

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 16 SEPTEMBER 2014.

Present – Councillors John McGinty (Chair), Cathy Muldoon, Tom Conn, Lawrence Fitzpatrick, Dave King

Apologies – Councillor Frank Anderson, Jim Dixon, Peter Johnston, Danny Logue, Anne McMillan, Angela Moohan, George Paul

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Council Executive agreed to hear a deputation request by Mr Terry Miller in respect of Agenda Item 11 – Objections to Stoneyburn and Bents Traffic Calming – Modernisation Measures immediately following approval of the Minute.

2. DECLARATIONS OF INTEREST

Agenda Item 8 – SESPlan Supplementary Guidance on Housing – Councillor Muldoon declared a non-financial interest in that she was a council appointed member of SESPlan.

3. CONFIRM THE MINUTE OF THE MEETING HELD ON 19 AUGUST 2014 - DUE TO RULES PROHIBITING THE PUBLICATION BY THE COUNCIL OF CERTAIN MATERIAL IN THE RUN UP TO THE REFERENDUM, THIS DOCUMENT IS NOT BEING PUBLISHED OR UPLOADED TO THE INTERNET OR MADE AVAILABLE TO THE GENERAL PUBLIC EXCEPT IN RESPONSE TO A SPECIFIC REQUEST.

The Council Executive confirmed the Minute of its meeting held on 19 August 2014 as a correct record. The Minute was thereafter signed by the Chair.

4. OBJECTIONS TO STONEYBURN AND BENTS TRAFFIC CALMING – MODERNISATION MEASURES

Deputation

The Council Executive heard from Mr Terry Miller, who expressed concerns at the Traffic Calming Modernisation Measures at Stoneyburn and Bents.

Mr Miller advised that he did not object to the whole scheme but that his concerns were that the location of the new measures would result in additional noise and vibration from larger vehicles such as buses and heavy goods vehicles. Mr Miller also had concerns that the plan showed a

discrepancy in the proposed new traffic calming measurements.

Report by Head of Operational Services

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services asking the Council Executive to consider objections that had been made to the proposed amendments to the existing traffic calming along the B7015 in Stoneyburn to Bents.

The Head of Operational Services explained that officers attended meetings with Stoneyburn and Bents Community Council in April and May 2014 to develop a scheme to amend existing traffic calming measures through Stoneyburn and Bents. This was in response to concerns from the community regarding existing measures, in particular that the speed cushions did not impact on motorcycles, large commercial vehicles or buses in reducing their speed.

On agreeing a scheme that met the community council's aspirations, an open evening was held at Stoneyburn Community Centre on 21 May 2014. This allowed members of the community to view plans of the proposed amendments and discuss issues with the officers present. Letters were also delivered to all residents along the main street in Stoneyburn and Bents, advising of the proposals. Around twelve people attend the open evening and of these four noted a comment, details of which were attached to the report.

Therefore on 27 May 2014 the Council Executive approved the initiation of statutory procedures to introduce a scheme to modernise the traffic calming along the B7015 through Stoneyburn and Bents. The proposals were then advertised between 3 and 31 July 2014, during which time two objections and two letters of support were received.

Officers responded to the objections however both objectors were unwilling to withdraw their objections. A copy of the objections, officer's response and letter of support were also attached to the report as a series of appendices.

A summary of the objections along with officer's response were summarised in the report.

The report concluded that following extensive consultation only two objections had been received and that in contrast there had been much support from the community council and other members of the community to proceed with the implementation of the amendments to the existing traffic calming measures.

It was recommended that the Council Executive :-

1. Overrule the outstanding objections to the amendments to the existing traffic calming through Stoneyburn and Bents; and
2. Give approval to officers to progress the proposed amendments to implementation.

Decision

To approve the terms of the report.

5. AIR WEAPONS AND LICENSING (SCOTLAND) BILL – RESPONSE TO SCOTTISH GOVERNMENT PARLIAMENT’S CALL FOR EVIDENCE

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of a draft response that had been prepared in relation to the Scottish Parliament’s call for evidence in relation to the provisions of the Air Weapons and Licensing (Scotland) Bill.

The Head of Corporate Services explained that the Air Weapons and Licensing (Scotland) Bill was published by the Scottish Parliament on 14 May 2014. The Local Government and Regeneration Committee of the Scottish Parliament was currently scrutinising the Bill and in doing so launched its call for written evidence on the Bill.

A questionnaire was issued to stakeholders including all local authorities seeking written submissions to the committee on the Bill. The Bill proposed to change the law in Scotland in relation to air weapons, details of which were contained in Appendix 1 attached to the report.

Additionally a copy of the questionnaire and proposed response were attached to the report at Appendix 2 and 3 and it was noted that they would be considered by the Licensing Board at its meeting on 12 September 2014.

It was recommended that the Panel agree to recommend to the Council Executive that it approve the response to the consultation as set out in Appendix 2 attached to the report.

It was recommended that the Council Executive approve the response to the consultation set out in Appendix 2 to the report.

Decision

To approve the terms of the report

6. WEST LOTHIAN VILLAGE IMPROVEMENT FUND - APPLICATIONS

The Council Executive considered a report (copies of which had been circulated) by the Armadale and Blackridge Local Area Committee, Lead Officer seeking approval for two applications that had been received by the Village Improvement Fund.

The report explained that the applications, one from Westfield and Bridgehouse Community Council and the other from Torphichen Kirk had been considered at a meeting of the Armadale and Blackridge Local Area Committee on 29 August 2014. However as the meeting was inquorate

with only two members present then approval was required by the Council Executive.

A copy of the report presented to the Local Area Committee was attached to as an appendix and this summarised the two applications who between them were seeking a total of £18,235. It had been confirmed that both applications met the eligibility criteria.

Those members at the Local Area Committee meeting had agreed that the applications should be forwarded to the Council Executive with the recommendation that they be approved.

Therefore it was recommended that the Council Executive approve the funding being sought by Westfield and Bridgehouse Community Council for £2,760 and Torphichen Kirk for £15,475.

### Decision

To approve the terms of the report

## 7. REVIEW OF ENFORCEMENT CHARTER

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development advising of the proposed revisions to the Enforcement Charter. The Charter, a copy of which was attached to the report at Appendix 1, set out the duties and responsibilities of the planning enforcement service within the Development Management section of Planning Services.

The Head of Planning and Economic Development advised that planning legislation gave local authorities enforcement powers to deal with a range of unauthorised land use activities. The council was required under section 158A of the Town and Country Planning (Scotland) Act 1997 to produce and distribute an enforcement charter which set out :-

A statement of the authority's policies for taking enforcement action;

An account of how members of the public were to bring any suspected breach of planning control to the attention of the council;

How any complaint to the authority over a suspected breach was to be made; and

The council's procedures for dealing with any such complaint.

The council's first charter was produced in 2010 and set out how the issues on which the council could take enforcement action, those issues which could not be addressed under the legislation and the circumstances under which the enforcement action could be taken. As part of the revised charter a new enforcement complaints form had been produced and was available on line

In conclusion the revised Enforcement Charter set out a clear route for

reporting suspected breaches of planning control and provided an update on staff contact details. The charter also set out the actions to be taken to resolve matters in advance of progressing enforcement action.

It was recommended that the Council Executive :-

1. Note the detail of the draft revised Enforcement Charter;
2. Note that enforcement was a discretionary power and formal enforcement action was to be seen as a last resort in terms of dealing with unauthorised activities; and
3. Endorse the terms of the draft and approve it for publication.

### Decision

To approve the terms of the report.

## 8. SESPLAN SUPPLEMENTARY GUIDANCE FOR HOUSING

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development providing an update on progress with the Supplementary Guidance on Housing (SG) as required by Scottish Ministers in approving the Strategic Development Plan and to seek ratification of the decision of the SESPlan Joint Committee to adopt the SG as modified.

The Head of Planning and Economic Development explained that on 12 November 2013, SESPlan published Supplementary Planning Guidance for Housing Land in support of the approved Strategic Development Plan. Following a period of public consultation and assessment of responses received the guidance was submitted to Scottish Ministers on 21 May 2014 for approval.

Scottish Ministers had now considered the terms of the SG and on 18 June 2014 notified SESPlan of their intention to adopt the guidance subject to modification. The modification was to be made to the SG prior to its adoption. A copy of the letter from Scottish Ministers was attached to the report at Appendix 1.

The report explored the modifications to the SG, and which related to the removal of a sentence which read "*Member Authorities would base their calculation of the five year land supply on the period 2009-2024, taking into consideration housing completions*" that Scottish Ministers had given notice on and the report explored the implications of this modification. The Joint Committee agreed to modify the SG as directed by Scottish Ministers and adopt it as modified.

The Head of Planning and Economic Development further advised that the implications of modifying the SG by removing the sentence on calculating five year housing land supply were significant and in making the modification, SESPlan and subsequent LDP's would be required to calculate the five year housing land supply over two plan periods, 2009-

2019 and 2019-2024.

Scottish Ministers had not provided guidance on how land supply would be calculated for periods bridging the two periods for which the Supplementary Guidance sets requirements. However SESPlan and the member authorities would investigate the development of a consistent approach to the calculation of the five year land supply to provide this clarity.

It was recommended that the Council Executive :-

1. Support the modification to the Supplementary Guidance on Housing as directed by Scottish Ministers; and
2. Endorse the approval of the Supplementary Guidance on Housing as modified.

### Decision

To approve the terms of the report.

## 9. REVIEW OF RESIDENTIAL ON-STREET DISABLED PERSONS' PARKING POLICY

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services providing an overview of the council's existing policy of residential on-street disabled persons' parking and seeking approval of revised policy.

The Disabled Persons' Parking Places (Scotland) Act 2009 introduced a duty on local roads authorities to provide designated on-street parking places for qualifying disabled people, at their homes, on request. In September 2011, a policy was agreed on the council's approach to the implementation of the Act. Officers had implemented the Act in line with the policy for the past three years and a review of the policy was now required.

The report explored the applications that had been processed by the council since the policy was agreed and also detailed how complaints and objections to those applications were handled.

It was also noted that an annual customer survey was undertaken to assess the service provided to applicants by the council. The results of the 2012 and 2013 customer surveys, post policy implementation, did not show significant changes to customer satisfaction when compared with the 2011 survey.

With regards to Equality Impact Assessment this was carried out in 2011 and a review had been undertaken in connection with the proposed policy update. Also the original policy was drafted in consultation with Legal Services, the council's Equality Officer and Disability West Lothian. However as there were no proposed changes to the policy only consultation with Disability West Lothian through an Equality Impact Assessment and Police Scotland was undertaken.

In conclusion and based upon the information provided as there had been no changes to the legislation that the policy had been designed to provide guidance on, there were no material changes recommended at this time. One minor change was proposed to the review cycle, which would be every three years or more frequently if required. A copy of the revised policy was attached to the report at Appendix 1.

It was recommended that the Council Executive :-

1. Note the policy implementation over the past three years; and
2. Approve the revised policy as set out in Appendix 1 attached to the report.

10. RESERVOIRS (SCOTLAND) ACT 2011 – CONSULTATION ON REGISTRATION, CHARGING, RISK DESIGNATION AND ASSOCIATED ASPECTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval for a draft response to be submitted in relation a consultation issued by the Scottish Government on Registration, Charging, Risk Designation and associated aspects under the Reservoirs (Scotland) 2011.

The Head of Operational Services advised that the Reservoirs (Scotland) Act 2011 was developed to improve the regulation of reservoirs in Scotland. Under the Reservoirs Act 1975 (current legislation) only structures with a capacity in excess of 25,000 cubic metres in volume and held artificially above ground level were subject to a supervision and inspection regime. The new legislation provided for the inclusion of reservoirs of a smaller capacity which had the potential to pose a risk to public safety in the event of an uncontrolled release of water.

The draft response prepared by officers and attached to the report at Appendix 1 was broadly in line with responses to previous consultations in respect of reservoir safety. This included that whilst the council had previously indicated its support for the introduction of a risk-based approach to reservoir safety it had sought safeguards from new cost pressures associated with the introduction of the new charging regime in respect of the two reservoirs which the council owned, namely Beecraigs and Eliburn.

It was recommended that the Council Executive noted the consultation and approve the draft response prepared by officers allowing it to be finalised and submitted on behalf of the council.

Decision

To approve the terms of the report.

11. PROPOSED STOPPING-UP ORDER – PART OF THE B9080

### CARRIAGEWAY NEAR GLENDEVON, WINCHBURGH

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to initiate the statutory procedures to stop-up a section of public carriageway near to Glendevon Farm Steadings access road. This would facilitate the development of the initial phase of the Winchburgh development including roads associated with the Winchburgh Core Development Area.

The Head of Operational Services advised that development was proceeding at the Winchburgh CDA. The final development layout would include a new core road through the development area. This core road started at the west side of Winchburgh connecting to the existing B9080.

Detailed planning permission had been granted for the first phase of the infrastructure. It was proposed to stop-up part of the existing carriageway and verge made redundant by the proposed development. The existing footway would be retained at this early stage of the development.

Police Scotland had been consulted on the proposals and had made no adverse comments.

Local Ward members had also been consulted and their comments were summarised in the report.

It was recommended that the Council Executive approve the initiation of the statutory procedures to stop-up a 75 metre long section of the carriageway of the B9080.

#### Decision

To approve the terms of the report

### 12. PROPOSED CHANGE OF SPEED LIMITS – 40MPH TO 30MPH OF PART OF THE B9080, WINCHBURGH AND 50MPH TO 30MPH ON PART OF THE B8020, WINCHBURGH

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to initiate the statutory procedures to reduce the speed limit on sections of the B9080 and B8020 at Winchburgh.

The Head of Operational Services advised that the proposed introduction of extensions of 30mph speed limits on the B9080 and B8020 reflected the ongoing development on the western and southern approaches of Winchburgh and related to the change of urban boundary identified by the extent of development contained in the Finalised West Lothian Local Plan.

With regards to the B9080 the length of road which would be the subject to the speed limit change was approximately 950 metres and linked to the tie in to the west end of the new urban core road. A location plan was attached to the report at Appendix 1 showing the location in question.



With regards to the B8020 the length of road subject to the speed limit change was approximately 425 metres along the length of the B8020 at the development. A location plan was attached to the report at Appendix 2 showing the location in question.

Police Scotland had been consulted on the proposals and had made no adverse comments.

Local Ward members had also been consulted and their comments were summarised in the report.

It was recommended that the Council Executive approves the initiation of the statutory procedures to extend :-

1. The 30mph speed limit on the B9080 to the west of Winchburgh by round 950 metres; and
2. The 30mph speed limit on the B9080 to the north of Winchburgh by around 425 metres.

#### Decision

To approve the terms of the report

### 13. SUPPLEMENTARY PLANNING GUIDANCE – A71 DEVELOPER CONTRIBUTIONS

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development and Head of Operational Services seeking approval of the supplementary planning guidance (SPG) for A71 developer contributions.

West Lothian Council adopted the West Lothian Local Plan (WLLP) on 13 January 2009. The plan proposed major housing growth and as a consequence a number of community infrastructure and transportation projects were required to support the local plan strategy. Developer contributions towards transportation improvements to the A71 were required to support the development of the plan strategy.

SPG contributions towards the A71 dated from June 2006 and identified the requirement for developer contributions to implement the A71 bus priority measures and sought contributions commensurate with the impact of new development. The SPG now required updating and a copy of the revised SPG was attached to the report.

The revised SPG explained why developer contributions were required, set out how these were to be provided and specified the council policy on securing developer contributions towards to the cost of the required works. The revised SPG specifically targeted developer contributions to deliver and mitigate the impacts on the A71 in West Lothian.

It was recommended that the Council Executive approve revised SPG for

developer contributions for the A71.

Decision

To approve the terms of the report.

14. 2014-15 WINTER SERVICE POLICY – ROADS AND TRANSPORTATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval of the council's Winter Service Policy for 2014-15.

The Head of Operational Services explained that in Scotland, council's statutory responsibilities regarding the Winter Service were defined in the Roads (Scotland) Act 2004, Section 34, which required "*that a road authority shall take such steps as it considered reasonable to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads*".

The council's current Winter Service Policy, a summary of which was attached to the report at Appendix 1 was well established and was based on the Codes of Practice for Highway Maintenance 2005: Well Maintained Highways. Following the severe winters of 2009-10 and 2010-11 a full review of the Winter Service Policy was conducted and the Winter Service Policy was updated and approved by council in November 2011.

The updates to the Winter Service Policy for 2011-12 included the inclusion of service standards and a definition for an "extreme weather event"; a statement on resilience and salt conservation; the policy also promoted the benefits of self-help in line with government recommendations.

The Code of Practice for Highway Maintenance 2005: Well Maintained Highways recommended that council's should review and approve their Winter Service Policy annually.

It was recommended that the Council Executive approve the Winter Service Policy for 2014-15 as set out in Appendix A attached to the report.

Decision

To approve the terms of the report.

15. 2014/15 GENERAL FUND REVENUE BUDGET – MONTH 4 MONITORING

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates providing the financial position in relation to the General Fund Revenue Budget, following completion of the 4 month monitoring exercise.

The report set out the overall financial performance of the General Fund Revenue Budget for the period to 31 July 2014 and provided a year-end

financial forecast which took account of relevant issues identified in individual service budgetary control returns. The report also considered the position regarding the delivery of approved 2014-15 and 2015-16 budget reduction measures and the implementation of time limited revenue investment projects.

The report also provided a table summarising the position in relation to service expenditure and provided a forecast outturn. A breakeven position was forecast for 2014-15 but as part of the monitoring exercise a number of key risks and service pressures were identified and noted in the narrative for the relevant service area.

It was recommended that the Council Executive agree that Heads of Service take all management action necessary to ensure 2014-15 budgets were managed within budget and approved budget reductions were achieved.

#### Decision

Approved the terms of the report

#### 16. 2014/15 GENERAL SERVICES CAPITAL BUDGET – MONTH 4 MONITORING

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates providing information on the financial position in relation to the General Services Capital Programme following completion of the month 4 monitoring exercise.

The report provided an update on the 2014-15 General Services Capital Programme based on the results of a comprehensive monitoring exercise. The approved 2014-15 capital budget was £46.696 million which assumed £4 million of over programming.

Progress was being made on a number of projects with the committee expenditure as a percentage of projected outturn at 38%. In overall terms the monitoring exercise indicated that the projected outturn was £46.696 million. Of the £4 million of assumed over-programming, £3.956 million had already been utilised therefore to achieve the projected spend levels there was only scope for £404,000 of further slippage.

The report provided a summary of the forecast for each asset type and details of material movements and pressures that had been identified.

The Head of Finance explained that the capital programme was kept under review to ensure appropriate adjustments were made when necessary. The report then went on to provide details on proposed amendments to the programme which included Beecraigs Visitor Centre, Grounds for Learning – Natural Play Project, New Primary School, South Armadale and St Anthony's Primary School, Armadale.

In conclusion the report advised that a number of key risks in relation to the delivery of the General Services capital programme had been

identified and would continue to be managed by asset lead officers and monitored by CMT.

The report recommended that the Council Executive:-

1. Note the outcome of the month 4 monitoring exercise and the projected outturn;
2. Approve the amendments to the capital budget outlined in section 7 of the report; and
3. Agree that asset lead officers and the Head of Finance and Estates continue to take necessary action to deliver the overall programme.

#### Decision

To approve the terms of the report.

#### 17. 2014-15 HOUSING REVENUE ACCOUNT – MONTH 4 MONITORING REPORT

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive, Corporate, Operational and Housing providing the financial performance in relation to the month 4 monitoring exercise as at the end of 31 July 2014.

The report provided a summary of the position for the main expenditure heads and provided a projected out-turn.

It was noted that employee costs were forecast to overspend by £54,000 as a result of the temporary additional resources employed to assist with welfare reform and rent arrears issues.

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

It was recommended that the Council Executive note the outcome of the month 4 monitoring exercise and the projected outturn.

#### Decision

To note the contents of the report.

#### 18. 2014-15 HOUSING CAPITAL REPORT – MONTH 4 MONITORING REPORT

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive, Corporate, Operational and Housing providing the financial performance in relation to the month 4 monitoring exercise as at the end of 31 July 2014.

A table contained within the report demonstrated that there had been

investment of £4.954m in housing stock as at 31 July 2014. The forecast expenditure for the year was £34.55m. The report then provided a summary of the new build council house programme and planned maintenance and refurbishment programmes.

Also contained in the report were details of the capital resources available to fund the housing capital programme in 2014-15. It was to be noted that the investment programme was 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.

With regards to house sales, this totalled £0.393m as at the end of July 2014 with sales projected to reach £2m for the whole year.

The report concluded that good progress was being made in the Housing Capital investment programme and particularly with the New Build, although expenditure would be largely incurred in the latter part of the financial year. Significant investment was also being made in the housing stock to both improve the overall standard of the stock and to increase the number of available houses for West Lothian residents.

It was recommended that the Council Executive note the outcome of the month 4 monitoring exercise and projected out-turn.

#### Decision

To note the contents of the report.

### 19. PROCUREMENT ARRANGEMENTS – SUPPLY OF TELECARE MAINTENANCE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval to commence tendering procedures for the procurement of a four year contract for the provision of telecare maintenance and associated services with a start date of 1 March 2015, employing the evaluation methodology and criteria detailed in the report.

The Council Exercise were advised that West Lothian's Community Health and Care Partnership's overall vision was to increase well-being and reduce health inequalities across all communities by commissioning a range of high quality health and social care services to meet the needs and outcomes of the people living in West Lothian and their communities.

To achieve this vision, services were commissioned that focussed on prevention and early intervention, to enable people to maximise their independence and remain within their own homes and within their local communities.

Telecare was the name given to a range of equipment that could be used to support safety and independence within service users' own home, in a Care Home, Sheltered Housing or Housing with Care Developments.

Established in 2001, West Lothian's Home Safety Service provided telecare equipment to give increased safety and security for disabled, elderly and vulnerable people in over 4,500 homes. This equipment provided a 24 hour telephone line between the service user and the council's alarm receiving centre – Careline.

After an assessment of the council's capabilities with regards to in-house maintenance of telecare equipment throughout West Lothian it was concluded that there was no in-house capacity for undertaking the requirements and that a tender was the most effective and economic option.

Therefore the requirement would be advertised in accordance with the European Union and it was proposed that the Open Procedure would be used whereby all suppliers expressing an interest would be invited to tender. The proposed weighting would be 40% for Price and 6% for Technical Ability & Quality.

The report also summarised the budget implications, community benefits and sustainability considerations.

It was recommended that the Council Executive approve :-

1. The use of the Open Procedure whereby all suppliers expressing an interest in the contract would be invited to tender; and
2. The following award criteria be applied at the tender stage:- Price, 40% and Technical Ability & Quality, 60%.

#### Decision

To approve the terms of the report.

#### 20. REVIEW OF ANTISOCIAL BEHAVIOUR, ETC (SCOTLAND) ACT 2004

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services providing a draft response to the Scottish Government's call for evidence to support a policy review of the noise regime under the Antisocial Behaviour (Scotland) Act 2004 Part 5.

The Head of Housing, Construction and Building Services explained that the Antisocial Behaviour, etc. (Scotland) Act 2004 provided that a person engaged in antisocial behaviour if they acted in a manner that caused or was likely to cause alarm or distress; or pursue a course of conduct that caused or was likely to cause alarm or distress to at least one person not of the same household as them.

The noise provisions came into force in 2005 and introduced a fixed penalty notice deterrent for domestic noise offences for any part of the day or night. When the regime was first introduced it was well received with Local Authorities finding that their noise problems could be resolved

quickly.

As it had been ten years since the regime was introduced the Scottish Government wished to ensure that it remained relevant and had therefore called for evidence to support a policy review of the noise regime under Part 5 of the Act.

West Lothian Council officers had asked for a response from a number of partners and members of the public, in order to formulate a response to the Scottish Government. The questions to the call for evidence were attached to the report at Appendix 1 and the proposed response was attached to the report at Appendix 2.

Council Executive was invited to approve the response to the Scottish Government on the Review of Antisocial Behaviour noise regime as attached to the report.

#### Decision

To approve the terms of the report.

### 21. ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minute of the St John's Hospital Stakeholder Group meeting held on 30 July 2014, a copy of which was attached to the report.

#### Decision

To note the terms of the report.

### 22.. COMMUNITY PLANNING PARTNERSHIP BOARD

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minutes of meetings of the Community Planning Partnership Board held on 3 February and 16 May 2014.

#### Decision

To note the terms of the report.

### 23. WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minute

of the meeting of the West Lothian Community Health and Care Partnership Board held on 27 May 2014.

Decision

To note the terms of the report

24. PROCUREMENT – MONTH 5 MONITORING REPORT 2014-15

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates providing a monitoring report on procurement activities.

Since the last report activity had been carried out on provision of new contracts to assist in increasing the percentage of contracted work. This work had resulted in 44 contracts being let or adopted in the last quarter, a list of which was attached to the report.

The report also provided information on savings targets, collaborative arrangements, improving procurement capabilities, community benefits and changes to the Standing Order for the Regulation of Contracts.

It was recommended that the Council Executive note :-

1. The contracts let since April 2014 and savings achieved to date in 2014-15; and
2. The community benefits gained as part of the procurements since April 2014 to date.

Decision

To note the terms of the report.