000	Committed Expenditure to 31 December £'000	2017/18 Projected Out-turn £'000	2017/18 Projected Variance £'000
Employee Costs	4,531	4,381	4,345	(186)
Premises Costs	15,063	10,981	15,168	105
Transport Costs	153	137	153	0
Supplies & Services	3,407	3,204	3,307	(100)
Third Party Payments	58	113	100	42
Transfer Payments	908	681	908	0
Support Services	2,552	1,914	2,552	0
Capital Financing	13,239	9,929	12,892	(347)
CFCR	6,318	4,739	6,665	347
Total Expenditure	46,229	36,079	46,090	(139)
Income	(46,229)	(35,415)	(46,090)	139
Net Expenditure	0	664	0	0

Employee Costs

Employee costs are forecast to underspend by £186,000 mainly as a result of vacant posts and staff turnover.

Premises Costs

Based on current information, premises costs are anticipated to overspend by £105,000. This is a reduction of £10,000 from the position reported at month 6. The overspend is mainly a consequence of void works on secondary lets created by new build completions, void works for general property turnover, and works prior to bringing open market acquisition properties in the capital programme to SHQS standard. Expenditure on repairs is a key risk area; it is demand led and as such reactive to customer requirements, any adverse weather can also materially impact on expenditure. This volatility will require this budget to be closely monitored during the remainder of 2017/18.

Supplies & Services

Supplies and Services are forecast to underspend by £100,000 due to the combination of savings and overspends across a number of budget headings. The main areas of underspend are IT costs, legal fees, and consultancy costs.

Third Party Payments

The overspend of £42,000 in third party payments reflects increased servicing and repair costs for property aids and adaptations.

Capital Financing & CFCR

The mix between borrowing and Capital Funded from Current Revenue (CFCR) is largely dependent on the required level of borrowing and associated capital financing charges as well as the level of CFCR affordable to the Housing Revenue Account. Loan charge forecasts were updated reflecting the 2016/17 capital outturn and

2017/18 budget reported to Council Executive on 20 June 2017 and the HRA budget realigned accordingly. Forecasts have now been updated for the month 9 monitoring exercise based on the latest information for the capital programmes.

The level of CFCR is also subject to confirmation dependant on other movements within the HRA revenue account, principally in relation to expenditure on reactive repairs and collection levels for housing rent.

Based on the latest estimate of capital financing charges, it is forecast that the CFCR contribution will be £6.665 million. This will enable an increased CFCR contribution, of £0.347 million, offset by a corresponding saving in capital financing charges. The position will be further reviewed at the financial year end.

Income

Income budgets for 2017/18 relate to the estimated level of rent and other miscellaneous charges due to the HRA revenue account. Forecast income has been projected based on the latest information relating to housing stock, taking account of mortgage to rent, council house sales and new build completions.

The right to buy ended on 31 July 2016 and in the run up to the deadline there was a significant increase in the number of applications. Those that did not complete in 2016/17 carried forward into 2017/18, 91 sales are anticipated with the majority completed. As sales are completed the rental income to HRA will reduce accordingly. It is anticipated that the level of new build completions will be less than original estimates. Based on the 2016/17 rental income out-turn, and factoring in stock changes during 2017/18, achievable income is forecast to be £139,000 under budget.

The value of current tenant arrears at 1 January 2018 stood at £1.819 million (5,231 cases), with the equivalent position at 1 January 2017 of £1.447 million (4,617 cases). Arrears and their impact on the financial position of the HRA will continue to be closely monitored.

E. CONCLUSION

A breakeven position is forecast on the basis of the information available.

Appendices/Attachments: None

Contact Person: Alistair.Shaw@westlothian.gov.uk

Graeme Struthers
Depute Chief Executive
20 February 2018



COUNCIL EXECUTIVE

2017/18 HOUSING CAPITAL REPORT – MONTH 9 MONITORING REPORT

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To provide the Council Executive with a report on the financial position in relation to the Housing Capital Programme following the completion of the month 9 monitoring exercise.

B. RECOMMENDATION

It is recommended that Council Executive note the outcome of the month 9 Housing Capital monitoring exercise and the projected out-turn.

C. SUMMARY OF IMPLICATIONS

I	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council's Housing Capital Programme is managed within the stringent requirements set out in the Prudential Code.
II	Implications for Scheme of Delegations to Officers	None
III	Impact on performance and performance Indicators	None
IV	Relevance to Single Outcome Agreement	<i>"Outcome 10 – We live in well designed, sustainable places where we are able to access the services we need."</i>
V	Resources - (Financial, Staffing and Property)	Council Executive approved a revised Housing Capital budget of £57.452 million on 20 June 2017.
VI	Consideration at PDSP	Not applicable
VII	Other consultations	Consultation has taken place with Housing Customer and Building Services, tenants and Finance & Property Services.

D. TERMS OF REPORT

D.1 Introduction

The council approved a five year programme for Housing capital investment in January 2013. A revised 2017/18 Housing Capital budget, comprising a £57.452 million investment programme, was approved by Council Executive on 20 June 2017 to take account of the 2016/17 out-turn. This report contains detail of expenditure to date in the Housing Capital programme and provides a projected out-turn for the financial year.

D.2 Summary of Month 9 Financial Information

The summarised position for actual and projected expenditure is shown below. The table shows investment of £33.035 million in our housing stock as at 31 December 2017. The forecast expenditure for the year is £51.098 million. The investment programme comprises the creation of new build social housing and refurbishment of existing stock, which includes large scale housing projects, energy efficiency works and planned programmes, much of which is undertaken by Building Services.

Table 1	2017/18 Revised Budget £'000	Actual Expenditure at Month 9 £'000	2017/18 Projected Out-turn £'000	2017/18 Projected Variance £'000
New Build 1,000 Houses	39,096	21,963	33,200	(5,896)
Major Refurbishment	2,508	1,765	2,323	(185)
Major Elemental Upgrades	2,817	1,445	2,564	(253)
Planned Programmes	7,552	4,272	7,304	(248)
Environmental / External	913	289	536	(377)
Miscellaneous	4,566	3,301	5,171	605
Total	57,452	33,035	51,098	(6,354)

New Build 1,000 Houses

Since reporting at Period 6, significant work has progressed with the majority of sites in development, including Almondvale Stadium, Livingston. Expenditure of £21.963 million has been incurred as at 31 December 2017; with an anticipated out-turn of £33.200 million. Work is currently underway at Lammermuir, Kirkhill, Eastfield, Redhouse, Almondell Calderwood, Wester Inch, Drumshoreland, Winchburgh, Mayfield and Bathville Cross with sites completed at Adelaide Street, Livingston, West Main Street Broxburn, Pumpherston, Auldhill, Glasgow Road, Almond Link, Mill Road, Raw Holdings, Appleton Parkway and Philpstoun. To date, 203 units have been handed over for the project.

While work is progressing well across a large number of sites, issues have delayed start dates on two remaining sites:-

- Nelson Park, Armadale – agreements with third party landowners have still to be formalised.
- Deans South Livingston – a planning application for 37 houses will be submitted in the next two months.

As reported to Council Executive on 24 October 2017 and 19 December 2017 respectively, three new build units will not be progressed at Bathville, and 26 units at Deans. These units will be replaced by 29 Open Market Acquisitions, of which eight are expected to be purchased in 2017/18.

During 2017/18, there will be a significant increase to the housing supply, providing new homes in areas across West Lothian of different sizes and styles, with many designed to support the occupation by people with limited movement ability including wheelchair users. Within the overall figures, £100,000 of expenditure is anticipated on site investigation and related works on potential new build sites; all underspent resources will be carried forward into 2018/19, including £400,000 to support a further new build programme.

Major Refurbishments

Major Refurbishment encompasses planned works on streets, beyond traditional roof and render renewal works, with forecast expenditure of £2.323 million expected in 2017/18. Major works are nearing completion at Mayfield, Armadale, with planned investment of £1.061 million during 2017/18. This work forms part of a five year refurbishment programme across 312 properties, upgrading 218 properties in Mayfield Drive, 60 in Calder Crescent, 10 in Lower Bathville and 24 in Wotherspoon Crescent. To date 308 homes have been completed and the final four will complete before the end of 2017/18. As reported at Period 6, savings in the project have been diverted to carry out some essential high cost repairs to properties in other locations under Planned Maintenance works. Some slippage is expected on planned works at Harrison Houses in Whitburn and £268,000 has been carried forward to 2018/19.

Although issues relating to service diversions and asbestos management have delayed other phases; Phases 1 and 2 of the refurbishment work at Bathville Cross, Armadale, are nearing completion. Works include external upgrades with redesign of stairs to reduce antisocial behaviour and increase the privacy and security of tenants.

Major Elemental Upgrades

Planned expenditure of £2.564 million is expected on major elemental upgrades in 2017/18. Projects largely encompass roof and roughcasting work undertaken, or managed, by Building Services. Works to properties in the Lanrigg area of Fauldhouse are progressing and are ahead of schedule and the final two houses are expected to complete before the end of 2017/18. Major works in the Glebe Road and Jubilee Road area of Whitburn, encompassing the upgrade of properties and common car parking areas, has recommenced, following agreement with owner occupiers. The installation of PV panels in Breich is underway, with works estimated to be completed and connected by the end of 2017/18. Upgrades have commenced to the BISF houses in Blackburn, with completions anticipated in 8 of the 13 properties during 2017/18.

Planned Programmes

Planned programmes maintain the safety of houses and components such as windows and doors. Expenditure of £7.304 million is expected across the programme during 2017/18, including a range of energy efficiency measures, central heating replacements, electrical testing and repairs, painting, window replacements, new kitchens and bathrooms, fencing programmes and high value repairs. The programme consists of approximately: 650 central heating replacements, 100 kitchens and bathrooms, external painting and internal decoration to a combined total of 500 properties, periodic testing of 2,800 houses, the installation of hard wired smoke detectors in 590 properties, gutter cleaning and repair to 1,750 properties and various common stair upgrades such as painting and new security entrance doors in 35 shared tenancy blocks.

A pilot Ground Source Heat Pump project is to be undertaken in Westfield; the scope of the pilot is for 12 council owned houses and match funding is still being pursued

from the Low Carbon Infrastructure Transition Programme to support the council's investment. Also at Westfield, £161,000 will be spent on installation of solar PV panels on 37 properties in conjunction with programmed roof and render repair works.

External Wall Insulation (EWI) is being progressed in 69 council houses in Erskine and Gordon Way in Knightsridge. These properties are being done in conjunction with the HEEPS:ABS programme that will provide EWI to a further 50 private home owners in Erskine and Gordon Way as well as 25 owners in Woodend Walk, Armadale.

Environmental / External Upgrades

Forecast expenditure of £536,000 is anticipated on environmental programmes, and external upgrading, in 2017/18. These works encompass a range of environmental, street improvement and drainage projects, planned in conjunction with tenants and other council services. Works are progressing at various sites throughout West Lothian; resources will be carried forward to 2018/19 to reflect revised phasing for works at Almondell and Tenant Street Improvements.

Miscellaneous

As reported to Council Executive in June 2017, resources totalling £4.566 million were approved for miscellaneous Housing Capital investment in 2017/18, including £2.475 million for open market acquisitions (OMA) of 30 properties. In line with recent Council Executive decisions, a number of new build units previously planned at Deans and Bathville sites will be replaced with open market acquisitions. It is anticipated that around 38 properties will be purchased in 2017/18, with related expenditure of £3.175 million. Expenditure on Aids and Adaptations to council houses, as well as Home Safety and Security measures for older people, is expected to be broadly in line with budgeted resources. Mortgage to Rent applications have shown a sustained reduction year on year, with two purchases concluded thus far this year.

D.3 Capital Resources

The table below shows the capital resources available to fund the housing capital programme in 2017/18. It should be noted that the investment programme is largely funded through a mix of borrowing and Capital Funded from Current Revenue (CFCR), with additional funding sources from council house sales, government grants and council tax on second homes. The mix between CFCR and Borrowing is largely dependent on the required level of borrowing and associated capital financing charges as well as the level of CFCR affordable to the Housing Revenue Account, and is subject to confirmation at the end of the financial year.

Table 2	2017/18 Revised Budget £'000	2017/18 Income to Month 9 £'000	2017/18 Projected Out-turn £'000	2017/18 Projected Variance £'000
CFCR	6,318	4,738	6,665	347
Borrowing	37,678	21,110	32,219	(5,459)
Council House Sales	5,500	4,057	4,147	(1,353)
Government Grants	6,537	2,967	6,691	154
Council Tax (Second Homes)	206	163	163	(43)
Developer Contributions	1,213	0	1,213	0
Total Income	57,452	33,035	51,098	(6,354)

House Sales

It is anticipated that final receipts from tenants purchasing properties under Right to Buy legislation will total £4.147 million in 2017/18. A total of 91 properties are expected to be sold to tenants who submitted applications prior to 31 July 2016. No further sales are anticipated beyond 2017/18.

Borrowing

The programme approved in June 2017 outlined anticipated borrowing requirements of £37.678 million. At this stage it is anticipated that £32.219 million of borrowing will be required to meet projected expenditure levels.

CFCR

Based on latest borrowing assumptions, the contribution of Capital from Current Revenue (CFCR) is anticipated to be £6.665 million. It should be noted the final contribution can be subject to capital borrowing requirements and related costs, as well as affordability within the Housing Revenue Account subject to pressures such as rent arrears and reactive repair costs, and the anticipated CFCR contribution will be reviewed when Treasury forecasts are updated.

D.4 Other Strategic Issues

The Prudential Code requires the council to take into account a number of factors when agreeing capital spending plans and these are set out below:

Risk Management and Uncertainty

The budget monitoring process focuses attention on risks to the performance of the capital programme. The impact of housing rent arrears will continue to be closely monitored.

Affordability, Prudence and Sustainability

In overall terms, I would assess that the capital plan remains affordable, subject to identified risks being managed.

Stewardship of Assets

The council's strategic approach to housing capital planning takes into account progress against Scottish Housing Quality Standards.

Value for Money and Best Value

All aspects of the programme are geared towards securing Best Value.

E. CONCLUSION

Progress is being made in the Housing Capital 2017/18 programme. Within the 1,000 Houses New Build project, there have been a number of completions and construction work is progressing well on a number of sites. Site start dates have still to be confirmed at Nelson Park in Armadale and Deans South in Livingston.

Significant investment is also being made in the housing stock to both improve the overall standard of the stock, meet energy efficiency standards and to increase the number of available houses for West Lothian residents.

Much of the focus of this work in 2017/18 continues to be on work undertaken, where

possible and within the terms of the Best Value framework, by Building Services.

All project budgets will continue to be closely monitored and the position managed by appropriate lead officers.

Appendices/Attachments: One

Contact Person: graeme.struthers@westlothian.gov.uk – Tel No: 01506 281761

Graeme Struthers
Depute Chief Executive
20 February 2018

	Annual Budget 2017/18 £'000	Actual to Date 2017/18 £'000	Forecast 2017/18 £'000	Forecast Variance 2017/18 £'000
EXPENDITURE				
New Build Council Housing Programme (budgeted as total)	38,596			(38,596)
Lot 1		2,082	4,387	4,387
Lot 2		4,543	6,029	6,029
Lot 3		2,490	3,274	3,274
Lot 4		6,518	10,885	10,885
Lot 5		5,137	7,347	7,347
Other New Build:				
Broxburn Old School New Build Council Housing Programme		626	361	361
Fees 1,000 houses		550	817	817
Future New Build	500	17	100	(400)
NEW BUILD TOTAL	39,096	21,963	33,200	(5,896)
Major Refurbishment				
Mayfield Area, Armadale Roof and render repair. Multiple year programme.	1,179	955	1,061	(118)
Harrison Houses - Loch Scheme, Whitburn Roof, stair and balcony repairs.	368	2	100	(268)
Main Street, Fauldhouse Major upgrades. Multiple year programme.	0	(16)	0	0
Park Road Flats, Blackridge Roof, roughcast and structural repairs with open space management	35	37	37	2
Bathville Flats, Armadale Roof and render repairs etc.	926	787	1,125	199
MAJOR REFURBISHMENT TOTAL	2,508	1,765	2,323	(185)
Major Elemental Upgrades				
Aitken Orr Drive	70	2	70	0
Lanrigg Oglivie, Fauldhouse Roof and render repair. Multiple year programme.	488	324	340	(148)
Empire St, Baillie St, Bog Rd, Park View, Dean St New roofs and external repairs.	513	463	470	(43)
Miscellaneous Whitburn*(Glebe Union Jubilee Manse)	509	16	512	3
Cuthill, Stoneyburn Roof and render repairs.	300	33	225	(75)
Strathlogie, Westfield	353	192	353	0
Auldhill Bridgend	64	74	74	10
Ladeside, Blackburn	520	341	520	0
MAJOR ELEMENTAL UPGRADES	2,817	1,445	2,564	(253)
Planned Programmes				
Firewalls	68	37	68	0
Repairs to walls and footpaths etc in HRA areas	164	97	164	0
Periodic testing and repairs / Electric Wiring	844	707	1,026	182
Central Heating	1,965	1,410	1,965	0
Kitchens and Bathrooms	644	384	644	0
Windows Refurbishment / Renewal	698	480	677	(21)
Hard wired smoke detectors	240	116	240	0
Painting - External	354	75	110	(244)
Painting - Assisted Decoration Scheme	300	250	300	0
Common Stair Upgrades	123	99	123	0
Rhone Cleaning and Repair	146	70	146	0
Fencing	175	117	175	0
Energy Efficiency / PV Panels	765	132	400	(365)
GSHP Project in Westfield	0	7	0	0
Insulation	50	0	50	0
External Wall Insulation	516	0	451	(65)
Planned Maintenance/ HIO Investment	500	291	765	265
PLANNED PROGRAMMES TOTAL	7,552	4,272	7,304	(248)
Environmental / External Upgrading				
Tenant Led Projects -Street Improvement,	385	252	270	(115)
Environmental Projects - Area Schemes	20	22	20	0
Programmed Drainage Joint Housing & Roads Services programme to address drainage issues	50	19	50	0
Play Areas Play areas in council housing areas.	39	0	39	0
St Helen's Courtyard, Armadale	0	(28)	0	0
Almondell	277	2	15	(262)
Bin Store Improvements Access, condition and suitability improvements	142	22	142	0
ENVIRONMENTAL / EXTERNAL UPGRADING TOTAL	913	289	536	(377)
Miscellaneous				
Open Market Acquisitions	2,475	2,085	3,175	700
Homelessness Upgrade of Blackburn Homeless Unit	0	(31)	0	0
Deans South Maintenance of site, including services.	139	30	139	0
Aids and Adaptations Aids and alterations to assist in active living	700	481	756	56
Asbestos Management Survey, removal and reinstatement costs of disturbed asbestos	650	405	600	(50)
Legionella Upgrades Survey and removal of risk in common storage systems	102	43	65	(37)
Feasibility Surveys Consultant surveys and reports to support current or future work	50	29	60	10
Home Safety Service Supporting independent living	170	170	170	0
Home Security for Senior People Supporting improved security measures	45	14	20	(25)
Capita Housing System New IT system	35	21	86	51
Mortgage to Rent Supporting Government private house purchase scheme	200	53	100	(100)
MISCELLANEOUS TOTAL	4,566	3,301	5,171	605
TOTAL EXPENDITURE	57,452	33,035	51,098	(6,354)



COUNCIL EXECUTIVE

FORMER WINCHBURGH DAY CARE CENTRE AND FORMER BEATLIE SCHOOL, MAIN STREET, WINCHBURGH - PROPOSED SALE TO JAMAL JABIR AND SHEAMUS GOONAN

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of the former Winchburgh Day Centre, the former Beatlie School and former Caretaker's Cottage sites, Main Street, Winchburgh to Jamal Jabir and Sheamus Goonan.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Agrees that the former Winchburgh Day Centre will return to General Services from the Housing Revenue Account for £1 plus works costs incurred by Housing as it is no longer required for the development of affordable housing;
2. Approves the sale of the former Winchburgh Day Care Centre site, shown as A on the attached plan, to Jamal Jabir and Sheamus Goonan for £280,000 subject to the terms and conditions set out in this report;
3. Approves the sale of the former Beatlie School, Winchburgh, shown as B on the attached plan, and former Caretaker's Cottage site, shown as C on the attached plan, to Jamal Jabir and Sheamus Goonan for £200,000 subject to the terms and conditions set out in this report; and
4. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the sale of both properties, on the basis that any revised terms and conditions still represent the achievement of best value for the council.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Making best use of our resources. Being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973 and the Disposal of Land by Local Authorities (Scotland) Regulations 2010. Community asset transfer governed by the Community Empowerment (Scotland) Act 2015 Part 5.
III	Implications for Scheme of Delegations	None

to Officers

IV	Impact on performance and performance Indicators	The sale of this property will contribute towards the council's 2017/18 capital receipts target and in doing so will assist the associated capital receipts performance indicator.
V	Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	A capital receipt of £480,000 will be received and contribute to the budgeted receipts target.
VII	Consideration at PDSP	Not applicable.
VIII	Other consultations	The local elected members for the ward have received a copy of this report for their information. Housing, Customer and Building Services and Planning Services

D. TERMS OF REPORT

D1. Background

The former Winchburgh Day Centre on Main Street, Winchburgh (identified as "A" and shown hatched in black on the attached plan) was declared surplus to service requirements in 2003. The building forms part of a larger campus comprising three distinct properties, namely the former day centre, the former Beatlie School (identified as "B" on the attached plan) and the former caretaker's cottage (identified as "C" on the attached plan).

The former school, outbuildings and day centre are category C listed structures and all have been subject to significant fire damage, vandalism and various forms of infestation.

Having been declared surplus to requirements, the council's intention had been to market the whole site for private residential redevelopment, however due to prevailing educational constraints at the time, that proposal was not progressed.

In 2014, Housing proposed to redevelop the former day centre building for social housing as part of the council's new build programme. The property was subsequently transferred from General Services to Housing Revenue Account (HRA) at no cost with initial works undertaken by Housing to enable a detailed assessment of the building. Following the appraisal of the property it was concluded that the projected redevelopment costs were prohibitive. The proposed social housing redevelopment did not therefore proceed. The property is therefore proposed to transfer back from Housing Revenue Account (HRA) to General Services Account on the basis of £1 plus the works costs incurred by Housing.

The property has now been vacant for a significant period of time and will require substantial redevelopment and investment to make it fit for any alternative future use. Temporary coverings had been applied to the roof, however these have now perished leaving areas of the building open to the elements. The building is therefore at risk of further deterioration and should it remain vacant for an extended period of time it may result in the structure becoming unviable to retain.

Having received expressions of interest from various commercial developers and in order to minimise ongoing property costs and to avoid further deterioration of the building, the former day centre was scheduled for disposal with a projected capital receipt to be secured during the 2017/18 financial year. In order to maximise that potential receipt in compliance with the requirements of best value, officers actively pursued and secured outline planning consent that confirms the site can be redeveloped for residential and/or business use.

Towards the end of 2016, officers were approached by the newly formed Winchburgh Community Development Trust (WCDDT), who expressed a tentative, informal interest in acquiring the former day centre building via community asset transfer. As a newly established organisation, WCDDT considered they were not at that time ready to contemplate an asset transfer. As part of those discussions, WCDDT were advised that any proposed asset transfer would require to be supported by a robust business plan, including a full community consultation. WCDDT were advised that the building would be openly marketed during 2017 which would give them time to develop their proposals.

In August 2017 the property was openly advertised for sale as a development opportunity and this resulted in several enquiries and viewings of the property. Formal notes of interest were invited and a closing date was set for 26 October 2017.

Having been made aware of the council's marketing of the property and the setting of a closing date, WCDDT approached officers in September 2017 to request an urgent meeting to resurrect their asset transfer aspirations for the former day centre building. Officers subsequently met with the WCDDT and the statutory asset transfer process was again discussed. WCDDT again stated they were not ready to proceed with any potential asset transfer of the property, but nonetheless confirmed their intention to submit a formal asset transfer request in order that this might be considered alongside any commercial offers received at the closing date. A formal asset transfer request was received from WCDDT on 28 September 2017.

In January 2018 WCDDT contacted the council to confirm that, following further consideration of their application by the Board, the decision had been made to formally withdraw the asset transfer request.

At the closing date on 26 October 2017 two offers to purchase were received. The highest offer received came from Jamal Jabir and Sheamus Goonan. That offer is unconditional and is for a sum of £280,000 (two hundred and eighty thousand pounds).

In addition to their offer for the former day centre, Jamal Jabir and Sheamus Goonan of their own accord at the closing date also submitted an offer of £200,000 to purchase the council's remaining adjacent ownership, namely the former Beattie School and former caretaker's cottage.

The site of the former Beattie School and caretakers cottage were originally identified to be included in the new Holy Family Site however, Education Services have confirmed that these are no longer required to deliver the new school.

The council could reserve a right of access as part of the proposed disposal of the former Winchburgh Day Centre to access this area and separately market for sale, however this would be a material change that would result in deductions from the proposed disposal price and may result in the property requiring to be remarketed. The result in either scenario would be a lesser receipt accruing to the council. It is therefore considered that this additional offer should be accepted.

It is therefore considered prudent and beneficial to dispose of both properties to a single purchaser.

The offers of purchase of £480,000 received from Jamal Jabir and Sheamus Goonan are considered to represent best value for the council and as such are recommended for acceptance.

Jamal Jabir and Sheamus Goonan have recently completed the residential redevelopment of a similar former school site in Edinburgh. These proposals are considered a welcome move to improve and bring back into use a very prominent site on the village's Main Street.

E. CONCLUSION

It is in the council's best interests to sell the former Winchburgh Day Centre building site plus the council's remaining adjacent ownership, namely the former Beatlie School and former Caretaker's Cottage site to Jamal Jabir and Sheamus Goonan for a combined sum of £480,000 in accordance with the terms set out in this report.

F. BACKGROUND REFERENCES

Beatlie School Site declared surplus to operational requirements – Educational Services Committee 8 June 1999

Winchburgh Day Centre declared surplus to operational requirements – Health and Care Committee 19 August 2003

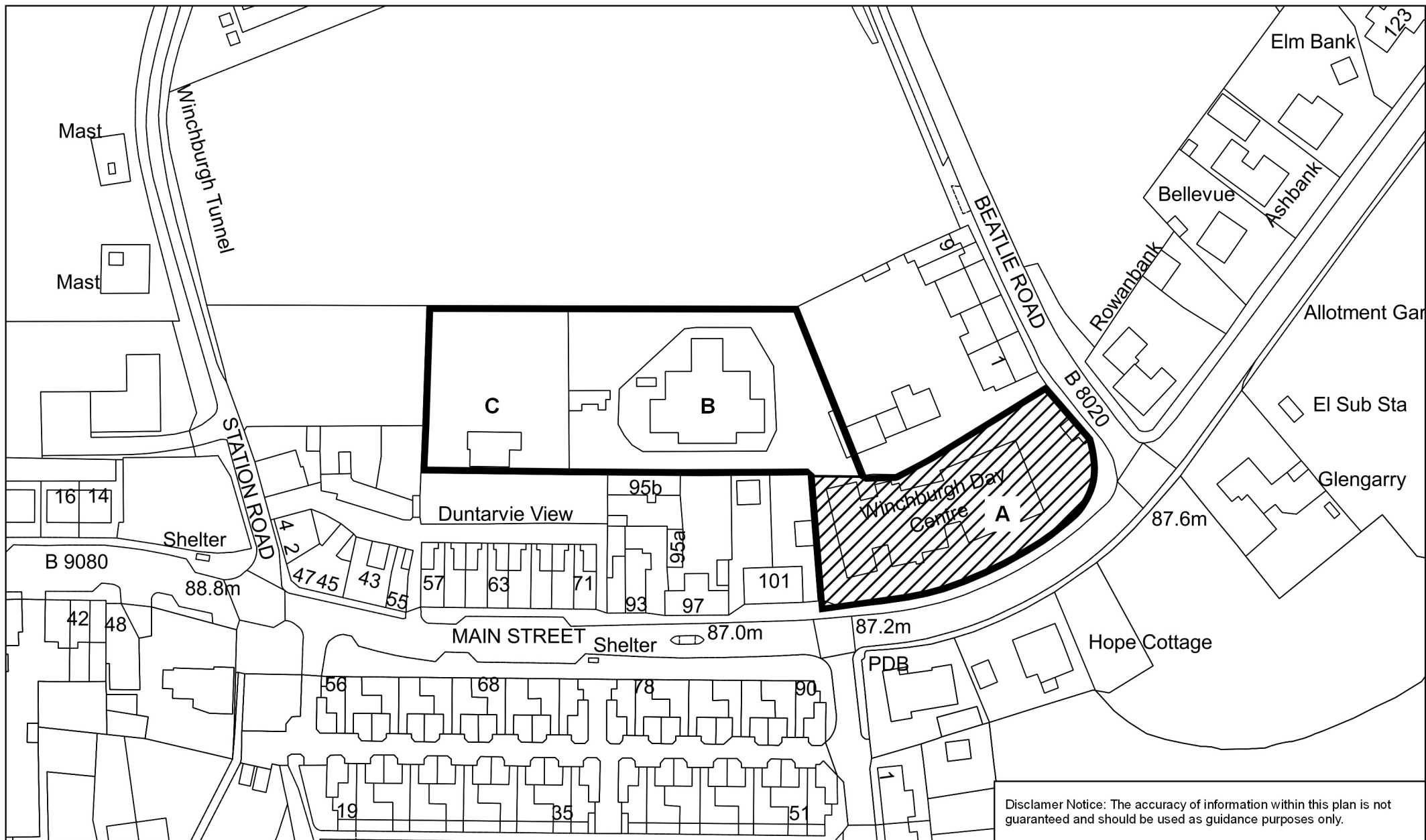
Winchburgh Day Centre declared surplus to housing requirements – Council Executive 29 March 2016.

Appendices/Attachments: Location plan

Contact Person: Janet Rutherford, Commercial Property Surveyor, Direct Dial: (01506) 281831,
Email: janet.rutherford@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 20 February 2018



West Lothian
Council

Winchburgh Day Centre

Property Management, West Lothian Civic Centre, Livingston, EH54 6FF

15/11/2017

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COUNCIL EXECUTIVE

SITES AT NAIRN ROAD, DEANS INDUSTRIAL ESTATE, LIVINGSTON - PROPOSED SALE TO PICARDY ENTERPRISES LTD

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of sites at Nairn Road, Livingston to Picardy Enterprises Ltd.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of sites at Nairn Road, Livingston to Picardy Enterprises Ltd for £141,000 subject to the terms and conditions set out in the report;
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the sale of the property, on the basis that any revised terms and conditions still represent the achievement of best value for the council.

C. SUMMARY OF IMPLICATIONS

I Council Values	Making best use of our resources. Being honest, open and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973 and the Disposal of Land by Local Authorities (Scotland) Regulations 2010.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	The sale of this property will contribute towards the council's 2018/19 approved capital receipts target and in doing so will assist the associated capital receipts performance indicator.
V Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	A capital receipt of £141,000 will be received during the 2018/19 financial year.

VII Consideration at PDSP

Not applicable.

VIII Other consultations

The local elected members for the ward have received a copy of this report for their information.

D. TERMS OF REPORT**D1 Background**

The proposal is to dispose of two yards at Nairn Road, Deans Industrial Estate. The sites are currently used for the Council's Civic Amenity Centre and associated overflow car parking. Both are shown outlined cross hatched black on attached plan. The total site area is 0.66 acres.

Both yards will be vacated in the coming months as part of the move of the council's modernisation of depots and stores. The service's currently based in the yards relocating to Whitehill Service Centre. The disposal receipts for the yards contribute to the business case for the service modernisation and relocation to the new Whitehill Service Centre.

The yards have been marketed since November 2017 and following sufficient market interest being received, a closing date was set for 26 January 2018 with four offers received. After evaluation of the offers, officers recommend the offer from Picardy Enterprises represents both the highest and best value offer received.

D2 Proposed Sale Terms

The proposed purchaser is Picardy Enterprises Limited for a purchase price of £141,000. The offer is subject to contract and site due diligence. The offer is not conditional on alternative planning uses.

E. CONCLUSION

It is considered to be in the council's best interests to sell the property on the basis of the recommendation given in this report.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: Location plan attached.

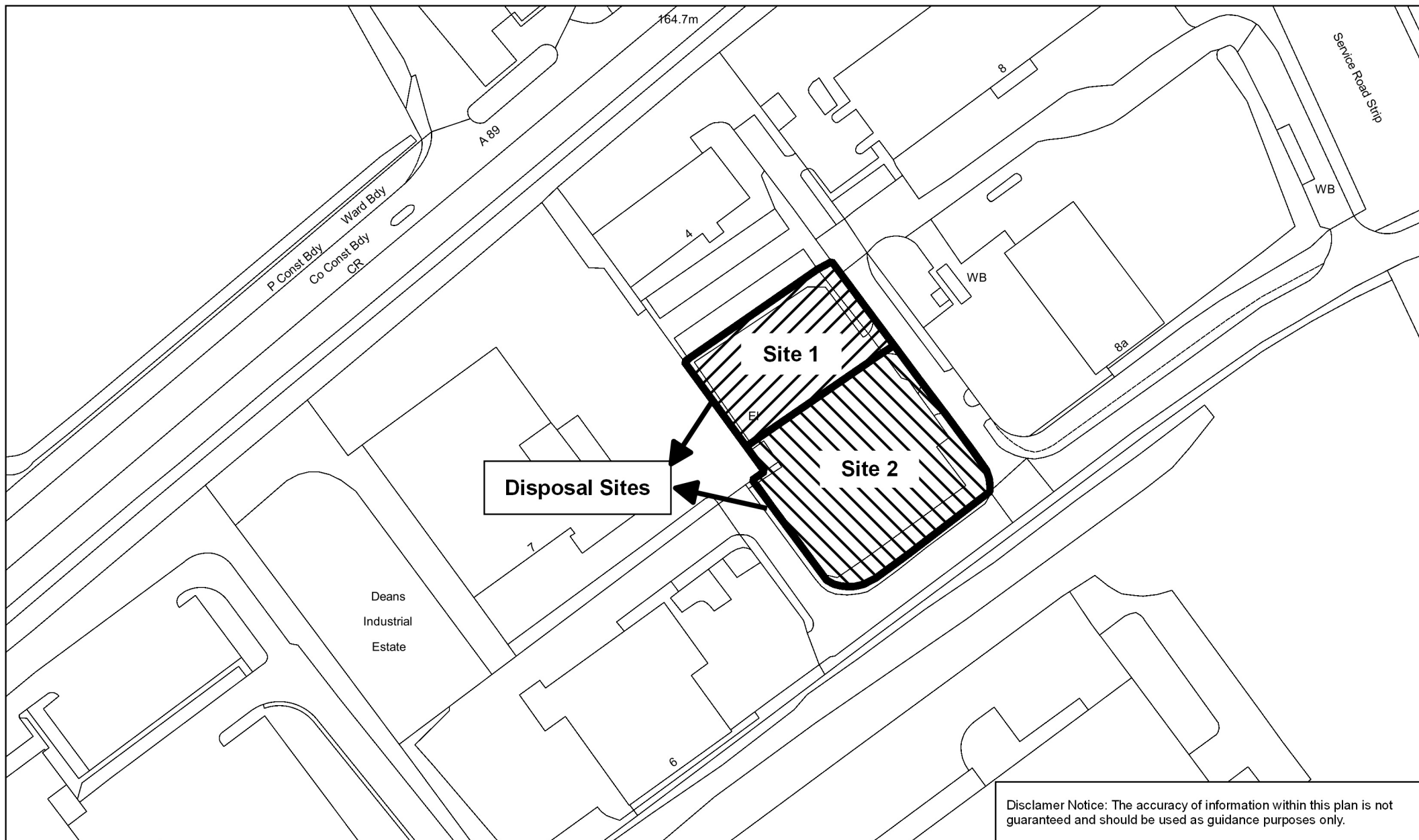
Contact Person:

Hannah Sturgess, Commercial Property Surveyor

Tel. (01506) 283405 e-mail: Hannah.Sturgess@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 20 February 2018



West Lothian
Council

Former Civic Amenity Centre & Car Park Site (Approx. 3190.30m²) **Nairn Road Deans Industrial Estate, Livingston**

1:1,250

A4



Property Management, West Lothian Civic Centre, Livingston, EH54 6FF

12/2/2018

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COUNCIL EXECUTIVE

POLICE SCOTLAND 2018/19 ANNUAL POLICE PLAN - CONSULTATION

REPORT BY HEAD OF HOUSING CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To inform Council Executive of the consultation process on the proposed strategic policing priorities as set out in the Police Scotland 2018/19 Annual Police Plan.

B. RECOMMENDATION

To seek Council Executive approval to submit response to the Police Scotland Consultation regarding Annual Police Plan 2018/19.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs Being honest, open and accountable Making best use of our resources Working in partnership Providing equality of opportunity
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Police & Fire Reform (Scotland) Act 2012
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	SOA1304_34 (Number of active ASB cases) Police SOA Pi's
V	Relevance to Single Outcome Agreement	This report will have a positive impact on the following SOA indicators; SOA10 – We live in well designed, sustainable places where we are able to access the services we need SOA11 – We have strong resilient and supportive communities, where people take responsibility for their actions and how they affect

VI	Resources - (Financial, Staffing and Property)	Antisocial Behaviour funding, Scottish Government and Community Safety Funding.
VII	Consideration at PDSP	West Lothian Response to the consultation
VIII	Other consultations	None

D. TERMS OF REPORT

West Lothian Council is invited to participate in the consultation process which concludes on 21st February 2018. The Police & Fire Reform (Scotland) Act 2012 requires Police Scotland to produce an annual plan outlining the arrangements for the policing of Scotland. This plan is laid before the Scottish Parliament prior to the 1st April each year, and is also published online for the public to view.

The consultation survey has 7 questions regarding Police Scotland's planned activities for the 2018/19 period. The consultation includes extracts taken from the draft plan and Police Scotland is keen to capture our feedback to help them develop the final version. The Police Scotland 2018/19 Annual Police Plan is influenced by several factors including their engagement with the public and communities of Scotland; the Scottish Government's Strategic Police Priorities; and the long-term strategy 'Policing 2026 – Serving a changing Scotland' (developed in collaboration with the Scottish Police Authority).

Police Scotland priorities for 2018/19 are:

- Violence, disorder and antisocial behaviour

Police Scotland remains committed to maintaining a prevention, partnership and intelligence-led approach to reducing violent crime, disorder and antisocial behaviour. They have developed a range of tools to identify emerging trends and the geographical areas where issues are most prevalent. They aim to reduce the impact of violent crime, disorder and antisocial behaviour that has consequences that extend beyond victims; affecting families, communities and society as a whole.

- Serious organised crime

Police Scotland will work in partnership to prevent harm caused to individuals, communities and businesses by serious organised crime. Police Scotland aim to reduce the impact Serious organised crime has the potential to affect every community in Scotland. Their assessment indicates a threat linked to ongoing feuds, violence and firearms incidents between serious organised crime groups (SOCGs).

- Counter terrorism and domestic extremism

Tackling terrorism and domestic extremism is a national priority for Police Scotland and they will work with partners to protect communities by reducing and mitigating the threat and harm it causes. Terrorist attacks and

disruptions across the UK, Europe and beyond continue to persist and the threat from extremist terrorist attacks in the UK remains high. The threat level was raised to 'CRITICAL' twice during 2017/18.

- Protecting people at risk of harm

This is a national priority for Police Scotland and they will work with partners to protect people and prevent all forms of abuse, neglect and exploitation. The demand on police services is growing and is increasingly focused towards addressing vulnerability and the consequences of inequalities.

- Road safety and road crime

Keeping people safe on our roads and tackling road crime is a national priority for Police Scotland and they are committed to promoting road safety, improving driver behaviour and enforcing road traffic legislation in support of the Scottish Government Road Safety Framework to 2020. A reduction in road casualties and accidents is set against a rise in vehicle numbers and levels of traffic. This increasing volume of road and transport network users, particularly these identified high risk groups, presents a variety of possible challenges for policing and road / transport safety.

- Acquisitive crime

Acquisitive crime is when the offender derives material gain from the crime, such as theft, fraud and robbery. It is a high volume crime group accounting for just under half of all recorded crimes in Scotland. Instances of doorstep crime and fraud, particularly online fraud, are continuing to increase. These types of crimes can have a significant impact on victims, communities and the wider economy.

E. CONCLUSION

The report highlights the consultation currently ongoing by Police Scotland with regards to the proposed strategic policing priorities as set out in the 2018/19 Annual Police Plan. Appendix A sets out the proposed response to the consultation questions.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: Appendix A

Contact Person:

Alison Smith; Housing Management & Community Safety Manager, Housing, Customer and Building Services. Tel: 01506 281367
Alison.Smith@westlothian.gcsx.gov.uk

CMT member:

Alistair Shaw

Date of meeting: 20th February 2018

Overview

The 2018/19 Annual Police Plan will set out our priorities for policing and explain how we will deliver them over the forthcoming year. The Annual Police Plan offers a significant opportunity to improve how we serve the public and communities.

The Police & Fire Reform (Scotland) Act 2012 requires Police Scotland to produce an annual plan outlining the arrangements for the policing of Scotland. This plan is laid before the Scottish Parliament prior to the 1st April each year, and is also published online for the public to view.

We are keen to engage with the public and partners as we develop the 2018/19 Annual Police Plan, therefore the following survey has 7 questions regarding our planned activities for the 2018/19 period. This includes extracts taken from the draft plan and we are keen to capture your feedback to help us develop the final version.

Thank you for your time in completing this survey.

Introduction

Our priorities are influenced by several factors including; our engagement with the public and communities of Scotland; the Scottish Government's Strategic Police Priorities; and our long-term strategy '[Policing 2026 – Serving a changing Scotland](#)' (developed in collaboration with the Scottish Police Authority).

We continually listen to what the public have to tell us, via our '[Your View Counts](#)' survey, and we use this feedback, along with our own analysis of the risks and emerging threats likely to impact on Scotland's communities, to establish our priorities.

Our priorities for 2018/19 are:

- **Violence, disorder and antisocial behaviour**
- **Serious organised crime**
- **Counter terrorism and domestic extremism**
- **Protecting people at risk of harm**
- **Road safety and road crime**
- **Acquisitive crime**

The following questions relate to each priority in turn and provide a brief outline of our planned activities, explaining how we will deliver on each priority.

Violence, Disorder and Antisocial Behaviour

The impact of violent crime, disorder and antisocial behaviour has consequences that extend beyond victims; affecting families, communities and society as a whole.

We remain committed to maintaining a prevention, partnership and intelligence-led approach to reducing violent crime, disorder and antisocial behaviour. We will continue to utilise a range of tools to identify emerging trends and the geographical areas where issues are most prevalent.

In 2018/19 we will:

- Provide officers and staff with the knowledge and skills to enable them to target and **prevent violence, disorder and antisocial behaviour**.
- Utilise National Intelligence Model (NIM) methodology to monitor and address **emerging threats**.
- Share information and develop **joint problem solving** initiatives with partners.

> More Information box

*The "More Information" link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.*

Q1. The approach to dealing with the threat of 'violence, disorder and antisocial behaviour' meets my expectation:

Strongly Agree / Agree / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

"We will work with partners to develop and deliver a collaborative approach to preventing violence, disorder and antisocial behaviour"

West Lothian Council supports Police Scotland commitment and approach to work collaboratively with partners and believes that in order to carry this out, it is anticipated that the current numbers of resources would need to remain. Members of the public rely on seeing community officers to provide a level of comfort and reassurance as well as being available for local enquiries relating to ASB and low level violence. Visibility acts as a natural deterrent to these types of crimes. In addition, Police Scotland can only provide a collaborative approach and work in partnership if there are resources available to carry out

this kind of joint working. West Lothian has a good record of positive outcomes for communities by utilising joint working to maximum benefit.

West Lothian Council support this priority.

Serious Organised Crime

Serious organised crime has the potential to affect every community in Scotland. Our assessment indicates a threat linked to ongoing feuds, violence and firearms incidents between serious organised crime groups (SOCGs).

We will work in partnership to prevent harm caused to individuals, communities and businesses by serious organised crime.

In 2018/19 we will:

- Prevent **cybercrime** by working with partners to support the implementation of Scotland's Cyber Resilience Strategy, and disrupt those involved in cyber enabled and cyber dependent criminality.
- Disrupt and prevent **serious organised crime groups** activity.
- Develop an overarching Police Scotland **Drug and NPS** (New Psychoactive Substances) Prevention approach.
- Prevent **fraud** and protect those most at risk from current and emerging organised fraud threats.

> More Information box

The 'More Information' link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.

Q2. The approach to dealing with the threat from 'serious organised crime' meets my expectation:

Strongly Agree / Agree / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

Police Scotland are part of the West Lothian Serious and Organised Crime group and the work is carried out in partnership with Police Scotland maintaining to be a lead partner, updating the group with both local and national intelligence and participating fully with current agenda, forward planning in areas that are becoming more high risk e.g/cyber crime. New Psychoactive Substances (NPS) and an increase in fraud have been areas of

crime that have affected communities in West Lothian and will continue to be looked at within the SOCG partnership.

West Lothian Council support this priority.

Counter terrorism and domestic extremism

Terrorist attacks and disruptions across the UK, Europe and beyond continue to persist and the threat from extremist terrorist attacks in the UK remains high. The threat level was raised to 'CRITICAL' twice during 2017/18.

Tackling terrorism and domestic extremism is a national priority for Police Scotland and we will work with our partners to protect our communities by reducing and mitigating the threat and harm it causes.

In 2018/19 we will:

- **PURSUE** – to stop terrorist attacks
- **PREVENT** – to stop people becoming terrorists or supporting terrorism
- **PROTECT** – to strengthen our protection against a terrorist attack
- **PREPARE** – to mitigate the impact of a terrorist attack

> **More Information box**

The 'More Information' link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.

Q3. The approach to dealing with the threat from 'terrorism and domestic extremism' meets my expectation:

Strongly Agree / Agree / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

Counter terrorism and domestic extremism is dealt with by the Counter Terrorism sub group for West Lothian of which Police Scotland is a very important partner. Information both local and national is supplied along with current updates on current trends and activities. It is important to have all this information and for it to be monitored closely to enable strategic planning and consideration to be given to any risks identified.

West Lothian Council support this priority.

Protecting people at risk of harm

The demand on police services is growing and is increasingly focused towards addressing vulnerability and the consequences of inequalities. Quantifying this is challenging, particularly when issues are under reported and less visible. Protecting people at risk of harm involves significant risk from very harmful types of crimes, the impact of which extends beyond victims and cannot be underestimated.

This is a national priority for Police Scotland and we will work with partners to protect people and prevent all forms of abuse, neglect and exploitation.

In 2018/19 we will:

- Reduce the harm caused by the **abuse and neglect of children**.
- Reduce the harm caused by **sexual crime**.
- Reduce the harm caused by abuse of **adults at risk of harm**.
- Reduce the harm caused by **human trafficking and exploitation**.
- Reduce the harm caused by **domestic abuse**.
- **Manage offenders** who pose a risk of serious harm.
- Focus on prevention and early intervention to improve the **safety and wellbeing** of individuals in public, private and virtual space.

> **More Information box**

*The 'More Information' link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.*

Q4. The approach to dealing with the threat relating to 'protecting people at risk of harm' meets my expectation:

Strongly Agree / Agree / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

Protecting people at risk of harm is a priority that West Lothian Council would like to continue to support.

Whilst the categories listed of harm within the local police plan are not currently set out in the same manner as the community safety partnership the areas are all covered with the proactive partnership work undertaken. E.g. domestic abuse is categorised under the violence priority and human trafficking and exploitation is undertaken through the work carried out by the

serious and organised crime group. All the groups highlighted within the police plan highlight areas of risk for groups and individuals that West Lothian Council would continue to support as a priority.

Road safety and road crime

Serious collisions on our roads have a significant impact on Scotland's communities, both in terms of fatalities and personal injury, as well as the disruption caused by road closures. In addition, much criminal activity involves use of the road network and the illegal use of vehicles.

Keeping people safe on our roads and tackling road crime is a national priority for Police Scotland and we are committed to promoting road safety, improving driver behaviour and enforcing road traffic legislation in support of the Scottish Government Road Safety Framework to 2020.

In 2018/19 we will:

- Modify driver behaviour and **reduce injury** on Scotland's roads through engagement and proportionate enforcement of legislation.
- Detect and deter all types of **criminality on our roads** through efficient use of intelligence and analytical products.
- Develop and deliver a national road safety and road crime **calendar of activity**, which will be aligned to 'priority focus areas', as identified during the mid-term review of the Scottish Government's Road Safety Framework to 2020.

> **More Information box**

*The 'More Information' link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.*

Q5. The approach to dealing with the threat of 'injury on our roads and road crime' meets my expectation:

Strongly Agree / Agree / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

West Lothian Council supports this priority.

Road safety and road crime continues to be a priority across all the communities in West Lothian. The very geographic position of West Lothian

provides a transportation link across Scotland and from north to south, ensuring that access is gained to and from easily. For this reason alone, community safety partners are aware that west Lothian is an easy target either for criminals to get away from after crime or to utilise as a through area from crime being committed in a neighbouring authority area and criminals wanting access to another. West Lothian Council supports the road crime priority.

In addition, road safety remains to be a local priority for West Lothian Council with work ongoing to educate parents on safe parking at schools, maintaining support to publicans to promote anti drink/driving campaigns and with young drivers with education on safe driving skills and decisions.

Acquisitive Crime

Acquisitive crime is when the offender derives material gain from the crime, such as theft, fraud and robbery. It is a high volume crime group accounting for just under half of all recorded crimes in Scotland.

Instances of doorstep crime and fraud, particularly online fraud, are continuing to increase. These types of crimes can have a significant impact on victims, communities and the wider economy.

Tackling **acquisitive crime** is a national priority for Police Scotland and we will work with our partners to address the concerns of communities.

In 2018/19 we will:

- **Prevent acquisitive crime** and reduce the harm it causes.
- Develop our nationwide approach to prevent **doorstep crime** and the harm it causes.
- Work with partners to tackle **online fraud** and protect individuals and businesses from this threat.

> **More Information box**

*The 'More Information' link provides more detail. Once you have selected and read the material, **use the back arrow** to return to the survey. Do not select the red X in the top right corner as this will close the survey.*

Q6. The approach to dealing with the threat of 'acquisitive crime' meets my expectation:

Strongly Agree / **Agree** / Neutral / Disagree / Strongly Disagree

If you would like to provide further comment, please do so here:

Whilst West Lothian currently does not have a high crime rate for acquisitive crimes, the effect it can have on individuals and their families when it does occur. These types of crimes make this area of work more of a priority due to the risk on people's health, especially for those that are vulnerable. Acquisitive crime also has an impact on the rest of the community in terms of feeling safe. One of the more recent reasons criminals are turning to acquisitive crime is to acquire keys to high valued cars and motor vehicles.

In addition, doorstep crime and fraud remain to be a priority for community safety partners and our Financial Harm group is a result of the increase in this type of crime overall in recent years.

West Lothian Council supports this priority

Q7. Are there any other national priorities that you'd expect to see included in Police Scotland's Annual Police Plan?

YES / **NO**

Please provide further information:

Our local priorities are covered by the proposed local police plan.

Additional Questions:

Demographic info:

Age, gender, geographical location, ethnicity, disability, etc.

Would you be willing to assist Police Scotland further by joining one of our 'Citizen Juries'? **NO**

(This will help us to shape policing in the future by building a network of citizens across Scotland to engage with regarding important issues that affect you and your community.)

If yes, please provide a contact email address: (free text)

Violence, disorder and antisocial behaviour

We remain committed to maintaining a prevention, partnership and intelligence-led approach to reducing **violent crime, disorder and antisocial behaviour**. We have developed a range of tools to identify emerging trends and the geographical areas where issues are most prevalent.

Your View Counts

Respondents to our public survey rated antisocial behaviour as the number one priority for local communities, and violence as the third highest national priority.

www.scotland.police.uk/yourviewcounts

Impact

The impact of violent crime, disorder and antisocial behaviour has consequences that extend beyond victims; affecting families, communities and society as a whole.

In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
Provide officers and staff with the knowledge and skills to enable them to target and prevent violence, disorder and antisocial behaviour .	<p>We will work with partners to develop and deliver a collaborative approach to preventing violence, disorder and antisocial behaviour.</p> <p>In order to reduce reoffending we will develop the Positive Lifestyles approach, including post-prison support. This will build upon the success of the Teambuilding and Leadership course run at Polmont Young Offenders Institute and HMP</p>	<p>We will establish a short-life working group, involving key partners, to review the effectiveness of the third party reporting centre network and identify improvement opportunities, including working towards implementing recommendations from the Independent Advisors Group on Hate Crime, Prejudice and Community Cohesion.</p> <p>This will include working with</p>	<p>We will deliver awareness training relating to hate crime to all officers and staff.</p> <p>Additionally, training for Hate Crime Tactical Advisors will also be developed for delivery to local policing divisions.</p> <p>An internal national review of hate crime policy and procedures will seek to improve our recognition, recording and reporting of hate crimes.</p>

	<p>Grampian. This will aim to remove barriers between police and young offenders, resulting in a reduction in the severity and frequency of reoffending.</p> <p>We will positively engage with young people by delivering bespoke diversionary products designed to build trust and provide support and skills to help individuals become confident, effective contributors, successful learners and responsible citizens.</p>	<p>partners to raise awareness of third party reporting and highlight the various ways that people can report, including anonymously.</p>	
<p>Utilise National Intelligence Model (NIM) methodology to monitor and address emerging threats.</p>	<p>Through use of National Intelligence Model (NIM) methodology, we will ensure that current and emerging threats are identified, understood and addressed.</p> <p>We will continue to enhance the role of our National Safer Communities Task Force and Violence Reduction Unit to ensure resources are deployed effectively and efficiently across Scotland in a collaborative and planned manner.</p>	<p>Police Scotland's Safer Communities will establish a 'community reassurance cell' in response to any significant events which impact on our communities. This will enable appropriate engagement and reassurance messages to be conveyed to key community contacts, groups and partners across Scotland to raise awareness of hate crime through various media channels.</p>	<p>We will develop an evidence-base to inform activities to prevent violent crime, including working with Manchester Metropolitan University to develop our analysis of 'big data', use of academic research through the Scottish Institute for Policing Research (SIPR) and use of the business intelligence toolkit. We will enhance the knowledge and skills of officers, staff and partners to prevent violence, disorder and antisocial</p>

			behaviour.
Share information and develop joint problem solving initiatives with partners.	We will work with partners to develop joint problem-solving initiatives to prevent violent crime , reduce the fear of crime and increase public confidence. One aspect will be working in partnership with registered social landlords to develop an operating model to reduce violence and antisocial behaviour within communities.	We will continue to work with partners to deliver a national and local public awareness raising campaigns in 2018/19 to improve understanding of the nature and extent of hate crime.	We will work with Scottish Government and other partners to update guidance available to licensing boards and will be actively involved in evaluation of minimum unit pricing of alcohol . We will ensure officers and staff are fully informed of licensing legislation and tactical range of options by updating and refreshing the 'alcohol toolkit.'

Serious organised crime

Police Scotland will work in partnership to prevent harm caused to individuals, communities and businesses by **serious organised crime**.

Your View Counts

Respondents to our public consultation survey identified serious organised crime as the second highest national priority.

www.scotland.police.uk/yourviewcounts

Impact

Serious organised crime has the potential to affect every community in Scotland. Our assessment indicates a threat linked to ongoing feuds, violence and firearms incidents between serious organised crime groups (SOCGs).

In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
Prevent cybercrime by working with partners to support the implementation of Scotland's Cyber Resilience Strategy, and disrupt those involved in cyber enabled and cyber dependent criminality.	<p>We will prevent cybercrime by working in partnership to implement Scotland's Cyber Resilience Strategy and deliver Scotland's Serious and Organised Crime Strategy.</p> <p>Our cybercrime threat assessment will develop our understanding of cyber threats and inform our activity to tackle this evolving area of criminality. We will enhance national and international partnerships to disrupt those involved in cyber enabled</p>	<p>We will establish a 'cybercrime safety, prevention and resilience unit' to enhance cyber incident reporting mechanisms and improve support to communities, public, private and third sector partners.</p> <p>We will equip officers and staff with the skills to respond to emerging trends and</p>	<p>We will deliver a structured training programme to equip officers and staff appropriately to recognise and respond to cyber threats. We will also continually update the information on our cyber intranet site; providing advice and current information regarding emerging threats and signposting officers and staff to further sources of national information / intelligence.</p> <p>The initial rollout of enhanced digital</p>

	criminality and increase access to people with the right skills to respond to cyber threats.	provide cybercrime prevention advice and supporting materials to communities.	forensic infrastructure, including cyber kiosks , will support local investigations as officers will be able to promptly triage devices linked to cybercrime. The development of multi-agency cyber hubs across Scotland will enhance our capability to respond to emerging threats.
Disrupt and prevent SOCG activity.	<p>Our national firearms and explosive licensing (NFEL) team will continue to enhance the partnerships and prevention opportunities to support the lawful firearms network by enforcing licensing standards and preventing opportunities for exploitation by SOCGs.</p> <p>We will utilise new proceeds of crime legislation, including account freezing, unexplained wealth orders and disclosure orders (Criminal Finances Act 2017) to disrupt SOCG activities and seize their cash and assets. We will further support the delivery of key strategies aimed at tackling serious and organised crime, including; UK Government's Prevent Strategy; Scottish Government's National Action Plan on Internet Safety; and Police</p>	<p>Our team of 'web constables' are an effective conduit for engaging with local communities and will deliver appropriate preventative advice regarding SOCG activity, whilst sharing best practice nationally.</p> <p>We will also work with partners to develop targeted messages to firearms certificate holders and registered firearms dealers to raise awareness of the threats specific to use of firearms by SOCGs.</p> <p>We will support a UK-wide National Ballistic Intelligence</p>	<p>We will focus our intelligence gathering activity to support enforcement to disrupt and prevent SOCG activity.</p> <p>We will enhance our intelligence on the criminal use of firearms and utilise new legislation regarding the conversion of imitation firearms and raise the standards required when deactivating firearms to ensure they are put permanently beyond use.</p> <p>Our 'national firearms threat desk' will collate, assess, review and appropriately share information and intelligence with partners and through our local policing divisions.</p>

	Scotland's Children and Young People 2016/20 – Our Approach.	Service led firearms surrender campaign to remove firearms from communities.	
Develop an overarching Police Scotland Drug and NPS Prevention approach.	<p>We will develop a prevention approach, working with partners, including Scottish Government, to support the 'Road to Recovery' strategy; participate in the Partnership for Action on Drugs in Scotland (PADS); and develop a national drug 'problem profile'.</p> <p>We will focus intelligence gathering and enforcement activity to disrupt individuals and SOCGs who supply controlled drugs and New Psychoactive Substances (NPS) and reduce the violence synonymous with SOCG drug supply, as well as acquisitive crime committed to feed drug addiction.</p>	To support our communities and reduce the harm caused, we will work with the Scottish Government Substance Misuse Team to identify emerging drug trends and risks and, through consultation, agree appropriate and proportionate responses.	<p>We will work with partners to improve the collation and analysis of data from partner agencies regarding the harm caused by drug misuse and contribute to the development of new and more effective approaches to reduce this harm.</p> <p>We will monitor drugs related deaths to identify underlying trends and develop partnership approaches through PADS groups.</p>
Prevent fraud and protect those most at risk from current and emerging organised fraud threats.	We will continue to support the Scottish Business Resilience Centre and implement a standardised national 'banking protocol' to assist vulnerable people at risk of being targeted by fraudsters.	In collaboration with partners, including the financial sector, we will deliver targeted prevention messages to raise awareness within communities of current and emerging threats, such as vishing, pension liberation	We will expand the gathering of financial and business intelligence connected to financial crime committed by SOCGs. This will develop and deliver an enhanced disruption approach through innovative tactics with a focus on reducing SOCG's access to

		fraud and advanced fee fraud.	specialist assistance and quasi-legitimate businesses.
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Counter terrorism and domestic extremism

Tackling **terrorism and domestic extremism** is a national priority for Police Scotland and we will work with our partners to protect our communities by reducing and mitigating the threat and harm it causes.

Your View Counts

Respondents to our public consultation survey identified counter terrorism / national security as the top national priority.

www.scotland.police.uk/yourviewcounts

Impact

Terrorist attacks and disruptions across the UK, Europe and beyond continue to persist and the threat from extremist terrorist attacks in the UK remains high. The threat level was raised to 'CRITICAL' twice during 2017/18.

We will make effective use of intelligence and analysis to better understand all forms of terrorism and domestic extremism that pose a threat to Scottish communities and support delivery of the four key strands of the **CONTEST strategy**. In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
PURSUE – <i>to stop terrorist attacks</i>	We are committed to pursuing and stopping those who aim to do our communities harm and we will work closely with a range of partners to deliver a multi-agency approach to tackling the threat from terrorism. This will include using a wider range of disruption and safeguarding tactics.	We will continue to work with the community to identify terrorist related activity and those who support it. We will maximise all opportunities to disrupt and detect these activities.	We will review our processes for capturing intelligence linked to potential terrorist activity with the aim of identifying best practice and adding value to the national and local response to terrorism.
PREVENT – <i>to stop people becoming terrorists or supporting terrorism</i>	We will use the PREVENT Case Management (PCM) and PREVENT Professional Concerns (PPC) processes to safeguard and support those most at risk	We will support national campaigns to deliver 'safeguarding messaging' to communities via a range of	Support to local policing colleagues will be channeled through the Divisional CONTEST

	<p>of radicalisation. In partnership, we will tackle the influences of radicalisation and respond to the ideological challenge of terrorism.</p> <p>We will participate in key multi-agency meetings; including the UK Regional PREVENT Coordinators meeting, local Multi-Agency Prevent Case Management meeting, and Scottish Government's Prevent Sub-Group.</p>	<p>channels.</p> <p>Our team of 'web constables' will also provide advice and information to our communities, including current and emerging threats, national sources of additional information and counter terrorism advice in relation to the use of social media.</p>	<p>Governance structure and the delivery of PREVENT strand awareness training.</p>
PROTECT – to strengthen our protection against a terrorist attack	<p>Counter Terrorism Security Advisors (CTSAs) will deliver a coordinated programme of protective security advice and support stakeholders, businesses, public and communities at key locations. This includes targeted patrols to protect key sites (critical national infrastructure; crowded places; and hazardous sites and sectors).</p>	<p>Our CTSAs will deliver nationally recognised security training, such as Project Griffin and Project Argus, alongside hostile reconnaissance reporting procedures, suspicious packages and mail handling security protocols. Our advice to businesses and communities will enhance security provision within Scotland.</p>	<p>We will work with our partners to increase awareness around cyber security and resilience, to counter the threat from cyber-related terrorist activity. We will also upskill CTSAs to deliver appropriate advice and training to communities and businesses on cyber-related matters.</p>
PREPARE – to mitigate the impact of a terrorist attack	<p>Develop, maintain and deploy specific capabilities to mitigate and respond to a terrorist attack.</p> <p>Review threat levels linked to safety at public events across Scotland and deliver the appropriate policing response.</p>	<p>We will work with partners and communities to plan, test and deliver local, regional and national exercises to ensure that Scotland is fully prepared to mitigate the impact from any terrorist incident.</p>	<p>We will establish Police Scotland as a centre for 'disruptive effects' training and additional training regarding the CT menu of tactical options will be delivered at all levels across</p>

			the organisation.
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Protecting people at risk of harm

This is a national priority for Police Scotland and we will work with partners to **protect people** and prevent all forms of abuse, neglect and exploitation.

Your View Counts

Respondents to our public consultation survey identified child protection as one of the top five national priorities and domestic abuse and protecting vulnerable adults as local priorities.

www.scotland.police.uk/yourviewcounts

Impact

The demand on police services is growing and is increasingly focused towards addressing vulnerability and the consequences of inequalities. Quantifying this is challenging, particularly when issues are under reported and less visible. Protecting people at risk of harm involves significant risk from very harmful types of crimes, the impact of which extends beyond victims and cannot be underestimated.

Despite an increase in the reporting of rape and sexual crime; human trafficking; and abuse of a child or within a relationship, we know that abuse, neglect and exploitation, in whatever form it takes, remains under reported. We have a nationally coordinated and locally delivered policing response to those who are at most risk of harm and those who pose the greatest risk to our communities. In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
Reduce the harm caused by the abuse and neglect of children .	<p>We will identify opportunities, with partners, for improvement when undertaking risk assessments and investigations into all forms of abuse, neglect and exploitation of children.</p> <p>We will work with partners to identify new ways to prevent sexual crime</p>	<p>We will improve stakeholder and public confidence to report all forms of abuse whether physical, sexual or domestic, and explore opportunities to increase routes to receive feedback from victims, ensuring any</p>	<p>We will continue to develop our understanding of the scale and scope of the abuse of adults and children, sexual crime, human trafficking and exploitation in Scotland.</p> <p>We will implement a national</p>

	<p>involving children and young people and support national strategies to prevent young people becoming victims of online abuse, mitigating the harm it causes.</p> <p>Working with Social Work Scotland, we will design national standards for quality assuring; supervising and appraising staff undertaking joint investigative interviews and improve national statutory guidance.</p>	<p>learning is captured.</p> <p>This will include the development and delivery of an auditable online portal to receive 'Duty to Notify' referrals from 'public bodies'.</p> <p>We will also work with our partners to increase use of self-referral services, availability of multi-agency sexual assault centres and increase access to support services at the point of need.</p> <p>We will develop guidance to support partners in protecting women and girls from female genital mutilation (FGM) and enable them to respond appropriately when working with survivors.</p>	<p>process to record child inter-agency referral discussions capturing decisions, risk factors and outcomes and work with partners to develop our understanding of threats.</p>
Reduce the harm caused by sexual crime .	<p>We will further improve our response to rape and sexual offences by working with partners who provide advocacy services and support to victims.</p> <p>New legislation and the use of preventative orders will inform our prevention approach to better understand the impact of interventions and shape future work, as outlined in the Equally Safe Action Plan. The next phase of our national 'We Can Stop it' campaign will support a grass roots shift in attitudes towards rape and sexual crime.</p>		<p>We will explore opportunities to capture feedback from victims of sexual crime in order to improve our services, including the forensic service provision for victims.</p> <p>In collaboration with the Crown Office and Rape Crisis Scotland, we will pilot the visual recording of victims' initial statement in investigations.</p>
Reduce the harm caused by abuse of	We will share relevant information with partners to protect and support adults		In partnership with key stakeholders, we will develop a

adults at risk of harm.	at risk and support local authorities in the increased use of preventative measures such as banning orders.		national multi-agency framework for adult protection Large Scale Inquiries (LSIs) establishing clear protocols for agency responsibilities.
Reduce the harm caused by human trafficking and exploitation.	<p>We will raise awareness of the signs of human trafficking to identify victims and tackle offenders.</p> <p>We will utilise intelligence to pursue the assets of human traffickers' through proceeds of crime powers.</p> <p>We will maximise the use of trafficking prevention and risk order legislation and develop an inter-agency referral discussion approach to reports of human trafficking.</p>	We will improve stakeholder and public confidence to report instances of human trafficking and exploitation and explore opportunities to increase routes to receive feedback from victims, ensuring any learning is captured.	<p>We will improve our knowledge of threats relating to human trafficking, introducing means to record risk factors to assist problem profiling and predictive analysis.</p> <p>We will support academic research into human trafficking in Scotland to develop our evidence base for future activity.</p>
Reduce the harm caused by domestic abuse.	<p>We will ensure that our officers and staff are proficient in dealing with domestic abuse, including stalking incidents, and use the full complement of new legislative powers available to them.</p> <p>We will support rehabilitative and behaviour change programmes for offenders and develop risk assessment tools to prevent reoffending.</p>	We will support victims of domestic abuse by working with partners to identify and fill gaps in service provision, e.g. expand the victim notification process to include notification to victims when perpetrators are released from police custody.	We will equip officers and staff with the knowledge and skills to effectively target those perpetrators who pose the greatest risk of harm, for example we will identify and implement suitable training prior to the introduction of the Domestic Abuse (Scotland) Act 2016. We will evaluate the impact of the Disclosure Scheme for Domestic

			Abuse Scotland (DSDAS) on the reduction / prevention of domestic abuse.
Manage offenders who pose a risk of serious harm.	<p>Police Scotland is one of the authorities responsible for the management of registered sex offenders and those posing a risk of serious harm. We will work with relevant partners to address future demand and progress joint-working practices.</p> <p>Following a pilot and external evaluation, we will implement the Police Risk Practice process and share learning with partners.</p> <p>We will continue to undertake intrusive reviews and a rolling programme of divisional audits to ensure best practice.</p>	We will work with Multi-Agency Public Protection Arrangements (MAPPA) partners and Scottish Government to deliver consistent and efficient practices in relation to the assessment of housing and management of offenders.	<p>Develop a framework for identifying and sharing learning both internally and with external partners.</p> <p>We will also work with academic researchers to develop an evidence-base to inform prevention activities and reduce reoffending.</p>
Focus on prevention and early intervention to improve the safety and wellbeing of individuals in public, private and virtual space.	<p>We will develop a coordinated approach to training officers, including training on Data Protection Reform, to improve the impact and consistency of our policing services.</p> <p>In support of the Scottish Government's Mental Health and Suicide Prevention strategies, we will work with partners to develop Distress Brief Intervention</p>	We will work effectively with partners and the public to tackle inequalities and deliver better outcomes for individuals and communities.	We will provide officers and staff with ' distress, mental health and vulnerability ' training to better equip them to respond and support individuals and communities.

	referrals to support individuals who present in distress or crisis.		
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Road safety and road crime

Keeping **people safe on our roads** and tackling **road crime** is a national priority for Police Scotland and we are committed to promoting road safety, improving driver behaviour and enforcing road traffic legislation in support of the Scottish Government Road Safety Framework to 2020. A reduction in road casualties and accidents is set against a rise in vehicle numbers and levels of traffic.¹ This increasing volume of road and transport network users, particularly these identified high risk groups, presents a variety of possible challenges for policing and road / transport safety.

Your View Counts

Respondents to our public consultation survey identified road safety (including speeding, dangerous and antisocial driving) as the second highest local priority.

www.scotland.police.uk/yourviewcounts

Impact

Serious collisions on our roads have a significant impact on Scotland's people and communities, both in terms of fatalities and personal injury, as well as the disruption caused by road closures. In addition, much criminal activity involves use of the road network and the illegal use of vehicles.

In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
Modify driver behaviour and reduce injury on Scotland's roads through engagement and proportionate enforcement of legislation.	We remain committed to reducing road casualties in collaboration with our partners and meeting the Scottish Government's 2020 road casualty reduction targets. The mid-term review of the Scottish Government Road Safety	During the coming year, we will develop and deliver on the Road Policing Divisional Tactical Plans . These are developed in conjunction with and approved by the Local Policing Commander in line with their locally identified priorities.	We have identified portfolio leads for all priority focus areas, leading to the development of new road safety schemes and sharing of good practice . We will continue to use the independently produced Road

¹ Scottish Government (2017) 'Reported Road Casualties Scotland 2016'

	Framework to 2020 identified the following priority areas for focused activity up to 2020; speed, motorcyclists, pre-drivers, young and older drivers and cyclists and pedestrians.		Safety Information Tracking Study on driver attitudes and behaviour to provide an independent measure of the impact of our delivery and inform ongoing activity. http://www.roadsafetyscotland.com/research/road-safety-information-tracking-study-rits/
Detect and deter all types of criminality on our roads through efficient use of intelligence and analytical products.	We will continue to detect and deter all types of criminality on our roads, working with partner agencies to remove drugs and counterfeit goods, together with the disruption of organised crime groups from the road network.	We understand that antisocial use of vehicles is a problem that impacts on community wellbeing. Where communities highlight concerns regarding driver behaviour such as speeding, careless driving and mobile phone misuse, we will take the appropriate action to tackle these problems.	We will implement new Automatic Number Plate Recognition (ANPR) technology to enhance our capabilities to tackle road crime and improve intelligence, analysis and detection.
Develop and deliver a national road safety and road crime calendar of activity , which will be aligned to 'priority focus areas', as identified during the mid-term review of the Scottish Government's Road Safety Framework	We will lead the Multi-Agency Tactical Options Working Group, to oversee development of the national road safety and road crime calendar of activity. This provides intelligence-led direction in support of prevention-focused campaigns and initiatives .	In partnership, we will support road safety campaigns, engaging with and involving the public in raising awareness and providing road safety advice.	We will develop and deliver a communication toolkit to support engagement with the public and media. This will provide consistent road safety information including a 'frequently asked questions' section. In support of this we will maintain and revise key messaging, hosted on our website.

to 2020.			
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Acquisitive crime

Acquisitive crime is when the offender derives material gain from the crime, such as theft, fraud and robbery. It is a high volume crime group accounting for just under half of all recorded crimes in Scotland.

Your View Counts

Respondents to our public consultation survey identified theft of property and housebreaking among the top five local policing priorities.

www.scotland.police.uk/yourviewcounts

Impact

Instances of doorstep crime and fraud, particularly online fraud, are continuing to increase. These types of crimes can have a significant impact on victims, communities and the wider economy.

Tackling **acquisitive crime** is a national priority for Police Scotland and we will work with our partners to address the concerns of communities. In 2018/19 we will:

Commitment	Prevention and Protection	Communities	Knowledge and Innovation
Prevent acquisitive crime and reduce the harm it causes.	<p>Through our national Acquisitive Crime Tactical Board, we will collate, develop and share intelligence across Police Scotland and with external partners. This will inform our response to local and national issues and ensure potential partners are identified and engaged in the delivery of advice and support.</p> <p>We will use specialist national resources to support local officers and communities to address local issues, such as tackling housebreaking. This combined approach</p>	<p>We will develop collaborative approaches with partners and communities, through our local policing divisions, to raise awareness and share intelligence / information relating to emerging acquisitive crime trends. We will also use this collaborative approach to deliver best practice and reduce harm.</p> <p>We will continue to raise public awareness through campaigns to</p>	<p>We will deliver awareness packages to operational officers to aid in the identification of the key drivers of acquisitive crime.</p> <p>Within Police Scotland, we will continue to deliver workshops to provide staff with up to date information and share good practice within local divisions regarding housebreaking.</p>

	has been successful across Scotland.	prevent housebreaking.	
Develop our nationwide approach to prevent doorstep crime and the harm it causes.	<p>There are two main types of doorstep crime; 'bogus callers' who exploit vulnerable people within their own homes to steal cash/valuables or carry out fraudulent schemes; and 'rogue traders' who cold call at homes and over charge for unnecessary work, damage property deliberately and use intimidating behaviour to extort money. Perpetrators are often travelling criminals or members of SOCGs. Victims are often reluctant to report crimes, either through embarrassment, or fear of losing their independence and in some cases are unaware they are a victim.</p> <p>Prevention is key to reducing the impact of doorstep crime. We will work with a wide range of partners to identify best practice and also deliver a national multi-agency initiative to tackle the crime ('Operation Monarda').</p>	<p>We will work with communities to raise awareness of doorstep crime, and its impact, by developing a communication plan, using both traditional approaches and modern communication methods.</p> <p>This will incorporate prevention messages, practical advice and support targeted at those most vulnerable and also those who can intervene to protect potential victims.</p>	We will capture and progress our use of intelligence relating to doorstep crime in order to inform prevention and enforcement activities.
Work with partners to tackle online fraud and protect individuals and businesses from	The complexity of cyber enabled fraud poses a significant challenge and we will work in partnership to effectively tackle it. In particular we will work with the Scottish Business Resilience Centre to target online	We will work together, across a variety of internal functions and disciplines, to raise awareness of the problem of fraud. Through our collective expertise, we will	We will equip officers with the necessary skills to recognise the drivers of economic crime and submit intelligence accordingly. This will enable us

this threat.	fraud and protect individuals and businesses.	encourage potential victims to take simple steps to secure themselves online.	to collaborate with private sector and academia to develop our understanding of emerging threats from fraud and theft. We will work with partners to develop effective methods to communicate those risks, share good practice and protect our communities.
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COUNCIL EXECUTIVE

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To update members on the business and activities of St John's Hospital Stakeholder Group.

B. RECOMMENDATION

To note the terms of the minute of the meeting of St John's Hospital Stakeholder Group held on 18 October 2017 attached as an appendix to the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs
	Being honest, open and accountable
	Working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Council requires the activities of certain outside bodies to be reported to elected members on a regular basis, as part of its Code of Corporate Governance.
III Resources - (Financial, Staffing and Property)	None.
IV Consultations	None required.

D. TERMS OF REPORT

On 29 June 2010 the Council Executive decided that the activities of certain outside bodies should be reported within the council to ensure all elected members are aware of the business of those bodies and to help to ensure their activities are more effectively scrutinised.

In accordance with that decision the business of St John's Hospital Stakeholder Group was to be reported to this meeting by the production of its minutes. The relevant documents are produced as appendices to this report.

E. CONCLUSION

This report ensures that members are kept apprised of the activities of St John's Hospital Stakeholder Group as part of the council's Code of Corporate Governance.

F. BACKGROUND REFERENCES

West Lothian Council Code of Corporate Governance.

Council Executive, 29 June 2010

Appendices/Attachments: 1

Minutes of meetings of St John's Hospital Stakeholder Group held on 18 October 2017.

Contact Person: Jim Forrest, Depute Chief Executive, CHCP

01506 281977

Jim.Forrest@westlothian.gov.uk

Date: 20 February 2018

MINUTE of MEETING of ST JOHN'S HOSPITAL STAKEHOLDER GROUP held within BOARD ROOM 1, ST JOHN'S HOSPITAL, LIVINGSTON (AND BY CONFERENCE CALL) on 18 OCTOBER 2017.

Present

Councillor Harry Cartmill, Appointed Representative (Chair)
Councillor Tom Kerr, Appointed Representative
Councillor Dom McGuire, Appointed Representative
Martin Connor, Non-Executive Member, NHS Lothian
Lynsey Williams, Non-Executive Member, NHS Lothian (by conference call)

In attendance

Jim Forrest, Depute Chief Executive, Health and Social Care Partnership
Jacquie Campbell, Interim Chief Officer, NHS Lothian
Fiona Mitchell, Director of Women's and Children's Services, NHS Lothian
Agnes Ritchie, Associate Nurse Director, NHS Lothian
Aris Tyrothoulakis, St John's Hospital Director, NHS Lothian (by conference call)
Elaine Dow, Committee Services, West Lothian Council
3 members of the public.

Apologies

Alex Joyce, Non-Executive Member, NHS Lothian
Caroline McDowell, Partnership Lead, St John's Hospital
Anne Smith (Site General Manager)

1. DECLARATIONS OF INTEREST

Councillor Dominic McGuire declared a non-financial interest due to his mother being Head of Manual Handling at St John's Hospital.

2. MINUTE

The group confirmed the minute of its meeting held on 20 September 2017 as being a correct record.

3. PAEDIATRIC SERVICES/PAEDIATRIC OUTPATIENT CLINIC WAITING TIMES

Fiona Mitchell, Director of Women's and Children's Services provided the group with an update in relation to the current position with the paediatric service provision at St John's Hospital.

Ms Mitchell advised that there was no specific update available in relation to Paediatric Clinic waiting times however further information would be provided to the next meeting of the Group.

Jacqui Campbell, Interim Chief Officer, stated that a follow up visit had been carried out by the Royal College of Paediatrics and Child Health (RCPCH) on 11 September 2017 and their report was now available. Ms Campbell provided an update on the recommendations made within the

report. The RCPCH reaffirmed their view that based on the population of West Lothian the continued provision of inpatient paediatrics was the correct model if this could be achieved with sustainable medical staffing. However, the RCPCH validated NHS Lothian's decision in July 2017 to cease the out of hours provision of paediatric inpatient services at St John's Hospital as it was considered that it was currently neither safe nor sustainable. The RCPCH acknowledged the difficulties and challenges nationally due to an overall shortage of paediatricians and recommended that a three year strategy be developed to include a minimum staffing threshold and realistic timescale at which the 24/7 model could be safely achieved.

In the meantime, whilst the development of the workforce took place to support a 24/7 service, the RCPCH suggested that the current arrangements should be reviewed to maximise the numbers of children that could be seen and discharged locally, possibly extending the opening hours from 8.00 a.m. to 10.00 p.m. daily.

Finally, the group was advised that the recommendations made by the RCPCH would be reviewed by the Paediatric Programme Board at its meeting scheduled to be held on 23 October 2017. The Board would agree a co-ordinated approach to release the report to members of the public. A copy of the report would also be forwarded to the Leader of West Lothian Council.

The Chair thanked NHS staff for the update and welcomed the fact that the RCPCH continued to support their previous recommendation for Option 1 for the paediatric service to be available 24/7 subject to sustainable medical staff being in place.

Decision

To note the update provided on the recommendations contained within the report from The Royal College of Paediatrics and Child Health.

4. ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The group considered a report (copies of which had been circulated) by the Deputy Chief Executive providing an update on the measures taken to build on the existing relationship between the council and NHS Lothian to develop a closer working relationship through the process of integration.

The Deputy Chief Executive advised that the report was in response to a request at the previous meeting of St John's Hospital Stakeholder Group to provide an update on the purpose and remit of the group. Details of the current structures in place which facilitated joint working between the council and NHS Lothian to ensure services were delivered in a more integrated way were outlined within the report. The West Lothian Integration Joint Board's Strategic Plan set out how services would be delivered in a more integrated way to improve the quality of support for people who needed them and to deliver the national health and wellbeing outcomes. The plan builds upon joint planning foundations established

through Community Planning and the West Lothian Health and Social Care Partnership (HSCP), under which joint strategies and plans were developed and were being implemented for a range of services and client groups.

The purpose and remit of St John's Hospital Stakeholder Group was outlined in appendix 1 to the report. The Depute Chief Executive advised that significant developments had been made since the original St John's Hospital Stakeholder Group was set up. Integration of health and social care in Scotland has changed how the council and NHS Lothian worked in partnership and engaged with stakeholders. A working group had also been set up at St John's Hospital to look at developments at St John's Hospital site. As such, it was considered to be appropriate to review the purpose and remit of St John's Hospital Stakeholder Group to ensure that both organisations were making the most efficient use of time and resources. The group was asked to consider the following options in relation to the future of the group:

1. That no action be taken in relation to the purpose and remit of the group, which would remain the same;
2. To review the purpose and remit of the group and to consider the draft revised role and remit attached at appendix 2 to the report; or
3. To agree a recommendation to declare the group surplus to requirements.

The group then considered and discussed the options available. It was agreed that option 2 was the preferred option, subject to a member of the public being included within the membership of the group. The Depute Chief Executive undertook to explore options to recruit a member of the public from various stakeholder groups. It was also agreed that the frequency of future meetings be held quarterly. The Depute Chief Executive agreed to liaise with WLC Committee Services to arrange suitable dates for future meetings and update members of the group thereafter. He also suggested that the situation be reviewed after the first few meetings had been held to assess the progress and ensure that the workplan of the group did not overlap with services delegated to the Integration Joint Board.

It was recommended that the Group:

1. Consider the current structures in place that facilitated joint working between the council and NHS Lothian through integration;
2. Consider the options presented in the review as to the future of St John's Hospital Stakeholders Group; and
3. Agree a course of action and instruct the Depute Chief Executive to make a recommendation to Council Executive.

Decision

- To note the contents of the report and the update from the Depute

Chief Executive;

- To agree to the revised role and remit of the Group as outlined within appendix 2 to the report, subject to including a member of the public within the membership of the Group;
- To agree that the frequency of the group would be quarterly;
- To agree that the Depute Chief Executive forward the report to West Lothian Council Executive for consideration.