

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 26 MAY 2015.

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

Apologies – Councillor Jim Dixon and Danny Logue

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

A request for a late deputation in terms of Standing Order 13 had been received from Ellen Glass and Tom Roy of Broxburn Community Council in relation to Agenda Item 27 (Broxburn Library Relocation to Strathbrock Partnership Centre). The Council Executive unanimously agreed to hear the deputation along with the officer's report immediately following consideration of the Minute.

2. DECLARATIONS OF INTEREST

Agenda Item 6 (Integration Joint Board Update) – Councillor Peter Johnston declared a non-financial interest as a Non-Executive Director of NHS Lothian and as a Non-Executive Director of Healthcare Improvement Scotland, for which a specific exclusion applied. He also declared an interest as COSLA's spokesperson for the Health and Well-Being Strategic Group.

3. MINUTE

The Council Executive confirmed the Minute of the meeting held on 28 April 2015 as a correct record. The Minute was thereafter signed by the Chair.

4. BROXBURN LIBRARY RELOCATION TO STRATHBROCK PARTNERSHIP CENTRE

Deputation by Broxburn Community Council

Ellen Glass and Tom Roy of Broxburn Community Council addressed committee with regards to their concerns for the proposal to relocate Broxburn Library to Strathbrock Partnership Centre. It was explained that the current library had only recently been extended and was a very well-used library/facility and was very much the heart of the community. They also explained that it was not clear to them where exactly the library would be situated within the Strathbrock Partnership Centre and that

parking at Strathbrock was very problematic.

The Deputation continued to advise that there were already five empty units in the high street and the library building, once vacated, would add to this number which all-in-all could be detrimental to the visual amenity of the high street. It was also not clear what the intended use was of the library building once vacated as no consultation had been undertaken with the community on the whole proposal.

They also provided the Council Executive with a petition that had been organised by them.

The members then asked questions of the deputation.

The Chair thanked Ellen Glass and Tom Roy for their views.

Report by Head of Area Services

Prior to consideration of the report by the Head of Area Services the Chair ruled in terms of Standing Order 11 that a map showing an analysis of those users of the current library be circulated to the committee members to allow for a better understanding of the proposal.

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services advising of the proposal to relocate the existing Broxburn Library to Strathbrock Partnership Centre and to declare surplus the library building.

The report advised that the project would primarily consist of internal reconfiguration and decoration works within both the ground and upper floors at Strathbrock to relocate housing and social policy. These works would deliver modern and flexible accommodation, reflecting the council's adopted corporate design ethos. The ground floor would be opened up to create a combined library / CIS space. The cash office would be replaced by a cash kiosk. In addition it was proposed that the community centre and main building were more effectively linked internally.

Whilst the works were ongoing there could be some disruption to service delivery, however officers would endeavour to ensure that these were kept to a minimum. This would include mitigation measures such as undertaking elements of work at weekends and after hours when the partnership centre was closed or less busy.

The Head of Area Services explained that the relocation of the library service would mean that the existing library building would not be required. Officer would carry out an assessment of the options for the use of the building, prior to reporting to Council Executive in accordance with approved surplus property procedures.

In conclusion the report advised that the proposed relocation of the library to Strathbrock Partnership Centre would reflect the integrated approach to service delivery that had been developed elsewhere in West Lothian and would be implemented as part of the new partnership centre and modernisation projects.

It was recommended that Council Executive :-

1. Note the content of the report;
2. Agree that the relocation of the Broxburn Library to Strathbrock Partnership Centre was progressed in consultation with users;
3. Agree the library building was declared surplus to the council's requirements and officers were authorised to carry out an appraisal of the options for future use and disposal including marketing the library for sale or lease; and
4. Agree a further report was tabled at the Council Executive about the future of the library building once the appraisal was complete.

Motion

To approve the terms of the report

- Moved by Councillor King and seconded by Councillor Muldoon

Amendment

"Council Executive agrees to note the contents of the report but accepts that a full consultation with the local community is required to take place and be considered by the Culture & Leisure PDSP before **ANY decisions are taken by this council in respect of the relocation of Broxburn Library**".

- Moved by Councillor Johnston and seconded by Councillor Anderson

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

Motion

Tom Conn

Tony Boyle

David Dodds

Lawrence Fitzpatrick

Dave King

Anne McMillan

John McGinty

Angela Moohan

Cathy Muldoon

Amendment

Frank Anderson

Peter Johnston

George Paul

Decision

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

5. 5TH GENERAL REVIEW OF LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS - PROPOSALS ON WARD BOUNDARIES

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive advising of the Local Government Boundary Commission for Scotland's (LGBCS) consultation on their proposal for ward boundaries.

The Chief Executive advised that the Local Government Boundary Commission for Scotland (LGBCS) was undertaking the 5th general review of local government electoral arrangements in Scotland. The first stage of the review had focused on the number of councillors and the second stage was focused on their proposals for ward boundaries. They aimed to report on their findings by 2016 so that the resulting wards were available for the local government elections in Scotland planned for 2017.

The report recalled that West Lothian Council had, in April 2014, been consulted on the LGBCS recommendation that the number of councillors in West Lothian increase from 33 to 34. The Council had formally responded and the terms of the response was set out in the report. The council believed that the current council of 33 elected members remained an appropriate size for West Lothian.

Following on from the conclusion of the consultation with councils on council numbers, the LGBCS undertook a period of public consultation.

The report went on to advise that, on 19th March 2015, the council had received the LGBCS proposals. The proposals were for no change to councillor numbers, ward boundaries or ward names.

In relation to councillor numbers, the report provided a table showing Proposed Wards Actual and Forecast Variation from Parity.

It was noted that the LGBCS had developed their proposals using electorate data from 1 September 2013 and that a detailed explanation of the methodology they had used to forecast electorates was available on the LGBCS's website

The Council was being asked to respond to the consultation on ward boundaries by 19 May 2015. Following this there would be a period of public consultation

Finally, the report provided a table showing the various stages of the

review, together with a start and end date.

It was recommended that the Council Executive agrees a response to the consultation on the LGBCS proposals for ward boundaries.

Motion

“Council Executive welcomes the report from the Local Government Boundary Commission.

Council Executive agrees to submit a response on behalf of West Lothian Council agreeing that there should be no change to councillor numbers, ward boundaries or ward names for West Lothian Council in respect of this review.”

- Moved by the Chair and seconded by Councillor Muldoon

Amendment

“West Lothian Council SNP Group would propose that a solution, providing an additional councillor and moving to 10 wards, 6 x 3 member wards and 4 x 4 member wards be adopted.

This would mean 7 of the current wards remaining **exactly** as they are but the two wholly Livingston wards, Livingston North and Livingston South changing to three, three member wards.

Based on the latest 2015 electorate figures, the most up to date available, and on 34 councillors, the electoral parity figure for a 4 member ward becomes 15960. For a three member ward this figure is 11970. The table following details ward electorate figures and deviation from parity.

Ward	Electorate	Members	Parity Variation
Linlithgow	12415	3	3.7%
Broxburn	15011	4	-5.9%
Livingston North	11872	3	-0.8%
Livingston Central	11801	3	-1.5%
Livingston South	11814	3	-1.3%
Livingston East & East Calder	15661	4	-1.9%
Fauldhouse Breich Valley	12092	3	1.2%
Whitburn & Blackburn	15554	4	-2.5%

Bathgate	16836	4	5.5%
Armadale	12325	3	3%

The three new Livingston wards in this proposal are all within 2% of parity, compared to the existing 9% variation from parity in the current two wholly Livingston wards.

The details for the three new wards are as follows :

Livingston North Polling Districts

LVA 3A	Livingston Station	3407
	Carmondean	
3B	Connected	1730
	Carmondean	
3E	Community Centre	2791
3F	Mosswood	2149
3G	Newyearfield	2002
		12079
	(except Hawk and Kestrel Brae)	-207
		11872

Livingston Central Polling Districts

LVA4A	Ladywell	3702
4B	Howden	2470
	Livingston Village	
3C	Primary School	1412
3D	Peel Primary	4010
		11594
3G	Kestrel & Hawk	207
	Brae	11801

Livingston South Polling Districts

LVA4C	Dedridge	2174
4D	Bankton	1899
4E	Livingston Village	684

4F	Crofthead	2045
4G	Williamston	1638
4H	Muirieston Village Hall	1336
4I	Bankton Pavillion	1555
4J	Bellsquarry	483
		11814

Whilst the above figures are based on the latest February 2015 electorate, using the forecast electorate for 2019 shows this option to remain perfectly viable.

From these 2019 figures, the two wholly Livingston wards, Livingston North and Livingston South, have a total projected electorate of 33,944. To deliver the 3800:1 ratio across this electoral area would require 9 councillors not the present 8.

A three, three member ward solution for Livingston, based on LGBCS forecast electorate figures for 2019, remains a better fit to LGBCS criteria than retaining the current two wards.

The three wards detailed in the proposals above, on the 2019 figures, would indeed deliver three, three member wards within 4% of parity”

- Moved by Councillor Johnston and seconded by Councillor Anderson

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

<u>Motion</u>	<u>Amendment</u>
Tom Conn	Frank Anderson
Tony Boyle	Peter Johnston
Lawrence Fitzpatrick	
Dave King	
David Dodds	
Anne McMillan	
John McGinty	

Angela Moohan

Cathy Muldoon

George Paul

Decision

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

6. PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014 - DRAFT INTEGRATION SCHEME

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive, Community Health and Care Partnership advising of amendments to the draft West Lothian Integration Scheme following feedback from Scottish Ministers.

The report recalled that on 24 March 2015 Council Executive approved a revised draft Integration Scheme for submission to Scottish Ministers by 31 March 2015. In line with the process across the country initial and informal feedback was received by the Scottish Government on the scheme.

These comments indicated that changes were required either to comply with the legislation or where the Scottish Government felt further clarification was required. Changes were made to the Scheme, a copy of which was attached to the report at Appendix 1, where it was accepted that the point made was valid or where there was a difference of opinion or interpretation but no significant impact on the terms of the Scheme. Other suggested changes had been resisted on the basis that they went beyond what the legislation allowed or that they misinterpreted a provision in the Scheme in relation to governance arrangements within the council and health board.

The changes worth noting were as follows :-

- The lists of functions and services to be delegated had been clarified to make clearer the difference between “functions” (those defined by reference to legislation) and “services” (the particular services through which the council and health board deliver those functions). No additional services had been added to the list of those being delegated.
- A reference had been made to the IJB making decisions within the policy direction set by the council and health board. Although this had at an earlier stage been seen as acceptable, it was correct to say that the IJB could not be restricted in that way as a matter of

law and the partners opportunity to influence that aspect would be through their voting members at IJB meetings.

- In relation to the financial provisions various amendments had been made to ensure that the Scheme was consistent with the final guidance issued by the Integrated Resources Advisory Group. The amendments confirmed that the IJB would be a joint venture for accounting purposes and included updated wording for the process of agreeing payments from the IJB to the council and NHS Lothian, the position for underspends and the frequency of budget monitoring reports to the IJB.

The Depute Chief Executive continued to advise that consultation had taken place with the other Lothian IJB's via a Lothian-wide integration working group to ensure shared learning wherever appropriate. The proposed adjustments were acceptable to the health board.

Council Executive was asked to approve the changes to the draft Integration Scheme to secure its approval by Scottish Ministers.

Decision

To approve the terms of the report.

7. CONSULTATION ON COMPULSORY PURCHASE

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval of a draft response to the discussion paper issued by the Scottish Law Commission entitled "Discussion Paper on Compulsory Purchase".

The Head of Corporate Services advised that Scottish Ministers required that council's should seek wherever practicable to acquire land by negotiation rather than by compulsory purchase. However there could be circumstances where it was not possible to acquire land voluntarily and compulsory purchase powers required to be used.

There was a general compulsory purchase power to deal with situations where compulsory purchase was required but not authorised by any other statutory provision. This was section 71 of the Local Government (Scotland) Act 1973. However this was only to be used in the absence of a more specific power.

At present legislation related to compulsory purchase was in various statutes with some of these being very old. Accordingly the legislation was complex and contained within a range of statutes.

Therefore the key question posed by the Discussion Paper was whether the current legislation should be repealed and replaced by new statute. The proposed response, attached to the report at Appendix 1, agreed that current legislation should be replaced by a new statute and also highlighted that it would be useful if the new statute could be in plain English.

It was recommended that the Council Executive approves the draft response as outlined in Appendix 1, attached to the report.

Decision

To approve the terms of the report.

8. WEST LOTHIAN VILLAGES IMPROVEMENT FUND APPLICATIONS - LINLITHGOW LOCAL AREA COMMITTEE

The Council Executive considered a report (copies of which had been circulated) by the Linlithgow Local Area Committee Lead Officer seeking approval of funding for an application made to the Villages Improvement Fund for the Linlithgow Ward.

The Council Executive was advised that Linlithgow Local Area Committee had considered an application to the Villages Improvement Fund at its meeting on 19 May 2015. The application had been received from Newton Community Education Association who were seeking £3,157.50 to provide a Panna Court style kick pitch on land adjacent to the village playpark

The two members present agreed with the report which recommended that the application be supported however due to being only two in number could not approve the proposal. In such cases it fell upon the Lead Officer to present a report to the Council Executive for approval taking into consideration the views of the Local Area Committee.

Therefore it was recommended that the Council Executive approve the release of funds from the Village Improvement Fund for the Linlithgow Ward.

Decision

To approve the terms of the report.

9. WEST LOTHIAN VILLAGES IMPROVEMENT FUND APPLICATIONS - FAULDHOUSE & BREICH VALLEY LOCAL AREA COMMITTEE

The Council Executive considered a report (copies of which had been circulated) by the Fauldhouse and Breich Valley Local Area Committee Lead Officer seeking approval of funding for three applications made to the Villages Improvement Fund for the Fauldhouse and Breich Valley Ward.

The Council Executive was advised that Fauldhouse and Breich Valley Local Area Committee had considered three applications to the Villages

Improvement Fund at its meeting on 19 May 2015. The applications consisted of one from West Calder & Harburn CDT for £5108 to install hanging baskets between the shops on Main Street and Union Square, one from West Calder & Harburn CDT for £8117 to allow a path feasibility study to be undertaken and one from Addiewell Community Action Team for £3300 for environmental improvements.

The two members present agreed with the report which recommended that the applications be supported however due to being only two in number could not approve the proposal. In such cases it fell upon the Lead Officer to present a report to the Council Executive for approval taking into consideration the views of the Local Area Committee.

Therefore it was recommended that the Council Executive approve the release of funds for all three applications from the Village Improvement Fund for the Fauldhouse and Breich Valley Ward.

Decision

To approve the terms of the report.

10. SUPPLEMENTARY PLANNING GUIDANCE "PLANNING FOR NATURE - DEVELOPMENT MANAGEMENT AND WILDLIFE"

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development advising of the contents and purpose of draft Supplementary Planning Guidance (SPG) on "*Planning for Nature: Development Management and Wildlife*" which had been prepared by consultants with funding provided by Scottish Natural Heritage (SNH).

In the Autumn of 2013 Scottish Natural Heritage (SNH) approached West Lothian Council to assist with a case study for the production of a best practice example of supplementary planning guidance for developers relating to natural heritage issues and the planning process. SNH wished to use the guidance to show other Scottish local authorities a simple, up-to-date template of how they could produce their own authority specific supplementary planning guidance.

Consultants, Natural Capital, were appointed and managed by SNH to produce the draft SPG with detailed input from West Lothian Council. The resulting guidance, a copy of which was attached to the report at Appendix 1, set out how the biodiversity and geodiversity of the West Lothian area would be taken into account when considering all development proposals. It aimed to help developers fully consider the wildlife and habitat implications of proposals which needed planning permission.

Following consideration at the Development and Transport Policy Development and Scrutiny Panel the draft SPG was sent out for

consultation in the Autumn of 2014 for a period of eight weeks and which was subsequently extended for a further six weeks. Two responses were received, one from the Scottish Government and the second from the Coal Authority, details of which were summarised in the report.

The Head of Planning and Economic Services concluded that West Lothian Council had benefitted from being chosen by SNH to form the case example for new best practice supplementary planning guidance related to natural heritage, wildlife and the planning process. And that by using this guidance, developers would be able to address nature issues when submitting their planning applications.

It was recommended that the Council Executive :-

- Note the contents of the SPG related to “Planning for Nature : Development Management and Wildlife, a copy of which was attached to the report at Appendix 1;
- Note the minor comments received following consultation on the draft SPG; and
- Agree to adopt the SPG as statutory guidance.

Decision

To approve the terms of the report

11. ACCIDENT INVESTIGATION AND PREVENTION (AIP) - CASUALTY REDUCTION PROGRAMME 2015-16

The Council Executive considered a report seeking approval for the list of proposed prioritised casualty reduction schemes for the 2015-16 programme.

The Head of Operational Services explained that the council's Road Safety Plan and Community Safety Strategy identified the need for a road casualty reduction programme utilising accident investigation and prevention (AIP) techniques

The current casualty reduction programme commenced in 2007/2008 and since then a total of 64 schemes had been completed but it was too early to assess fully the effects of all these schemes on casualty reduction. However full monitoring had now been carried out for the schemes introduced in 2007-08, 2008-09 and 2009-10 with the results for the first six years showing in Table 1 contained within the report.

For the 2015-16 programme, officers had identified so-called “sites for concern” in four different ways, details of which were summarised in the report. Also the investigation/analysis work undertaken involved using the recorded injury accident data collected by the police to identify sites for concern and analyse crash patterns to develop remedial measures.

The Head of Operational Services continued to advise that the available funding would allow the introduction of around 11 schemes in 2015-16 subject to final scheme costs. As the accident data was analysed on an annual basis the programme would be re-ordered next year to take account of up-to-date accident problems.

It was recommended that the Council Executive approve the list of prioritised casualty reduction schemes for the 2015-16 programme.

Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Conn

Amendment

“Council Executive agrees to prioritise the casualty reduction schemes which will deliver the maximum saving :-

<u>Scheme</u>	<u>Cost</u>	<u>Saving</u>
12 – AIP/2015/007 – A801/A706 junction Avon Gorge	£220,000	£98,605
4 – AIP/2015/063 – A704 from the A71 to the A706	£35,000	£135,075

Council Executive further agrees to utilise the remaining budget to deliver schemes 1, 2 and 3”.

- Moved by Councillor Johnston and seconded by Councillor Anderson

Decision

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

12. SMARTER CHOICES PROGRAMME AND ACTIVE TRAVEL PROGRESS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of West Lothian Council's Smarter Choices Smarter Places programme of activity in 2015-16.

The Head of Operational Services recalled that in June 2014 the Minister for Transport and Veterans agreed £5m funding in 2015-16 for Smarter

Choices, Smarter Places travel behaviour change projects. The Smarter Choices, Smarter Places (SCSP) programme specifically aimed to support behaviour change to increase active and sustainable travel modes

For the 2015-16 SCSP programme, each local authority in Scotland was offered an indicative allowance based on a formula of population with a floor of £50,000. Each authority had to submit an application to gain access to their indicative allocation. In addition local authorities were required to develop suitable programmes or projects within this application of which SCSP would fund a maximum of 50%. Therefore this required match-funding or investment to be identified in support of the application.

Transport Scotland had grant funded Paths for All to administer the programme and provide support for the projects however it was also noted that the timescales for the development of SCSP applications had been challenging. The guidance on qualifying projects was specific and the purpose of the grant was to target initiatives and measures to distinct communities to encourage, support and promote modal shift through behaviour change. The grant funding was not available to deliver new infrastructure.

In these circumstances officers had focussed on seeking to deliver initiatives and a programme of SCSP projects which built on proposals already identified within existing committed and approved council expenditure. Furthermore officers would seek to build on committed investment by partners in West Lothian, specifically the new Scotrail operator.

Whilst the council had made good progress on delivering sustainable transport infrastructure in recent years through successful applications to the Scottish Government's Community Links programme, further work was required to promote behaviour change. Livingston was a particular focus of the SCSP programme in that despite the existence of over 140 miles of off-road cycling and walking networks, the 2011 Census data suggested 69% of employed adults travelled to work by car in Livingston, compared to the Scottish national average of 62%.

West Lothian Council had submitted an application to gain access to the indicative allocation of £162,000. This application was successful and the council had been offered an additional funding of £45,000 taking the total allocation to £207,765 for 2015-16. The council had then worked across internal teams and with external partners to provide the minimum 50% match funding/investment required to gain access to the funding allocation. Details of the projects including funding and a narrative on each project were provided in a table contained within the report.

The Head of Operational Services concluded that the opportunity to access specifically targeted funding provided a chance to develop and build on behavioural change initiatives to encourage and promote the use of sustainable travel infrastructure which the council had delivered over recent years. It was also an example of successful partnership working

across teams within West Lothian and with external organisations.

It was recommended that the Council Executive :-

1. Note the contents of the report and the level of funding successfully accessed by West Lothian Council; and
2. Approve West Lothian Council's Smarter Choices Smarter Places programme for 2015-16.

Decision

To approve the terms of the report.

13. CONSULTATION ON A PROPOSED BILL RELATING TO BURIAL AND CREMATION AND OTHER RELATED MATTERS IN SCOTLAND

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval of a response to a Scottish Government consultation on a proposed Bill concerning burial and cremation and other related matters in Scotland

The Head of Operational Services explained that the legislation relating to burial and cremation in Scotland required to be modernised. For instance the primary legislation that related to such matters was no longer adequate and new powers that were fit for purpose were required to ensure that modern practices could be implemented.

The report went on to provide a summary of the key themes that were being considered in the consultation document and included matters such as the legislative framework, the right to instruct the disposal of human remains, the management of cemeteries, burial and cremation records, alleviating pressure on burial grounds, exhumation and funeral poverty. The Head of Operational Services further advised that as West Lothian Council did not operate a crematorium questions that related specifically to crematoria and cremation had not been responded to in the consultation.

The report concluded that existing legislation was in need of modernisation and that the proposed response would allow the council the opportunity to contribute to the consultation being carried out by the Scottish Government on the proposed Bill related to burial and cremation and other related matters.

It was recommended that the Council Executive :-

1. Note the contents of the consultation; and
2. Approve the report and its appendix as West Lothian Council's response to the consultation to the Scottish Government.

Decision

To approve the contents of the report

14. CONSULTATION ON SEPA'S SECOND CATCHMENT MANAGEMENT PLAN FOR THE SCOTLAND RIVER BASIN DISTRICT

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of SEPA's consultation on the second Catchment Management Plan for the Scotland River Basin District of which West Lothian was a part and a copy of which was attached to the report.

The Head of Operational Services advised that river basin management planning was at the heart of sustainable water management, securing widespread improvements in the water environment and in turn supporting government agenda's. The first Scotland River Basin Management Plan was published in 2009 and provided the following :-

- An assessment of the state of the water environment;
- A description of the pressure upon the water environment; and
- Environmental improvement targets.

The Head of Operational Service continued to explain that a second river basin management plan was being developed, to which a response was sought, with the main proposals being :-

- ❖ A re-phasing of SEPA's objectives for 2021 and 2027 to ensure they prioritised those improvements that would bring the greatest of benefits;
- ❖ Step changes in the effort focused on key significant management challenges; and
- ❖ New or improved measures for tackling pressures on the water environment to help secure achievement of SEPA's objectives.

SEPA was committed to reviewing and updating the river basin management plan every six years and would be publishing a new updated river basin management plan towards the end of 2015.

The report then provided a summary of the water issues in West Lothian including an update on the Boghead Burn and Linlithgow Loch.

It was recommended that the Council Executive :-

- Note the background and terms of SEPA's River Basin Catchment Management Plan for the Scotland River Basin District; and
- Agree that the response to the consultation detailed in Appendix 1

be forwarded to SEPA to meet the consultation deadline.

Decision

To approve the terms of the report.

15. RESERVOIRS ACT 1975 - BIENNIAL REPORT TO SCOTTISH MINISTERS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of the need for the council, as Enforcement Authority, to submit a document to Scottish Ministers containing prescribed information about compliance by Undertakers of Large Raised Reservoirs with reservoir safety requirements.

The Head of Operational Services explained that West Lothian Council was currently Enforcement Authority in respect of nine Large Raised Reservoirs within the geographic area administered by West Lothian Council. West Lothian Council was also Undertaker for one Large Raised Reservoir situated wholly within West Lothian.

Section 3 of the Reservoirs Act 1975 required the council, as Enforcement Authority, to prepare a report, a copy of which was attached to the report at Appendix 1, every two years containing information prescribed by Regulation 4 of S.I 1985, No.177 on Large Raised Reservoirs situated within the council's administrative area.

Information supplied by various Undertakers for the reservoirs for which West Lothian was Enforcement Authority indicated that the requirements of the Act had been met in respect of all the Large Raised Reservoirs within the council's administration area. Information in respect of the reservoir for which West Lothian Council was undertaker suggested that the requirements of the Act had also been met.

The Head of Operational Services continued to advise that Scotland's reservoir safety regime had also been reviewed. The Reservoirs (Scotland) Act 2011 repealed the Reservoirs Act 1975 in Scotland and heralded a new transition to a more risk-based approach to reservoir safety. Therefore the council would no longer have a role except as an Owner and Manager of Beecraigs and Eliburn (Livingston) Reservoirs and this could be the last report to Scottish Ministers as Enforcement Authority under the Reservoirs Act 1975.

It was recommended that the Council Executive approves the draft report allowing it to be finalised and submitted to Scottish Ministers.

Decision

To approve the terms of the report

16. POLICY ON ADOPTION OF PRIVATE ROADS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of the legal position regarding the adoption of private roads and to seek approval for a policy to assess applications for adoption.

The Head of Operational Services explained that the Roads (Scotland) Act 1984 permitted the frontagers of a private road to apply to the roads authority to have their private road added to the list of public roads. On reviewing council policy it became clear that the council had not identified its requirements nor approved a policy to consider such requests under Section 16 of the 1984 Act. Therefore it was considered that a policy should be developed and approved to identify what was considered to be the standard satisfactory for the roads authority to add a private road to the list of public roads.

The report then went on to provide a narrative of the legal position on the matter noting that the key elements of the legal advice was as follows :-

- Any private road could be subject to a section 16 application;
- Such an application must be considered by the council as roads authority;
- If the application was made by the required number of frontagers and the road was of a standard satisfactory to the local road authority it must be added to the list of roads within 12 months of the application being made;
- There was no legislative provision within the 1984 Act which defined what was a satisfactory standard;
- The local roads authority were under no legal duty to add a private road to their list of public roads that it considered was not of a satisfactory standard; and
- If the road was not of a satisfactory standard and not being added to the list of roads it was recommended that the frontagers should be notified of the reasons why the private road was not being adopted.

Attached to the report at Appendix A were details of the evidence that the council would require to be submitted in support of any application and the basic minimum requirements that must be met for a road to be added to the list of roads. It was also proposed that any request where the private road failed to meet these basic standards should be rejected and a list of all failings passed to the frontagers. Disputes could be referred by the frontagers and the council to an arbiter for resolution and it was proposed that any such arbiter should be carried out by an independent

suitably qualified engineer.

Additionally and in answer to a question raised the Head of Operational Services confirmed that as part of the criteria for the new policy dropped kerbs would be considered as part of the assessment process.

It was recommended that the Council Executive :-

1. Note the contents of the report; and
2. Approve Appendix A attached to the report as the basic road design standards as satisfactory for private roads to be added to the list of public roads.

Decision

To approve the terms of the report.

17. PROPOSED CHANGE OF SPEED LIMIT - 40PMH TO 30MPH ON PART OF THE B9080, WINCHBURGH

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising that following statutory consultation it was proposed to extend the proposed 30mph limit on the B9080.

The Council Executive were advised that the proposed introduction of an extension to the 30mph speed limit on the B9080 reflected the ongoing development on the western approach of Winchburgh and related to the change of urban boundary identified by the extent of the development contained in the finalised West Lothian Local Plan.

Planning permission in principle for the development of Winchburgh had now been granted and a number of the development blocks identified in the masterplan now had detailed planning permission.

Following consultation it was proposed to extend the proposed 30mph limit 152 metres west to cover the full existing 40mph zone. The length of the road subject to the speed limit change was approximately 1100 metres and included the tie-in to the west end of the new urban core road.

Police Scotland and local ward members had been consulted on the proposals and any comments received were summarised in the report.

It was recommended that the Council Executive approve the initiation of the statutory procedures to extend the 30mph speed limit to replace the existing 40mph limit on the B9080 to the west of Winchburgh.

Decision

To approve the terms of the report.

18. PROCUREMENT ARRANGEMENTS - BATHVILLE FLATS URBAN REGENERATION

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 contractor to complete the works for the Bathville Flats urban regeneration project, employing the evaluation methodology and criteria detailed in the report.

The Head of Finance and Estates advised that the Bathville Flats, Armadale consisted of forty eight existing properties over five sites providing housing for council tenants and four private tenants. The proposal detailed in the report was to carry out the regeneration in five phases, with phases one to four being managed by Building Services and would consist of full and partial refurbishments with the works being carried out without the need to decant residents. Building Services would also carry out part of the installation of refurbishment works, which would be tendered as a materials supply only procurement and the remaining works would be tendered as a supply and installation procurement and would be managed by Building Services.

Following evaluation by Housing, Building and Construction Services it was agreed that given the complexity and locality of phase five, it was to be tendered as a complete procurement package. Phase five would be managed by Construction Services and would consist of demolition of a block of four flats, refurbishment of ten flats and the complete build of nine flats.

The Head of Finance and Estates continued to advise the Council Executive that the Bathville Flats refurbishment would offer tenants a safe and secure environment, which would be well-designed, sustainable and within easy access to local services and facilities. Additionally the project would contribute to the council's asset management strategy by improving the quality of housing properties and the surrounding soft and hard landscape.

It was proposed that the tenders be conducted in accordance with the Open Procedure for tenders over the threshold and that in line with the council's Best Value Framework, Building Services would carry out part of the refurbishment works with part of phases one to four of the project being tendered to appoint external contractors and would be managed by Building Services. Additionally part of the design team had been resourced in-house with a previous procurement exercise procuring engineering and cost disciplines. Tenders would be published in ten lots to allow small and medium enterprises to bid for the works.

The requirement would be advertised in accordance with the European Union Procurement Directives and it was proposed that the Open Procedure be used for phases one to four whereby all suppliers

expressing an interest in the contract would be invited to bid for the supply of materials and works with the restricted procedure being used for phase five. A criteria of 60% for Price and 40% Quality would be applied at the tender stage.

Sustainability and budget implications were also summarised in the report noting that an approved budget for Bathville Cross phases one to five was £3.92m with new build costs of £1.47m and the refurbishment works of £2.45m. These costs were considered estimates and would be updated as the projects progressed to reflect further details as available.

It was recommended that the Council Executive approve :-

1. The use of the Open Procedure for procurement of contracts to complete the works for phases one to four of the Bathville Flats urban regeneration whereby all suppliers expressing an interest in the contract would be invited to tender for any of the ten lots;
2. The use of the Restricted Procedure for the procurement of contractors to undertake Phase 5 (1-27 Station Road) due to the complex nature of the project; and
3. The award criteria of 60% for Price and 40% for Quality.

Decision

To approve the terms of the report.

19. MINOR CHANGES TO FINANCIAL REGULATIONS

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates advising of revised financial regulations following a review to reflect updated corporate fraud arrangements and to account for the most up-to-date position in various areas.

The Head of Finance and Estates recalled that financial regulations were required to conduct the business efficiently, secure best value and ensure proper administration of the council's financial affairs in accordance with the Local Government (Scotland) Act 1973.

Under the terms of the council's Corporate Code of Governance the Financial Regulations were required to be reviewed at least once every administrative term. The Financial Regulations were last reviewed in 2013 with the resultant changes approved by Council Executive on 4 June 2013

Whilst there was no further requirement under the Code for Financial Regulations for another review further revisions were required as a result of changes to the council's counter fraud arrangements and the redeployment of two of the council's counter fraud investigators within the Audit, Risk and Counter Fraud Unit. In doing this the opportunity had also

been taken to conduct a more general review of the Financial Regulations to ensure that they were up-to-date.

The report then provided a summary of the proposed changes and Council Executive was asked to approve the revised Financial Regulations as set out in the Appendix attached to the report.

Decision

To approve the terms of the report.

20. PROPOSED SALE OF NORTH LODGE, ALMONDELL COUNTRY PARK, BROXBURN

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval for the sale of the surplus property at North Lodge, Almondell Country Park, Broxburn.

The Head of Finance and Estates explained that the property at North Lodge, Almondell Country Park was a one bedroomed detached lodge situated at the north entrance to the Country Park. It has previously been used by the council as residential accommodation for a country park employee.

However following retirement of the member of staff, consideration was given to the future use of the property. Housing, Construction and Building Service did not consider it a viable addition to the housing stock because of the amount of expenditure that would be necessary, therefore the property was declared surplus.

The property was advertised for sale on the open market from March 2015 through direct marketing to parties who had previously indicated an interest and appropriate press and other advertising at offers over £65,000. Five offers were received with the highest offer from Mr Douglas Scotland, for £76,577. The date of entry was yet to be confirmed and the offer was conditional upon Mr Scotland's successful mortgage application and permission to change the configuration within the property being granted. The second highest offer was also above the asking price.

Although it was anticipated that the sale to Mr Scotland would be concluded satisfactorily it was being recommended that powers be delegated to the Head of Finance and Estates to accept the second highest offer should this not be the case.

It was recommended that Council Executive :-

1. Approve the sale of North Lodge, Almondell Country Park, Broxburn to Mr Douglas W Scotland for the sum of £76,577.00 subject to the terms and conditions detailed in the report; and

2. Authorise the Head of Finance and Estates to accept the second highest offer should the sale to Mr Scotland not proceed.

Decision

To approve the terms of the report

21. MOBILE PHONE MAST SITE, CAPUTHALL ROAD, DEANS INDUSTRIAL ESTATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval to the granting of a lease to Cornerstone Telecommunications Limited for nineteen years, three hundred and sixty four days for a site at Caputhall Road, Deans Industrial Estate, Livingston.

The Head of Finance and Estates recalled that the proposed site was a small terrace of rough land at the top of a steeply wooded slope. Its high elevation provided for good phone connectivity for Livingston. Therefore Cornerstone Telecommunications Limited, which was a joint venture between Telefonica O2 and Vodaphone, were looking to lease 100sqm of the site so both operators could share a 15m high mast.

The main terms and conditions of the proposed lease were summarised in the report.

It was recommended that the Council Executive approve a lease of the site to Cornerstone Telecommunications Limited for nineteen years, three hundred and sixty four days at an initial rent of £5,000 per annum.

Decision

To approve the terms of the report.

22. LEASE OF FORMER AULD SCHOOL, 9 SCHOOL LANE, MID CALDER

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval to the granting of a lease of the former Auld School, 9 School Lane, Mid Calder for a trial period of four months.

The Head of Finance and Estates explained that during 2013 and 2014 the council carried out a refurbishment of the former Auld School, 9 School Lane, Mid Calder initially to provide changing facilities for use in connection with the local football pitch and subsequently to provide a community hall and related accommodation.

The changing facilities had since been managed by the local football club but this was not intended to be a long term arrangement and a local steering group was charged with identifying a long term solution. This has proven difficult to deliver and in the meantime the refurbished hall had not been available for community use.

In the meantime an approach has been received from Andrew Grant and Jillian Ballie to operate a café from the Auld School and to combine this with the management of the changing facilities and community hall to ensure their availability to the local community. The applicants, who ran a local business, had prepared a business plan with their preference being to operate for a short period of time to establish whether the proposal was viable. Ideally this would start in June 2015 to run over the summer months and therefore capture business linked to the local gala day.

Officers considered that this arrangement could secure the availability of the community facilities for local users as well as supporting a local business and taking account of the circumstances a trial period would be beneficial to review how the arrangements would work in practice. The report then provided a summary of the proposed terms and conditions of the proposal noting that it was considered in the council's best interest to agree a short term lease of the Auld School, 9 School Lane, Mid Calder.

It was recommended that the Council Executive :-

1. Approve a lease of the former Auld School, 9 School Lane, Mid Calder to Andrew Grant and Jillian Baillie for a period of four months from 1 June 2015, at a rent of £500 per month; and
2. Delegates powers to the Head of Finance and Estates to enter into a lease for the property.

Decision

To approve the terms of the report.

23. ARMADALE PARTNERSHIP CENTRE

The Council Executive considered a joint report (copies of which had been circulated) by the Head Finance and Estates and Head of Area Services advising of the review undertaken on potential partnership property proposals related to Armadale and to outline the approach to future community engagement and consultation on the matter.

The Council Executive were advised that officers had reviewed the relevant issues regarding a proposed partnership centre project for Armadale including an evaluation of outline operational accommodation requirements and consideration of a potential viable location to deliver the accommodation required. The review had identified outline proposals for the delivery of the partnership centre which could form the basis of the

consultation with stakeholders.

From the review, officers had identified a number of key considerations in relation to the delivery of a potential partnership centre at Armadale and these were summarised in the report. It was also noted that the General Services Capital Programme contained a budget of £1m in 2016-17 for the development of the partnership centre. In addition to this there was also an allocation of £970,000 for the construction of new changing facilities at Watson Park, Armadale.

It was also being proposed by officers that community consultation and partner engagement be progressed and that a number of issues should be considered including extending and reconfiguration of existing community facilities, provision of payment facilities, creation of an external play area at the existing community centre and review of changing facilities at Watson Park.

The exact location of service accommodation and the extent of any extensions would be developed as consultations progressed. It was also proposed that the detail of any proposals would be reported before the end of 2015.

It was proposed that to facilitate the wide ranging consultation, a community engagement group be established with invitations extended to representatives from the Community Council, Community Education Centre Management Committee, sports club and local community groups together with council services. This group would engage with the project team and support the development of the proposals from design through to construction and completion. This level of engagement would then ensure that the delivery of the project would be transparent and collaborative. It was intended that the consultation would be concluded by end of October 2015 with a report to Council Executive by the end of 2015. This would then allow design development and construction programming to be finalised to allow a site start in the summer of 2016.

It was recommended that Council Executive :-

1. Note the findings of the review undertaken by officers in relation to the development and delivery of a partnership in Armadale;
2. Note the potential for the Community Education Centre as a potential location for the integration of the area based Housing Services, Customer Information and Library Services elsewhere in West Lothian;
3. Agree that consultation should be undertaken with relevant stakeholders on the design and delivery requirements for the proposed facility and wider service delivery and that these should be concluded by October 2015;
4. Note that as part of the consultation an appraisal on the future use of the existing Housing Offices at the Cross would be undertaken with a view to developing proposals to maximise economic

benefits; and

5. Agree that officers should present a further report to Council Executive by the end of 2015, following conclusion of the consultation, containing detailed proposals for delivering a partnership centre and the future delivery of services incorporating the management of assets.

Decision

To approve the terms of the report.

24. MORTGAGE TO RENT SCHEME

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services providing an update on how the Mortgage to Rent Scheme had operated in West Lothian since 2009 and to consider how it should operate in the future.

The report recalled that the council had participated in the national mortgage to rent scheme, which was part of the Scottish Government's Homeowners Support Fund, for some time. The scheme was available to home owners who got into financial difficulty and were in danger of being made homeless. The owner could decide to sell their home to a public sector landlord and become a tenant of that landlord. The scheme provided independent advice to home owners prior to making any decisions. If the owner did decide to sell their home and become a tenant they then had a Scottish Secure Tenancy arrangement with no future right to buy.

From a council point of view the property was surveyed and any outstanding works required to bring the house up to the Scottish Housing Quality Standard were identified. The council then had to accept the results of the survey and carry out any identified work within a six month period. Any future repairs or capital investment in the property was then dealt with by the council in the usual manner. The council also received a subsidy from the Scottish Government to cover the acquisition cost beyond that covered by ongoing rental income.

To date the council had acquired 123 properties under the scheme, most of which were former council houses, details of which were summarised in Appendix 1 attached to the report. The average subsidy received by the council was 55% of the market value. These houses had then become a new supply of social houses. In the majority of cases these arrangements had worked well but there had been some instances where there had been insufficient free capital to carry out the identified repairs.

Given the pressure on housing budgets it was proposed that the council should set a criteria for acquiring houses under the mortgage to rent

scheme. The main concern was that there should be no major additional cost to the council beyond what was provided for under the terms of the scheme. Therefore it was proposed that the council should continue to accept houses under the scheme unless there were major works required at the time of acquisition to achieve the SHQ Standard.

The Head of Housing, Construction and Building Services continued to provide information with regards to recent updates made to the scheme by Scottish Government which related to rent levels noting that purchase subsidies would no longer be calculated using national benchmark rents based on the number of bed spaces, but would be calculated using the average rental charges for social properties within each local authority area based on the number of apartments. This was a welcome change in West Lothian as it would likely result in more subsidies being awarded by Scottish Government and lower rent for tenants. Two other changes were introduced to the scheme as of 1 April 2015 and these too were summarised in the report.

The report concluded that the mortgage to rent scheme provided a valuable safety net for a number of owner occupiers who, for a variety of reasons, had gotten themselves into serious financial difficulty and that the Scottish Government was continuing to invest significant resources into the scheme which worked towards preventing homelessness.

It was recommended that Council Executive :-

1. Note how the scheme to help owner occupiers in financial difficulty had been working in West Lothian;
2. Agree that houses should not be acquired under the scheme which were assessed as requiring immediate major investment (i.e. significantly in excess of £8,500);
3. Note that it was proposed to introduce an asbestos survey of property acquisitions under the scheme;
4. Note how rents were previously established for mortgage to rent properties and note the changes introduced by the Scottish Government on 1 April 2015; and
5. Agree that in cases where the Scottish Government benchmark was applied prior to 1 April 2015 that this rent level would continue for current tenancies but further agree that for subsequent tenancies rent would be based on the average rental charges for social properties within West Lothian, based on the number of apartments.

Decision

To approve the terms of the report

25. UPDATE ON THE 1,000 NEW BUILD COUNCIL HOUSE PROGRAMME

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services providing an update on the 1,000 new build council house programme.

The council's Corporate Plan 2013 to 2017 committed the council to increasing the number of council houses available for rent through the New Build Council Housing Programme. A full list of council house build, approved by Council Executive so far was attached to the report at Appendix 1. Contractors had now been appointed for all five lots (950 houses) which was considered a significant milestone in the programme. Lovell Partnership was the successful contractor for Lots 1, 2, 3 and 5 and McTaggart the successful contractor for Lot 4.

A site start had been made at West Main Street, Broxburn for 18 units and this was expected to be completed by December 2015. A site start at Pumpherston old school for 14 units had also begun on 16 March 2015 and was expected to be complete by December 2015. The report then provided a summary of the statutory consents that required to be obtained and included planning, building warrant, road construction consent and Scottish Water technical approvals.

The Head of Housing, Construction and Building Services continued by providing an update on the position with Deans South, the transfer of land via the Affordable Housing Policy, infrastructure update and funding noting that the financial model for the programme continued to be updated to reflect changed circumstances. At this stage the programme remained affordable.

The report concluded that excellent progress had been made with the tendering of the new build council house programme with contractors having been appointed for all Lots within the Framework Agreement to which there had been no legal challenges.

It was recommended that Council Executive :-

- Note that contractors had now been appointed for all five lots within the Framework Agreement (950 houses); Lovell Partnership was successful for Lots 1, 2, 3 and 5 and McTaggart Construction was successful for Lot 5;
- Note that tenders would be issued for 9 houses at Bathville and 8 houses at the former Winchburgh Day Centre before the end of the year;
- Note that 6 houses were complete, 32 under construction and that starts were expected at all other sites before the end of the current financial year;
- Note that the process of obtaining statutory consents was well underway but in some cases progress had been slower than

expected, particularly with regards to obtaining Scottish Water Technical Approvals;

- Note that three private sites required to be transferred from developers and that progress was being made with two of the sites with the third site the subject of a Section 75 planning appeal to modify the existing planning obligation;
- Note the position set out in the report on the infrastructure projects which were required to facilitate parts of the new build programme;
- Note that based on the tender returns received to date and the projected costs for the remaining phases, the new build programme remained affordable;
- Note that it had been necessary to adjust the number of units for some of the sites in order to make layouts acceptable, noting that further changes may be necessary; and
- Agree that the reserve site at Deans South was brought forward into the programme for 9 units.

Decision

To approve the terms of the report.

26. NEW MODEL OF CUSTOMER SERVICE DELIVERY

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services advising of plans being progressed through the Delivery Better Outcomes “Modernising Services on the front-line” project that would modernise the way frontline customer services were delivered in the future.

The report advised that in 2011 following the creation of Area Services, the council brought together a number of front-line customer facing services in the Customer Service Development unit. This included Library, Heritage, Customer Information Services (CIS) and Registration services.

The service was currently structured around ten senior managers and a cluster arrangement based on geography. There were six integrated CIS/branch library clusters, two registration offices and two clusters of community centres. The services were delivered from 56 locations, including Bathgate, Fauldhouse and Strathbrock Partnership Centres.

The continued modernisation of front-line services through proposal within the DBO project “Modernising services on the front-line” would bring additional efficiencies, with further service review and modernisation of Customer Service Development and Community Facilities units.

The success of the DBO project “Modernising Services on the front-line” was reliant on achieving a range of approaches promoted through other DBO projects, which in turn would mean combined financial savings across front line service provision.

At its meeting on 29 January 2015 the council agreed its budget for 2015/16 and a range of measures that would ensure the council balanced its budget over the coming three years.

The impact of these measures on the front-line service delivery was detailed in table 1 within the report. In order to ensure that future provision of services met the needs of communities it was proposed that the council introduce a hierarchy of provision through a staged approach based around the council’s Partnership Centre model.

The report went on to advise that a key driver for change was changing customer expectations. Feedback from the DBO consultations clearly expressed a view that customers wanted to be able to use technology to access services, that there should be a cost effective method to allow customers to contact the council including the provision of self-service online solutions.

Overall there were 1303 comments relating to customer services, 1113 were supportive of the approach and 190 were not. The council was committed to offering a range of access channels across West Lothian to ensure that customers could use council services in ways that best suited them.

The Head of Area Services explained that the council had a history of developing integrated service models in a number of key buildings such as Fauldhouse and Bathgate Partnership Centres, and the future commitment to this strategy was clear with new modernised front-line service models planned for an additional six locations, including Armadale, Blackburn, East Calder, Linlithgow, Winchburgh and Whitburn. In addition it was proposed that Broxburn Library be moved into Strathbrock to ensure service delivery could be integrated.

The project proposed to implement service change on a phased basis. Initially library opening hours would be altered to reflect demand. The new proposed hours were included in appendix 2 to the report. In addition, the mobile library service would be changed to ensure outlying communities were provided with a “pop-up” library service.

The models and structure for delivering the rest of the changes would be developed in a systematic way based on localised customer demand and need. Working within West Lothian Council’s Partnership Centre approach it was proposed that services would be designed around a Neighbourhood Management Cluster Model consisting of four clusters supported from main locations in Bathgate Broxburn, Livingston and Whitburn/Armadale delivering a hierarchy of services from Community Hubs.

The report advised that in order to achieve this new delivery model a new staffing structure would need to be put in place. This would see new management and cluster based staffing arrangements based on the four neighbourhoods. The new structure would adopt the generic customer service job descriptions. Various professional roles would be required to ensure development and quality across service disciplines such as librarian, systems analyst etc.

There was currently 160 fte staff employed within Area Service that would be affected by this change and included Customer Information Services (CIS), Libraries, Registration and Community Facilities and Partnership Centres.

The staffing reductions would be managed through the council's organisational change process. It was proposed that the reduction and redistribution of staff would be dealt with through the following steps:-

- Natural turnover of staff
- Ending of fixed term contracts and deletion of vacant posts
- Opportunities for early retirement/severance
- Implementation of the council's organisational change process

Buildings such as Partnership Centres and Community Centres would be staffed according to need ensuring services were available at the times to meet public demand. It was expected that management committees would have a greater role in the overall running of these buildings. A separate strand of work was being progressed by the Property Management and Development Service. Training and additional support to the management committees would be made available to support this transition.

In conclusion the report advised that West Lothian Council's vision was to develop integrated front-line services that were designed to be relevant to communities, connecting with more people and engaging directly with the needs of citizens. In turn the council would deliver an integrated service based on customer need within a reduced resource base.

It was recommended that the Council Executive :-

1. Note the progress made with the project "Modernising Services on the frontline";
2. Agree that Area Services modernise its service delivery model based on the hierarchy described in Appendix 1 in order to achieve the agreed savings;
3. Note that an organisational change programme would be developed to deliver the agreed services subject to consultation with key stakeholders and an update report would be submitted to the Culture & Leisure PDSP prior to being submitted to the Council

Executive for approval;

4. Agree that the proposed library opening hours were adopted as detailed in Appendix 2; and
5. Note that further modernisation of front line services would be explored as the hierarchy approach developed.

Decision

To approve the terms of the report.

27. PUBLICATION OF ELECTED MEMBERS REMUNERATION, EXPENSES AND ALLOWANCE INFORMATION 2014-15

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of levels of Elected Members Remuneration, Allowances and Expenses from 1 April 2014 to 31 March 2015 and to also provide details of training undertaken during this period.

In accordance with the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2010, councils were required to record and publish details of the payments made to Elected Members in the previous year from 1 April to 31 March no later than 1 June each year.

A copy of the payments made in accordance with the Regulations was set out in Appendix 1 attached to the report. All amounts were stated in gross before any deductions for income tax and national insurance.

Whilst the level of salary was fixed depending on the designation, the amounts of travel, subsistence and expenses claims varied between Elected Member depending on their activities and duties throughout the year.

The analysis also included "other expenses" which must be disclosed under the Scheme; this related to receipted expenditure incurred by the Provost and Depute Provost on civic duties and the costs of conferences and seminars which were paid for directly by the council.

In addition to the levels of payments made, the Regulations also required the council to publish details of training undertaken during the reporting period. Attendance at these events was summarised in Appendix 2 attached to the report.

It was recommended that Council Executive note the terms of the report and agrees that the detail contained within the two appendices be displayed on the council's website.

Decision

1. To note the terms of the report; and
2. Agree that the contents of the two appendices be displayed on the council's web site.

28. EARLY RETIRAL AND VOLUNTARY SEVERANCE - 1 OCTOBER 2014 TO 31 MARCH 2015

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the number of employees who were granted early retiral/voluntary severance or flexible retirement from the council during the 6 month period from 1 October 2014 to 31 March 2015.

The council's policy on Early Retiral and Voluntary Severance required that reports on the application of the policy were submitted regularly to the Council Executive. Therefore in accordance with that policy details for the period 1 October 2014 to 31 March 2015 were attached to the report at Appendix 1.

Also in accordance with the policy all cases approved during the period in question were dependent on the establishment of a business case which ensured that the costs of releasing the employee were recovered within the stipulated timescales. Of the 17 cases approved all fell within the 3-year payback period.

It was recommended that the Council Executive note the content of the report which had been prepared in accordance with the reporting requirements of the council's policy on Early Retiral and Voluntary Severance.

Decision

To note the contents of the report.

29. COUNCILLORS' LOCAL DISBURSEMENT FUND

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of expenditure from the councillors' Local Disbursement Fund for the period 1 April 2014 to 31 March 2015.

The Head of Corporate Services explained that the guidelines for the operation of the Fund, which were approved by the Policy and Resources Committee in 1996, included a requirement for a summary reports of expenditure from the Fund to be submitted to the Council Executive every six months.

The budget for the Fund for 2014-15 was £92,358.00 and members received regular information about sums allocated by them and balances remaining. They could also ask for that information at any time.

The budget was divided amongst the 33 elected councillors and all members disbursed their entire allocation during the year. It was also noted that although there arose a casual vacancy and there was a by-election during the year, the allocation was preserved and used in full by the outgoing and incoming councillors between them.

Members were also reminded that for a disbursement to come within the guidelines for the scheme there was to be some evidence in the application of a benefit to the community rather than a benefit to only one individual.

The budget for 2015-16 remained unchanged at £92,358 or £2,798.72 per elected member with this information having already been passed to elected members.

The Council Executive was asked to note the expenditure from the Councillors' Local Disbursement Fund 2014-15 and the funds available for the coming financial year.

Decision

To note the contents of the report.

30. COMMUNITY COUNCIL GRANTS 2014-15

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the administration and special project grants which had been paid to community councils during the year from 1 April 2014 to 31 March 2015.

The Head of Corporate Services advised that administration grants were paid automatically to community councils upon submission of satisfactory audited accounts. Administration grants were paid at a fixed rate per 100 of the population, or £250, whichever was the greater. An additional payment of £35 was also paid with the administration grant to cover the cost of community councils registering with the Information Commissioner to comply with the terms of the Data Protection Act 1998. Furthermore grants had been topped up in recent years in accordance with Council Executive and West Lothian Council decisions to top-up voluntary organisations grant levels.

Appendix 1 attached to the report showed the level of grant available to each community council for the last financial year, audited accounts that were received and when grants were awarded.

The Head of Corporate Services continued to advise that the special

project grant scheme continued in financial year 2014-15 and allowed community councils to carry out projects in their areas such as the production of newsletters, environmental improvements, park benches, etc. Community Councils could apply for a maximum grant of £750 special project funding in each financial year. There was no minimum grant. Applications were dealt with on a first come first served basis. Additionally Community Councils that retained more than £75 of their administration grant from the previous financial year were expected to contribute 10% towards the project.

Appendix 2 attached to the report detailed the special project granted which had been awarded during the last financial year.

Community Council secretaries were made aware through the Scheme and by email reminders throughout the year of the availability of both the administration and special project grants.

It was recommended that the Council Executive note the payments made from the Community Council administration and special project grant budgets during the financial year 2014-15.

Decision

To note the contents of the report

31. ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minute of the St John's Hospital Stakeholder Group meeting held on 25 March 2015, a copy of which was attached to the report.

Decision

To note the terms of the report.

32. WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minutes of a meeting of the Community Planning Partnership Board held on 3 February 2015.

Decision

To note the terms of the report.

33. PROCUREMENT - MONTH 12 OUT-TURN REPORT 2014-14

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

The Head of Finance and Estates explained that work had been carried out on the provision of new contracts to assist in increasing the percentage of contracted spend. This had resulted in 66 contracts being let or adopted in the final quarter of 2014-15, details of which were attached to the report at Appendix 1.

Further work to identify and input contracts not included in the Corporate Contract Management System (CCMS) had taken place resulting in 90% of spend being captured against the annual target of 90%.

As a result of the contract management approach, closer working relationships were being developed with service areas to identify and deliver savings through better contracting practices. Procurement savings in 2014-15 had matched the annual target of £935,000.

The report continued by providing information on progress against procurement review and strategy, collaborative arrangements, improving procurement capabilities and capacity, community benefits and changes to Standing Orders for the Regulation of Contracts

It was recommended that the Council Executive note :-

1. The contracts let from January to March 2015 and the overall procurement savings achieved in 2014-15; and
2. The community benefits gained as part of the procurements from January to March 2015.

Decision

To note the contents of the report