

MINUTE of MEETING of the WEST LOTHIAN COUNCIL held within Council Chambers, Civic Centre, Livingston, on 7 March 2017.

Present – Provost Tom Kerr (Chair); Deputy Provost Dave King, Council Leader John McGinty, Councillors Frank Anderson, Stuart Borrowman, Tony Boyle, William Boyle, Diane Calder, Harry Cartmill, Tom Conn, Alexander Davidson, Robert De Bold, Jim Dickson, Mary Dickson, Jim Dixon, David Dodds, Lawrence Fitzpatrick, Carl John, Peter Johnston, Sarah King, Danny Logue, Greg McCarra, Anne McMillan, John McGinty, Andrew Miller, John Muir, Cathy Muldoon, George Paul, Barry Robertson, David Tait, Frank Toner, Jim Walker

Apologies – Councillor Janet Campbell

Absent – Angela Moohan

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES -

- (a) The Council approved the minute of meeting of West Lothian Council held on 24 January 2017.
- (b) The Council approved the minute of the special meeting of West Lothian Council held on 20 February 2017.
- (c) The Council noted the correspondence arising from previous decisions.
- (d) The Council noted the minute of the Employee Appeals Committee held on 10 November 2016.
- (e) The Council noted the minute of meeting of the Employee Appeals Committee held on 14 December 2016.
- (f) The Council noted the minute of meeting of the Education (Quality Assurance) Committee held on 1 November 2016.
- (g) The Council noted the minute of meeting of the Joint Consultative Group (Teaching Staff) held on 19 February 2016.
- (h) The Council noted the minute of meeting of the Joint

Consultative Group held on 7 November 2016.

3. TREASURY MANAGEMENT PLAN 2017/18

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services attaching the Treasury Management Plan for 2017/18.

The plan detailed the expected activities of the treasury function in 2017/18. The requirement of the Prudential Code had been incorporated into the report.

The Head of Finance and Property Services explained that, as the range of counterparties had diminished slightly because of previous counterparty movements it was proposed to increase the investment limits for each category by £2 million. This would increase investment options available to the council through the continued use of appropriately rated institutions without substantially increasing current risk levels. The revised limits were reflected in Appendix 4 to the plan.

As credit rating agencies no longer included sovereign country ratings when assessing individual institutions, there was an opportunity to investigate the potential for extending the council's counterparty list to include appropriately rated non UK institutions. It was proposed that officers considered the options available, taking advice from Capita Asset Services, and report to the Partnership and Resources Policy Development and Scrutiny Panel during 2017 on any resulting proposals on changes to the counterparty list.

It was recommended that the Council:

1. Approve the 2017/18 Treasury Management Plan;
2. Approve the increase to the investment limits for each category of investment, as set out in Appendix 4;
3. Agree that officers should explore the potential for extending counterparty options to include appropriately rated non UK institutions and prepare a report for Partnership and Resources Policy Development and Scrutiny Panel.

Decision

To approve the terms of the report.

4. NOTICE OF MOTION - TAM DALYELL MP - SUBMITTED BY COUNCILLOR JOHN MCGINTY

The Council considered a motion submitted by Leader of the Council John McGinty in the following terms:-

“West Lothian Council notes with sadness the death of Tam Dalyell,

former Member of Parliament for West Lothian, then Linlithgow constituency, and Council sends it condolences to his wife Kathleen, his family and friends.

Council recalls his unique contribution to West Lothian life and his long record of outstanding service to West Lothian's communities and people, his distinguished parliamentary service, including serving as Father of the House of Commons, and his contributions as a school teacher, author and journalist.

Council agrees to instruct Council Officers to bring a report to a future meeting of the Council Executive with a proposal to permanently mark his contribution to West Lothian."

Moved by Council Leader John McGinty.

Decision

To unanimously approve the terms of the motion.

5. NOTICE OF MOTION - AVON GORGE LINK - SUBMITTED BY COUNCILLOR JOHN MCGINTY

The Council considered a motion (copies of which had been circulated) by Council Leader John McGinty in the following terms:-

"West Lothian council notes with concern the failure of the Scottish Government to fund a solution to the long standing traffic risks at Avon Gorge.

Council agrees to write to the Scottish Government to demand that they now fund the Avon Gorge project as a matter of priority."

Moved by Council Leader John McGinty, seconded by Councillor Jim Dixon.

First Amendment

"West Lothian Council notes that the traffic issues relating to the Avon Gorge had been unresolved for decades.

Council further notes that at present Labour-controlled Falkirk Council has failed to progress matters in terms of delivering traffic management solutions.

West Lothian Council calls all the three parties concerned, including the Scottish Government, to work together to deliver an effective solution to this long-standing problem."

Moved by Councillor De Bold, seconded by Councillor Sara King.

Second Amendment

The Council considered an amendment by Councillor Borrowman in the

following terms:-

“Council instructs officers to bring a report to the appropriate Committee or PDSP, within 3 months, outlining proposals for the introduction of traffic management measures on the West Lothian side of the Avon Gorge which will address dangerous manoeuvres. The report should also provide an update on discussions with the Scottish Government concerning the funding of a solution to the traffic issues at Avon Gorge”.

Before a seconder for Councillor Borrowman’s amendment had been identified, the Council Leader intimated that he was willing to incorporate this additional paragraph into the motion.

The mover of the first amendment, Councillor De Bold, then intimated that he was willing to incorporate the additional paragraph into the amendment.

It was agreed that a roll call vote be taken with members being asked to vote on the motion by Councillor McGinty (with additional paragraph) or the amendment by Councillor De Bold (with additional paragraph). The vote resulted as follows:-

Motion

Stuart Borrowman
Tony Boyle
Harry Cartmill
Tom Conn
Alex Davidson
Jim Dixon
David Dodds
Lawrence Fitzpatrick
Tom Kerr
Dave King
Danny Logue
Anne McMillan
John McGinty
Cathy Muldoon
George Paul
Barry Robertson
Frank Toner

Amendment

Frank Anderson
Willie Boyle
Diane Calder
Robert De Bold
Jim Dickson
Mary Dickson
Carl John
Peter Johnston
Sarah King
Greg McCarra
Andrew Miller
John Muir
David Tait
Jim Walker

Decision

The motion as undernoted was successful by 17 votes to 14 votes and it was agreed accordingly:-

“West Lothian Council notes with concern the failure of the Scottish Government to fund a solution to the long standing traffic risks at Avon Gorge.

Council agrees to write to the Scottish Government to demand that they now fund the Avon Gorge project as a matter of priority.

Council instructs officers to bring a report to the appropriate Committee or PDSP, within 3 months, outlining proposals for the introduction of traffic management measures on the West Lothian side of the Avon Gorge which will address dangerous manoeuvres. The report should also provide an update on discussions with the Scottish Government concerning the funding of a solution to the traffic issues at Avon Gorge.”

6. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 127 documents for execution.

Decision

That the deeds be executed.

7. PV (SOLAR) PANELS - QUESTION TO THE EXECUTIVE COUNCILLOR FOR COMMUNITY SERVICES - SUBMITTED BY COUNCILLOR JOHN MCGINTY

Written questions to the Executive Councillor for Community Services were submitted by Council Leader John McGinty in the following terms:-

1. How many Council tenants have contacted the Council in the last 5 years to request that solar panels be fitted to their home?
2. Has the Council confirmed that it can fit solar panels to all Council properties and that all properties are suitable?
3. What is the estimated cost of a retro fit of PV panels to all Council house stock currently without PV panels?

The Executive Councillor for Community Services provided a verbal answer to the written question.

Council Leader John McGinty indicated that he wished put a supplementary question as provided for in Standing Orders. He did so and the Executive Councillor provided a verbal answer to the supplementary question.

Decision

1. To note the written questions put and verbal answers given.
2. To note the supplementary question put and answer given.

8. COMMUNITY SAFETY - QUESTION TO THE EXECUTIVE COUNCILLOR FOR COMMUNITY SERVICES - SUBMITTED BY

COUNCILLOR DAVE KING

A written question to the Executive Councillor for Community Services had been submitted by Councillor Dave King in the following terms:-

“During the 2007 to 2012 SNP Council Administration how many West Lothian Council tenants convicted of drug offences were evicted from their home as a consequence of their drug conviction?

Of those, how many West Lothian Council tenants were evicted for using their home for drug dealing purposes?”

The Executive Councillor for Community Services provided verbal answers to the written questions.

Decision

To note the questions put and answers given.