DATA LABEL: Public

West Lothian Council

Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

23 October 2014

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 28 October 2014** at **10:00am**.

For Chief Executive

BUSINESS

1. Apologies for Absence

2. Order of Business, including notice of urgent business

3. 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.

4. Confirm Draft Minute of Meeting of Council Executive held on Tuesday 30 September 2014.

Public Items for Decision

5. Scottish Police Authority Call for Evidence on Armed Policing - Report by Head of Housing, Construction and Building Services (herewith).

6. Community Sport Hubs - Report by Head of Area Servicees (herewith).

7. Placemaking In Whitburn - Report by Head of Area Services (herewith).

8. Appointment of Lay Member to the Addiewell Prison Visiting Committee - Report by Head of Corporate Services (herewith).

9. Drumshoreland Road, Pumpherston - Proposed Stopping-Up Order - Report by Head of Operational Services (herewith).

10. Windyknowe Primary School, Bathgate - Amendments to the Existing Speed Limit and Traffic Calming Measures - Report by Head of Operational Services (herewith).

11. Planning Enforcement and Road Construction Consent - Housing Development Limefield, Polbeth - Report by Head of Operational Services (herewith).

12. Proposals to Promote Financial Inclusion in West Lothian - Report by Head of Finance and Estates (herewith).

13. Policies and Practices Employed in the Management of the Council's Non-Operational Property Assets - Report by Head of Finance and Estates (herewith).

14. Scottish Draft Budget 2015/16 - Report by Head of Finance and Estates (herewith).

Public Items for Information

15. Councillors' Local Disbursement Fund - Report by Head of Corporate Services (herewith).

16. Community Council Grants - Report by Head of Corporate Services (herewith).

17. St John's Hospital Stakeholder Group - Report by Depute Chief Executive, Community Health and Care Partnership (herewith).

18. West Lothian Community Health and Care Partnership - Report by Depute Chief Executive, Community Health and Care Partnership (herewith).

19. PRIVATE SESSION - The Clerk considers that the following business is likely to be taken in private (exempt under the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973).

Private Items for Decision

20. Single Status - Equal Pay Cases - Report by Depute Chief Executive (Corporate Services and Housing Services) (herewith).

NOTE **For further information please contact Eileen Rollo on 01506 281621 or email eileen.rollo@westlothian.gov.uk**

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 30 SEPTEMBER 2014.

Present – Councillors John McGinty (Chair), Tom Conn, Jim Dixon, Lawrence Fitzpatrick, Dave King, Anne McMillan, Angela Moohan, George Paul, Andrew Miller substituting for Frank Anderson, Greg McCarra substituting for Peter Johnston, Frank Toner substituting for Danny Logue, Tony Boyle substituting for Cathy Muldoon

Apologies – Councillors Cathy Muldoon, Frank Anderson, Peter Johnston, Danny Logue

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Chair ruled in terms of Standing Order 7 Urgent Business, that the following item would be considered after agenda item 17:-

- Sale of West Lothian House – Alteration of Payment Schedule

2. DECLARATIONS OF INTEREST

Agenda Item 15 – Alcohol Diversionary Activities – Councillor Andrew Miller declared a non-financial interest in that he was a board member of the Youth Action Project.

Agenda Item 15 – Alcohol Diversionary Activities – Councillor Jim Dixon declared a non-financial interest in that he was a board member of the Youth Action Project.

Councillor Frank Toner declared a non-financial interest arising from him being a non-Executive Director of Lothian Health Board and as Chair of West Lothian Community Health and Care Partnership.

3. MINUTE

The Council Executive confirmed the Minute of its meeting held on 16 September 2014 as a correct record. The Minute was thereafter signed by the Chair.

4. REPORT ON WEST LOTHIAN COUNCIL'S RESPONSE TO SCOTTISH GOVERNMENT'S INFORMAL CONSULTATION PAPER IN RELATION TO PART 13 OF THE CHILDREN AND YOUNG PEOPLE ACT - SUPPORT FOR KINSHIP CARE

The Council Executive considered a report (copies of which had been circulated) by The Head of Social Policy providing details of West Lothian Council's response to the Scottish Government's informal consultation in

relation to Part 13 of The Children and Young People Act 2014 (Support for Kinship Care).

The report explained that The Children and Young People (Scotland) Act 2014 (hereafter referred to as the Act) was passed in February 2014. Part 13 of the Act makes provision for additional support to be provided to kinship carers and eligible children. This was a new duty in relation to children who were not looked after but were subject to an order under section 11(1) of the Children (Scotland) Act 1995. The Government were consulting in relation to the secondary legislation and guidance which would accompany the Act. The intention was to lay the secondary legislation for the Support for Kinship Care as part of the Act in the Scottish Parliament in early 2015 to allow it to come into force in April 2015. Scottish Ministers also intended to issue non-statutory guidance on how Part 13 was to be interpreted in general.

It was important to note that these provisions were in addition to the support and financial assistance currently provided for looked after children in kinship care placements.

The report went on to provide details of the consultation process and timescale involved for responses to the consultation which was 10 October 2014, as well as the considerations for West Lothian Council.

In conclusion, the council's draft response to this consultation highlighted the additional resource demands that the new arrangements placed on the local authority. It suggested that the secondary legislation and guidance should be consistent with the GIRFEC practice model and avoid having a detrimental impact on existing service delivery.

The report recommended that the Council Executive:-

1. Consider the content of the consultation response;

2. Agree that the consultation response be submitted to the Scottish Government; and

3. Approve that updates on Scottish Government planning on this matter be provided to the Social Policy PDSP as they became available.

Decision

To approve the terms of the report.

5. EQUALITY AND HUMAN RIGHTS COMMISSION CALL FOR EVIDENCE ON RELIGION OR BELIEF

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services outlining the response to the national Call for Evidence on religion or belief issued by the Equality and Human Rights Commission.

The report explained that the Equality and Human Rights Commission had launched a major call for evidence on 14 August 2014. The Commission's aim was to gather as much information as possible from individuals, employers, providers of services, legal advisors and religion or belief organisations. It would then use the information to assess how employers and service providers were taking religion or belief into account and what impact this had on individuals.

The call for evidence consisted of six questionnaires for employers, employees, service providers, service users, religion or belief organisations as well as the legal and advice giving sector. The most relevant of these questionnaires for the council was that of organisation and the response drafted under this heading was attached as an Appendix to the report.

The results of the study would be published in 2015 and the Commission intended to publish these widely.

The report recommended that the Council Executive note the contents of the report and approve the draft consultation response which would be submitted to the Equality and Human Rights Commission.

Decision

To approve the terms of the report.

6. PROCUREMENT ARRANGEMENTS – OFFICE REMOVAL AND DOMESTIC REMOVAL SERVICES

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 three year contract for an Office Removal and Domestic Removal service.

The report advised that the servicing of this contract could only be met by an external contractor. The storage of property belonging to people in temporary accommodation was a service which was provided by an external contractor.

The Head of Finance and Estates explained that the requirement would be advertised in accordance with the European Union Directives. It was proposed that the Open Procedure was used whereby all suppliers expressing an interest in the contract would be invited to tender.

The following award criteria would be awarded at the tender stage:-

Price – 50%

Quality – 50%

The report went on to advise that following the Community Benefits in Procurement Procedure approved by Council Executive on 4 June 2014,

bidders would be required to detail any social, economic and environmental benefits which they would provide as part of their offer over the contract period.

For this contract it was proposed to incorporate a generic, non-evaluated Community Benefits clause into the contract documentation. Whilst this element did not form part of the Quality Scoring criteria, the council would expect the successful contractor to deliver such benefits as part of the contract and would be monitored as such.

The estimated cost of approximately £32,000 per annum was contained within the General Fund revenue and capital budgets and the HRA revenue budget.

The report 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 for a three year contract for Office Removal and Domestic Removal services.

2. The award criteria as set out in Section D of the report.

Decision

To approve the terms of the report.

7. PROCUREMENT ARRANGEMENT – NEW PRIMARY SCHOOL IN ARMADALE

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 one year contract with the potential to extend for 12 months, for the new build of a new primary school in Armadale, employing the evaluation methodology and criteria as detailed in the report.

The report advised that on 16 September 2014, the Council Executive agreed that a new primary school in Armadale would proceed on the basis of an eight classroom structure to deliver the required number of classrooms for the first phase along with nursery and two year old provision, together with ancillary accommodation such as gym hall, dining area and other learning resources.

It was identified that in line with recent school builds in West Lothian that there was sufficient resource in house to provide the architectural elements of the design works for the project. However, in line with previous new school builds the remainder of the design work would be carried out by external companies as there were not sufficient resources to deliver these design elements of the project works from the resources available in Housing, Construction and Building Services.

The Head of Finance and Estates advised that as a result of the initial market research and consultation with Construction Services an initial

option appraisal was carried out to determine the most suitable procurement route which would deliver best value and within the required timescales. At this stage the restricted procedure was the preferred route.

The requirement would be advertised in accordance with the European Union Directives. The following award criteria would be applied at the tender stage:-

Price – 60%

Quality – 40%

The report went on to advise that at the Council Executive on 4 June 2013, the council approved a Community Benefits in Procurement Procedure. As detailed in the procedure, the council adopted the National Skills Academy for Construction Client Based Approach. The National Skills Academy guidance provided a toolkit to deliver sustainable employment and skills Community Benefits as part of the New Primary School Requirement.

In conclusion the report advised that an eight classroom structure would deliver the required number of classrooms for the first phase along with nursery and two year old provision, together with ancillary accommodation such as gym hall, dining area and other learning resources. The cost of delivering an eight classroom structure was estimated at £7.5 million, and a capital budget provision was agreed by Council Executive on 16 September 2014.

The report recommended that the Council Executive approve:-

1. The use of the Restricted Procedure whereby a pre-qualification questionnaire may be used to select qualified and experienced organisations to tender for a one year contract with the potential to extend for 12 months for a new primary school in Armadale.

2. The award criteria as set out in Section D of the report.

Decision

To approve the terms of the report.

8. PROPOSED ACQUISTION OF 30 THE VENNEL, LINLITHGOW

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates advising of the terms agreed for the proposed acquisition of the property at 30 The Vennel, Linlithgow and seeking approval to proceed with the acquisition.

The report advised that 30 The Vennel, Linlithgow, was a town square shop owned by Mr William Grieve, trading as Thomas Grieve & Son Funeral Directors. The property was a single storey building and was currently let by Mr Grieve to a local arts and crafts trader under the terms of a six-monthly, rolling commercial lease.

The shop was valued by DM Hall Surveyors in June 2014 at a figure of £150,000. Following negotiations with the Head of Finance and Estates, Mr Grieve provisionally agreed to sell the property at a price of £115,000.

The report advised that the shop was located at the heart of Linlithgow town centre. The purchase of the property would give the council full control of all the property interest in that area. Accordingly should the council wish to explore redevelopment opportunities in the future, it would be able to do so unencumbered by external property interests.

In addition, the council's exiting Tenanted Non-Residential Property (TNRP) portfolio in Linlithgow traditionally performed extremely well, with occupancy levels typically sitting at 90% to 100%. In that context it was considered that this property would immediately enhance the existing PNRP portfolio and provide the council with an estimated additional revenue income of £12,000 per annum.

Decision

To approve the terms of the report.

9. PRIMARY SCHOOL ACCOMMODATION - LIVINGSTON VILLAGE

The Council Executive considered a report (copies of which had been circulated) by the Head of Education (Quality Assurance) seeking approval to extend Livingston Village Primary School, in order to facilitate the redevelopment of Kirkton Business Centre and to proceed with the preferred option in the recent feasibility study.

The report advised that following the submission of planning application ref: 0255/P/13 for Planning Permission in Principle for a 1.5 Ha residential development at the former Kirkton Business Centre site in April 2013, Education Planning offers advised that there was insufficient capacity at Livingston Village Primary School to support the development of the site for housing. The application was subsequently held in abeyance to allow the council to undertake feasibility work for increasing capacity at Livingston Village Primary School. A solution to the capacity issues at Livingston Village Primary School would allow for the demolition and redevelopment at Kirkton Business Centre site.

The report further advised that a feasibility study had been undertaken which examined various options for extensions/alterations at the school building, including examining the current usage of rooms in the building for school, nursery and community use. The conclusion of the study was that with a modest extension to classrooms and the dining hall and some external works to the parking/servicing areas, there would be adequate capacity to facilitate this development.

Initial consultations had already taken place with the Head Teacher, the Parent Council and the Community Council.

The cost estimate for the overall project was £700,000 and would be

funded by the developer of the Kirkton Business Centre and these funds would be secured through the legal requirement that would be entered into as part of the planning permission.

In conclusion, the extension and land transfer was recommended in order to achieve the education solution to facilitate the redevelopment of the Kirkton Business Centre site. The extension would consolidate the school accommodation so that the design capacity of the school was a roll of 231 pupils.

The report recommended that the Council Executive:-

1. Approve an extension to Livingston Village Primary as described in the report; and

2. Agree to proceed with the preferred option detailed in the recent feasibility study.

Decision

To approve the terms of the report.

10. RERNT CONSULTATION STRATEGY

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services advising of the proposed rent consultation process.

The report advised that the council's Tenant Participation Strategy and best practice placed an obligation on the council as a local authority landlord to consult with tenants on rent setting.

The Head of Housing, Construction and Building Services advised that a 5 year rent strategy based on an annual rent increase of 3% had been agreed on 11 January 2012 and then on 29 January 2013 the council approved a rent freeze for 2013/15 and noted the strategy of annual rent increases of 3% for the remainder of the agreed strategy period to 2017/18.

The report went on to advise that taking into account the requirement to consult on rent setting a consultation programme had been drawn up and would take place between October and December.

The report recommended that the Council Executive agree that officers commence a consultation with tenants on the implementation of the approved rent strategy.

Decision

To approve the terms of the report.

11. SCOTTISH GOVERNMENT CONSULTATION ON CHANGES TO LOCAL

BUS SERVICES REGISTRATION IN SCOTLAND

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of a Scottish Government consultation on changes to the local bus service registration system and to agree a response for approval by the Council Executive.

The Head of Operational Services explained that the basic legislation governing local bus services had remained constant since deregulation and privatisation in the mid-1980s and which meant that all local bus services needed to be registered with the Office of the Traffic Commissioner and, only with their approval, could services operate. It was a requirement of bus operators to undertake this process. In order to make changes to services, operators needed to give notice to councils and the Traffic Commissioner.

The consultation, a copy of which was attached to the report, was principally about proposed changes to this process and about an increased requirement for operators to consult councils over changes rather than merely notifying them of changes, as at present.

The response, a copy of which was attached to the report at Appendix 2, was broadly supportive of the government's proposed changes as the changes were expected to give councils a marginal increased voice in service changes and to maintain the overall timescale for bus companies to notify councils of changes to services. The proposed changes did not challenge the basic tenants of the deregulated regime that had been in force since 1986.

It was recommended that the Council Executive approve the proposed West Lothian Council response to the Scottish Government's consultation on changes to the system of local bus service registrations.

Decision

To approve the terms of the report.

12. 20MPH PART-TIME SPEED LIMITS OUTSIDE SCHOOLS – PROPOSED EXTENSION TO PERMITTED HOURS OF OPERATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approve to commence the statutory procedures to extend the time period that part-time 20mph speed limits outside schools could operate.

The report advised that in 2001 the council made a traffic regulation order which introduced permanent 20mph speed limits outside various schools throughout West Lothian. In 2002, this order was extended to include part-time speed limits outside schools. The order determined the hours of operation would be between 8.30am and 5.00am Monday to Friday.

It was envisaged that this time period would be sufficient to cover the hours of operation of all schools in West Lothian. However it had become apparent that this was no longer the case as since the original order there had been an increase in breakfast clubs and after school activities. It was therefore proposed that the time period that the part-time speed limit be in operation was changed to between 8.00am and 6.00pm to cover extended school activities.

The report recommended that the Council Executive approve the commencement of the statutory procedures to extend the time period part-time 20mph speed limits outside schools could be permitted to be in operation between 8.00am and 6.00pm Monday to Friday.

Decision

To approve the terms of the report.

13. APPLICATIONS TO CHALLENGE FUND

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing details of three applications made to the Challenge Fund and which were contained in Appendices 1, 2 and 3.

The Head of Social Policy advised that all three applications met the Challenge Fund Criteria and were entirely in keeping with a preventative approach to sustaining health and wellbeing.

The report recommended that the Council Executive approve the release of Challenge Fund monies to support the following applications:-

- Xcite Ageing Well ‘Changing Lifestyles Project £3,000 (one year)
- Uphall Community Management Committee £1,055.90
- Whitburn Pentecostal Church £3,182.95

Decision

To approve the terms of the report.

14. ALCOHOL DIVERSIONARY ACTIVITIES

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy seeking approval for the release of funds to undertake activities in relation to the Alcohol Diversionary Fund, as detailed in the two applications attached to the report.

The Head of Social Policy advised that a new governance process for the Alcohol Diversionary Fund was approved by the Council Executive on 21 January 2014, placing the responsibility for the funding with Social Policy.

As part of that approved process the two applications detailed in the report had proceeded through their Local Area Committee and had met the West Lothian Drug Partnership Joint Commissioning Plan outcomes. The two applications were as follows :-

Project Name	Funding Request 2014/15
Broxburn Friday Group	£10,550
Booze you Looze	£ 9,862

It was recommended that the Council Executive agree the release of £20,412 from the Alcohol Diversionary Fund to support the applications submitted by:-

- West Lothian Youth Action Project – Broxburn United Sports Club
- Excite East Calder – West Lothian Leisure – West Lothian Council Youth Action Project and West Lothian Council Sports Unit.

Decision

To approve the terms of the report

15. SCOTTISH GOVERNMENT CONSULTATION – NATIONAL CARE STANDARDS

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy seeking approval for the National Care Standards Review Draft Response to be submitted to the Scottish Government. Appendix 1 to the report contained the response.

The report advised that the National Care Standards were created in 2002 to help people understand what to expect from care services and help services understand the standards they should deliver.

The report advised that the Scottish Government believed it was possible to identify core elements of high quality care that should be common across public services. The aim of the proposals was to simplify, align and reduce overlap whilst ensuring the standards drive improvement.

The consultation was to seek the views of health and social care staff on developing quality standards for health and social care. It was the Scottish Government's view that this would help people using services better understand their rights and entitlement and would mean that people working in health and social care work to a set of core values.

The Head of Social Policy explained that in formulating the response council officers engaged with Health & Social Care staff. After the consultation's conclusion the responses would be analysed and used as part of the decision making process, along with a range of other available information and evidence to help the Scottish Government reach a

decision about how to proceed with the review of National Care Standards.

The report recommended that the Council Executive approve the draft response to the National Care Standards Review Consultation for submission to the Scottish Government.

Decision

To approve the terms of the report.

16. SCOTTISH FIRE AND RESCUE SERVICE INTRODUCTION OF RESOURCE BASED CREWING MODEL IN WEST LOTHIAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services advising on the introduction of a Resource Based Crewing Model (RBC) at Bathgate Fire Station and the implications for West Lothian.

The report advised that the Scottish Fire and Rescue Service (SFRS) wished to introduce a Resource Based Crewing Model in West Lothian, essentially affecting the Bathgate Fire Station but with implications for West Lothian.

The introduction of Resource Based Crewing at Bathgate Fire Station would reduce the whole-time duty system firefighter establishment from 77 to 61 a reduction of 16 staff.

The report went on to advise that the Director of Service Delivery Area East wrote to the Executive spokesperson on 9 September 2014 advising that the Resource Based Crewing was implemented at Bathgate Fire Station with effect from 1 September 2014 and that a local support officer would meet with the Bathgate Community Council, Bathgate Local Area Committee and the Association of Community Council.

The report recommended that the Council Executive:-

1. Acknowledge the introduction of the Resource Based Crewing model at Bathgate Fire Station from the 1st September 2014, with a reduction of 16 posts from the whole-time duty fire fighter establishment and advises of any further actions required.

2. Notes that the Scottish Fire and Rescue Service would meet with local organisations including the Bathgate Local Area Committee, Bathgate Community Council and the Association of Community Council to advise on the implementation.

Motion

Council Executive condemns the decision of the Scottish Fire and Rescue Service to reduce the complement of Full Time Firefighters in West Lothian by 16 and agrees to write to Roseanna Cunningham, the Minister for Community Safety and Legal Affairs to ask her to intervene to review

this decision.

- Moved by the Chair and seconded by Councillor Lawrence Fitzpatrick

Decision

To unanimously approve the terms of the motion.

17. SALE OF WEST LOTHIAN HOUSE – ALTERATION TO PAYMENT SCHEDULE

The Council Executive considered a report (copies of which were tabled) by the Head of Finance and Estates providing an update on a proposal by Land Securities, the purchasers of West Lothian House, to bring forward payment of the remaining instalments of the sale price for West Lothian House.

The report advised that the on 23 February 2010 the Council Executive approved the sale of West Lothian House to Almondvale (Livingston) Limited (a subsidiary of Land Securities) for the sum of £3 million. It was agreed at that time that payment of this amount would be spread over a total of six years. During years one to five, each annual instalment would be £300.000 with the final payment in years six being £1.5 million. At this stage four payments had been received totalling £1.2 million with a further payment of £300,000 due this year and the final payment of £1.5 million due next financial year.

The Head of Finance and Estates explained that Land Securities approached the council with a proposal to pay the remaining two instalments earlier than had been agreed in the payment schedule

The nominal amount outstanding on the price was currently £1.8 million. As Land Securities were offering to pay earlier than agreed, the council would make a saving on borrowing costs and taking this into account the settlement amount being proposed was £1.777 million represented good value for the council

The report recommended that the Council Executive:-

1. Note the approach by Land Securities to bring forward the payment of the final two instalments due in December of this year and next to a date as soon as possible; and

2. Approve acceptance of a single payment of £1.777 million to the council by Land Securities in full and final settlement of the sale price for West Lothian House.

Decision

To approve the terms of the report.

18. ELECTRIFICATION OF THE GLASGOW TO EDINBURGH VIA SHOTTS RAILWAY LINE

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of the extent and programming of works which would be undertaken by Network Rail to complete a missing link in the electrification of the Glasgow to Edinburgh via Shotts railway line.

The report advised that a section of Glasgow to Edinburgh via Shotts railway line between Holytown, North Lanarkshire and Midcalder junction was currently not electrified. The Shotts Line Electrification formed part of a wider electrification programme in Scotland which was being delivered by Network Rail on behalf of the Scottish Government.

Network Rail approached officers to discuss the works and the programme of delivery and advised that the works were being planned in two stages. The first stage was an advance works contract which Network Rail awarded and would involve route clearance, demolition of some structures, re-decking and some re-construction. The second stage was the installation and commissioning of the Overhead Line Equipment.

The report went on to advise that the works would require road closures and traffic management and the co-ordination of the works and how they would affect the public road network would be discussed in detail with Network Rail.

The Head of Operational Services provided brief details on the following elements of the advance works:-

- Breich Station and the A706
- Addiewell Station
- West Calder Station and the A71
- Blackmires Bridge
- Brucefield Park West
- Murieston Road

In conclusion the report advised that the Shotts Line Electrification works were welcomed by the council and would improve services and benefit the residents and businesses of West Lothian. The opportunity to engage with Network Road hand their appointed contractor at this stage of the planning was welcomed.

Discussions would be ongoing with Network Rail and local members would be fully briefed on the programme as more detailed emerged on the timing and phasing of the many elements of the work.

The report recommended that the Council Executive note that Network Rail were progressing the design and procurement of works to complete the electrification of the Glasgow to Edinburgh, via Shotts, railway line by 2018.

Decision

To note the terms of the report.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

SCOTTISH POLICE AUTHORITY CALL FOR EVIDENCE ON ARMED POLICING

REPORT BY HEAD OF HOUSING, CONSTRUCTION AND BUILDING SERVICES

A. PURPOSE OF REPORT

To provide the Council Executive with the proposed response to the Scottish Police Authority (SPA) Call for Evidence on Armed Policing, the submission has a response date of the 17th Oct however the SPA have agreed an extension to the 29th Oct to allow consideration by the Council Executive.

B. RECOMMENDATION

It is recommended that the Council Executive approves the response (Appendix 1) to the Scottish Police Authority (SPA) call for evidence on Armed Policing, to be submitted by 29th Oct.

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)**	SPA are inviting responses to inform the wider SPA scrutiny inquiry on armed policing. The Police and Fire Reform (Scotland) Act 2012 gives Local Authorities the right to monitor and provide feedback to the local commander on policing and make comment on improvements and provide scrutiny and monitoring on delivery.
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)**	None
VII	**Consideration at PDSP**	Due to restricted timescales the matter has not been discussed at PDSP, however Services for the Community PDSP members have been circulated a copy of the draft response for any comment.
VIII	**Other consultations**	Consultation with the West Lothian Community Safety Unit

D. TERMS OF REPORT

On 1 April 2013, a decision was taken by Police Scotland to allow its compliment of trained Armed Response Vehicle (ARV) police officers to deploy to routine incidents with visible sidearms across Scotland. In response to the public debate around this decision, the Scottish police Authority (SPA) and HM Inspectorate of Constabulary in Scotland (HMICS) have announced a complementary programme of review and inquiry.

HMICS has published the full terms of reference for its own assurance review to independently assess the current practices for the issue and carriage of firearms by ARV crews under a Standing Firearms Authority. In parallel, the SPA has established a scrutiny inquiry to consider the public impact of Police Scotland's decision around firearms deployment, and the level of engagement which helped to inform this decision.

The SPA inquiry will be informed by the findings of the HMICS assurance review and as part of their own enquiry review, are inviting stakeholders and interested parties to complete the accompanying evidence form (Appendix 1) in order to capture the views and opinion of others and report overall findings and recommendations to the full Authority at its public meeting on 17 December 2014. The SPA initially established the 17Oct as the deadline for response, although has kindly agreed an extension to the Council to allow the matter to be considered by the Executive Committee on the 28th Oct.

Since the call for evidence was initially launched there has been considerable discussion over the policy of police officers carrying weapons while on routine patrol.

Earlier this month, Police Scotland, confirmed that specialist armed force officers will only be deployed to firearm incidents or where there is a threat to life. The SPA have also confirmed that they will be continuing with their inquiry.

E. CONCLUSION

The SPA has initiated an inquiry into armed policing and the attached Appendix provides the proposed council response.

F. BACKGROUND REFERENCES

Appendices/Attachments:

SCOTTISH POLICE AUTHORITY ARMED POLICING EVIDENCE FORM - (Appendix 1)

Contact Person: Alistair Shaw, Head of Housing, Construction and Building Services
phone number : 01506 281754

email address: alistair.shaw@westlothian.gcsx.gov.uk

Date of meeting: 28th October 2014

SCOTTISH POLICE AUTHORITY ARMED POLICING EVIDENCE FORM

This form is part of the Scottish Police Authority's scrutiny inquiry into Police Scotland's decision to allow trained Armed Response Vehicle (ARV) police officers (around 275 in number) to deploy to routine incidents with visible firearms across Scotland (routine incidents are those which do not require firearms and where trained ARV police officers are supporting local police officers or tackling local priorities in their day to day work).

The Authority is inviting stakeholders and interested parties to complete the form in order to capture their experiences, views and opinions as part of the inquiry process. Once officers of the Authority have collated all the responses, they will be analysed and the results used to inform the wider SPA scrutiny inquiry.

The inquiry will draw together both its own findings and that of a separate HMICS assurance review, and report with overall findings and recommendations to the full Authority at its public meeting on 17 December 2014.

Please indicate whether the response is from a member of the public, elected representative or organisation:	Organisation
Elected representative (if applicable):	
Organisation (if applicable):	West Lothian Council
Date completed:	**28th October 2014**

SECTION ONE – COMMUNITY IMPACT

Has Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms impacted on your and/or the public's feelings of safety and security? If so, how?

It is West Lothian Councils opinion that we would accept the need for armed officers where the incident justifies it or the threat of an incident justifies it, however we would be against the use of visible firearms on routine incidents and routine patrols.
The decision taken by Police Scotland to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms was not consensual in that it lacked any consultation with the Community prior to the decision being taken. As a result the decision could undermine the public confidence in Police Scotland to police with consent and that policing reflected local needs and priorities.

Has Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms impacted on your and/or the public's fear of crime? If so, how?

It is West Lothian Councils opinion that the decision of Police Scotland to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms does little to impact on our communities fear of crime and indeed may unnecessarily heighten the fear of crime by members of the public.

Has Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms impacted on your and/or the public's levels of satisfaction with Police Scotland? If so, how?

It is West Lothian Councils opinion that the decision of Police Scotland to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms has potentially undermined levels of community satisfaction with Police Scotland in that such a significant decision was taken without any consultation with the community nor did the decision demonstrate an understanding of local community needs or priorities

Has Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms impacted on your and/or the public's levels of confidence and trust in Police Scotland? If so, how?

It is West Lothian Councils opinion that the decision of Police Scotland to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms has potentially undermined levels of community confidence and trust with Police Scotland in that such a significant decision was taken without any consultation with the community nor did the decision demonstrate an understanding of local community needs or priorities

Does Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms have any human rights or civil liberties implications for you and/or the public? If so, what are these implications?

It is West Lothian Councils opinion that we would accept the need for armed officers where the incident justifies it or the threat of an incident justifies it, however we would be against the use of visible firearms on routine incidents and routine patrols.

Does Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms have any equality implications for you and/or the public? If so, what are these implications?

With regards to equalities, it is within the understanding that resourcing trained ARV police officers with visible firearms to routine incidents should be deployed equally across the nation, or at strategic points so that in the eventuality of an incident occurring in any town or village requiring an armed response, the response time should be approximately the same. In contradiction however, it is also recognised that if resources will be deployed on routine patrol it is most likely to be where the risk is higher and the need greater.

Any other comments on community impact:

Until there is provision for a full community consultation, it is very difficult to anticipate what the public's reaction would be and it is preferred to evidence the response rather than anticipate one.

SECTION TWO – CONSULTATION & ENGAGEMENT

Has Police Scotland engaged with you in any manner about its policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms? If yes, what was the nature of this engagement and when did it occur? Did you initiate any of this engagement with Police Scotland?

No, there has been no engagement with Police Scotland about its policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms.

Have you received any information from Police Scotland about its policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms? If yes, what information was provided and when? Did you actively request this information from Police Scotland?

No, there has been no information received from Police Scotland about its policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms.

How would you assess the level of consultation that has taken place on Police Scotland's policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms? Please outline the reason(s) for your answer, if possible.

No consultation has taken place
There has been no consultation with Police Scotland about its policy of allowing its complement of trained ARV police officers to deploy to routine incidents with visible firearms. Equally there has been no opportunity to discuss this subject with colleagues, members of the public and other local authority areas representatives.

Would you expect Police Scotland to engage with the public and/or seek their views about deploying trained ARV police officers to routine incidents? Please outline the reason(s) for your answer, if possible.

Yes, we would expect Police Scotland to engage with the public and/or seek their views about deploying trained ARV police officers to routine incidents.

The reason for this is that whilst it is understood that the onus of responsibility re deployment of armed resources rests with the Chief Constable, it would be reassuring to know that the effect on communities was being taken into consideration prior to making any decision. The weight of any decision should include the level of threat /risk and whether it is an armed response required or routine patrol only.

How can Police Scotland best address any public concerns and provide reassurance to individuals, groups or communities regarding its firearms deployment policy?

Police Scotland would have to carry out a full public consultation in order to find out what concerns the public has and then decide how best to alleviate those concerns, whether it be through direct communication or in Partnership.

Any public reassurance should be tailored to suit the needs of the community and the delivery should be in a way that suits the age group and concern level. Any delivery that is interactive and face to face would be best to those groups of people most affected.

What, if any, lessons can be learned from the implementation of Police Scotland's firearms deployment policy about how operational policing decisions which may have wider strategic or community impact are consulted upon and communicated?

Implementation of Police Scotland's firearms deployment policy should only be carried out after a full public consultation. Should there be a negative reaction from members of the public, it is advisable that other Partners like local authorities are aware of what the concerns are and that there is no dubiety about the plan of action for public reassurance.
Creating safer communities in Scotland requires a partnership and consensual approach if it is to be both sustainable and reflective of community needs and priorities.

Any other comments on consultation and engagement:

Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms, without any consultation replicates the approach taken by Police Scotland in relation to Traffic Wardens and closure of Police stations. All three decisions which potentially have significant impact on local communites have been undertaken as "operational decisions" without any meaningful engagement with local communities.

The Police and Fire Reform (Scotland) Act 2012 gives Local Authorities the right to monitor and provide feedback to the local commander on policing and make comment on improvements and provide scrutiny and monitoring on delivery.

In West Lothian, Police Scotland provides performance and updates or intentions of change to delivery at a variety of meetings including the Services to the Community PDSP, Community Safety Board, and Community Planning Partnership meetings.

SECTION THREE – GENERAL VIEWS ON ARMED POLICING

Assuming it is necessary for some trained ARV police officers to have immediate access to firearms and be available across Scotland, on a scale of 1 to 5 (with 1 being very reassured and 5 not at all reassured) please rate the following options:

a) A limited number of trained ARV police officers carrying visible firearms and attending routine incidents in support of local police officers or local priorities.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 X

b) A limited number of trained ARV police officers carrying firearms covertly and attending routine incidents in support of local police officers or local priorities.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 X

c) A limited number of trained ARV police officers carrying visible firearms but only being deployed to incidents where firearms are necessary or when the public or police officers are at imminent risk.

1 X 2 ☐ 3 ☐ 4 ☐ 5 ☐

Option c) in this question would mean that trained ARV police officers would not attend routine incidents in support of local police officers or local priorities. Does this restriction on their productivity or wider contribution to local policing give you any cause for concern? Please outline the reason(s) for your answer, if possible.

It is unclear how this would be used as a measure of productivity. West Lothian Council would expect that all Police Scotland resources were used in the most efficient and effective manner.

SECTION FOUR – ANY OTHER COMMENTS

West Lothian Council would seek to record that Police Scotland's decision to allow its complement of trained ARV police officers to deploy to routine incidents with visible firearms without any consultation is the third significant decision that Police Scotland have made in the past 12 months without any consultation with the community.

SECTION FIVE – FURTHER EVIDENCE

The Scottish Police Authority will be holding a series of evidence sessions around the country on this issue. Do you wish to be considered to participate and provide evidence at one of these events? **(Please note that due to time and resource constraints only a limited number will be able to provide evidence at these sessions.)**	**Yes X** **No ☐**
Contact details: **Name :– Alison Ritchie** **Address or email alison.ritchie@westlothian.gov.uk**	

SECTION SIX – HANDLING YOUR RESPONSE

Do you wish your response to be made public?	**Yes X** **No ☐**

SECTION SEVEN – INTERNAL USE ONLY (to be completed by Scottish Police Authority Officers)

Date received:	
Received by:	

West Lothian Council

COUNCIL EXECUTIVE

COMMUNITY SPORT HUBS

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the Council Executive of the success of the Community Sport Hub at Armadale Academy and request that Council Executive endorses a proposal to establish further Community Sport Hubs (CSHs) in West Lothian in line with **sport**scotland investment and targets.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the success of the Armadale CSH; and
2. approves the development of further Community Sport Hubs in West Lothian, from 2015/16 up to and including 2019/20, to the following schedule:

Year 1 - Whitburn Academy;
Year 2 - Bathgate Academy Sports Trust;
Year 3 - Linlithgow Academy;
Year 4 - St Margaret's Academy; and
Year 5 - West Calder High School;

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; and 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**	Increase number of accredited clubs. Increase in participant activity sessions
V	**Relevance to Single Outcome Agreement**	We live longer, healthier lives and have reduced health inequalities.

VI	**Resources - (Financial, Staffing and Property)**	Prospective **sport**scotland investment of £222,635 over financial years 2015/16 to 2019/2020 in West Lothian community sports hubs.
VII	**Consideration at PDSP**	The paper was presented to the Culture and Leisure PDSP on 16 October 2014. The PDSP agreed to recommend that the council executive approve the recommendations to develop five new Community Sports Hubs.
VIII	**Other consultations**	WLC Corporate Management Team; WLC Human Resources; WLC Financial Management Unit; WLC Education Services; West Lothian Leisure Ltd; and **sport**scotland.

D. TERMS OF REPORT

D1. Background

The Scottish Government's 2014 Commonwealth Games Legacy Plan, published on 1 September 2009, identifies the Community Sport Hub (CSH) project as a key mechanism for supporting sports clubs, working groups and sporting organisations with the aims of increasing provision of sport and physical activity in local communities.

Since 2011 **sport**scotland has provided financial investment to West Lothian Council to develop Community Sport Hubs. The current investment agreement between sportscotland and West Lothian Council ceases on 31 March 2015.

With the recent information from **sport**scotland that funding will continue, the Sports Development and Facilities Team purposes to work with **sport**scotland and identified schools to develop further CSHs in West Lothian.

West Lothian's current CSH project at Armadale Academy has been recognised nationally as a model of good practice. Therefore, West Lothian Council is in the fortunate position of having an example of what works well when developing future plans

D2. Armadale Community Sport Hub

Introduced in February 2012, Armadale CSH, based at Armadale Academy, has achieved success by increasing the number of clubs using the school facilities – from nine in 2011/12 to 31 in 2013/14; and club memberships from **373** in 2011/12 to **1,807** in 2013/14.

Affiliated CSH members continue to recognise the importance of the CSH project as it making a significant contribution towards the development of a successful sporting infrastructure and provides members of the school and local community with the opportunity to progress and achieve success through sport and physical activity

The CSH at Armadale contributes significantly to increasing community access to facilities by opening up the school estate and supplying a 'home' for local clubs, working groups, and organisations to grow and prosper. It shows a commitment to meeting the aims identified by the Scottish Government of:

- working together to create a welcoming and memorable experience;
- working together to aid club growth and sustainability; and
- working together to develop pathways that assist life-long participation.

CSH funding, provided by **sport**scotland, was used in the initial funding period (2010/11 to 2014/15) to directly fund one sports development and one administrative post at the Armadale CSH to develop the initiative. The success of the Armadale CSH, through growth in usage and associated income generation, has meant that the Armadale CSH and associated staffing model is now financially sustainable and not reliant on future **sport**scotland funding.

sportscotland has confirmed that it will not continue to fund Armadale CSH directly after March 2015 as it has already received funding support and has now reached its target of financial sustainability. However, strategic support will continue to be provided to Armadale CSH by the Sports Development and Facilities team to ensure there is no reduction in support to this successful CSH. To ensure usage and income targets continue to be achieved and the hub is maximising its potential, the CSH will also continue to explore working with other local partners, particularly the council's senior partner – West Lothian Leisure.

D3. 2015 – 2020 Planning Framework

sportscotland has indicated that funding post March 2015 will be of a similar level to the previous funding investment (up to £222,635 over five years).

For the level of investment proposed, however, sportscotland has set West Lothian a target to achieve an addition five CSHs over the next funding period (2015/16 to 2019/20).

There has been a great deal of learning gained over the initial five year period of CSH funding. This learning will shape the future CSH planning framework. While Armadale CSH is a model of good practice, it would be difficult to replicate exactly the same model in five other schools within the same time frame.

It is, therefore, proposed that the **sport**scotland funding allocation for 2015/16 to 2019/20 is utilised to fund a dedicated CSH Lead Officer, based within the Sports Development and Facilities team, to develop five further CSHs within West Lothian. This officer will provide support to schools and clubs to develop the CSH aims and objectives, and utilise lessons learned from the successful Armadale CSH model to add value to existing out of hour provision at secondary schools within West Lothian.

The CSH Lead Officer will work within, and make best use of, existing staffing and operational resources which are available such as existing posts which facilitate the opening of school facilities out-with curricular time. The lead officer will also progress external funding applications to support any planned CSH developments where appropriate.

Providing additional support to secondary schools contributes towards clubs, working groups and organisations receiving a welcoming and reliable service when utilising facilities for growth and development.

D4. Proposed CSHs 2015 - 2020

The long-term aspiration of the Sport and Outdoor Education team is that all secondary schools in West Lothian will adopt the principles of the CSH model. This is supported by the approved West Lothian Indoor Facilities Strategy which identifies the role of secondary school sports facilities as club development sites. In order to develop the model sufficiently, within allocated resources, and to achieve the **sport**scotland target of five new CSHs, it is proposed that CSHs be developed at the the following five facilities within the 2015-2020 funding agreement:

- Whitburn Academy
- Bathgate Academy Sports Trust;
- Linlithgow Academy;
- St Margaret's Academy;
- West Calder High School; and

In an attempt to develop the CSH model efficiently and in a constructive manner, one additional CSH facility will be phased in annually throughout the funding period.

Of the remaining five secondary schools, Deans and Inveralmond CHSs already have significant structures in place to facilitate community and club use of the school sports facilities and Broxburn Academy, James Young Community High School and St Kentigern's Academy operate within localities in which well-developed Community Sports Clubs operate – Broxburn United Sports Club, Murieston United Football Club and Blackburn United Community Football Club. While it is the intention to develop the CSH model in these schools, in the long term, the Sports Development and Facilities team will continue to work with these schools to improve community access and links between schools and community clubs in their catchment areas.

D4.1 Whitburn Academy (Year 1)

Whitburn has been identified as an area that would benefit from support of a CSH. Discussions with the head teacher have highlighted a lack of awareness the local community of the facilities available at Whitburn Academy. Consultation with West Lothian Leisure has been undertaken to discuss ways to work together if Whitburn was to become a Community Sport Hub. A Hub at Whitburn Academy would complement the existing community regeneration, club and facility developments in the town. The Hub would offer additional development for local clubs particularly the Whitburn SCA (Sports Club Association), Whitburn Junior FC and support the King George V park development.

D4.2 Bathgate Academy Sports Trust (Year 2)

Developing the existing infrastructure of Bathgate Academy Sports Trust would further enhance and provide support to sports clubs. In turn this would provide greater opportunities for the school and local community.

D4.3 Linlithgow Academy (Year 3)

A staffing structure currently supports out of hours access to the sports facilities at Linlithgow Academy. It is felt that by developing this model into a CSH it too would enhance and support the clubs and, in turn, develop provision for the school and local community.

D4.4 St Margaret's Academy (Year 4)

St Margaret's Academy also currently supports a good level of facility access for local sports clubs. Introducing a CSH to St Margaret's Academy would supply clubs with additional support mechanisms which would enhance membership growth potential and increase community sport provision which would strengthen sporting pathways between the school and the community.

D4.5 West Calder High School (Year 5)

It is proposed that the option of a Community Sport Hub at West Calder High School should be explored once the new PE block is completed and encourage community use of the new facilities.

D5. Local Strategic Suitability

CSHs are currently, and will continue to be, embedded in Ward Action Plans linking into a wide range of partners to support Active Schools, Community Regeneration, West Lothian Leisure Learning Communities and Health Improvement.

The CSH model in West Lothian is driven by community members supporting clubs, working groups, and sporting organisations to improve participation and engagement through diverse development approaches. Identifying requirements prior to introducing a CSH is important as project developments will primarily be driven and guided by those close to the community.

Tailoring the CSH model is necessary and has been shown to promote project ownership thus providing community members and partners with a 'voice', steering change and development.

D6. Partnership Involvement

CSHs continue to offer all local partners a number of opportunities in an attempt to increase service provision in the community. For example, discussions with West Lothian Leisure commenced throughout project implementation in 2012; with many opportunities being offered in an attempt to expand services through various avenues including:

- health and fitness Instruction;
- swimming lesson provision;
- continued professional development for staff members; and
- group fitness instruction.

Complementing and supporting business growth is essential when embedding the CSH project into local infrastructures and achieving future sustainability. Developing strong sustainable partnerships with PPP contractors has proven to be beneficial from the current CSH model in Armadale Academy. The opening up of the school estate and increasing the provision of sport in local communities strongly supports a sense of community.

D7. PDSP Consideration

The proposal to establish five new CSHs was presented to the Culture and Leisure PDSP on 16 October 2014. The PDSP agreed to forward the report to the Council Executive with a recommendation that the proposal be approved.

E. CONCLUSION

Opening up existing secondary schools through the CSH model pioneered at Armadale Academy facilities provides clubs, working groups and organisations with the opportunity to increase sports provision and physical activity in local communities.

F. BACKGROUND REFERENCES

- West Lothian Council Legacy Plan 2013-2019
- West Lothian Leisure Indoor Facility Strategy

Appendices / Attachments: None

Contact Person:
(Dean Paterson, Sports Development Officer (Legacy & Community Sport Hub Lead), dean.paterson@westlothian.gov.uk;
Lorraine Durie, Sports Development & Facilities Team Leader, 07795391008, lorraine.durie@westlothian.gov.uk)

Steve Field
Head of Area Services

28 October 2014

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

PLACEMAKING IN WHITBURN

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the Council Executive of:

- the success of the application made to the Scottish Government's Charrette Mainstreaming Programme 2014/15; and
- the proposed plans for supporting a Placemaking approach within Whitburn, undertaking both a 'charrette' exercise and Sustainable Placemaking workshops as part of the 'Good Places, Better Health' programme.

B. RECOMMENDATION

It is recommended that Council Executive approves:

1. the timescale for the project set out in Appendix A, in particular, that the Sustainable Placemaking workshops will take place in early December 2014 and the charrette exercise will take place in March 2015; and
2. the reporting arrangements for the project i.e. report progress to the Community Planning Partnership and Whitburn and Blackburn Local Area Committee, and provision of a report to the Development and Transport PDSP following the charrette.

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.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The proposed Placemaking in Whitburn initiative reinforces the council's commitment to community planning at a local level.
III	**Implications for Scheme of Delegations to Officers**	None.
IV	**Impact on performance and performance Indicators**	None.
V	**Relevance to Single**	- Our economy is diverse and dynamic, and

	Outcome Agreement	West Lothian is an attractive place for doing business. - 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)**	Up to £20,000 part funding has been awarded by the Scottish Government. Match funding will be provided from the council's Town Centre Improvement Fund.
VII	**Consideration at PDSP**	None.
VIII	**Other consultations**	Consultation has taken place with the following services: - Finance and Estates. - Planning and Economic Development. - Community Planning. - Operational Services. Whitburn Community Development Trust and Whitburn Community Council were consulted in the development of the charrette application.

D. TERMS OF REPORT

D1 Background

An application was submitted to the Scottish Government's *Charrette Mainstreaming Programme 2014/15* to obtain match funding to undertake a town centre 'charrette' (an intensive planning and community engagement exercise) in Whitburn. This recognises that an approach that looks at the planned and potential investments for the town as a whole is required. The Scottish Government has recently advised that the Whitburn application is one of the projects that has been approved for funding.

The charrette exercise is intended to take place in March 2015 and, from this, a masterplan for Whitburn will be produced which will look to:

- determine a long-term vision for the town;
- ensure the process of planning for the proposed Partnership Centre in Whitburn recognises wider social and environmental factors, and complements town centre regeneration;
- provide an implementation plan for utilising town centre funds, both from the existing capital programme, future developer contributions and other available external funding;
- integrate the Heartlands residential and business developments with the town, in particular with the town centre, socially, economically and physically;
- provide an evidence base and strategic context for developing major plans for Polkemmet Country Park and better linking this within the main fabric of the town; and
- provide a framework for planned and future community regeneration activity.

Given the scale of the project and the necessary specialist expertise there will be a significant amount of external support required. This is what the funding is to be used for and is reflected in the amount of funding applied for. Where possible, officers from the council and Community Planning Partners will be involved to ensure that the emerging designs and other outputs from the process align to the agreed wider priorities of partners.

To progress this, a number of tasks will be undertaken in the short-term:

- brief local partners and community representatives on the proposal;
- initiate a steering group to manage the charrette consisting of the chair of the Whitburn Town Centre Management Group, officers from Planning, Economic Development, Community Planning and Community Regeneration, and representatives from both Whitburn and District Community Development Trust and Whitburn and Greenrigg Community Council; and
- establish the governance and reporting arrangements for the project: as the placemaking approach ties in with Community Planning, progress will be reported to the Community Planning Partnership Board. Updates will also be provided to the Whitburn and Blackburn Local Area Committee on a regular basis to ensure local members have an overview of progress, and a report will be provided to the Development and Transport PDSP following the charrette exercise.

Detail on the timescale is set out in Appendix A.

D2 Sustainable Placemaking programme

This work also provides the opportunity to pilot the 'Sustainable Placemaking' workshop. These workshops are part of the *Good Places Better Health* (GPBH) programme which is the Scottish Government's strategy on health and the environment. The workshop, delivered by Architecture and Design Scotland (ADS), uses a whole town approach to planning investment for communities and decision makers. The output of the tool is the setting of priorities for shared working which can inform detailed strategies and investments.

To take the work of GBPH forward it has been agreed to apply the principles of this programme in a real place where investments, public sector service change and dialogue with communities are planned. As the charrette placemaking exercise is planned for Whitburn this would be the most appropriate place to carry out the Sustainable Placemaking exercise.

Using the GPBH Sustainable Placemaking process as a pre-cursor to the charrette could benefit the charrette in the following ways:

- Ensure that broader health and environmental perspectives are taken into consideration when establishing shared outcomes, setting the context for the charrette.
- Set a framework for the implementation of the charrette and a benchmark against which it can be evaluated.

- Provide a robust and informed brief to inform the charrette, better enabling officers to recruit the correct internal and external support for the charrette.
- Enable quality information to be obtained and developed prior to the charrette allowing for better quality dialogue to take place within the charrette process, based on local knowledge and discussions.

D3 Workshops with Stakeholders

To take this work forward, two Sustainable Placemaking workshops will be held; firstly with senior staff and the relevant resources holders from across the Community Planning Partnership, and secondly with local practitioners, community and business representatives. In line with the timescale for the charrette, it is proposed that the workshops are held in early December, and will be facilitated by ADS. The outcome of both sessions will be brought together to shape a robust brief for the proposed charrette, and ongoing project work for Whitburn.

The charrette exercise would then focus on translating the desired shared outcomes into practical and deliverable projects.

E. CONCLUSION

The resources that have been committed to Whitburn as part of the council's capital programme create an opportunity to employ a placemaking approach within the town to ensure that these resources are utilised most effectively. The placemaking initiative also enables the council to assess the benefits of this approach and to develop capacity for work of this nature within the authority.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments:

Appendix A: Placemaking in Whitburn Timescale

Contact Person: Scott McKillop, Community Regeneration Officer, 01506 281092, scott.mckillop@westlothian.gov.uk

Steve Field, Head of Area Services.

Date of meeting: 28 October 2014

Appendix A: Placemaking in Whitburn Timescale

Timescale	**Milestone**
August 2014	Application submitted
Late September	Response to application
Mid October	Brief members/ community representatives/ partners
Late October	Brief local partners
28 October	Report to Council Executive
Early November	Initiate Steering Group
3 November	Report to CPP Steering Group
17 November	Report to CPP Board
24 November	Report to Local Area Committee
Early December	Undertake both Sustainable Placemaking workshops.
Early December	Finalise Brief and send out to tender
Early January 2015	Contractor(s) appointed.
January/ February	Pre-charrette activity.
w/c 23 March 2014	Charrette carried out.
March onwards	Post-charrette activity.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

APPOINTMENT OF LAY MEMBER TO THE ADDIEWELL PRISON VISITING COMMITTEE

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To recommend the appointment of a lay member to the Prison Visiting Committee for HMP Addiewell, West Lothian.

B. RECOMMENDATION

The Council Executive is asked to approve the appointment of Allan Kidd as a non-elected member for West Lothian to the Prison Visiting Committee for HMP Addiewell, West Lothian.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Being honest, open and accountable Working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The Prisons and Young Offenders Institutions (Scotland) Rules 2006.
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)**	None
VII	**Consideration at PDSP**	N/A
VIII	**Other consultations**	Public recruitment process conducted.

D. TERMS OF REPORT

In terms of the Prisons and Young Offenders Institutions (Scotland) Rules 2006, the Council is responsible for making appointments to the Visiting Committee for HMP Addiewell, West Lothian. West Lothian is responsible for appointing five members to the Addiewell Prison Visiting Committee.

The principal role of the Visiting Committee is to satisfy itself as to the state of and administration of the prison and, in particular, the treatment of prisoners. This involves members of the Prison Visiting Committee in carrying out rota visits to the prison with a minimum of two members of the Visiting Committee visiting the premises every fortnight. The purpose of rota visits is to make sure that the prison is being run properly and that staff are carrying out their functions as they should. The Visiting Committee is required to advise the Scottish Government of any abuse which comes to their attention if the Director of the prison is unwilling, or otherwise fails to rectify the matter. Prison Visiting Committees, or individual members, are also required to hear complaints or requests which individual prisoners wish to make.

The Addiewell Prison Visiting Committee currently comprises three lay members and one elected member. Councillor Frank Toner was appointed by the council to the Visiting Committee in February 2013.

The present lay members of the Visiting Committee were appointed following a recruitment campaign conducted in August 2010.

As a result of a resignation, a recruitment campaign commenced in May 2014 in West Lothian to invite members of the public to apply to become a non-elected member of the Visiting Committee. An appointment sub-committee of the Visiting Committee was convened and interviews were conducted on 1 August 2014. Following the interview process, the sub-committee has recommended the appointment of Allan Kidd. Appropriate clearance has been obtained through Disclosure Scotland.

The visiting Committee is likely to cease to exist next year as a result of legislation which will put a replacement structure in place under the auspices of Her Majesty's Chief Inspector of Prisons for Scotland.

E. CONCLUSION

The Council is required to appoint five members to the Visiting Committee for HMP Addiewell, West Lothian. There is currently 1 vacancy and it is recommended that the Council Executive approve the appointment of Allan Kidd.

F. BACKGROUND REFERENCES

The Prisons and Young Offenders Institutions (Scotland) Rules 2006.

Appendices/Attachments: None

Contact Person: James Millar, Solicitor/Committee Services Manager. Tel No.01506 281613

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Julie Whitelaw, Head of Corporate Services

Date: 28 October 2014

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

DRUMSHORELAND ROAD, PUMPHERSTON – PROPOSED STOPPING-UP ORDER

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to initiate the statutory procedures to stop-up a section of public road on Drumshoreland Road, Pumpherston to facilitate the construction of a new distributor road and housing development.

B. RECOMMENDATION

It is recommended that the Council Executive approves the initiation of the statutory procedures to stop-up the section of public road on Drumshoreland Road.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs and working in partnership.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	**Legal:** Promotion of a stopping-up order under the Town and Country Planning (Scotland) Act 1997.
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	None
V	**Relevance to Single Outcome Agreement**	The project will contribute to the outcome: "We live in resilient, cohesive and safe communities."
VI	**Resources - (Financial, Staffing and Property)**	Promotion of stopping-up order and associated works will be funded through the Roads and Transportation capital budget.
VII	**Consideration at PDSP**	None
VIII	**Other consultations**	Ward members, Police Scotland and businesses and residents on Drumshoreland Road have been consulted.

D. TERMS OF REPORT

D.1 Background

On 17 September 2014, planning consent was granted for the construction of a new distributor road from the B8046 Pumpherston Road through Drumshoreland Bing to Drumshoreland Road. This road is required to provide access to housing sites identified in the local development plan.

In order to allow the implementation of this consent, it is necessary to stop-up a length of public road on Drumshoreland Road east of the vehicular exit from Pumpherston and Uphall Station Community Primary School. In doing so, this section of road will become redundant and will be removed from the list of public roads upon completion of the new distributor road.

The attached drawing no. TP/B590/5/CONS/3 shows the section of road that requires to be stopped-up.

D.2 Consultation

Residents and businesses along the length of Drumshoreland Road have been notified of the proposal to stop-up this section of road. No comments have been received.

Police Scotland has also been consulted and has no objection to the proposed stopping-up order.

Local ward members have been consulted and no comments were received.

The proposals to stop-up the section of road on Drumshoreland Road will be advertised and any unresolved objections will be reported back to the Council Executive for determination.

E. CONCLUSION

The stopping-up of this section of public road is required to facilitate the new distributor road and housing development. It will remove through traffic between Pumpherston and Uphall Station Primary School and Pumpherston Road and benefit local residents and reduce traffic volumes providing a safer route for children attending the primary school.

F. BACKGROUND REFERENCES

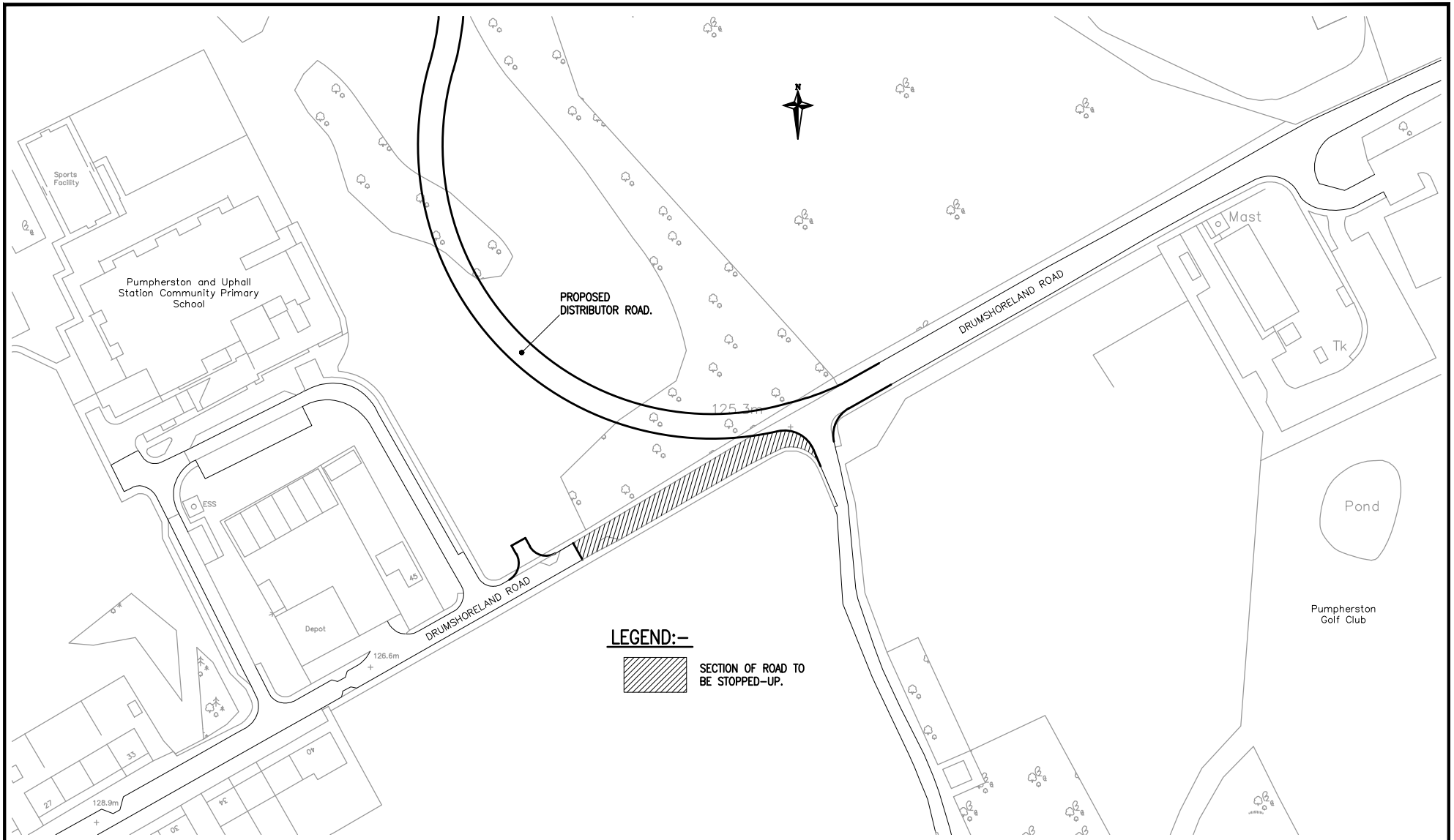
Planning Approval – Ref: 0497/FUL/14

Appendices/Attachments: Drawing No. TP/B590/5/CONS/3

Contact Person: Ronald Fisher, Projects Manager, Tel: 01506 282330.

Jim Jack, Head of Operational Services

28 October 2014



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TRANSPORTATION
PROJECT DESIGN & IMPLEMENTATION

DRUMSHORELAND DISTRIBUTOR ROAD, PUMPHERSTON
SECTION OF ROAD TO BE STOPPED - UP

DATE:- October 2014
SCALE:- N.T.S.
DRAWN BY:- B. Robertson
CHECKED BY:- R. Fisher

Drg. No.:- TP/B590/5/CONS/3

West Lothian Council

COUNCIL EXECUTIVE

WINDYKNOWE PRIMARY SCHOOL, BATHGATE – AMENDMENTS TO THE EXISTING SPEED LIMIT AND TRAFFIC CALMING MEASURES

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to initiate statutory procedures to amend the existing speed limit on the A89 Glasgow Road, Bathgate at Windyknowe Primary School and amend the existing traffic calming measures.

B. RECOMMENDATION

It is recommended that the Council Executive approves:

- the commencement of the statutory consultation to introduce a part-time 20mph speed limit on the A89 Glasgow Road, Bathgate on the approaches to the proposed access road to Windyknowe Primary School;
- the commencement of the statutory consultation to extension of the existing 30mph speed limit 180m west of its existing position; and
- the amendment of the existing traffic calming measures in support of the part-time 20mph speed limit.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	**Legal:** The proposed part-time 20mph speed limit and extension of the existing 30mph speed limit will require the promotion of a traffic regulation order under the Road Traffic Regulation Act 1984.
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	None
V	**Relevance to Single Outcome Agreement**	The projects will contribute to the outcome: "We live in resilient, cohesive and safe communities."

VI	**Resources - (Financial, Staffing and Property)**	The introduction of the measures is a planning requirement in relation to the provision of a new access/drop-off facility to Windyknowe Primary School. The cost of amending the speed limits and associated amendments to the existing traffic calming measures is estimated to be £70,000 and will be funded through the Roads and Transportation Capital budget.
VII	**Consideration at PDSP**	None
VIII	**Other consultations**	Ward members and Police Scotland have been consulted.

D. TERMS OF REPORT

D.1 Background

On the 21 October 2014, planning consent was granted for the construction of a new access road/drop-off facility off the A89 Glasgow Road for Windyknowe Primary School. In line with other schools and maintain a consistent approach throughout West Lothian it is necessary to provide a part-time 20mph speed limit over a section of the A89 Glasgow Road.

Traffic calming measures already exist in the form of carriageway narrowings and traffic islands. However, amendments will be required to these measures due to the location of the proposed access. The amendments will also assist in ensuring the proposed part-time 20mph speed limit is self-enforcing.

Drawing number TP/B594/8/CONS/1 details the proposed amendments to the existing speed limit.

D.2 Consultation

Police Scotland has been consulted and has no objection to the proposed amendments to the speed limit and traffic calming.

Local ward members have been consulted and no comments were received.

The proposed reduction in the speed limit and traffic calming measures will be advertised and any unresolved objections will be reported back to the Council Executive for determination.

E. CONCLUSION

The proposed amendments to the existing speed limit and traffic calming measures are required in connection with the new access and drop-off facility for Windyknowe Primary School. Their introduction will bring consistency in provision of safety measures outside primary schools and provide a safer environment for children going to and from the Windyknowe Primary School.

F. BACKGROUND REFERENCES

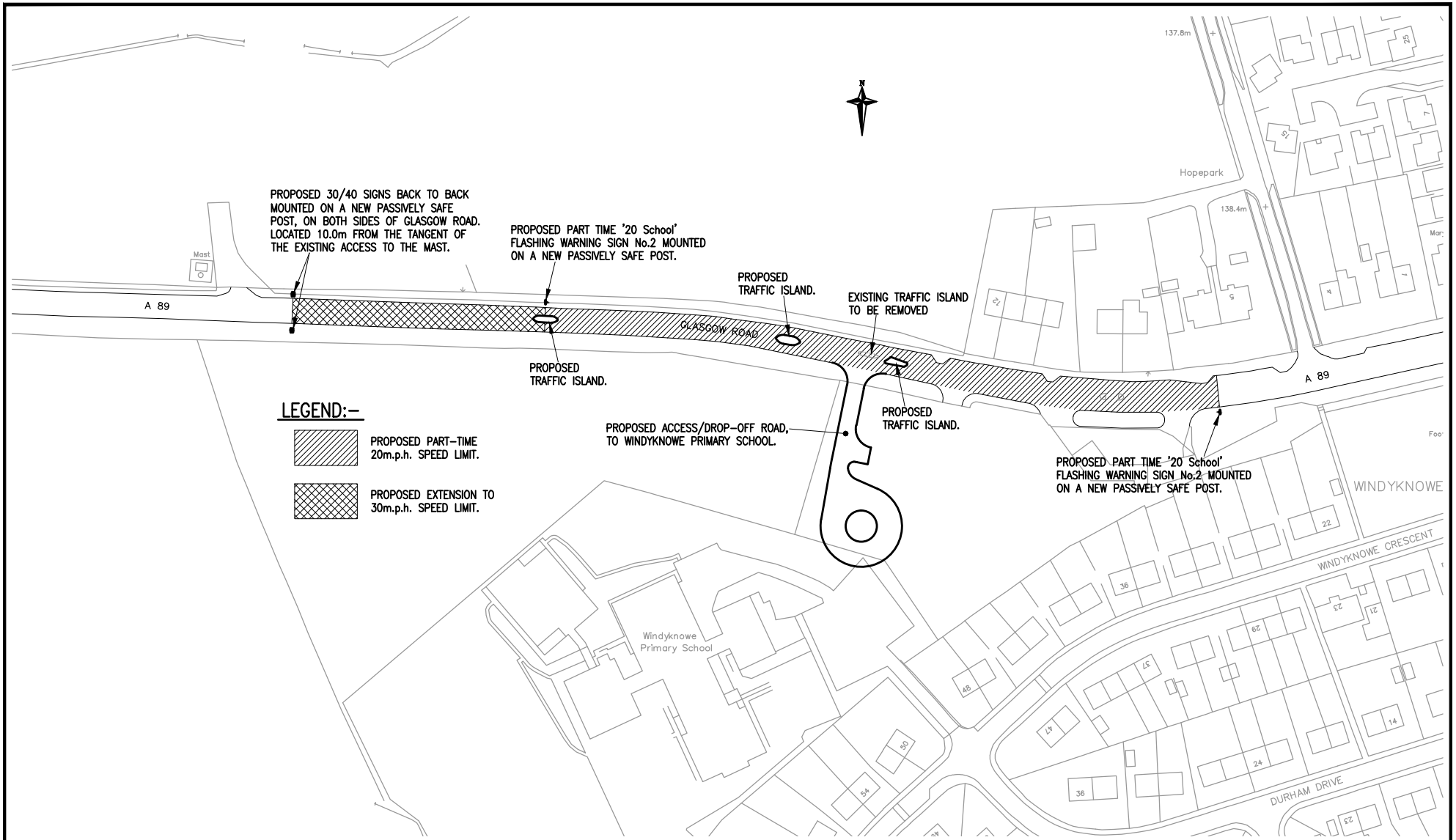
Planning Approval – Ref: 0615/FUL/14

Appendices/Attachments: Drawing No. TP/B594/8/CONS/1

Contact Person: Ronald Fisher, Projects Manager Tel: 01506 282330.

Jim Jack, Head of Operational Services

28 October 2014



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TRANSPORTATION
PROJECT DESIGN & IMPLEMENTATION

A89 GLASGOW ROAD - BATHGATE
AMENDMENTS TO EXISTING SPEED LIMIT AND TRAFFIC CALMING MEASURES

DATE:- October 2014
SCALE:- N.T.S.
DRAWN BY:- B. Robertson
CHECKED BY:- R. Fisher

Drg. No.:- TP/B594/8/CONS/1

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

PLANNING ENFORCEMENT AND ROAD CONSTRUCTION CONSENT - HOUSING DEVELOPMENT LIMEFIELD POLBETH

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The report provides an update to Council Executive on the situation relating to the outstanding remedial works associated with the road and bridge which provides access to a housing development in Polbeth undertaken by John G Sibbald & Son Limited, at Limefield Estate.

B. RECOMMENDATION

It is recommended that Council Executive:

i) Note the failure of the developer to comply with the terms of the Breach of Condition Notice which has been reported to the Procurator Fiscal;

ii) Note that the Procurator Fiscal has determined not to prosecute the developer in respect of the reported Breach of Conditions;

iii) Note that the relevant roads legislation does not clarify who is currently responsible for maintaining the road and bridge;

iv) Note that the council has a statutory obligation to complete the bridge works in accordance with the Roads Construction Consent, adopt them and include the road and bridge within the Road Construction Consent to the list of public roads;

v) Approve that works on the road and the bridge should be completed by the council in accordance with the Road Construction Consent;

vi) Note that the funding balance to complete the works of £240,000 will be funded from contingency budgets and incorporated into the capital programme for 2015/2016; and.

vii) To note that the outstanding bond value of £100,800 will be called down.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs and being honest, open and accountable.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Roads (Scotland) Act 1984; The Security for Private Road Works (Scotland) Regulations 1985; The Security for Private Road Works (Scotland) Amendment Regulations 1998; and Town and Country Planning (Scotland) Act 1997.
III	**Implications for Scheme of Delegations to Officers**	None.
IV	**Impact on performance and performance Indicators**	None.
V	**Relevance to Single Outcome Agreement**	Relevant to Outcomes 10 (We live in well-designed, sustainable places where we are able to access the services we need) and 12 (We value and enjoy our built and natural environment and protect it and enhance it for future generations).
VI	**Resources - (Financial, Staffing and Property)**	Financial. The cost of the works will be funded from the Roads Contingency Budget within the Roads Asset Category and will be incorporated into the 2015/16 General Services Capital Programme.
VII	**Consideration at PDSP**	Legal status of bridge has been discussed at Development and Transport PDSP.
VIII	**Other consultations**	Consultation has been undertaken with: Development Management; Legal Services; and Finance and Estate Services

D. TERMS OF REPORT

D.1 Background

In 2003 the Council issued a road construction consent (RCC) in respect of the development undertaken by John G Sibbald & Son Limited (Developer), at Limefield Estate. In support of the RCC, a Road Bond was provided by the Developer. The Road Bond is a form of insurance policy which ensures that funding can be available should the Council be required to complete the road in accordance with the RCC.

The bridge construction commenced in early 2004 without notification of commencement but around July 2004 it was identified that the bridge, as constructed, differed significantly from the “Approval in Principal” which was submitted to the Council on behalf of the developer. This “Approval in Principal” was signed off by the Council on 12 September 2003.

In 2005, the Council wrote to the Developer detailing the outstanding issues in relation to the bridge and this also included a request to provide design and check certification of the structure. The Council also informed the Developer at this time that it would not adopt the bridge until all issues were satisfactorily addressed.

Since then, there has been no remediation of the outstanding issues with the bridge, and the bridge remains in a condition which does not meet the design requirements. Part of the Road Bond has been called down to allow works to be undertaken by the Council to the carriageway in order to keep it in a safe condition.

This issue and options to manage the situation were considered on 2 February and 13 December 2012 by the Development and Transport PDSP. A Breach of Planning Condition notice was issued to the developer because of their failure to complete the works to an adoptable standard as identified in the planning permission.

A report was also considered by Council Executive on 26 February 2013 and at this meeting it was agreed to refer the Developer's noncompliance of the notice to the Procurator Fiscal. It is confirmed that the Procurator Fiscal does not propose to prosecute the Developer in respect of their noncompliance.

The report to Development and Transport PDSP dated 13 December 2012 indicated that the bridge was structurally sound and capable of carrying the traffic associated with the servicing needs of the development across the Harwood Water. Roads and Transportation undertake an annual inspection to monitor the condition of the bridge structure. It was also noted then that the bridge structure remains private and is the responsibility of the developer.

D.2 Current Position

Over this entire period of time discussions with the Developer indicated that they were willing to undertake the outstanding remedial works to the bridge. The Developer has other land interests on the south side of the Harwood Water which will use the bridge for access. The Developer was also actively pursuing an arbitration claim against his structural engineer. Therefore, it was considered that no direct action should be considered by the Council with respect to works on the bridge until such time as other options were exhausted.

However, the Developer has not undertaken works to repair the bridge and has not acted in response to the Breach of Condition notice. The claim which the Developer was pursuing against the structural engineer has been disposed of by the Court. The Developer was unsuccessful in their claim and have no prospect of securing funding in damages from their engineers.

The fact that the road contained in the Limefield RCC has not been added to the list of public roads is a concern to the residents on the south side of the Harwood Water although access is not restricted at all.

An RCC generally lasts for a period of 3 years, and can be extended for further periods where this is necessary e.g. where the construction is not completed within the initial consent period. This is significant because extension of the RCC affords protection to the Council from certain statutory obligations which are discussed below.

The Council's obligations in terms of the Security for Private Road Works (Scotland) Regulations 1985 and the Security for Private Road Works (Scotland) Amendment Regulations 1998 are clear. Where the RCC has expired, and the road has not been constructed in accordance with the RCC, then the Council have an absolute obligation to construct in accordance with the RCC. That obligation exists whether or not there are funds available under the Road Bond.

The RCC relative to Limefield was not extended and has subsequently expired. The effect of this is to trigger the council's obligations in respect of the Roads (Scotland) Act 1984, and the Security for Private Road Works (Scotland) Regulations 1985, which are made under it.

D.3 Proposed Action

The road and bridge are constructed and there is unrestricted access to all the residential properties on the south side of the Harwood Water. However, the outstanding remedial works for the bridge are split between the construction costs of remedial works to the bridge and the utility service diversions now necessary to allow repairs to the bridge.

The bridge repairs are estimated at about £170,000 and it will cost a further £170,000 to divert and reinstate the utility services while the bridge is repaired. Therefore, the total cost of the works is estimated at £340,000. The remaining security under the bond is £100,800. The additional funding required, £240,000, would be required to be met from the Roads Contingency Budget within the Roads Asset category.

Neither the Regulations nor the legislation expressly permit the adoption of the road prior to completion of the works necessary to bring it to the standard required in the RCC.

However it should be noted that subject to committee decision, a period of time would be required to prepare the necessary contract documentation, and the earliest that works can take place is likely to be Autumn 2015.

E. CONCLUSION

The bridge at the Limefield Estate whilst safe, structurally sound and capable of carrying the traffic associated with the servicing needs of the development across the Harwood Water, requires remedial works to bring it to a condition that is fully consistent with design standards.

The outstanding remedial works for the bridge are estimated at £340,000. The remaining security under the bond is £100,800. The £240,000 shortfall requires approval by Council Executive.

Once the works are completed by the council the road including the bridge will be added to the list of public roads in accordance with the relevant regulations.

F. BACKGROUND REFERENCES

Development and Transport PDSP 2 February 2012.
Development and Transport PDSP 13 December 2012.

Appendices/Attachments: None.

Contact Person: Jim Stewart, Team Leader, Tel: 01506 282327 e-mail: jim.stewart@westlothian.gov.uk

Jim Jack
Head of Operational Services.

Date: 28 October 2014

West Lothian Council

COUNCIL EXECUTIVE

PROPOSALS TO PROMOTE FINANCIAL INCLUSION IN WEST LOTHIAN

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To update the Council Executive on findings of research undertaken on financial inclusion and to set out proposed actions to promote financial inclusion in West Lothian.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Notes the approach taken to investigate the impacts of financial exclusion and low incomes on the ability to access financial services and products, financial advice and money management skills;
2. Agrees the proposal to create a Community Financial Inclusion Partnership where there is an agreed process, monitoring and reporting of activities undertaken to promote financial inclusion;
3. Agrees the proposal to work with Fife Council to investigate the options for an online referral system for the West Lothian Advice Network;
4. Agrees the proposal to carry out a detailed Community Development Finance Initiative feasibility study in conjunction with Fife Council and Falkirk Council; and
5. Agrees the proposal to develop a Financial Inclusion Plan, to be incorporated into the Anti-Poverty Action Plan;

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focussing on our customers' needs Being honest, open and accountable Providing equality of opportunities Making best use of our resources Working in partnership Developing employees
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The Welfare Reform Act 2012 provides for significant changes to Housing and Council Tax benefits. In addition other changes to state entitlement have been introduced including a freeze on child benefit, changes to tax credits and the replacement of Incapacity Benefit with Employment Support Allowance.
III	**Implications for Scheme of Delegations to Officers**	None

IV	**Impact on performance and performance Indicators**	Corporate and service performance indicators will be reviewed and created as appropriate.
V	**Relevance to Single Outcome Agreement**	Outcome 5 – Our children have the best start in life and are ready to succeed Outcome 6 – We live longer healthier lives Outcome 7 – We have tackled significant inequalities in West Lothian society Outcome 8 – We have improved the life chances for people at risk Outcome 13 – We take a pride in a strong, fair and inclusive society
VI	**Resources - (Financial, Staffing and Property)**	There is an approved time limited budget of £70,000 for the development of services in relation to financial inclusion.
VII	**Consideration at PDSP**	The Partnership and Resources Policy Development and Scrutiny Panel (PDSP), meeting on 17 October 2014, noted the report and the intention to present to the Council Executive.
VIII	**Other consultations**	With affected services, through the Anti-Poverty Development Group and Anti-Poverty Board, including ongoing consultations with other partners on specific issues arising.

D. TERMS OF REPORT

D.1 Background

As agreed by the Council Executive in Autumn 2013 as part of the overall response to welfare changes, work has been undertaken in relation to financial inclusion to:

- Develop a draft financial inclusion plan.
- Identify and scope out possible financial services that could be developed to support those who are financially vulnerable.
- Identify possible ways to facilitate the provision of financial services that could be delivered to those who are financially excluded or at risk of financial exclusion.
- Consider the roles of Credit Unions as part of the financial inclusion plan
- Incorporate financial inclusion within the Anti-Poverty Strategy.

A report was presented to Council Executive on 15 April 2014 which set out the vision to support Credit Unions to enhance their role in financial inclusion.

This report sets out remaining actions which would be intended to mitigate the impact of financial exclusion. Through partnership working, the proposals within the report will assist communities to achieve better money management through access to suitable financial products and advice services.

D.2 Context

The Scottish Executive, in 2005, produced a now widely used definition of financial inclusion which is considered to capture what financial inclusion is and also what is required to ensure communities are financially included. The definition is:

"Access for individuals to appropriate financial products and services. This includes people having the skills, knowledge and understanding to make best use of those products and services. Financial exclusion is often a symptom of poverty as well as a cause".

It is well documented that those people with low incomes or on state benefits face financial exclusion and that poverty is often the cause of financial exclusion. The Joseph Rowntree Foundation stated in September 2014 that projections indicated one in three children and nearly one in four working-age adults will be living in poverty by 2020, meaning that there is a need for a comprehensive plan of financial inclusion if communities are to be helped to access relevant financial products and advice.

To set the scene of the requirement for financial inclusion in West Lothian the following statistics are relevant:

- West Lothian has a total population of approximately 176,140 and is among the fastest growing, youngest populations in Scotland.
- In 2012, 13 out of 211 datazones in West Lothian fell into the 15% most deprived in Scotland as measured through the Scottish Index of Multiple Deprivation. This shows an improvement from 2009 when 19 datazones were among the 15% most deprived. Appendix 1 provides details on the 13 datazones.
- Latest available figures, from August 2014, show that there are currently 2,762 Jobseekers Allowance (JSA) claimants in West Lothian. This represents a decrease of 75 claimants from July 2014.
- Unemployment amongst 18-24 year olds is slightly higher than the Scottish average of 4.8% with 835 (5.8%) young JSA claimants in West Lothian in August 2014.
- There are approximately 17,510 working age benefit claimants in West Lothian. This includes people who are not able to work and are claiming Income Support or sickness benefits such as Employment & Support Allowance.
- Latest available figures from 2011 show that 13% of the West Lothian population, around 22488 people, are defined as living in income deprivation. This is an improvement on 2009/10 when this figure extended to 16% of the total population.

D.3 Key Elements of Financial Inclusion

A officer project group was created to investigate financial inclusion and through discussions it was agreed that financial inclusion can be split into four areas as follows:

The key objectives will be developed further within this report, however a brief overview of the headings is provided below:

- Banking - Availability of basic banking and savings products, which will assist with budgeting, money management and reduce the risk of the poverty premium.
- Credit - Availability of low cost, ethical lending services. It is inevitable that people will require to access credit services, however currently the services available are often high in cost leading to increased debt problems.
- Advice - Availability of advice with regards to income maximisation and advice on financial products, including debt advice.
- Ongoing Support - Availability of ongoing financial support, increasing financial capability skills to ensure people have the relevant skills to budget and manage their money accordingly.

D.4 Research

It was identified as part of the Anti-Poverty Strategy that those individuals living in poverty in West Lothian are more likely to suffer from financial exclusion. Often those in poverty cannot access mainstream financial services and financial products meaning that they lack access to financial product advice, income and debt advice, bank accounts, savings products and will rely on alternative credit providers. The exclusion from financial products and services affects many people who are in receipt of benefits or have low incomes.

Research into financial inclusion has been carried out by the financial inclusion project team looking at the current availability of financial services and products within West Lothian, the initiatives being undertaken by local authorities and organisations in the UK and investigating options of partnership working with other Scottish local authorities. This also involved the completion of a survey of West Lothian residents to better understand the challenges that are faced regarding financial exclusion and to identify the reasons that contribute to poor money management and budgeting. A summary of the findings for each of the four areas is provided.

D.4.1 <u>Banking</u>

An initial review of financial organisations that operate within West Lothian was carried out; this included identifying banking/savings branches and services available to the communities of West Lothian. A summary of the findings is provided below. The figures include seven Royal Bank of Scotland (RBS) Branches, however closure of the branches in Armadale and Fauldhouse has been announced.

	Online	National Bank	Building Society	Post Office	Credit Union	Total
Armadale & Blackridge	Yes	1	0	4	0	**5**
Bathgate	Yes	5	0	2	0	**7**
Broxburn, Uphall & Winchburgh	Yes	3	0	5	0	**8**
East Livingston & East Calder	Yes	0	0	5	0	**5**
Fauldhouse & Breich Valley	Yes	1	0	7	0	**8**
Linlithgow	Yes	4	0	2	0	**6**
Livingston North	Yes	0	0	5	0	**5**
Livingston South	Yes	6	1	2	1	**10**
Whitburn & Blackburn	Yes	2	0	4	1	**7**
Total	**Yes**	**22**	**1**	**36**	**2**	**61**

Research by the Joseph Rowntree Foundation concluded that the proportion of low income households who do not have any type of bank or building society account has reduced in recent years, however there still remains a number of households who find it difficult to open bank accounts, including basic bank accounts. The Banking Code of 2005 was revised to ensure that banks provided basic bank accounts if a customer's needs suited a basic account or if they were asked specifically for a basic account. However mainstream providers do not advertise the availability of basic bank accounts or the identification requirements in the same way they advertise to more affluent customers, which results in households not being aware of the services that are available. The project team made enquiries with the mainstream banking providers to establish what the requirements are for a basic bank account, this can be summarised as:

- Aged 16 and over
- Permanent UK resident
- Income details, including details of benefits received
- Proof of identity and address – this can be in various forms and alternative identification can be accepted where the customer has no passport or utility bill with proof of address

The project team has also researched not-for-profit organisations which offer financial products. This included meeting with the Community Development Finance Initiative (CDFI) organisation 'Scotcash' which operates in Glasgow and the Industrial and Provident Society organisation 'Moneyline' which mainly operates in Lancashire and Wales with smaller outlets in other regions of England. The research was undertaken to scope and define the financial services available from not-for-profit organisations to identify possibilities for delivery within West Lothian.

<u>Scotcash</u>
Scotcash is a Community Interest Company (CIC), created in 2006, which is a non-charitable social economy enterprise that uses their profits and assets for the public good. The organisation was established by Glasgow City Council and Glasgow Housing Association with support from the RBS, Communities Scotland, The Big Lottery Fund and other organisations.

Scotcash provide an integrated financial product and advice service with Glasgow Central Citizens Advice Bureau (CAB) to deliver a range of products including access to basic bank accounts, access to credit union savings accounts, low cost affordable unsecured loans, financial and budgeting advice as well as energy advice.

Scotcash has been given “trusted partner” status with RBS which allows Scotcash staff to accept the necessary identification and address verification to process the opening of a RBS basic bank account. Scotcash also work in partnership with Barclays bank to open basic bank accounts and are working with Barclays to develop a more accessible and easy to use budgeting account.

The organisation also works with Glasgow Credit Union to promote savings, which allows customers of Scotcash to open a credit union savings account and to make a payment into their savings account when they make a payment to their Scotcash loan.

Moneyline

Moneyline is an Industrial and Provident Society which means it is a society ran for the benefit of the community, where monies made by the company are reused within the organisation for the benefit of the community. Moneyline has been trading for over ten years offering low cost unsecured loans.

The organisation works in partnership with RBS offering basic bank accounts and has “trusted partner” status with RBS for the opening of basic bank accounts. They also work in partnership with the Bank of Scotland for the provision of savings accounts and with the organisation Step Change offering a referral service for debt and money advice.

D.4.2 Credit

Research carried out by various organisations, including the Joseph Rowntree Foundation, suggests that there is a need for more affordable credit among people who live in low income households. This is based on findings that indicated households with low incomes, when faced with the need to raise £250 in the event of a crisis, sixty-one percent would find it very difficult or impossible without accessing borrowing.

The review of financial organisations operating in West Lothian also identified businesses that provide loans and borrowing facilities. This included the identification of pay day lenders and pawnbrokers and does not include the national banks and building societies which were identified in the previous table. The availability of organisations offering credit within West Lothian is summarised in the table below:

	Online Payday Lender	Pawn-broker/ Cash for Gold	Home Collected Credit	Catalogues	Rent – to - Buy	Total
Armadale & Blackridge	Yes	0	0	Yes	0	**0**
Bathgate	Yes	4	0	Yes	0	**4**
Broxburn, Uphall & Winchburgh	Yes	1	0	Yes	0	**1**
East Livingston & East Calder	Yes	1	0	Yes	0	**1**
Fauldhouse & Breich Valley	Yes	0	0	Yes	0	**0**
Linlithgow	Yes	0	0	Yes	0	**0**
Livingston North	Yes	0	1	Yes	0	**1**
Livingston South	Yes	4	0	Yes	1	**5**
Whitburn & Blackburn	Yes	0	0	Yes	0	**0**
Total	**Yes - 34**	**10**	**1**	**Yes**	**1**	**12**

The research identified 34 online payday lenders. Payday lenders offer high cost, relatively small sum, fast loans that have been categorised by the Financial Conduct Authority (FCA) as being high cost short term lenders. This type of lending is often viewed as being 'easy money' as the loan money can be in the applicants bank account the same day, however the interest rates applied to the borrowing are extremely high with penalties for missed payments which can very quickly lead to spiralling debt issues.

The not-for-profit organisations that were researched focus on the provision of low-cost lending to residents in communities that cannot access the most favourable lending rates from the national banks, focussing on households who are the target market of high cost lenders like the payday lenders and the rent-to-buy providers.

The research undertaken sought to clarify the issues regarding affordable credit and high cost lending. For example the interest rates quoted by lenders can vary as shown in the table below:

Loan Type	Loan Amount	Length of Loan (weeks)	APR %	Interest Paid	Interest as % of Loan Amount
High Cost Provider					
Payday Loan	£500	4	1,500%	£625.00	125.00%
Home Credit Lender	£500	24	272.2%	£462.90	92.58%
CDFI					
Moneyline	£500	32	160.25%	£134.24	26.85%
Scotcash	£500	26	105.63%	£63.68	12.74%
Mainstream provider					
Credit Card Loan	£500	24	17.90%	£26.43	5.29%
Credit Union Loan	£500	24	26.80%	£39.80	7.96%
Bank Loan	£500	24	8.00%	£11.73	2.35%

Indicative loan rates have been used for the above loan types. APR and Interest paid amounts have been taken from the loan provider's websites. The above charges do not include any loan set up/administrative fees.

Using an annualised interest rate for short term loans can misrepresent the actual amount of interest owed, as the loans are not year-long loans, and so the interest is not paid on a yearly basis but often over a shorter timescale. The actual length of a typical short term loan is shown in the table above. For example an APR of 105.63% may sound high but as the table above shows, it can result in interest payments as low as £63.68 on a £500 loan taken out over 6 months. If the interest is calculated as a percentage of the loan amount the interest payment is 12.74%.

An everyday example which shows the difference between the APR and the actual cost of the loan is:

A friend borrows £30 for a week and repays the £30 along with a box of chocolates that cost £3; the equivalent APR would be 14,104%. If the chocolates had cost £3.75 the APR would be 45,602%.

The example shows that by looking at APR it can be confusing and misleading, whereas the cost of the borrowing, £3 or £3.75, is more reasonable and more easily understandable.

Community Development Finance Institutions provide an affordable alternative to high cost short term lenders and mainstream financial service providers whom financially excluded persons cannot access.

Scotcash

Since opening in 2007 Scotcash has seen their demand increase year on year with customers stating that they use Scotcash because they needed the loan, it is cheaper than other home credit options and that there is no mainstream provider willing to help them. Scotcash focusses on small value lending with the average loan value being £450. Scotcash work closely with their customers to ensure that they understand their customers' requirements and to provide advice, making sure that the customer understands the loan and the consequences of taking a loan and that they can afford to repay the loan over the agreed period.

This is linked to the CAB and where customers are refused a loan, unlike other loan providers, the customer is assisted by the CAB advisor to look at managing their money and maximising their income, meaning that they are provided with assistance to try and alleviate the need for them to go to a high cost short term lender. This can also mean that, if the customer is refused a loan and is in an emergency situation and requires cash, the customer is referred to Glasgow City Council for an application to emergency funds like the Scottish Welfare Fund and/or to other council services for assistance. They are also authorised to distribute foodbank vouchers for those customers who are in real need. The approach undertaken by Scotcash is therefore a more inclusive approach involving partnership working, helping the residents of Glasgow to be more financially capable.

The demographics of the Scotcash customers in 2012/13 are provided below:

- 72% of customers are female compared with 28% male customers.
- 38% are lone parents with children.
- 29% live in a single person household.
- 75% are living in rented accommodation from either Glasgow Housing Association or a Registered Social Landlord.
- 79% are under the age of 49 (16% aged 16-24, 33% aged 25-34 and 30% aged 35-49).

Moneyline

Since opening in 2002, Moneyline have increased the number of branches they operate to meet the demand from customers. Moneyline started in Lancashire and now operates in Merseyside, Lincolnshire, Greater Manchester, West Midlands and also has branches in Wales. One in twenty of the loans awarded by Moneyline are less than £100. As previously set out in the report, Moneyline partners with the Royal Bank of Scotland and the Bank of Scotland, however they also partner with the charities Step Change and Trussell Trust.

The link with the organisation Step Change provides a referral system for debt advice and debt management for the customers of Moneyline. This is where a loans advisor refers the customer to Step Change following a loan application interview to help the customer gain control of their debt. Moneyline can also issue food bank vouchers via the Trussell Trust to help those customers most in need.

The demographics of the Moneyline customers are provided below:

- 68% are wholly dependent on state benefits.
- The majority of customers are young women with children, who live in rented accommodation.
- 54% are under the age of 35 years old.
- 44% are lone parents with children.

D.4.3 Advice and Ongoing Support

The two key objectives of advice and ongoing support were also investigated, looking at the availability of advice on financial products and debt as well as income maximisation and the availability of ongoing money management support and financial capability skills.

Research has shown that the demand across the UK for debt advice and benefit advice has increased annually from 2010. A number of local authorities were contacted regarding their approach to advice and ongoing support and the key theme that was identified was that more joined-up partnership approaches to advice are required, and where this has been implemented, for example in Brighton and Hove and Derbyshire, there has been a positive impact.

A meeting was held with the Council's banking provider, the Bank of Scotland, to discuss any options which they can make available regarding the provision of advice and ongoing financial management support. It was identified at the meeting that they currently run courses on money management and financial planning along with a money mentor course. The courses can be provided to frontline staff to assist them in helping those in the community who are struggling with debt and money management.

West Lothian Council already has excellent advice provision through the Advice Shop. However it is recognised that this could be further expanded through partnership working and by increasing the skills and knowledge of frontline staff working in council services. The objective is for residents of West Lothian to access money management advice when they need it, with referral to the Advice Shop for more specialist support and advice, for example income maximisation support.

D.5 Further Development of Approach to Financial Inclusion

The work undertaken to research financial inclusion has identified activities with the potential to improve the financial inclusion position of the residents of West Lothian. The potential areas of further work are set out in the remainder of the report.

D.5.1 Community Financial Inclusion Partnership (CFIP)

The research undertaken included reviewing other local authority approaches to financial inclusion. The research identified that the most cohesive way of removing exclusion and encouraging financial inclusion is through identifying the organisations that undertake activities linked with financial inclusion, and then creating a partnership arrangement between these organisations. For example the council and partners involved in the Anti-Poverty Strategy, including credit unions and any CDFI could create a partnership agreement to work together to help the residents of West Lothian. This would include the sharing of knowledge and best practice and acting as a first point of contact for customers who would then be contacted by the relevant organisations instead of residents having multiple contacts for financial products, advice and related services.

A CFIP could provide services which cover the four key areas of financial inclusion previously identified. Appendix 2 of the report provides a diagrammatic view of a CFIP showing the objectives which cover the four key areas of financial inclusion. The objectives of a CFIP are set out below:

- Assistance with banking to manage money and reduce the risk of the poverty premium.
- Access to mainstream and alternative transactional banking services.
- Access to a savings account which has been shown to be central to any long-term solution to financial exclusion.
- A credit provider that is ethical and provides loans only to those who can afford to repay.
- Provision of easy to access, affordable credit which includes small amounts and quick decision making.
- Provision of efficient and effective advice services that provide integrated advice on financial products which signpost customers to the available options.
- Provide access to advice regarding income maximisation and employment skill support.
- Provision of integrated debt advice and money management advice through signposting and referral points for clients and service providers.

- Provision of a range of training in relation to financial literacy with appropriate referrals into services that will support residents, including young people, to improve their employment opportunities.
- Increase budgeting and money management skills to reduce the requirement of residents to access emergency funding.

The approach undertaken would ensure residents understand how to access support by adopting a clear and unified branding approach to financial inclusion which is marketed and publicised appropriately.

The CFIP would have a robust monitoring and evaluation approach across all partners which would demonstrate the positive impact the partnership has delivered, and would also demonstrate the value for money achieved through joined up working.

D.5.2 West Lothian Advice Network

West Lothian Advice Network brings together advice providers from across West Lothian, including the voluntary sector. The network aims to work collaboratively, streamlining referrals, eliminating duplication of provision, building capacity and making best use of resources. As part of the time limited spend allocated to support the development of actions contained in the 'Better Off: Anti-Poverty Strategy', a development worker will be employed to support the development of the network. The work undertaken by the development worker will enhance the advice network and increase partnership working, resulting in more co-ordinated services for the benefit of the residents of West Lothian.

As part of the CFIP it is recognised that a referral and contact system would be required. Fife Council currently operates the Fife Online Referral Tracking system (FORT), which is delivering a successful referral programme. The system was designed to encourage and improve referrals between providers and to increase joint working across Fife. Within Fife FORT is currently used by over 130 providers and has successfully referred over 35,000 clients.

It is proposed that further partnership working with Fife Council is carried out to investigate the possibility of adopting FORT in West Lothian. The use of the system would encourage an environment where advice is referred and signposted in a consistent and routine manner. It will improve the awareness and importance of effective joint working and information sharing across all partner agencies. The development of the referral system should be carried out in conjunction with the development of the West Lothian Advice Network, the CFIP and should include discussions with Community Planning Partners.

D.5.3 CDFI Feasibility Study

The work undertaken with regard to the availability of banking and credit options included research into two CDFI organisations. This was carried out in discussion with two Scottish local authorities, Fife Council and Falkirk Council. Both Fife and Falkirk are keen to explore the options available for a CDFI which could offer banking, savings and credit products to residents who are currently financially excluded or rely on high cost short term lenders. As part of the discussions both Scotcash and Moneyline have been initially contacted regarding whether the organisations are willing to work with the local authorities on the provision of a CDFI.

It is proposed that further work is undertaken in partnership with Fife and Falkirk Councils to investigate the options available for a CDFI across the three council areas. This would include a meeting with representatives from each council to agree the approach to be undertaken and to agree the format of reporting.

It is also proposed that a detailed CDFI feasibility study is carried out, which will investigate and estimate the demand, demographics and project the number of loans that could be expected to be delivered by a CDFI. The study would also establish the required size of the loans fund of the CDFI and would liaise with both Scotcash and Moneyline on the available delivery models from each organisation. The feasibility study would be completed in conjunction with Fife and Falkirk Councils with the cost of the study being split across the three councils. It is proposed the cost of the study is funded from the time limited budget for the development of services in relation to financial inclusion.

Once the feasibility study has been completed, an options appraisal would be carried out to identify the best option for delivery. If a CDFI were to operate within West Lothian it would provide the opportunity for residents to work towards financial inclusion and provide potential opportunities for increasing partnership working.

D.5.4 Financial Inclusion Plan

It was agreed at Council Executive in October 2013 as part of the proposals in response to the impact of welfare reform that a financial inclusion plan should be created which is incorporated into the Anti-Poverty plan. The proposals set out in this report form part of the financial inclusion plan and it is proposed that the plan continues to be developed and implemented to promote financial inclusion, and to work with residents of West Lothian to improve financial capability and access to financial products.

An initial draft of the financial inclusion plan is attached in Appendix 3. It is recommended that the plan is developed and enhanced through the Anti-Poverty Development Group and is updated to reflect the implementation of joint working across the West Lothian Advice Network, CFIP and Community Planning Partners.

D.6 Consultation

The proposals for promoting financial inclusion set out in the report have been discussed with the Advice Shop and were presented and discussed at the Anti-Poverty Development Group and the Anti-Poverty Board. It was agreed that the proposals would assist in promoting financial inclusion and that through engaging with service users would promote advice, skills and the availability of financial products.

The Partnership and Resources Policy Development and Scrutiny Panel, meeting on 17 October 2014, considered and noted the proposals set out in the report and noted the intention to present the report to Council Executive for approval.

E. CONCLUSION

There has been positive work undertaken within West Lothian to counteract the impact of poverty and financial exclusion, including working with Credit Unions and partners. There are already many actions being carried out by officers, services and partners to respond to the needs of the residents of West Lothian. However it is recognised that significant ongoing effort is required over the coming years to encourage financial inclusion.

The report sets out the proposals for further work that would be required to ensure the council and community planning partners assist those affected by financial exclusion, including partnership working with advice and support providers across West Lothian, and working with other local authorities.

F. BACKGROUND REFERENCES

Proposals in Response to the Impact of Welfare Reform Changes – Report to Council

Executive by Head of Finance and Estates – 29 October 2013

Financial Inclusion Report by Blake Stevenson

Financial Inclusion Action Plan by the Scottish Executive (2005)

Affordable Credit by Joseph Rowntree Foundation

Appendices/ Attachments:
Appendix 1 – West Lothian Datazones
Appendix 2 – Community Financial Inclusion Partnership
Appendix 3 – Draft Financial Inclusion Plan

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Donald Forrest
Head of Finance and Estates
28 October 2014

Appendix 1

West Lothian Datazones in the 15% most deprived Datazones in Scotland – Scottish Index of Multiple Deprivation (SIMD) 2012

Datazone Name	Settlement	Multi Member Ward	Overall SIMD 2012 Rank
Bathgate Centre Station	Bathgate	Bathgate	**440**
Bathgate Cochrane Street	Bathgate	Bathgate	**463**
Whitburn Union Drive	Whitburn	Whitburn & Blackburn	**591**
Blackburn North East	Blackburn	Whitburn & Blackburn	**599**
Livingston Knightsridge Moncreiff Way	Livingston	Livingston North	**668**
Livingston Craigshill Streets East	Livingston	East Livingston & East Calder	**677**
Whitburn Brown Street	Whitburn	Whitburn & Blackburn	**783**
Livingston Deans Staffa and Jura	Livingston	Livingston North	**791**
Loganlea	Stoneyburn	Fauldhouse & Breich Valley	**833**
Livingston Knightsridge Ferguson Way	Livingston	Livingston North	**912**
Livingston Craigshill Central	Livingston	East Livingston & East Calder	**927**
Stoneyburn East	Stoneyburn	Fauldhouse & Breich Valley	**928**
Armadale Mayfield	Armadale	Armadale & Blackridge	**963**

Datazone Names

Datazone names are not in official Scottish Government usage and are only used internally within West Lothian Council to help identify the localities covered by the datazone.

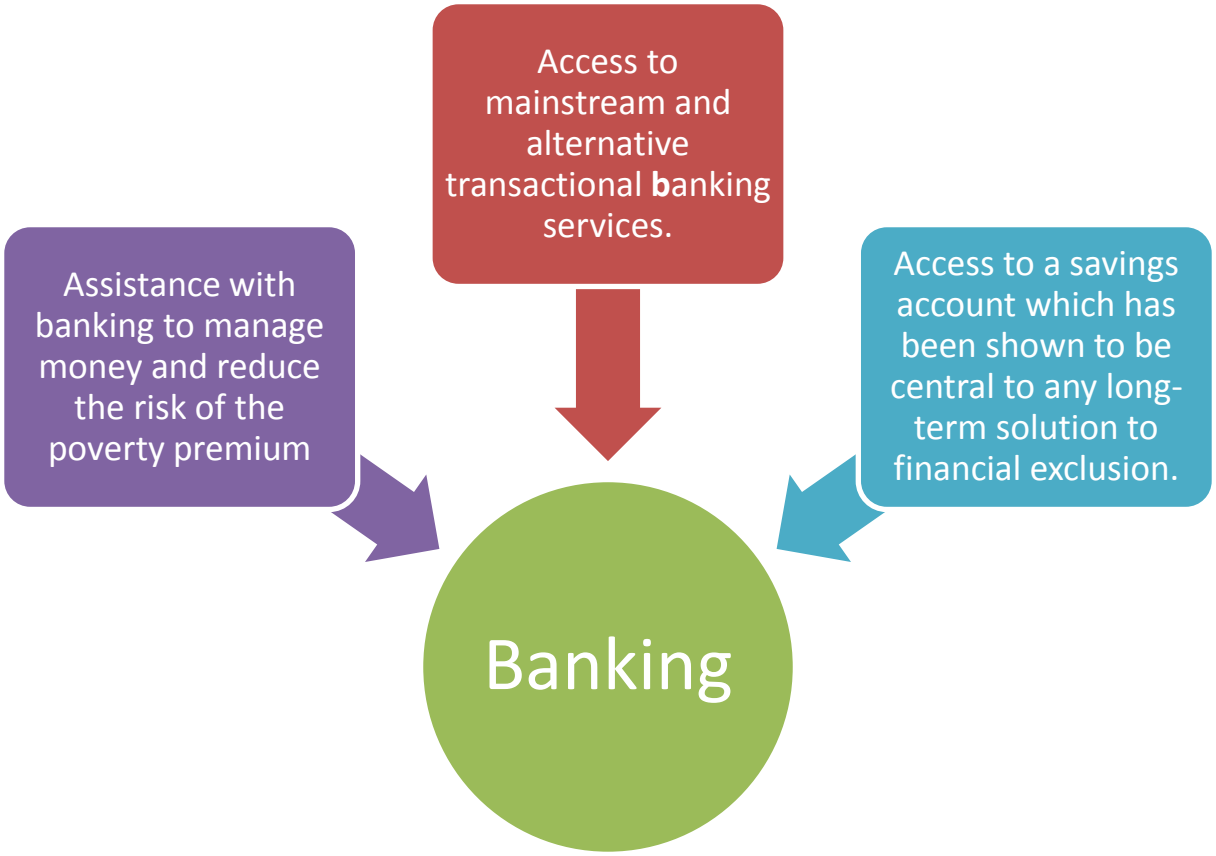
Datazone Redraw 2014

Datazones are currently being redrawn by the Scottish Government to reflect population changes from the 2011 census. In addition West Lothian Council have proposed a number of additional changes to ensure datazones better reflect geography including settlement boundaries, community council boundaries and school catchment areas. The next SIMD figures available will be based on the significantly redrawn boundaries, meaning that direct comparisons to 2012 SIMD figures will be very difficult.

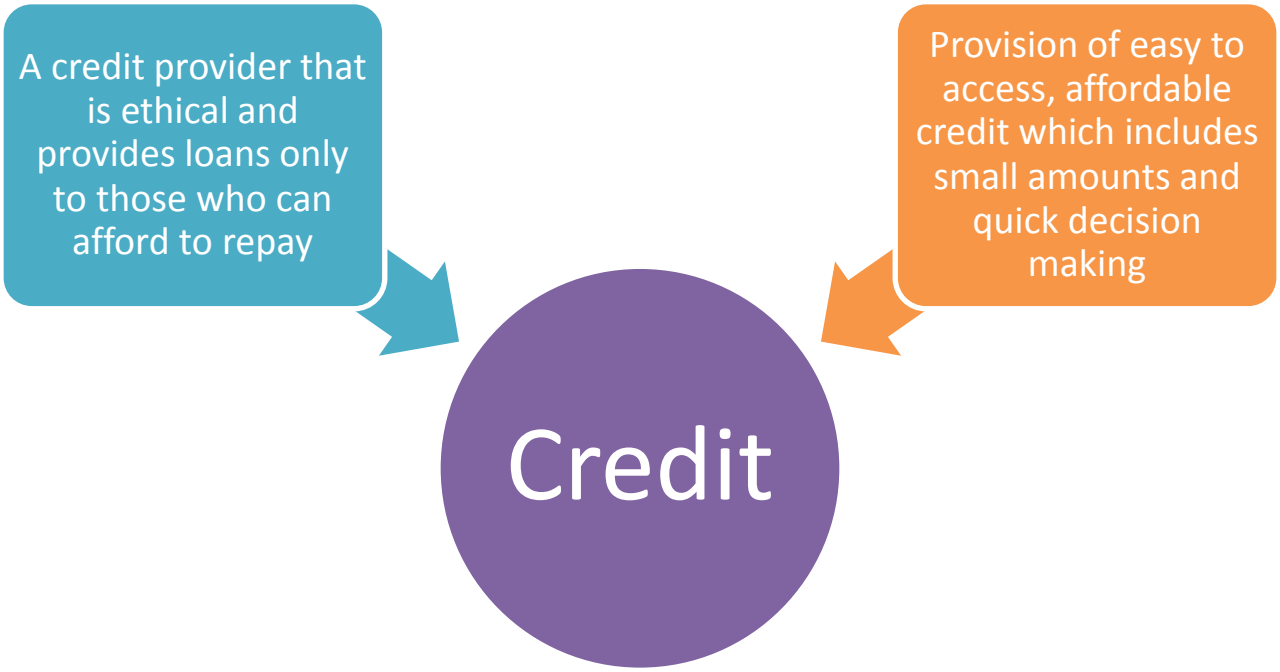
Appendix 2

Community Financial Inclusion Partnership

Appendix 2


Access to mainstream and alternative transactional banking services.
Assistance with banking to manage money and reduce the risk of the poverty premium
Access to a savings account which has been shown to be central to any long-term solution to financial exclusion.
Banking

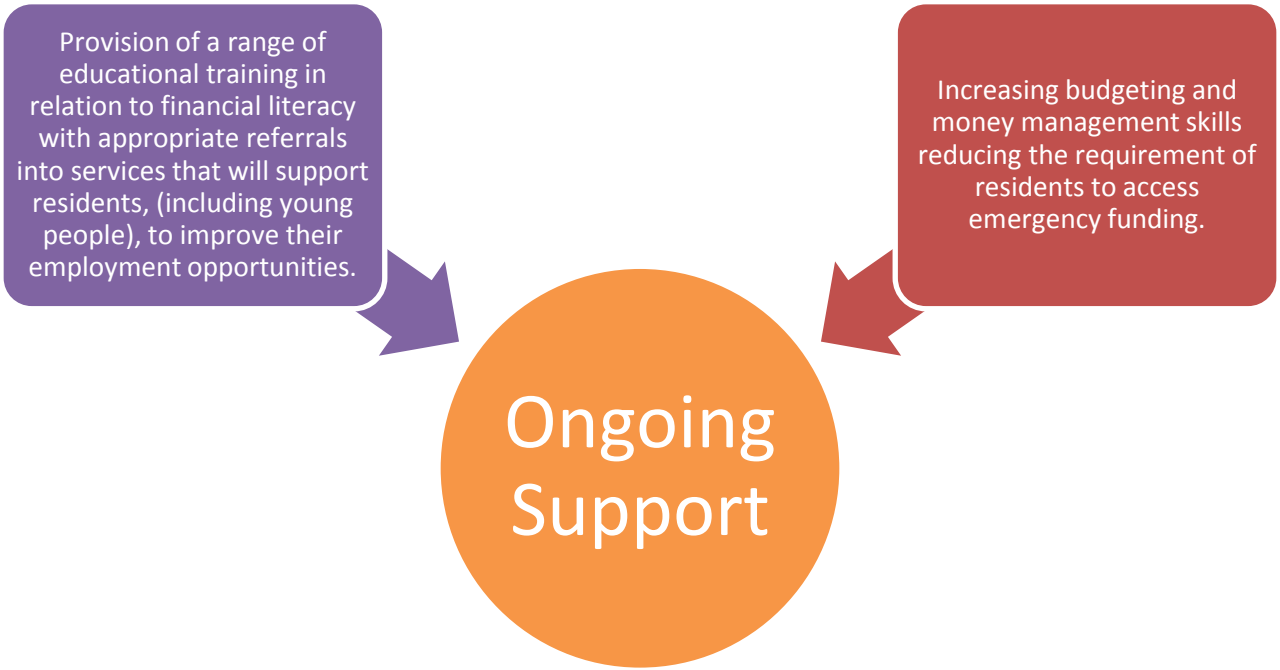
Appendix 2


A credit provider that is ethical and provides loans only to those who can afford to repay
Provision of easy to access, affordable credit which includes small amounts and quick decision making
Credit

Appendix 2

Access to advice regarding income maximisation and employment skill support
Provision of efficient and effective advice services that provide integrated advice on financial products which signpost customers to the available options
Provision of integrated debt advice and money management advice through signposting and referral points for clients and service providers alike.
Advice

Appendix 2


Provision of a range of educational training in relation to financial literacy with appropriate referrals into services that will support residents, (including young people), to improve their employment opportunities.
Increasing budgeting and money management skills reducing the requirement of residents to access emergency funding.
Ongoing Support

WEST LOTHIAN FINANCIAL INCLUSION PLAN

Summary

The financial inclusion plan provides focus to ensure that financial exclusion is mitigated in West Lothian over the period to 2017, through partnership working with community planning partners and members of the West Lothian Advice Network.

The plan is part of the Anti-Poverty Action Plan and focusses on the future priorities and needs of residents of West Lothian who are financially excluded and/or who struggle to cope with managing their money and budgeting. This is particularly critical in the current economic climate along with changes to welfare benefits.

There are four key themes of the plan with objectives identified for each theme as follows:

- **Banking**
  - Provide assistance to access mainstream and alternative banking and savings products

- **Credit**
  - Provide assistance to access affordable and ethical lending

- **Advice**
  - Provide access to integrated financial advice, including income maximisation, money management and debt advice

- **Ongoing Support**
  - Provide access to a range of training opportunities to increase financial capability and skills

A partnership approach is critical to the delivery of the plan. Implementation of the plan will require active support and participation from all community planning partners. Where relevant, embed financial inclusion within other relevant plans across the council to ensure this is a focus for frontline services.

Implementation and Management

The delivery of the West Lothian Financial Inclusion Plan is managed through the Anti-Poverty Development Group, which has representative from each council service area and community planning partners. The plan will be monitored and reported to the Anti-Poverty Strategy Board and then to the West Lothian Community Planning Partnership Board. The development group meets on a monthly basis to monitor and discuss the delivery of the plan.

Detailed action plans will support each of the key themes in the plan. The detailed plans are attached.

A framework to monitor progress and to evaluate impact will be developed and implemented in line with the financial inclusion plan. The progress will be reported annually to PDSP.

Action Plan

Banking

Action Item	Target Outcome	Target Delivery Date	Progress	Implementation Date
Partnership Meeting with Fife and Falkirk councils on banking	Agree a partnership working arrangement	End November 2014		
Detailed CDFI feasibility study	Identification of demand and delivery models of basic banking	End of March 2015		
Increase availability and ease of savings	Link with CDFI model on collection of savings	End March 2015		
Provide assistance to access basic bank account	Link with outcome of CDFI study on 'trusted partner' status to open bank accounts	End March 2015		

Credit

Action Item	Target Outcome	Target Delivery Date	Progress	Implementation Date
Partnership Meeting with Fife and Falkirk Councils - credit	Agree a partnership working arrangement	End November 2014		
Detailed CDFI feasibility study	Identification of demand, loans fund value and delivery models	End March 2015		
Options appraisal of CDFI study	Report to PDSP on outcome of CFDI study	End March 2015		
Investigate possible funding for CDFI	Identify external funding provider	End March 2015		

Advice

Action Item	Target Outcome	Target Delivery Date	Progress	Implementation Date
Identify providers of advice in West Lothian	Create a organisational chart of advice providers	End November 2014		
Develop West Lothian Advice Network	A cohesive partnership working arrangement across all providers	End March 2015		
Increase awareness of advice to maximise income	A targeted consistent marketing approach across the WLAN	End March 2015		
Increase awareness of debt and money management advice	A targeted consistent marketing approach across the WLAN	End March 2015		

Ongoing Support

Action Item	Target Outcome	Target Delivery Date	Progress	Implementation Date
Investigate the Fife FORT referral system	Implement a referral system for all partners in West Lothian	End March 2015		
Develop a Community Financial Inclusion Partnership	A CFIP that is a partnership working arrangement for all members to work jointly	Summer 2015		
Investigate options to roll-out financial inclusion training to front line staff	Training to frontline staff on availability of financial products, budgeting and money management skill	End March 2015		

West Lothian Council

COUNCIL EXECUTIVE

POLICIES AND PRACTICES EMPLOYED IN THE MANAGEMENT OF THE COUNCIL'S NON-OPERATIONAL PROPERTY ASSETS

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To seek Council Executive approval to proposed additional policies and practices to be employed by the Head of Finance and Estates in the management and letting of the council's non-operational property portfolio.

B. RECOMMENDATION

It is recommended that the Council Executive:

1) Notes the additional policies and practices outlined in this paper.

2) Approves the updated approach for the use of properties managed within the Tenanted Non-Residential Property (TNRP) portfolio as per Appendix 1 of this paper.

3) Approves the updated approach for the management of the TNRP and non-operational property assets as per Appendix 2 of this paper.

4) Approves the surplus property procedures set out in Appendix 3 of this paper.

5) Approves the updated approach for the acquisition or disposal of property rights as set out in Appendix 4 of this paper.

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)**	Establishing future policies and practices for the management of the council's non-operational property. An Equality Relevance Assessment has been prepared.
III	**Implications for Scheme of Delegations to Officers**	To amend the Scheme of Delegation to Officers accordingly.

IV	**Impact on performance and performance Indicators**	The efficient management of Council assets should improve the performance of the Tenanted Non-Residential Property (TNRP) portfolio.
V	**Relevance to Single Outcome Agreement**	Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.
VI	**Resources - (Financial, Staffing and Property)**	None.
VII	**Consideration at PDSP**	The Partnership and Resources PDSP on 17 October 2014 noted the report and the intention to present it to the Council Executive.
VIII	**Other consultations**	None.

D. TERMS OF REPORT

D1 Context

The Property Asset Management Plan (PAMP) shares the vision of the Corporate Asset Management Plan to "manage assets efficiently and effectively to support the achievement of corporate priorities and outcomes", and sets out the framework for the management of the council's property assets.

The PAMP is supported by a supplementary strategy for the Council's Non-Operational property, which establishes detailed parameters for the management of assets that are owned by the Council, but which are not used in association with the delivery of services to our customers.

For these non-operational assets the principal outcomes and objectives are to secure satisfactory financial performance and to ensure contribution to socio-economic objectives.

Day to day management of the non-operational portfolio is the responsibility of the Head of Finance and Estates, and is delivered by Property Management and Development (PM&D), often under delegated powers. Management is guided both by formal council policies and by the principles of good estates management.

While many of the council's policies are embodied in the PAMP and the strategy for the non-operational portfolio, specific policies have previously been raised with the elected members for approval, and thereafter embodied in normal management practices.

The purpose of this paper is to review and refresh the council's policies for the management of non-operational property, to ensure that the outcomes and objectives outlined above continue to be met.

D2 Purpose of the report

At its meeting on 20 May 2008 the Council Executive approved a paper by the Head of Property Services on the policies and practices employed in the management of the non-operational property portfolio. This report had particular emphasis on the management of the Tenanted Non-Residential Property (TNRP) portfolio.

In the intervening period a number of specific policies have also been subject to separate consideration by the Council Executive. For example, the Strategy for the Non-Operational Property Portfolio and policy for Community Asset Transfer both contribute to the policy framework for the use and disposal of non-operational property assets.

A review of these policies by officers in PM&D has concluded that these largely remain fit for purpose, and should remain in place. However, it is apparent from the experience of the recession that, in some circumstances, there is a need for greater flexibility to sustain good performance. This report therefore seeks approval to the variation of some existing policies, and consideration of some new ones.

D3 Detail

The proposed changes to policy cover a variety of areas of activity and are presented in detail in the Appendices. For ease of reference the proposals have been listed under the following themes:

- Uses of properties managed within the TNRP portfolio
- Management of the TNRP and non-operational property assets
- Surplus Property Procedures
- Disposal of property

The council owns, and needs to retain, a large portfolio of assets many of which are of a nature or size that would not be retained by other, private landlords. As a result, the council has many small assets that are of interest to our customers. The management of these assets can often be time consuming, and the proposals to extend and vary the current policies and practices are intended to promote the efficient and effective use of staff time.

If this report is approved the policies and practices outlined would be applied with immediate effect.

Officers are currently reviewing existing policies and practices in respect of the Council's operational properties – i.e. those held for the purposes of direct service delivery, or which support functions that are ancillary to that (e.g. headquarter offices and depots) – with a view to a further paper being presented to the Council Executive in due course.

A paper on the policies and practices employed in the management of the council's non-operational property assets was presented to the Partnership and Resources Policy Development and Scrutiny Panel on 17th October 2014. The Panel agreed that the paper should proceed to the Council Executive for consideration.

E. CONCLUSION

The efficient and effective management of the council's property assets will ensure that the strategic objectives and outcomes for the retention of non-operational assets are achieved.

F. BACKGROUND REFERENCES

- Property Asset Management Plan.
- Policies And Practices Employed In The Management Of The Council's Non-Operational Property Portfolio (Report to the Council Executive - May 2008).
- A Strategy for the Council's Non-operational Property Portfolio (Report to the Council Executive - March 2011).

- Community Asset Transfer (Report to the Council Executive - December 2013).
- Policies And Practices Employed In The Management Of The Council's Non-Operational Property Portfolio (Report to the Partnership and Resources Policy Development and Scrutiny Panel - October 2014).

Appendices/Attachments:

1. Uses of properties managed within the TNRP portfolio
2. Management of the TNRP and non-operational property assets
3. Surplus Property Procedures
4. Acquisition or Disposal of property rights

Contact Person: Paul Furbank, Economic Property Development Manager, 01506 281824, Paul.Furbank@westlothian.gov.uk

Donald Forrest – Head of Finance and Estates

Date of meeting: 28 October 2014

APPENDIX 1 – USES OF PROPERTIES MANAGED WITHIN THE TENANTED NON-RESIDENTIAL PROPERTY (TNRP) PORTFOLIO

It has been evident, during the course of the recession, that policies relating to the use of TNRP properties that may have been appropriate during periods of relative economic stability and prosperity have been restrictive, both for the council and prospective tenants, in harder times.

On occasion, as a result of existing policies, the council has had to turn away new businesses when it would have been beneficial for both parties to agree to occupation. The following amended practices are therefore recommended for approval:

Broadening the use of industrial units:
Existing policy restricts uses to Planning Use Classes 4, 5 and 6. Uses such as a crèche/nursery, leisure, ancillary retail, and vehicle repairs are precluded. However, it is suggested that a more flexible approach should be introduced where the use is appropriate for the property on grounds of good estates management (i.e. it would not be detrimental to the use of adjoining units or the estate in general), and where Planning Services would not oppose the granting of planning consent for such use and subsequently planning consent is obtained.

The use of council shops
The approved policy states that "Uses which compete with an existing tenant in a council shop in the near vicinity are discouraged – to protect the business activities of existing tenants."

This is usually included in letting particulars, when shops are marketed, but is not a specific provision of the lease document. Leases will, however, specify the type of retail activity permitted – e.g. hairdresser, general store etc. Recent case law in England suggests that the strict application of the council's policy may contravene competition law, and the inclusion of specific uses in the lease may therefore be unenforceable.

Rescinding the policy would leave the letting of council shops to market forces, and may result in competing interests in shops in close proximity. However, as it is normal practice for the council to expect any prospective tenant to have carried out their market research, and produced a business plan, it is not unreasonable to expect that similar uses may be able to operate without detriment. There is a small increased risk to the council that the turnover of shop tenancies may increase, but this can be managed.

It is therefore suggested that the policy be rescinded, and the use clause in future shop leases simply specifies the Planning Use Class within which the proposed use falls, e.g. Class 1 – Retail; Class 3 –Food and drink.

Leases to mobile catering vans:
Previously, leases for these uses have been precluded because of potential management issues. However in response to an increase in demand it is recommended that this policy be relaxed, on condition that a prospective tenant has, or is in the process of obtaining, all other necessary consents (street trading license, planning permission etc) on sites that are considered acceptable to the Council.

Installation of ATMs (cash machines) in leased properties:
Existing tenants seeking permission for the installation of cash machines have been refused consent on the basis that sub-letting is not permitted under the terms of the council's standard lease. It is recommended that this be allowed, subject to the negotiation of revised terms of lease. Where the withdrawal of cash is to be free of charge to customers no additional rent will be payable to the Council, but where a charge is to be made an additional rent will be negotiated. Tenants will also be required to take direct liability for reinstatement costs consequent to the removal of an ATM and associated equipment.

Tenant requirement for planning consent:
On occasion the council has received an offer for lease of a property subject to the receipt of a planning consent for a change of use. It is not unreasonable to allow a tenant time to obtain consent, where the proposed use is considered suitable for the property on offer. However, in the event that planning permission is not forthcoming a prospective tenant should only be allowed to pursue an appeal if they are willing to compensate the council for the loss of rent for the period required for an appeal to be determined.

Green Deal:
The Green Deal is intended to allow occupiers of a property to fund improvements to enhance energy efficiency. As repayment is to be linked to the applicant's energy bill there is a risk to the Council that a commitment to make payments will continue after the expiry of a tenant's lease. To avoid the financial burden falling to the council or subsequent tenants, when the applicant vacates the property, it is recommended that consent should only be given where repayment is contained within the period of the lease. There will remain a risk to the Council should a business cease to trade, and a property become empty, prior to any commitment to repayments under the Green Deal having been completed.

"Pop-up" shops:
The temporary, short term and intermittent use of shops has arisen during the recession from businesses that see the advantage of using empty premises without a long term liability. The use of council shops for this purpose is inconsistent with the objective of obtaining a secure income stream, and may inhibit the ability to offer a long term tenant early entry. In addition the occupancy levels for council shops are generally high (>95%) and we do not have long term voids. In the circumstances leases for use as "pop-up" shops will normally be avoided.

APPENDIX 2 – MANAGEMENT OF THE TNRP AND NON-OPERATIONAL PROPERTY ASSETS

PM&D's management of the TNRP is based on the principles of good estates management. Flexibility for tenants has been achieved through the introduction of plain English, standard leases, and current policies allow existing tenants to renew their lease, on agreed terms, on expiry.

Current policies also cover rent payment, charging deposits, and arrangements for collecting rent arrears. New applicants for industrial units are generally dealt with on a first come first served basis. Some minor changes to practice and policy would support the efficient management of the portfolio

Refusal of lease:
Although instances of tenants leaving council property as a result of default are limited, and are decreasing as PM&D's staff foster good relationships that serve to act as an early warning of issues, there are nevertheless occasions where tenants have left having been in material breach of lease conditions. It is recommended that, should these tenants return seeking the lease of council property, officers in PM&D should have the discretion to refuse an application. However, it is also suggested that any applicant who is refused a lease should have the right of appeal to the Head of Finance and Estates.

Service charges:
The council has a limited number of properties with common parts, where a service charge is recoverable. The Royal Institution of Chartered Surveyors has established guidelines and procedures for charging and reconciliation of service charges, and the council will follow these. This will include the recharge of officer time in managing the property.

Electronic Invoicing:
As postage charges increase, the issue of paper invoices becomes an expensive exercise for the council, particularly as most of our leases are based on monthly payments, which is to the general benefit of tenants. The standard leases do not require the issue of an invoice as a prerequisite for payment. Many existing tenants have already agreed to electronic invoicing, and it is expected of new tenants. However, this can not be imposed on many of our existing tenants on longer leases. For new leases, tenants will now be expected to accept that invoices will be issued electronically, and there will be a nominal charge if paper versions are required for their accounting purposes.

Assets with a low rental income:
Unlike many commercial landlords the Council has assets of interest to customers, which have a low rental value. Where these rentals are payable in instalments during the course of a year the costs of managing the collection of rentals start to become uneconomic.

In the interest of efficiency it is therefore suggested that, where an annual rental is less than £250, the payment is required on the date of entry, for the full term of the lease, or the period until the next review. As leases will generally be for a period of less than five years, or will include a rent review on the fifth anniversary, the initial payment will be a maximum of £1250.

Similarly it is suggested that where a lease has a rental of between £251 and £500 per annum, it is payable annually in advance.

In each case, in the event of an early termination of the lease any balance of rent will be refunded.

While this would be applied to new leases with effect from the approval of this paper, it is also intended to offer this option to existing tenants, where applicable.

Common repairs (e.g. tenements):

As some TNRP shop properties occupy the ground floor of flatted, multi-occupancy buildings there is a liability for common repairs. The responsibility for the procurement of, and payment for, such common repairs is usually set out in the Titles, and it is normal for the party with the majority interest to take responsibility for the coordination of all interested parties. As well as the procurement of repairs this may also involve paying for the repairs, and pursuing the recovery of the costs from the other parties. In future, in order to ensure the most effective use of council staff resources, only where the commercial part of the property in the council's ownership is the majority interest will PM&D's officers be expected take that role.

Metal detection and off road vehicles

Officers periodically receive requests from individuals or organisations for permission to use council land, and in particular land identified for future development, for metal detection or off road vehicles (e.g. quad bikes). To date these have generally been resisted, but a formal council policy would be advisable.

- Metal detectors
  It is suggested that, where there are no immediate proposals for the use of the site and where this activity would not be detrimental to the council's long term interests, permission is granted subject to the applicant entering into a Licence that will ensure the reinstatement of the site, the transfer of any finds to the council and the applicant accepting full liability for any consequences of their activity.
- Off road vehicles
  As there may be issues for public liability, safety, nuisance and environmental concerns from off road vehicles, it is recommended that these uses should be declined.

APPENDIX 3 - SURPLUS PROPERTY PROCEDURES

Background

The formal declaration that a property is surplus to requirements is the trigger that sets in train a number of processes that minimise holding costs and maximise disposal proceeds.

The council has no consistent process for declaring surplus to requirements any properties that are no longer needed for the delivery of services. This lack of clarity brings a degree of uncertainty and inconsistency to the processes that follow. In the past the declaration of surplus property has happened in a variety of ways

For example, a Head of Service may have reported to the relevant service committee that a change in the way a service is delivered or the suitability of an existing property, meant that a new facility would replace the old, with the latter being surplus to the service requirements.

Alternatively, reference to future disposal may have been included in a report on a wider project, such as the future sale of existing depots to contribute to the funding package for depot modernisation. The procedures for the actual disposal of properties declared surplus are delegated to the Head of Finance and Estates.

In the report to the Council Executive in March 2011, which approved a strategy for the council's non-operational property, the agreed Action Plan stated that officers would review the process for declaring properties surplus, and present a further report to the Council Executive. The approval of the Property Asset Management Plan (PAMP) confirms the need for a refreshed procedure for surplus properties.

Detail

The process of formally reporting a recommendation for declaring that a property is surplus should be led by the Head of Finance and Estates, subject to consultation and agreement with the Head of the Service for the relevant property.

The review of service delivery and of the property assets needed to support service delivery is likely to come under sharper focus as a consequence of workstreams comprising Delivering Better Outcomes. It is therefore anticipated that there may be a greater number of surplus properties coming forward in the next few years, coupled with a commitment to deliver savings from such changes.

The formal declaration of a property being surplus and the anticipated date at which this will happen will trigger a number of processes, including planning the decommissioning of the building; applying for vacant rates relief; revisions to the maintenance regime, including statutory compliance; and a review of disposal options.

At present the informal nature of such declarations, or failure to communicate to the appropriate service, fails to trigger some of the above actions.

Options assessment

The Council has an obligation to maximise its return from the disposal of property assets. In some cases properties that are likely to become surplus will already have been identified as contributing towards the capital receipts necessary to deliver the council's investment programme.

As there is pressure on the council's revenue budget, consideration will also have to be given to the potential for a surplus asset to generate additional rental income. There may also be scope for the council to be proactive in considering the transfer of an asset to the local community. In certain circumstances a property may only be suitable for demolition.

Each of these options should be considered and the views of the local elected members sought before a report is submitted to the Council Executive.

This process will allow a regular report to be placed before the Council Executive rather than having a piecemeal process, as has been the case in the past. It is expected that this process will mean that reports would be submitted no more frequently than once a quarter.

APPENDIX 4 – ACQUISITION OR DISPOSAL OF PROPERTY RIGHTS

The council has a statutory obligation under s74 of the Local Government (Scotland) Act 1973 to obtain the best consideration reasonably obtainable. This obligation has underpinned the practices and processes followed by PM&D in the disposal of assets.

In general this means that property is sold or leased following exposure to the open market, and where there is, or is likely to be competing interest this usually follows a closing date for the submission of offers. However, there are circumstances where a degree of flexibility, and disposal "off market", may be appropriate. In addition, the clarification of delegated authority will assist officers in the efficient handling of requests for minor property rights required by the council or others.

Negotiation one-to-one:

On occasion the council has been approached by a party who is interested in acquiring a property by negotiation, rather that it being exposed to the market. The circumstances behind an approach may differ, for example:

- A neighbouring owner may have an interest in property for the extension of their own asset. (NB The council already sells amenity land to a neighbouring owner for the extension of garden ground "off market".) In such circumstances the council may be able to benefit from a marriage value as a result of a negotiated sale;
- An applicant may have identified an opportunity of which officers were unaware – for example, pitches for mobile catering vans. In certain circumstances it may then be unreasonable for the council to afford others the chance to offer for an opportunity on the back of work done by the initial applicant; and
- The report on the Strategy for the Non-Operational portfolio noted that it would be appropriate to review and dispose of assets that generate a low and static return. Disposal by negotiation with the existing tenant is likely to be the most productive means of disposal.

It is therefore suggested that officers should be able to enter into negotiations on a one-to-one basis, subject to any final agreement on a disposal being approved by the Council Executive.

Sale by Public Auction:

The sale of council assets may arise as a consequence of properties being declared surplus, or the rationalisation of TNRP assets. Surplus properties are usually exposed to the open market, with a closing date for offers. The sale of a TNRP asset, for example a long ground lease where there is a low income and no prospect of growth, would in the first instance be negotiated with the existing tenant. However, should these methods fail to secure a sale, the disposal of an asset by auction may be the most appropriate means of securing the best consideration, and it is a course of action that should be available to officers. However, as sale by auction is deemed to be binding once the hammer falls there is no opportunity for a subsequent report to the Council Executive. It is recommended that proposals to sell by auction should be reported to the Council Executive so that an agreed reserve price can be set, with a delegation to the Head of Finance and Estates to appoint an Auctioneer, and to instruct Legal Services to conclude the sale following the auction.

Garden Ground sales:
As noted above requests for the purchase of garden ground are handled "off market", and this remains appropriate. However, the customer journey can often be protracted. Currently, an application is circulated for consultation to local elected members and relevant council services prior to an applicant being given an indication of the council's willingness to sell the land. The applicant then has to submit a planning application for change of use from amenity land, which can re-open the consultation process. Only once planning consent is secured can the sale take place.

It is suggested that, in future, PM&D will consult only with the service responsible for the land (i.e. NETs or Housing) and, if the proposal is acceptable applicants will then be advised to apply for planning consent.

Garden Ground encroachments:
At its meeting on 7 March 2006 the Enterprise and Development Committee approved a report on the sale of garden ground that increased the consideration payable to £100 per sq.m, and removed the requirement for a clawback provision. Since the report a number of circumstances have arisen where property owners had encroached on the land prior to the change in policy, and have sought to correct the matter.

It is proposed that property owners should be able to correct the encroachment, and acquire the land, on the basis that the consideration is £100 per sq.m, or the prevailing rate if this is subsequently amended, irrespective of when the encroachment took place.

Wayleaves and Servitudes
The Council is regularly contacted by utility companies seeking consent to run utility services (gas, electricity, water) across council land. This is generally needed to enable development to take place. PM&D has been dealing with these under a delegated authority, although a strict interpretation would suggest that this is outside the scope of the Scheme of Delegation.

As these are routine requests, it is proposed that the Scheme of Delegation be amended to allow the Head of Finance and Estates to grant wayleaves and servitudes for the utility companies, following consultation with relevant council services.

Licences or leases for council occupation
On occasion the council will need to take a right over land or property to allow it to fulfil the delivery of services. This may be the need for a licence to carry out a site investigation, for example for a housing site, or for works to a road bridge. It is proposed that the Scheme of Delegation be amended to allow the Head of Finance and Estates to negotiate and sign these agreements, where they are for a period of less than a year.

The use of council property for commercial events
The Council is regularly approached by external organisations with requests to use Council owned land and/or premises in connection with planned events, such as the recent Chanel fashion show and the Party at the Palace in Linlithgow. This may apply both to council buildings and to open space assets. A consistent approach is sought as to how those requests are dealt with.

In the case of commercial events, it is normal practice for other public bodies (e.g. Historic Scotland) to charge the organisers a commercial consideration for the use of their assets. This Council takes a similar approach and we will continue to do so going forward in accordance with statutory requirements on best value and in compliance with the Disposal of Land by Local Authorities (Scotland) Regulations 2010. In addition we will recover from the organisers any costs (including any loss of income) incurred by the Council as a result of the event taking place.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

SCOTTISH DRAFT BUDGET 2015/16

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To provide the Council Executive with an update in relation to the Scottish Draft Budget 2015/16 presented to the Scottish Parliament on 9 October 2014.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the issue of the Scottish Draft Budget 2015/16, which includes planned departmental spending plans for 2015/16;
2. Agrees that the Head of Finance and Estates reports the outcome of the detailed local government finance settlement, which will provide final grant funding for each council for 2015/16, to Council Executive in December 2014.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable. Making best use of resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council must approve a balanced budget before 11 March each year to comply with statutory obligations.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	The council's budgets provide resources necessary to help deliver the Single Outcome Agreement.
VI	Resources - (Financial, Staffing and Property)	Spending decisions by the Scottish Government have implications for the council's general services revenue and capital budgets.
VII	Consideration at PDSP	None
VIII	Other consultations	This update represents an ongoing briefing and consultation with elected members on financial issues.

D. TERMS OF REPORT

D.1 Introduction

The Cabinet Secretary for Finance, Employment and Sustainable Growth, in a statement to the Scottish Parliament on 9 October 2014, announced the Scottish Draft Budget 2015/16.

D.2 Background

The Scottish Draft Budget 2015/16 is the first stage of consultation and debate in the Scottish Parliament regarding planned expenditure for 2015/16. The draft spending proposals contained within the budget document will be debated by the Scottish Parliament over the coming months.

The final budget will include revenue and capital allocations for local government for 2015/16. At individual local authority level, revised revenue and capital grant allocations will be made available when the local government finance settlement is announced in early December 2014.

D.3 Total Public Spending in Scotland

The Draft Budget document sets out the planned revenue and capital allocations for Scotland for 2015/16. The allocations across the Scottish Government portfolio are as follows:

Portfolio	2014/15 Budget £m	2015/16 Plans £m
Health and Wellbeing	11,968.0	12,176.8
Commonwealth Games, Sport, Equalities & Pensioners' Rights	231.3	92.1
Finance, Employment and Sustainable Growth	3,191.4	4,422.6
Education and Lifelong Learning	2,793.7	2,936.9
Training, Youth & Women's Employment	244.8	261.6
Justice	2,589.2	2,608.4
Rural Affairs & the Environment	559.2	608.0
Culture & External Affairs	231.2	255.9
Infrastructure, Investment and Cities	2,714.8	3,014.5
Administration	198.0	197.7
Crown Officer & Procurator Fiscal	108.7	112.1
Local Government	10,586.7	10,756.7
Scottish Parliament & Audit Scotland	95.7	95.9
Total	**35,512.7**	**37,539.2**

The Draft Budget extends the indicative spending plans published in September 2013 including the powers devolved through the Scotland Act 2012 to set the rates and bands for Scottish Landfill Tax and Land and Buildings Transaction Tax and borrowing for capital investment.

The Cabinet Secretary noted that economic policies supported by the Draft Budget are focused on supporting job creation, delivering investment that supports sustainable growth; and rebalancing the economy.

The Cabinet Secretary confirmed that the local government finance settlement is based on local authorities maintaining the council tax freeze in 2015/16. Any council who does not agree to freeze the council tax would have their revenue grant reduced in the event of a council tax increase.

D.4 Proposed Tax Rates for Devolved Taxes

The Cabinet Secretary announced the introduction of two new devolved taxes in the Draft Budget, which are being introduced through powers devolved through the Scotland Act 2012.

Land and Buildings Transaction Tax (LBTT)
LBTT will replace Stamp Duty Land Tax in Scotland from 1 April 2015. LBTT will have a progressive rate structure which means that only the proportion of the price above each tax threshold will be taxed at the next rate rather than the whole purchase price under current Stamp Duty Land Tax. The proposed rates are as follows:

Residential Transactions		Non Residential Transactions		Non Residential Leases	
Band	Rate	Band	Rate	Band	Rate
Up to £135,000	Nil	Up to £150,000	Nil	Up to £150,000	Nil
£135,001 to £250,000	2%	£150,001 to £350,000	3%	Over £150,000	1%
£250,001 to £1m	10%	Over £350,000	4.5%		
Over £1m	12%				

Scottish Landfill Tax (SLfT)
SLfT will replace UK Landfill Tax in Scotland from 1 April 2015. The rates announced in the Draft Budget match the planned UK landfill tax rates for 2015/16, £82.60 for the standard rate per tonne of taxable waste, and £2.60 for the lower rate per tonne of taxable waste.

The two new taxes will be collected by Revenues Scotland, and are intended to be revenue neutral. This means that the proposed rates and bands are projected to generate the same level of revenues which the predecessor UK taxes would have generated in Scotland in 2015/16.

D.5 Welfare Reform

The Draft Scottish Budget confirmed that funding for the Scottish Welfare Fund and funding to fully mitigate Bedroom Tax losses in 2015/16 will be provided at the same levels as 2014/15.

- Funding of £35 million will be provided to councils to compensate for bedroom tax losses in 2015/16;
- Funding of £38 million will be provided to councils to support the Scottish Welfare Fund in 2015/16.

There was no additional funding included in the Draft Budget to compensate councils for debts arising as a result of bedroom tax legacy arrears for 2013/14.

The Scottish Parliament previously commissioned a report through Sheffield Hallam University on “The impact of Welfare Reform on Scotland’ and estimated that by 2014/15 the overall impact of the reforms for West Lothian will be a loss of £57 million per annum to the economy.

D.6 High Level Local Government Settlement

In 2015/16, the Scottish Government will provide a total baseline package of revenue and capital funding of £10.756 billion. The figures are broken down as follows:

	2014/15 Budget £m	2015/16 Draft Budget £m	Movement £m
Revenue Grant	9,790.0	9,895.4	105.4
Capital Grant	796.7	861.3	64.6
Total Local Government	10,586.7	10,756.7	170.0

The draft figures include a number of funding streams which have been confirmed since publication of indicative 2015/16 funding figures, as part of the 2014/15 Draft Budget announcement. The sums are as follows:

- £54 million for free school meals
- £44 million for pre-school entitlement
- £6.5 million for Council Tax Reduction Scheme administration costs
- £39 million for the Children and Young People Act
- £5 million for Shetlands Island Council to support future house building projects

The draft figures in the table above do not include a number of other agreed, or still to be agreed, sums that will be included in the final local government finance settlement for 2014/15 and 2015/16, either after the Autumn 2014 Budget Revision or Spring 2015 Budget Revision. These include:

- £38 million for the Scottish Welfare Fund in 2015/16;
- £15 million in 2014/15 and £35 million in 2015/16 for Discretionary Housing Payments;
- £2 million in 2014/15 and 2015/16 for the Supply Teachers Pay Agreement;
- £3 million additional Family Support Funding for 2014/15;
- £24.8 million capital funding for Free School Meals in 2014/15;
- £17.5 million capital funding for the Children and Young People Act in 2014/15.

D.7 Local Government Commitments in the Funding Package

The commitments attached to the local government funding package were set out in a separate letter from the Cabinet Secretary to Council Leaders on 9 October 2014. In order to access the full amount of the package, each local authority will be required to maintain the council tax freeze for 2015/16 and secure places for all probationers who require one under the teacher induction scheme. The Scottish Government and Cosla have also agreed to:

- A five month timetable to reach an in-principle agreement on an outcomes based approach to educational outcomes subject to the completion of work which is satisfactory to both Scottish Government and Local Government.

- Commencing over the same five month period and in relation to 2015/16: if a local authority is able to reach agreement with partners through engagement mechanisms, including the LNCT, to introduce flexibilities which impacts on the numbers of teachers then this may be viewed as a derogation to the national commitment on teacher numbers.

- That the commitment to maintain teacher numbers in line with pupil numbers along with associated sanctions remains in place for 2014/15. While the work to reach an in-principle agreement (as above) is on-going, the sanctions in relation to teacher numbers are suspended for 2015/16. If a new agreement is not reached for 2015/16 there will be a continued Scottish Government commitment to maintain teacher numbers in line with pupil numbers at a national level.

West Lothian Council has sustained a pupil to teacher ratio in 2014/15 of 14.0 pupils to one teacher which is equivalent to the 2013/14 ratio. The council has therefore delivered all of the commitments attached to the 2014/15 funding settlement, including the council tax freeze and probationers' commitments.

D.7 High Level Implications for West Lothian Council

The Delivering Better Outcomes consultation highlighted that the council faces a budget shortfall of £30.4 million over the three years 2015/16 to 2017/18. This position took account of the draft finance settlement figures for 2015/16 which I previously reported to Council Executive on 5 August 2014. The high level local government grant figures announced in the Draft Scottish Budget are broadly in line with the council's current budget assumptions, with the additional funding for free school meals and pre-school entitlement assumed to be cost neutral. An announcement on the distribution of the additional capital funding of £24.8 million for free school meals has still to be made.

Finance Circular 6/2014 which gave indicative 2015/16 revenue grant settlement figures highlighted that the council would have grant funding reduced by £2.084 million if it were to increase council tax in 2015/16. This grant reduction would be equivalent to the additional income the council would collect from a 3% increase in council tax.

In regard to Discretionary Housing Payments, the Scottish Budget announcement confirmed that overall resources of £35 million for 2015/16 will be in line with 2014/15 funding. Therefore provided that 2014/15 funding is sufficient to fully mitigate the effects of the bedroom tax for every local authority, then it can be assumed that 2015/16 funding will allow the council to fully provide for 2015/16 bedroom tax losses. The position in relation to the actual costs of mitigating the bedroom tax in 2014/15 will continue to be closely monitored by officers. If additional funding for 2014/15 is required this will be notified to Cosla and the Scottish Government.

The draft budget announcement did not provide any funding that would allow councils to fully mitigate bedroom tax arrears from 2013/14.

Figures for provisional capital grant funding indicate that the council will receive an additional £1.254 million in general capital grant funding in 2015/16. As agreed by the Council Executive in June 2014, officers are currently undertaking a review of options for Linlithgow Partnership Centre. Council Executive agreed that the council remained committed to delivery of a partnership centre, which will involve significant additional cost given the location, extent and nature of the asbestos in the building. The preparation of options for the partnership centre will include a review of funding, and the additional capital grant will represent a potential source of funding that could be considered for the partnership centre.

In line with normal practice, I will report the outcome of the local government finance settlement for 2015/16 to Council Executive after its publication in December 2014.

E. CONCLUSION

The Scottish Government published draft 2015/16 revenue and capital allocations on 9 October 2014. The high level figures for local government appear broadly in line with the council's Scottish Government grant assumptions for 2015/16, with additional revenue funding for pre-school education and free school meals in line with additional expenditure requirements.

I would anticipate that following the Scottish Government budget consultation process, these amounts along with other funding streams such as free school meals capital funding, will be confirmed in the 2015/16 local government finance settlement in December 2014.

At this stage, the budget announcement confirms that the council will face a budget gap of £30.4 million over the three years 2015/16 to 2017/18.

I will report the outcome of the revised local government finance settlement to Council Executive after its publication.

F. BACKGROUND REFERENCES

Scottish Budget – Draft Budget 2015/16 published by Scottish Government 9 October 2014.

Appendices/Attachments: none

Contact Person: David Maule, Corporate Finance Manager, david.maule@westlothian.gov.uk, 01506 281302

Donald Forrest
Head of Finance and Estates
28 October 2014

West Lothian Council

COUNCIL EXECUTIVE

COUNCILLORS' LOCAL DISBURSEMENT FUND

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To advise the Council Executive of expenditure from the Councillors' Local Disbursement Fund for the period 1 April 2014 to 30 September 2014.

B. RECOMMENDATION

To note the expenditure from the Councillors' Local Disbursement Fund for the period 1 April 2014 to 30 September 2014.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Being honest, open and accountable, focusing on our customer's needs
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The guidelines for the operation of the Local Members' Disbursement Fund were established by the Policy and Resources Committee in 1996. New forms and procedures were introduced as a result of the council's implementation of "Following the Public Pound" in October 2005 and were further revised in 2007. The name of the Fund was changed in April 2007
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)**	The budget for 2014/15 is £92,358, divided equally amongst the 33 elected members.
VII	**Consideration at PDSP**	Not required
VIII	**Consultations**	None

D. TERMS OF REPORT

The guidelines for the operation of the Councillors' Local Disbursement Fund, which were approved by the Policy and Resources Committee in 1996, include a requirement for a summary report of expenditure from the Fund to be submitted to the Council Executive every six months.

Expenditure for the period from 1 April 2014 to 30 September 2014 is shown in the Appendix to this report.

The budget for the Fund for 2014/15 is £92,358.00. Each member is allocated an equal share of the fund, amounting to £2,798.72 per elected member. Members receive regular information about sums they have allocated and balances remaining to them, and they can ask for that information at any time.

Members are reminded that for a disbursement to come within the guidelines for the scheme there should be some evidence in the application of a benefit to the community rather than a benefit only to an individual.

E. CONCLUSION

Reporting spending from the Fund for the first half of the year ensures compliance with the rules governing the scheme.

F. BACKGROUND REFERENCES

Policy and Resources Committee - 23 April 1996

Policy Partnership & Resources Committee - 20 June 2001, 25 October 2005, 5 December 2006 and 6 February 2007

Appendices: Summary of Councillors Local Disbursement Fund Spending - 1 April 2014 to 30 September 2014

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Julie Whitelaw

Head of Corporate Services

Date: 28 October 2014

APPENDIX 1

COUNCILLORS LOCAL DISBURSEMENT FUND – SPENDING SUMMARY

1 APRIL 2014 TO 30 SEPTEMBER 2014

WARD AND MEMBER	AMOUNT ALLOCATED
Ward 1 – Linlithgow	
Tom Conn	£1,320.00
Martyn Day	£1,275.00
Tom Kerr	£1,500.00
Ward 2 – Broxburn, Uphall and Winchburgh	
Tony Boyle	£700.00
Diane Calder	£1,450.00
Janet Campbell	£900.00
Alex Davidson	£1,200.00
Ward 3 – Livingston North	
Robert de Bold	£1,415.00
Anne McMillan	£1,150.00
Andrew Miller	£1,315.00
Angela Moohan	£1,850.00
Ward 4 – Livingston South	
Lawrence Fitzpatrick	£2,248.72
Peter Johnston	£2,789.72
Danny Logue	£2,789.72
John Muir	£765.00
Ward 5 – East Livingston and East Calder	
Frank Anderson	£800.00
Carl John	£925.00
Dave King	£2,648.72

Frank Toner	£2,498.72

Ward 6 – Fauldhouse and the Breich Valley

David Dodds	£1,995.00
Greg McCarra	NIL
Cathy Muldoon	£1,650.00

Ward 7 – Whitburn and Blackburn

Jim Dickson	£1,775.00
Mary Dickson	£1,500.00
George Paul	£2,798.72
Barry Robertson	£2,550.00

Ward 8 - Bathgate

Willie Boyle	£1,050.00
Harry Cartmill	£1,460.00
John McGinty	£1,725.00
Jim Walker	£2,100.00

Ward 9 – Armadale and Blackridge

Stuart Borrowman	£2,625.00
Jim Dixon	£2,789.72
Isabel Hutton	£680.00

Amount available	£92,358.00
Amount allocated	£54,266.04
Amount remaining for allocation	£38,091.96

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

COMMUNITY COUNCIL GRANTS

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To inform the Council Executive of the administration and special project grants which have been paid to community councils from 1st April to 30th September 2014.

B. RECOMMENDATION

To note the payments made from the community council administration and special project grants budgets from 1st April to 30th September 2014.

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
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Section 22 of the Local Government (Scotland) Act 1994
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	The timescale for awarding community council administration grants are monitored and recorded through Covalent.
V	**Relevance to Single Outcome Agreement**	None
VI	**Resources - (Financial, Staffing and Property)**	The combined community council administration grant and special project grants budget for 2014/2015 is £26243.
VII	**Consideration at PDSP**	None

VIII Other consultations None

D. TERMS OF REPORT

Following a decision by Council Executive on 18th May 2010, bi-annual reports on community council funding are brought to the Council Executive for information.

Administration Grants

Administration grants are paid automatically to community councils upon submission of satisfactory audited accounts. The level of administration grant paid is pre-determined within the council's Scheme for Establishment of Community Councils in West Lothian. The current rate is £7.50 per 100 of the population, or £250, whichever is the greater. This is supplemented by a 10% uplift following the increase in the budget at Council Executive on 25 June 2012 and a further 1% approved in January 2013 for financial years 2013/14 and 2014/15. An additional payment of £35 is included in the administration grant to cover the costs of community councils registering with the Information Commissioner to comply with the terms of the Data Protection Act 1998.

Appendix 1 shows the level of grant now available to each community council for the current financial year, audited accounts which have been received and when grants were awarded.

Special Project Grants

The special project grant scheme allows community councils to carry out projects in their areas such as production of newsletters, environmental improvements, park benches, etc. Community councils can apply for a maximum of £750 in each financial year. There is no minimum grant. Applications are dealt with on a first come first served basis. Community councils who retain more than 10% of their grant from the previous financial year are expected to contribute 10% towards the project.

At the start of each financial year, when community councils are notified of their level of administration grant, they are reminded of the availability of the special project fund. Any new community councils set up during the year are advised of the special projects grant scheme at their inaugural meetings.

Appendix 2 details all of the special project grants which have been awarded during the period 1st April to 30th September 2014. The budget for 2014/15 has been spent and all community councils have been advised that no funds remain available for distribution.

E. CONCLUSION

This report ensures that elected members are aware of the grants which have been paid to community councils in their wards.

F. BACKGROUND REFERENCES

Minute of Meeting of the Council Executive held on 18th May 2010.

West Lothian Scheme of Establishment of Community Councils

Appendices/Attachments: Appendix 1 – Breakdown of Administration Grants

Contact Person: Lorraine McGrorty, Committee Services, 01506 281609, lorraine.mcgrorty@westlothian.gov.uk

Julie Whitelaw

Head of Corporate Services

28th October 2014

APPENDIX 1

COMMUNITY COUNCIL ADMINISTRATION GRANTS 2014/15

COMMUNITY COUNCIL	GRANT PAYABLE 2014/15	DATE GRANT CLAIMED	DATE SENT TO FINANCE	DATE GRANT ISSUED
Addiewell/Loganlea Community Council	316			
Armadale Community Council	1013			
Bathgate Community Council	1788			
Bellsquarry Community Council	316	22/8/14	26/8/14	4/9/14
Blackburn Community Council	496	14/5/14	14/5/14	£481 paid on 4/6/14. £15 top up due to population increase paid 25/6/14.
Blackridge Community Council	316			
Breich Community Council	316			
• Bridgend Community Council	316			
Broxburn Community Council	903			
• Carmondean Community Council	491			
Craigshill Community Council	602			
• Deans Community Council	451			
Dechmont Community Council	316			
Dedridge Community Council	662			
East Calder & Wilkieston Community Council	485			
Ecclesmachan & Threemiletown Community Council	316	25/6/14	26/6/14	9/7/14
Eliburn	542			
Fauldhouse Community Council	453			
• Howden Community Council	316			
Kirknewton Community Council	316			
Knightsridge Community Council	419			
Ladywell Community Council	560			

COMMUNITY COUNCIL	GRANT PAYABLE 2014/15	DATE GRANT CLAIMED	DATE SENT TO FINANCE	DATE GRANT ISSUED
Linlithgow & Linlithgow Bridge Community Council	1289	11/5/14	14/5/14	£1197 paid 4/6/14. £92 top up due to population increase paid 25/6/14.
Livingston Village Community Council	316	16/4/14	7/5/14	4/6/14
Longridge Community Council	316	25/6/14	26/6/14	9/7/14
Mid Calder Community Council	324			
Murieston Community Council	520	26/6/14	26/6/14	2/7/14
Newton Community Council	316			
Philpstoun Community Council	316			
Polbeth Community Council	316			
Pumpherston Community Council	316			
Seafield Community Council	316			
Stoneyburn Community Council	316	12/5/14	13/5/14	4/6/14
Torphichen Community Council	316	22/5/14	3/6/14	18/6/14
Uphall Community Council	443	3/7/14	3/7/14	5/8/14
Uphall Station Community Council	316			
West Calder & Harburn Community Council	322			
Westfield & Bridgehouse Community Council	316	30/9/14	1/10/14	
West Lothian Association of Community Councils	1122			
Whitburn & Greenrigg Community Council	1069			
Winchburgh Community Council	316	14/7/14	29/7/14	18/8/14
Total				

- Indicates non-operational community council

APPENDIX 2

COMMUNITY COUNCIL SPECIAL PROJECTS
1ST APRIL – 30TH SEPTEMBER 2014

Community Council Name	Project	Amount Requested	Amount Awarded
Linlithgow & Linlithgow Bridge CC	To produce a map of the perambulation of the Marches	675	675
Torphichen CC	To continue publication of the Torphichen News Newsletter	750	675
Pumpherston CC	To purchase and install a community council noticeboard	750	750
Uphall CC	To continue publication of the Uphall Community Council Newsletter	450	450
Blackridge CC	To continue publication of the Blackridge Community Council Newsletter	600	450
	Total Budget 2014/15		3000
	Total spend to 30/9/14		3000
	Balance remaining		0

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

REPORT BY DEPUTE CHIEF EXECUTIVE, COMMUNITY HEALTH AND CARE PARTNERSHIP

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 minutes of meetings of St John's Hospital Stakeholder Group held on 27 August and 24 September 2014 in the appendices to this 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 appraised 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: 2

Minute of meeting of the St John's Hospital Stakeholder Group held on 27 August 2014

Minute of meeting of the St John's Hospital Stakeholder Group held on 24 September 2014

Contact Person: Jim Forrest, Depute Chief Executive, CHCP

01506 281977

Jim.Forrest@westlothian.gov.uk

Date: XXXX

West Lothian Civic Centre
Howden Road South
Livingston
EH54 6FF

Waverley Gate
2-4 Waterloo Place
Edinburgh
EH1 3EG

ST JOHN'S HOSPITAL STAKEHOLDER GROUP MEETING

DATE: **WEDNESDAY 27 AUGUST 2014**

TIME: **2:30 P.M.**

VENUE: **BOARDROOM 1, ST. JOHN'S HOSPITAL, HOWDEN ROAD WEST, LIVINGSTON, WEST LOTHIAN EH54 6PP.**
(And by video conference call from Waverley Gate)

Members are reminded that they should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

	Item	Lead	
	Apologies for Absence		
1.	Minutes of the Previous Meeting of the St John's Hospital Stakeholder Group held on 30 July 2014		*
2.	Matters Arising 2.1 Department of Laboratory Services Update	**JC**	**v**
3.	Paediatric Services Update	**JC**	**v**
4.	Key Quality Indicators Quarterly Update	**AR**	#
5.	MRI Scanner Update *MRI Scanner Site Visit at conclusion of the meeting*	**JC**	**v**
6.	Work Plan		*
7.	Any Other Competent Business		
8.	Date of Next Meeting: 24 September 2014 Dates of Meetings in 2014: 22 October 2014 19 November 2014 17 December 2014		

***** = paper attached **#** = to follow **v** = verbal report **p** = presentation

For further information please contact Chris Graham,☎ 0131-465-5677, ✉ chris.graham@nhslothian.scot.nhs.uk
Elaine Dow ☎ 01506 281594, ✉ elaine.dow@westlothian.gov.uk

MINUTE of MEETING of ST JOHN'S HOSPITAL STAKEHOLDER GROUP held within BOARDROOM 1, ST JOHN'S HOSPITAL on 30 JULY 2014.

Present – Councillors John McGinty, Anne McMillan and Frank Toner; Maureen Anderson (Patient Representative) and by video link from Waverley Gate, Edinburgh – Alison Mitchell and Alex Joyce (non-Executive Directors of NHS Lothian).

Apologies – Professor John Iredale (non-Executive Director of NHS Lothian), Jim Crombie (Director of Scheduled Care NHS Lothian) and Agnes Ritchie (St John's Hospital Site Chief Nurse).

In attendance
Professor Alison McCallum, NHS Lothian
Jim Forrest, Director of West Lothian CHCP
Chris Stirling, St John's Hospital Site Manager
Chris Graham, Committee Co-ordinator, NHS Lothian

1. ORDER OF BUSINESS

The Chair advised that the planned visit to view the work carried out at the MRI Scanner construction site was delayed till the next scheduled meeting of the group due to operational difficulties.

2. DECLARATIONS OF INTEREST

Councillor Frank Toner declared a non-financial interest as a non-Executive Director of Lothian Health Board and as Chair of the West Lothian Community Health and Care Partnership.

3. MINUTE

The Stakeholder Group confirmed the minute of its meeting held on 4 June 2014 as being a correct record.

Opening comments

The Chair, on behalf of the Stakeholder Group, commended NHS Lothian and partners on the opening of the new facility at the Macmillan Centre, St John's Hospital.

4. PAEDIATRIC SERVICES

The Stakeholder Group was advised that the August rota for the Paediatric Service was secured. The staffing situation would continue to be monitored and it was agreed that this would remain on the work plan for consideration on a monthly basis.

Chris Stirling then provided the group with an update regarding the proposals to upgrade the Special Care Baby Unit at St John's Hospital.

Work was due to commence in August 2014 until March 2015. It was agreed that a further update would be included on the work plan for subsequent meetings.

It was also noted that the posts of Consultant and Nurse Practitioner were being re-advertised.

Decision

Noted the update and agreed that the item would continue to be included on the work plan.

5. DEPARTMENT OF LABORATORY SERVICES

The Stakeholder Group agreed to continue the item of business to be considered at the next meeting of the group scheduled to be held on 27 August 2014.

Decision

Agreed to carry forward the item of business to the next meeting.

6. NUCLEAR MEDICINE

The Stakeholder Group was advised that things were progressing well within the Nuclear Medicine Service. The Stakeholder Group agreed that the item of business no longer required to be included on the work plan.

Decision

Noted the update on the service and agree to remove the item from the work plan.

7. HOSPITAL WORKING AT WEEKENDS

The Stakeholder Group noted an update from Chris Stirling regarding hospital working at weekends. He advised that proposals were in place to increase medical and nursing staff to provide a robust medical support within St John's Hospital at weekends.

In response to a question from the group regarding the impact of increased medical and nursing staff on hospital discharges at weekends Chris advised that when the new roles were filled it was anticipated that there would be an increase in hospital discharges at the weekends which would have an impact on support services. However, services were available to ensure that patient's needs were being met. Jim Forrest then advised that district nursing staff were working overnight and at weekends. Members of staff were also able to access equipment from the new joint equipment store and would continue to work closely with staff at St John's Hospital regarding integration and care pathways for patients.

Work would continue with existing services to ensure that Hospital at Weekend continues to enhance and support weekend working at St John's Hospital providing a safe and sustainable environment.

It was agreed that an update on the progress would be provided to the Stakeholder Group at a future meeting.

Decision

Noted the update on hospital working at weekends and agreed that a further update would be provided to a future meeting.

8. SITE MASTER PLANNING WORK

Chris Stirling advised the group that within the NHS Lothian Strategic Plan each of the hospital Site Managers was asked to carry out a review of the hospital's site plan. Work was then carried out to review the options available for possible development at St John's Hospital looking at the potential for additional theatre capacity. The preferred option and an indication of the costs involved would then be reported back to the NHS Board for consideration.

Chris advised that a working group looked at the options available and recommended a two or four storey block be built at the rear of St John's Hospital to accommodate additional theatre capacity and supporting services. Other options were also being considered with a number of areas being reviewed for consideration for further development. The review would also take into account the implications that further developments would have on the volume of traffic to the hospital and would ensure that the site remained safe.

In response to a question from the group regarding plans for improvement works to the hospital, Chris provided an overview of the items which would be considered which included improvements to the entrance to the hospital to ensure additional capacity for outpatients. Recruitment was also being carried out for volunteers to assist visitors arriving at the hospital and plans were in place to upgrade the coffee lounge.

It was agreed that an update would be provided to a future meeting of the group.

Decision

- Noted the update in relation to the site master planning work;
- Agreed that the item be included on the agenda for an update to be provided to a future meeting.

9. MRI SCANNER

The Stakeholder Group noted that due to some operational reasons within

the construction site of the MRI Scanner it was not possible to carry out the site visit that was scheduled to take place following the Stakeholder Group meeting.

It was proposed to reschedule the visit following the meeting of the Group on 27 August 2014 at which point the MRI Scanner was expected to be delivered and in place. It was also agreed that an invitation would be extended to members of the public in attendance at the next meeting.

Decision

Noted that the item be continued for consideration at the next meeting of the Group with a site visit to be carried out at the conclusion of the meeting to include members of the public in attendance at the meeting.

10. CHANGEOVER OF CHAIRING AND CLERKING OF MEETING FROM 27 AUGUST 2014

The Stakeholder Group noted that consideration would be given to appoint the Chair and third non-Executive member of the Stakeholder Group at the NHS Board meeting scheduled to take place on 6 August 2014. The changeover would take effect from the next meeting of the Stakeholder Group on 27 August 2014.

The Chair expressed a note of thanks to everyone involved in the Stakeholder Group for their help and support over the past two years while he was Chair.

Decision

Noted the update regarding the changeover of Chair of St John's Hospital Stakeholder Group to NHS Lothian from 27 August 2014.

11. WORK PLAN

The Stakeholder Group considered the work plan (copies of which had been circulated).

Decision

Noted the contents of the work plan.

West Lothian Council

NHS Lothian

6.

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

Work Plan as at 27 August 2014

	SUBJECT	OFFICER	MEETING DATE
1	Paediatric Services Update	Jim Crombie	**Standing item**
2	Department of Laboratory Services Update	Jim Crombie	**27 August 2014**
3	MRI Scanner Update plus Site Visit	Jim Crombie Agnes Ritchie	**27 August 2014**
4	Key Quality Indicators	Agnes Ritchie	**27 August 2014 (Quarterly Update)**
5	Hospital Activity Update (Outpatient and Inpatient Day Case Activity)	Jim Crombie	**24 September (Quarterly Update)**
6	Special Care Baby Unit Upgrade – Update	Chris Stirling	**24 September or 22 October 2014**
7	Site Master Planning Work	Chris Stirling	**Linked to Strategic Plan 22 October 2014**
8	Strategic Plan Update	Jim Crombie Libby Tait	**22 October 2014**
9	Hospital Working at Weekends - Update on Developments in Medical and Nursing Staff	Chris Stirling	**Spring 2015 (March) when there has been more progress with appointments**

West Lothian Civic Centre
Howden Road South
Livingston
EH54 6FF

Waverley Gate
2-4 Waterloo Place
Edinburgh
EH1 3EG

ST JOHN'S HOSPITAL STAKEHOLDER GROUP MEETING

DATE: **WEDNESDAY 24 SEPTEMBER 2014**

TIME: **2:30 P.M.**

VENUE: **BOARDROOM 1, ST. JOHN'S HOSPITAL, HOWDEN ROAD WEST, LIVINGSTON, WEST LOTHIAN EH54 6PP.**
(And by video conference call from Waverley Gate)

Members are reminded that they should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

	Item	Lead	
	Apologies for Absence		
1.	Minutes of the Previous Meeting of the St John's Hospital Stakeholder Group held on 27 August 2014	**BH**	*
2.	Matters Arising	**BH**	**v**
3.	Special Care Baby Unit Upgrade Project *Lynne Kerr, Clinical Manager, Neonatal Services*		**p**
4.	Paediatric Services Update	**JC**	**v**
5.	Key Quality Indicators Quarterly Update	**AR**	**#**
6.	Activity and Performance Update	**JC**	#
7.	Work Plan	**BH**	*
8.	Any Other Competent Business		
9.	Date of Next Meeting: 22 October 2014		
	Dates of Meetings in 2014: 19 November 2014 17 December 2014		

***** = paper attached **#** = to follow **v** = verbal report **p** = presentation

For further information please contact Chris Graham,☎ 0131-465-5677, ✉ chris.graham@nhslothian.scot.nhs.uk
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DRAFT

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

1.

Minutes of the Meeting held on Wednesday 27 August 2014 at 2.30pm in Board Room 1, St John's Hospital, Howden South Road, Livingston, West Lothian EH54 6PP (and by video conference call from Waverley Gate)

Present:

Mr Brian Houston (Chair)	Non-Executive Lay Member of NHS Lothian
Councillor John McGinty	Leader West Lothian Council
Councillor Anne McMillan	West Lothian Council Livingston North Ward
Councillor Dave King	Depute Provost, East Livingston and East Calder Ward
Mrs Alison Mitchell	Non-Executive Board Member of NHS Lothian
Mr Alex Joyce	Employee Director, Non-Executive Member NHS Lothian
Mrs Maureen Anderson	Patient Representative

In Attendance:

Mr Jim Crombie	Director of Scheduled Care, NHS Lothian
Mr Chris Stirling	St John's Hospital Site Manager, NHS Lothian
Ms Agnes Ritchie	St John's Hospital Site Chief Nurse, NHS Lothian
Mr Chris Graham	Committee Administrator

Apologies:

Professor John Iredale	Non-Executive Stakeholder Member, NHS Lothian
Jim Forrest	Director of West Lothian CHCP
Professor Alison McCallum	Director of Public Health and Health Policy, NHS Lothian
Councillor Frank Toner	West Lothian Council East Livingston & East Calder

Declaration of Financial and Non-Financial Interest

The Chair reminded members they should declare any financial and non-financial interests they had in the items of business for consideration, identifying the relevant agenda item and the nature of their interest. There were no declarations of interest.

Opening Remarks

Mr Houston advised that he was assuming the Chair of the St John's Stakeholder's Group. He thanked Cllr McGinty for his chairmanship of the last two years and congratulated him on the progress made in the role of the Group.

1. Minutes of the Previous Meeting

1.1 The Minutes of the previous meeting held on 30 July 2014 were approved.

2. Matters Arising

2.1 Department of Laboratory Services Update - Mr Crombie reported that the model of care at St. John's remains extant. The strategic review of labs had now concluded and would become part of the NHS Lothian Strategic Plan. Mr Crombie confirmed that lab services would be part of the St John's campus and the process would be taken forward at the October Board meeting.

2.2 Cllr McGinty asked about the public having the opportunity to feed in views to the laboratory review process. Mr Crombie stated that the October Board would consider a series of option proposals for lab services and that these would then be subject to formal review; consultation and formal engagement as part of the Strategic Plan. It was likely any consultation period would run October to December 2014.

3. Paediatric Services Update

3.1 Mr Crombie advised that the September rota was fully populated and now in play. The October rota was also being worked on. Mr Crombie also confirmed that following previously discussion it would not be possible to look at rota coverage further ahead than one month.

3.2 Cllr McGinty asked about progress with filling current vacancies. Mr Crombie reported that the paediatric medical post was back out to advert as there had only been one applicant previously who had not met the minimum requirements. In relation to the Clinical Nurse Specialist post, the advert received no applications so the model of care is again being looked at. It was noted that there was still one vacant consultant post in paediatrics.

4. Key Quality Indicators Quarterly Update

4.1 Ms Ritchie explained that she had previously been asked to look at how the Quarterly Report could be presented covering retrospective information so the report was more helpful. A version of the new model was tabled, which extracted information from MIDAS. It was agreed that it was helpful to have the trend data as shown in the new model. The Chair suggested that people look at the new model and feed back comments to Ms Ritchie with an updated paper coming back for discussion at the next meeting.

ALL

5. MRI Scanner Update

5.1 It was noted that the visit to the new MRI Scanner suite would take place at the end of today's meeting.

5.2 Mr Crombie reported that this week had been a very positive point in the critical path of the project with the system being installed into the building earlier this week and the building now sealed up. Testing would shortly take place with the system being brought online towards the end of September. Support for staff operating the new equipment was available from the manufacturer's technical team. Cllr McGinty welcomed the progress made and commended those involved in the project.

6. Work Plan

6.1 The Work Plan was noted.

7. Any Other Competent Business

7.1 Performance Targets - There was discussion on the Performance targets for the Board against the Scottish government targets and whether these could be drilled down to site level. Mr Crombie stated that some of these can be brought down to site and even speciality level and that he would be happy to look at this and bring an initial report to the next meeting for consideration.

JC/CS

8. Date of Next Meeting

8.1 It was noted that the next meeting of the Stakeholder Group would be held on Wednesday, 24 September 2014 at 2.30pm.

Remaining 2014 Dates:
22 October 2014
19 November 2014
17 December 2014

West Lothian Council

NHS Lothian

7.

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

Work Plan as at 27 August 2014

	SUBJECT	OFFICER	MEETING DATE
1	Paediatric Services Update	Jim Crombie	**Standing item**
2	Activity and Performance Update (Incorporating Performance Targets and Hospital Activity Quarterly Update)	Jim Crombie	**24 September**
3	MRI Scanner Update	Jim Crombie	**24 September**
4	Key Quality Indicators Quarterly Update	Agnes Ritchie	**24 September**
5	Special Care Baby Unit Upgrade – Update	Chris Stirling /Lynne Kerr	**24 September**
6	Site Master Planning Work	Chris Stirling	**Linked to Strategic Plan 22 October 2014**
7	Strategic Plan Update	Jim Crombie Libby Tait	**22 October 2014**
8	Hospital Working at Weekends - Update on Developments in Medical and Nursing Staff	Chris Stirling	**Spring 2015 (March) when there has been more progress with appointments**

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD

REPORT BY DEPUTE CHIEF EXECUTIVE, COMMUNITY HEALTH AND CARE PARTNERSHIP

A. PURPOSE OF REPORT

To update members on the business and activities of West Lothian Community Health and Care Partnership (CHCP) Board.

B. RECOMMENDATION

To note the terms of the minutes of meeting of West Lothian CHCP Board on 12 August 2014 in the Appendix to this 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	**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)**	None.
VII	**Consideration at PDSP**	None.
VIII	**Other 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 West Lothian CHCP Board was to be reported to this meeting by the production of its minutes. The relevant documents are produced as appendices to this report.

Please note that the appended minute was approved subject to noting that Alison Mitchell had tendered her apologies for the meeting.

E. CONCLUSION

This report ensures that members are kept appraised of the activities of West Lothian CHCP Board 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

1 Minute of meeting of West Lothian CHCP Board held on 12 August 2014

Contact Person: Jim Forrest, Depute Chief Executive, CHCP

01506 281977

Jim.Forrest@westlothian.gov.uk

Date: XXXX

MINUTE of MEETING of the WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD of WEST LOTHIAN COUNCIL held within STRATHBROCK PARTNERSHIP CENTRE, 189(A) WEST MAIN STREET, BROXBURN, EH52 5LH, on 12 AUGUST 2014

Present – Frank Toner (Chair), Brian Houston, Jane Houston, John McGinty, Anne McMillan, Alison Mitchell, Ed Russell-Smith

Apologies – Janet Campbell

In Attendance – Jim Forrest (CHCP Director), Jennifer Scott (Head of Council Services), Marion Christie (Head of Health Services), (Gill Cottrell (Chief Nurse, NHS Lothian), Carol Mitchell (Assistant Director of Finance, NHS Lothian), Dr Elaine Duncan, (Clinical Director), Pamela Main (Senior Manager, CHCP), Carol Bebbington (Primary Care Manager, NHS Lothian); John Richardson (PPF).

1. DECLARATIONS OF INTEREST

Councillor Frank Toner declared a non-financial interest as he was the council's appointment to the Board of NHS Lothian as Non-Executive Director.

2. MINUTE

The Board approved the minute of its meeting held on 27th May 2014 as a correct record subject to noting that Alison Mitchell had tendered her apologies for the meeting.

3. CHCP RUNNING ACTION NOTE

The Board considered the Running Action Note (which had been circulated).

Decision

To note and agree the Running Action Note.

4. NOTE MINUTE OF MEETING OF THE CHCP SUB-COMMITTEE

The Board noted the minute of the CHCP Sub-Committee held on 10th April 2014.

5. WEST LOTHIAN HEALTH & WELL BEING PROFILE

The Board considered a report and presentation (copies of which had been circulated) by the Primary Care Manager, West Lothian CHCP providing an update on the Health & Well Being Profile of West Lothian's population and highlighting the future challenges for the CHCP in tackling

health inequalities.

The report recalled that one of the key aims of the CHCP was to promote the health and well-being of West Lothian citizens and reduce inequalities of health across the communities within West Lothian. In order to gauge progress, the CHCP had updated the Health & Well Being Profile, which had been provided as an appendix to the report.

The report listed the key points arising from the updated profile as at 1st August 2014, while the profile demonstrated that the main challenges continued to be the aging population, persistent health inequalities, the growth in the number of people affected by long term health conditions and those with multiple conditions and complex needs.

A list of the key areas the CHCP would focus on was provided in the report. The West Lothian Health Improvement and Health Inequalities Alliance (HIHIA) would lead on actions to improve the health and well-being of those who lived and worked in West Lothian and reducing the gap between those with the best health outcomes and those with the poorest health outcomes through appropriate targeting of health and social care.

The report concluded that the CHCP had an important role in supporting key activities and working with partners to ensure strategies are focussed on reducing health inequalities and improving health and well-being.

Decision

1. To note the content of the helpful presentation.

2. To note the updated profile and the information in the report and appendix.

3. To acknowledge the challenges and discuss the priorities for the future.

6. SENSORY IMPAIRMENT STRATEGY

The Board considered a report (copies of which had been circulated) by the Head of Social Policy informing of the launch of the Sensory Impairment Strategic Framework "See Hear" and outlining the work in progress towards the West Lothian Implementation Plan for the See Hear Strategic Framework.

The 10 year framework had been launched in April 2014 and covered cradle to grave sensory impairment set against a background of increasing demand and the requirement for greater efficiency and effectiveness with available resources. Key to the success of the strategy would be person-centred local partnership working between statutory and third sector agencies. A list of key issues and areas for action which had been identified and were provided in the report.

The areas for action/recommendations would be taken forward by the

Scottish Government and local partnerships. The council had received funding of £31,500 per year in 2014/15 and 2015/16 to implement Recommendation 4 of the strategy. Key performance indicators would be agreed by Scottish Government officials and partnership leads to allow improvement to be measured over both years and to identify any remaining gaps that required to be addressed.

The report concluded with detailed information on the implementation plans nationally, Lothian wide and within West Lothian.

Decision

To note the contents of the report and work being done across Lothian towards implementation of the See Hear Strategic Framework and plans for taking the strategy forward in West Lothian.

7. HEALTH AND SOCIAL CARE INTEGRATION

The Board considered a report (copies of which had been circulated) by the CHCP Director updating members on the consultation process regarding two sets of Regulations which would underpin the Public Bodies (Joint Working) (Scotland) Act 2014.

The report recalled that the Public Bodies (Joint Working) (Scotland) Act 2014 had received Royal Assent on 1 April 2014, with a requirement for councils and health boards, working together, to submit an integration scheme for Ministerial approval by 31 March 2015. This would put in place the framework for integrating health and social care in Scotland and provide the legislative basis for NHS Boards and local authority partners to establish Integration Authorities.

The report recalled the key features of the legislation and the intention that budgets and resources would be integrated to focus attention on the outcome for the individual, which would build on the valuable work already underway in West Lothian to continually improve people's health and care experience across home, community and hospital settings.

The draft regulations had been issued in two sets. The report provided an overview of the terms of the draft regulations and of the consultation periods for the draft Regulations. It went on to explain that the council's response to the first set of Regulations, which was provided as an appendix to the report, had been considered by the Health & Care PDSP before being approved by the Council Executive on 19 June 2014. The response to the second consultation, which had also been provided as an appendix to the report, had been considered by the Health & Care PDSP and the final response was due to be approved by the Council Executive on 19 August.

NHS Lothian had also considered both sets of Regulations and agreed responses to each, both of which were provided as appendices to the report.

Decision

To note the consultation process regarding the two sets of Regulations that would underpin the Public Bodies (Joint Working (Scotland) Act 2014 and the responses and draft responses contained in the appendices from the council and NHS Lothian to the consultations.

8. CLINICAL GOVERNANCE

The Board considered a report (copies of which had been circulated) by the Head of Health Services providing information on (a) the arrangements in place for the transition of the Linlithgow Family Practice and (b) the outcome of the 2013/14 Scottish Health and Care Experience Survey.

The report recalled that the previous single handed practitioner had retired from Linlithgow Family Practice in June 2014 and had continued to provide GP services on a locum basis pending appointment of a suitable replacement.

Following advice and in collaboration with the PCCO, the family practice had been advertised in whole and in parts and a suitable replacement had been found. The Richmond Practice in Bo'ness had presented the CHCP with a robust business case and would run both practices. Whilst the arrangement would usefully facilitate cross over in the event of staff absence, the practice would have a dedicated team of GPs and support staff to ensure continuity of care. As the Richmond Practice was based in Forth Valley, not Lothian, the two practices would be run as separate business entities, with Linlithgow Family Practice being run in accordance with Lothian targets and priorities for areas such as prescribing and enhanced services. The Board was however informed that there may be a revision of the structure of the relationship between the two practices due to cross-boundary IT issues.

Formal acceptance of the contract had been received and a start date of 1st November 2014 had been set. The CHCP was working with the PCCO to ensure all arrangements were in place for a smooth transition.

The report then moved on to provide the Board with information on Scottish Health and Care Experience Survey. The Board noted that over 100,000 individuals registered with a GP practice had responded. On the whole, the majority of patients and care users had reported a positive experience with their care. However, an overarching finding was that patients were slightly less positive that in the previous 2011/12 survey.

In West Lothian, satisfaction rates had also dropped to generally 1-2 points below the Scottish average. Whilst reasons were not clear, staff shortages and higher consultation rates were probable contributing factors. West Lothian had performed well in some indicators being 3 points above the Scottish average in "I feel my doctor listened to me" and 8 points above average in "Services are well coordinated for the people

carers look after".

The CHCP had instituted a support package for GP practices under pressure, meeting with practices promptly to discuss difficulties and offering a comprehensive workload assessment to identify areas where the practice would work differently to better meet demand. The CHCP was also carrying out a workforce survey for all practices to identify existing vacancies and look at ways to boost recruitment.

The Director assured the Board that the practice in Linlithgow would continue to have a contract and a continuing relationship with NHS Lothian no matter the structure required to address cross-boundary IT issues.

Decisions

1. To note the contents of the report in relation to the transition of the Linlithgow Family Practice and the results of the Scottish Health and Care Experience Survey 2014.

2. To note that due process was being followed in the management of the transition of Linlithgow Family Practice and that appropriate clinical governance procedures were in place and that further reports will be brought to the Board when appropriate.

3. To support actions to address the issues raised by the survey.

9. CARE GOVERNANCE - CARE INSPECTORATE INSPECTION OF COMMUNITY CARE SERVICES

The Board considered a report (copies of which had been circulated) by the Head of Social Policy advising of the grades achieved in the Care Inspectorate Inspection of West Lothian Council's Community Care Services during financial year 2013-14.

The Board noted that the Care Inspectorate graded services as part of fulfilling their duty under Section 4(1) of the Regulation of Care (Scotland) Act 2001 and published inspection reports to provide information to the public about the quality of care services. The report provided an overview of the current grading system which had been introduced in 2008.

On producing an inspection report, Care Inspectorate officers could, where it was necessary, make recommendations or requirements of the service. The Care Inspectorate could also make a recommendation which sets out actions a care service provider should take to improve or develop the quality of the service, failing which direct action could be enforced.

The inspection report for all of the community care services provided by the council was provided as an appendix to the report. Not all care services had been inspected during 2013-14 and where an inspection had not taken place, the last inspection ratings were provided. The inspection report showed a consistently high trend in performance where services

achieved grades of 4 and above.

The care service inspection report revealed how well the council delivered social work services. The current grades demonstrated a positive performance and gave reassurance that the needs of service users were being well met by high performing services.

Decisions

1. To note the current performance grades of West Lothian Council's Community Care Services as set out in the appendix to the report.

2. To congratulate CHCP staff on the high standards achieved.

10. FINANCIAL GOVERNANCE

a) 2014/15 Revenue Budget - Monitoring Report as at 30 June 2014

The Board considered a report (copies of which had been circulated) by the Head of Social Policy and Head of Health Services providing a joint report on financial performance in respect of West Lothian Community Health and Care Partnership (WLCHCP) based on figures for the period 30 June 2014.

The report advised that the anticipated out-turn for both the CHCP council services and the CHCP health services was forecast to breakeven.

Decisions

1. To note the information in the report regarding financial performance in the CHCP to 30 June 2014.

2. To note that the CHCP Council services outturn for the year was forecast to break even, but that the position may change following the outcome of the comprehensive monitoring exercise being undertaken at month 4.

3. To note that the CHPC health services outturn for the year was expected to break even, but that the position may change after the quarter 1 forecast in light of the current Prescribing position.

4. To note that service managers were taking management action to address areas of financial pressure within their own service area to ensure spend was contained within the budget available.

11. STAFF GOVERNANCE

The Board considered a report (copies of which had been circulated) by the Head of Social Policy and the Head of Health Services providing an update on staff issues within the CHCP.

The report advised that the Scottish Social Services Council (SSSC) was

responsible for registering people who worked in social services and regulating their education and training. Their role was to raise standards of practice, strengthen and support the workforce and increase the protection of people who used the services.

The report explained that although most social care workers would require to be registered, it had been introduced incrementally due to the scale of the task. The report then went on to describe in detail the groups for which registration had commenced, along with the qualification requirements that had been set.

The report concluded that staff who did not meet the qualification would be given a conditional registration which would require them to achieve the essential qualification within 5 years. The implication for the council of any staff member who failed to gain the qualification was that they would be unable to continue to employ the person in that role. Staff would have to have gained the qualifications before their renewal date which would not be prior to June 2019.

Decision

To note the Commencement of Registration of Supervisors in Housing Support and Care Home Services.

12. DIRECTOR'S REPORT

The Board heard a report by the CHCP Director providing an update on key areas of work in which the partnership had been involved in since the last meeting of the Board.

Decision

To note the information and work undertaken in relation to:-

a) CHCP Health Services achievement in gaining Committed to Excellence award.

b) West Lothian Council success in achieving Gold status under Investors in People award.

c) Integrated Care Fund.

d) Publication of Issue 27 of West Life.

e) Launch of redesigned CHCP website.