

MINUTE of MEETING of the COUNCIL EXECUTIVE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 22 OCTOBER 2019.

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

Apologies – Councillor Harry Cartmill, Chris Horne

1. DECLARATIONS OF INTEREST

Agenda Item 7 – West Lothian Strategic Housing Investment Plan 2020 – 2025 – Councillor Andrew McGuire declared an interest in that he was a Housing Officer with Dunedin Canmore Housing Association and would therefore take no part in the consideration of this item of business.

Agenda Item 14 – Town Centre Fund Capital Grant 2019/20 – Linlithgow Ward – Councillor Tom Conn declared an interest in that he was Chair of the Peace Garden Steering Group and would not take part in the consideration of this item of business.

Agenda Item 12 – Town Centre Fund Capital Grant 2019/20 – Bathgate Ward – Councillor Charles Kennedy declared an interest in that he was a Board Member of Enterprising Bathgate and a Member of Bathgate Town Centre Management Group and would take no part in the consideration of this item of business or Agenda Item 13, Town Centre Fund Capital Grant 2019/20 – Livingston North Ward and Agenda Item 14, Town Centre Fund Capital Grant 2019/20 – Linlithgow Ward.

2. MINUTE

The Council Executive confirmed the Minute of its meeting held on 8 October 2019 as a correct record subject to amending minute item 1 to reflect the Councillor Angela Horne should be Councillor Angela Doran.

The Minute was there after signed by the Chair.

3. PROPOSED COMPLEX CARE HOUSING DEVELOPMENT

The Chair ruled in terms of Standing Order 28 that this item of business could be considered within six months as there had been a material change in circumstances. The Chair advised that the reason for the ruling was explained in part D3 of the report.

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy seeking approval of the change of layout of the proposed new Complex Care Housing Development,

Cawburn Road, Pumpherston.

On 25 June 2019 Council Executive approved the preferred site of Cawburn Road, Pumpherston for the location of a new Complex Care Housing Development and approved the submissions of applications for the necessary consents. In addition, the report outlined the requirement for the project to support modernisation of services. The report also provided an indicative layout and set out the proposed project delivery timescales.

Following development of the initial design engagement with potential service delivery partners a review of facilities considered by leaders in the field of Complex Care Housing identified more modern approaches to the design of facilities for vulnerable people with complex needs. This included engagement with Cornerstone, The Richmond Fellowship and Cygnet Health Care, who were all considered leaders in the provision of this type of care. Additionally, officers spoke to their counterparts at Mid Lothian and West Dumbartonshire Council who had facilities providing similar care.

This process of engagement had led officers to reconsider the approach to supporting people with complex needs and how housing was provided for them.

Therefore, a new approach to the layout of the facility was being proposed and would make that the development more visually appealing due to the layout being similar to regular community housing. This would also provide a more integrated neighbourhood/community approach to the development with distinct terraces of housing units.

The revised timescale of the delivery of the project was outlined in the report noting that the redesign had only impacted on the statutory consent process by approximately 4 weeks.

It was recommended that Council Executive :-

1. Approves the new layout and design of the proposed Complex Care Housing Development as set out in the report; and
2. Notes the proposed delivery timescales and project milestones including those relating to the obtaining of statutory consents and approvals.

Decision

To approve the terms of the report

4. REVIEW OF DECISION-MAKING ARRANGEMENTS

The Council Executive considered a report (copies of which had been circulated) by the Governance Manager proposing a new approach to the preparation of minutes of council, committee and PDSP meetings.

The report recalled that part of the council's decision on the revenue budget report on 13 February 2018 was "*to review the economy, efficiency and effectiveness of its present decision-making arrangements and to report to the Partnership and Resources PDSF for consideration of possible changes*". Reports covering a wide range of issues were considered at several PDSF meetings with Council Executive on 20 August 2019 deciding how officers should proceed. One of those issues was the approach to the style of minutes.

The report summarised the legal requirements of the content of minutes along with details of the requirements of the council's own Standing Orders.

Minutes of meetings had followed the same format for many years and pre-dated the extensive use of the internet for publishing and accessing meeting papers. They included a narrative drawn from the report as well as critical information such as recommendations, motions, amendments, voting and decisions.

It was proposed that the style of the minutes was changed to reduce the size, length and work involved in producing them whilst still meeting legal and good practice requirement. In short this would involve the omission of the narrative based on the report. The approach was set out in more detail in Appendix 1 attached to the report. Appendix 2 provided a sample of the proposed new format.

The Governance Manager also advised the members that subject to approval the new style of minutes would be introduced from 1 November 2019.

It was recommended that Council Executive :-

1. Notes that Council Executive on 20 August 2019 instructed officers to bring forward proposals through the Partnership and Resources Policy Development and Scrutiny Panel in relation to a new approach to the preparation of minutes of meetings; and
2. Agrees the new approach, with effect from 1 November 2019, outlined in Appendix 2 whereby minutes would be shorter and easier to read resulting in a reduction in the resources required for their production.

Decision

To approve the terms of the report

5. WEST LOTHIAN STRATEGIC HOUSING INVESTMENT PLAN 2020-2025

Having previously declared an interest Councillor Andrew McGuire withdrew from the meeting during consideration of this item of business.

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services advising of the main points of West Lothian Council's Strategic Housing Investment Plan (SHIP) 2020-2025.

The Head of Housing, Customer and Building Services advised that the Scottish Government had requested that all local authorities submit a 5-year Strategic Housing Investment Plan (SHIP) which would augment their current Local Housing Strategies. This was done annually.

The SHIP demonstrated the manner in which West Lothian Council's affordable housing priorities would be developed in practice. Consultation had taken place with a number of organisations involved in the development of affordable housing in West Lothian, notable WLC Planning and the Registered Social Landlord (RSL) community.

The report continued by providing a summary of progress of the SHIP for 2018-2023 and the main priorities identified for the SHIP going forward. It was noted that through the SHIP there was an opportunity to identify housing projects that could benefit from the Scottish Government Housing Infrastructure Fund. This fund was intended to support housing projects that had stalled or had not started due to infrastructure constraints.

The council had consulted with housing associations and private sector development in drawing up a list of potential bids for infrastructure funding. The Scottish Government was currently considering an application for loan funding for the Heartlands development in order that the road network could be extended. Projects at the CDA in Winchburgh and Deans South, Livingston were also being considered for infrastructure grant funding.

It was recommended that Council Executive:-

1. Approves the Strategic Housing Plan (SHIP) attached at Appendix 1;
2. Notes that over a 10 year period from 2012 to 2022, the aim would be to deliver 3,000 affordable homes with the majority being council houses. The establishment of a Homes for West Lothian Partnership with housing associations in the area would assist with the delivery of this scale of housing;
3. Notes that the level of grant funding for affordable housing delivery for the period 2019-2022 had increased from previous years and that this would facilitate new affordable housing by a variety of providers;
4. Notes the infrastructure projects identified for future consideration by Scottish Government for grant and loan funding; and
5. Notes that the SHIP required to be submitted to the More Homes Division of the Scottish Government following consideration by Council Executive.

Decision

To approve the terms of the report

4. 2018/19 ANNUAL RETURN ON THE CHARTER – ANNUAL ASSURANCE STATEMENT

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services seeking approval to submit the Housing, Customer and Building Service's Annual Assurance Statement which was supplementary to the Annual Return on the Charter completed in May 2019.

The statement was confirming compliance with all regulatory requirements as set out in Chapter 3 of the Scottish Housing Regulator's framework and provided assurances that the Head of Housing, Customer and Building Services had considered the submission and evidence submitted in May 2019 and was assured that this was accurate in confirming compliance with regulatory requirements.

It was recommended that Council Executive note the content of the annual assurance statement to the Scottish Housing Regulator and approve the submission by the required date of 31 October 2019.

Decision

To approve the terms of the report

7. RENT STRATEGY CONSULTATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services seeking approval for the proposed engagement process on the continued implementation of the current rent strategy of Housing, Customer and Building Services for year 2020/21.

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 Tenant Participation Strategy also provided that the minimum period of consultation was two months.

At the council meeting on 13 February 2018, the council agreed a 5-year rent strategy based on an annual rent increase of 3% for the remainder of the agreed strategy period to 2022/23.

Considering these requirements, consultation with tenants would take place over 3 months and would include presentations to Housing Networks, Tenants News, the financial scrutiny meeting of the Tenants Panel and use of social media channels.

It was recommended that the Council Executive notes and approves the

service plans to commence the annual engagement with tenants on the continued implementation of the approved rent strategy.

Decision

To approve the terms of the report.

8. SCOTTISH AWARDS FOR QUALITY IN PLANNING

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval for the appropriate elected member attendance at the Scottish Awards for Quality in Planning in Edinburgh on the evening of 20 November 2019.

The Council had been shortlisted for three awards; these being Partnership Centres; Planning on Air Quality; and Unlocking Key Development Sites. The report provided a brief overview of each of these programmes of work.

The organisers of the awards had extended an invitation to elected members from each of the shortlisted authorities to attend the ceremony.

Motion

To approve the terms of the report and agree that Councillor Cathy Muldoon, Executive Councillor for Development and Transport attend the Scottish Quality in Planning Awards in Edinburgh.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan.

Amendment

To agree the terms of the report and that Councillor Cathy Muldoon and Councillor Charles Kennedy attends the Scottish Quality Planning Awards in Edinburgh.

- Moved by Councillor Damian Timson and seconded by Councillor Peter Heggie.

A roll call vote was taken. The result was as follows:

Motion	Amendment
Tom Conn	Frank Anderson
David Dodds	Peter Heggie
Lawrence Fitzpatrick	Peter Johnston
Andrew McGuire	Charles Kennedy
Cathy Muldoon	Damian Timson

George Paul

Kirsteen Sullivan

Decision

Following a roll call vote the motion was successful by 7 votes to 5 and it was agreed accordingly.

9. CROSS-PARTY CLIMATE EMERGENCY WORKING GROUP

The Council Executive considered a report (copies of which had been circulated) by Head of Planning, Economic Development and Regeneration to agree the arrangements for the short-term cross-party working group on the climate emergency established by Council on 24 September 2019.

At its meeting on 24 September 2019 council declared a climate emergency. Amongst other actions agreed, it decided that a short-term cross-party member working group should be established.

The remit of the group was to formulate a way forward which involved the wider public, business and other public bodies. It was expected that the working group would report back to Council in 3 months.

There was work already ongoing in the council, through officers and the Environment PDSP and in the Community Planning Partnership. Duplication of the work being undertaken there should be avoided and the group's work should complement what was being done there. It was to be noted that working groups had no decision-making powers and could not instruct officers or direct council resources and that the full complement of Standing Orders did not apply to them and how they operated.

It was recommended that Council Executive:-

1. Notes Council's decision of 24 September 2019 in relation to the declaration of a climate emergency (Appendix 1 to the report), subject to it being confirmed as part of the approved Minute of the next meeting;
2. Notes the provisions of Standing Order 52 in relation to working groups involving members (Appendix 2 to the report);
3. Agrees that the working group was called the Cross-Party Climate Emergency Working Group;
4. Appoints two Labour councillors, two SNP councillors and two Conservative councillors to be members of the Working Group and to note that substitutes may attend meetings if required;
5. Appoints the Chair and Vice-Chair of the Working Group from those six councillors;

6. Agrees that the Head of Planning, Economic Development and Regeneration will be the Lead Officer for the Working Group;
7. Notes the remit of the Working Group as set out in the Council's decision;
8. Agrees that the Working Group should meet for the first time at the earliest opportunity; and
9. Agrees that the Working Group should co-operate with and co-ordinate its work with the Community Planning Partnership and the Environment Policy Development and Scrutiny Panel and should avoid, where possible, any duplication of work and resources.

The following members were nominated as members of the working group - Councillors Tom Conn, Kirsteen Sullivan (Labour), Frank Anderson, Diane Calder (SNP), Chris Horne and Tom Kerr (Conservative)

Motion

- To approve the terms of the report.
- To agree to appoint the 6 members nominated
- To appoint Councillor Tom Conn as Chair and Councillor Kirsteen Sullivan as Vice Chair

Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan

Amendment

- To approve the terms of the report.
- To agree to appoint the 6 members nominated.
- To appoint Councillor Chris Horne as Chair and Councillor Frank Anderson as Vice Chair.
- Moved by Councillor Frank Anderson and seconded by Councillor Damian Timson.

A vote was taken which resulted as follows, 7 votes for the motion and 5 votes for the amendment.

Decision

The motion was successful by 7 votes to 5 and was agreed accordingly.

10. TOWN CENTRE FUND CAPITAL GRANT 2019/20 – BATHGATE WARD

Having previously declared an interest Councillor Charles Kennedy withdrew from the meeting taking no part in the consideration of this item

of business.

The Council Executive considered a report (copies of which had been circulated) by the Lead Officer for the Bathgate Local Area Committee seeking determination of applications to the Town Centre Fund Capital Grant 2019/20 for the Bathgate ward area.

It was noted that the Bathgate Local Area Committee, at its meeting on 8 October 2019, had been unable to determine the applications due to members having declared a number of interests and therefore having to withdraw from the meeting. This had in turn deemed the meeting inquorate.

The local area committee report summarising the applications along with copies of the applications was attached to the report as a series of appendices.

Therefore, Council Executive was asked:-

1. To note that the Bathgate Local Area Committee on 8 October 2019 was inquorate when it came to dealing with the report on applications to the Town Centre Fund Capital Grant 2019/20;
2. To note the terms of the report including the applications and the officers' recommendations, attached to the report as a series of appendices; and
3. To consider and determine the recommendations in that report in accordance with procedures agreed at Council Executive on 11 June 2019.

Motion

To approve recommendations 1, 2 of the report and, in relation to recommendation 3, to approve the recommendations made by officers in the report to the Local Area Committee.

- Moved by Councillor Fitzpatrick and seconded by Councillor Kirsteen Sullivan

Amendment

To agree recommendations 1 and 2, and in relation to recommendation 3, to refer the report back to a Special Meeting of the Local Area Committee and for the applications to be listed separately to allow local members to take part in the decision-making.

- Moved by Councillor Frank Anderson and seconded by Councillor Peter Johnston

A roll call vote was taken. The result was as follows:-

Motion

Amendment

Tom Conn

Frank Anderson

David Dodds

Peter Johnston

Lawrence Fitzpatrick

Peter Heggie

Andrew McGuire

Cathy Muldoon

George Paul

Kirsteen Sullivan

Damian Timson

Decision

Following a roll call vote the motion was successful by 9 votes to 2 and it was agreed accordingly.

11. TOWN CENTRE FUND CAPITAL GRANT 2019/20 – LIVINGSTON NORTH WARD

Councillor Charles Kennedy did not take part in this item of business as previously advised.

The Council Executive considered a report (copies of which had been circulated) by the Lead Officer for the Livingston North Local Area Committee seeking determination of applications to the Town Centre Fund Capital Grant 2019/20 for the Livingston North ward area.

It was noted that the Livingston North Local Area Committee, at its meeting on 8 October 2019, had been unable to determine the applications due to members having declared a number of interests and therefore having to withdraw from the meeting. This had in turn deemed the meeting inquorate.

The local area committee report summarising the applications along with copies of the applications was attached to the report as a series of appendices.

Therefore, Council Executive was asked:-

1. To note that the Livingston North Local Area Committee on 8 October 2019 was inquorate when it came to dealing with the report on applications to the Town Centre Fund Capital Grant 2019/20;
2. To note the terms of the report including the applications and the officers' recommendations, attached to the report as a series of

appendices; and

3. To consider and determine the recommendations in that report in accordance with procedures agreed at Council Executive on 11 June 2019.

Decision

To approve the terms of the report and approve the applications to the Town Centre Fund Capital Grant for the Livingston North ward area in accordance with the recommendations made in the report to the Local Area Committee.

12. TOWN CENTRE FUND CAPITAL GRANT 2019/20 – LINLITHGOW WARD

Having previously declared an interest Councillor Tom Conn left the meeting taking no part in the consideration of this item of business.

Councillor Charles Kennedy did not take part in this item of business as previously advised.

The Council Executive considered a report (copies of which had been circulated) by the Lead Officer for the Linlithgow Local Area Committee seeking determination of applications to the Town Centre Fund Capital Grant 2019/20 for the Linlithgow ward area.

It was noted that the Linlithgow Local Area Committee, at its meeting on 8 October 2019, had been unable to determine the applications due to members having declared a number of interests and therefore having to withdraw from the meeting. This had in turn deemed the meeting inquorate.

The local area committee report summarising the applications along with copies of the applications was attached to the report as a series of appendices.

Therefore, Council Executive was asked:-

1. To note that the Linlithgow Local Area Committee on 8 October 2019 was inquorate when it came to dealing with the report on applications to the Town Centre Fund Capital Grant 2019/20;
2. To note the terms of the report including the applications and the officers' recommendations, attached to the report as a series of appendices; and
3. To consider and determine the recommendations in that report in accordance with procedures agreed at Council Executive on 11 June 2019.

The Chair ruled under Standing Order 28 that there had been a material change of circumstances since the process determining applications to

the fund had been determined in relation to the withdrawal of committee members resulting in the meeting being inquorate and unable to determine the applications, and the under-subscription of applications which may result in funds available to the ward not being allocated to the ward.

Motion

1. Council Executive notes recommendations 1 and 2 of this report, including the applications and officers' recommendations in this report and in the report to the Local Area Committee in the appendix.
2. In relation to recommendation 3 of this report:
 - Council Executive notes recommendations 1, 2, 4 and 8 of the report to the Local Area Committee
 - In relation to recommendation 3 of the report to the Local Area Committee, Council Executive agrees to award funding as set out in that report
 - In relation to recommendation 5 of the report to the Local Area Committee and the unallocated balance of £50,663, Council Executive agrees to allocate £40,000 to the Linlithgow Burgh Trust for the phase 2 element of Application (LIN07) for the delivery of tree planting and associated landscaping and street furniture
 - In relation to recommendation 6 of the report to the Local Area Committee, Council Executive agrees to allocate the remaining balance of £10,663 to promote Linlithgow as a visitor destination and instructs the Head of Planning, Economic Development and Regeneration to consult with Visit West Lothian and Linlithgow Bridge Community Council, and to develop and implement complementary activities to promote Linlithgow as a visitor destination
 - Council Executive agrees recommendation 7 of the report to the Local Area Committee
3. Council Executive also instructs the Head of Planning, Economic Development and Regeneration to provide a report on the activities that will be undertaken to the next meeting of the Linlithgow Local Area Committee.
 - Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan.

Decision

To unanimously approve the terms of motion

13. ELECTRIC VEHICLE CHARGING - EXPANSION

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of proposals to deliver additional Electric Vehicle (EV) Charging Points and to seek approval for the proposed locations.

The report recalled that the council secured funding of £320,000 from Transport Scotland through its Local Authority Installation Programme (LAIP) for the expansion of the EV charging infrastructure in West Lothian. A brief summary of the proposals was included in the General Service Capital Budget Month 4 Monitoring Report presented to Council Executive on 8 October 2019.

The funding allocated to the council was designed to help fill gaps in the existing network, provide further “rapid” charge locations in key areas and install “destination” charge points at visitor attractions. Criteria for suitable installation points was outlined in the report.

Appendix 1 attached to the report identified existing EV charging points and Appendix 2 attached to the report identified proposed charging points.

It was noted that should any of the proposed locations outlined in the report not be technically viable for delivery alternatives would be reported to Council Executive for consideration.

Funding and project delivery times were also outlined in the report along with future opportunities for increasing the council’s actions in relation to climate change.

It was recommended that Council Executive:-

1. Approves the proposed RV charging locations outlined in the report; and
2. Notes that a future report on the wider strategy for EV charging would be presented early in 2020 to the appropriate Policy Development and Scrutiny Panel for consideration.

Motion

To approve the terms of the report.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan

Amendment

To refer the report to the Cross-Party Climate Emergency Working Group for consideration.

- Moved by Councillor Frank Anderson and seconded by Councillor Peter Johnston

A roll call vote was taken. The result was as follows:

Motion

Tom Conn

David Dodds

Lawrence Fitzpatrick

Andrew McGuire

Cathy Muldoon

George Paul

Kirsteen Sullivan

Decision

Amendment

Frank Anderson

Peter Heggie

Peter Johnston

Charles Kennedy

Damian Timson

Following a roll call vote the motion was successful by 7 votes to 5 and was agreed accordingly.

14. SCOTTISH WELFARE FUND REPORT

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the funding arrangements for the Scottish Welfare Fund, the increasing pressures on the fund and proposed steps to help mitigate the challenges faced.

The Scottish Welfare Fund (SWF) had been administered by local authorities from April 2013 on behalf of the Scottish Government. The Welfare Fund (Scotland) Act 2015 placed a statutory duty on local authorities to maintain the fund.

It was noted that the SWF was under pressure due to welfare reforms and in particular the introduction of Universal Credit (UC) and funding to administer the SWF had not been increased to reflect the additional resource required to manage the increase in workload. In West Lothian there had been an 85% increase in the number of applications received since the start of the fund in 2013 to 2018/19.

The administration of the fund had been under constant review to address the increasing demand and there was a continued commitment to further improve the service provided to individuals. Mitigating actions to manage the SWF were outlined in the report along with further developments that would be implemented.

With regards to additional funding the Head of Finance and Property Services advised that in February 2017, as part of the budget setting process, Council Executive agreed to one-off funding to be allocated to the Discretionary Housing Payment (DHP) budget. To date, funding received from the Scottish Government had fully mitigated the costs of the

bedroom tax and other DHP funding had been sufficient to meet demand. Given the number coming forward for both crises and community care grants it was proposed to transfer £80,000 from the DHP budget to the SWF to help alleviate the pressure and to mitigate the potential overspend on crises and community care grants in 2019/20.

It was recommended that the Council Executive:-

1. Notes the pressure placed on the Scottish Welfare Fund budget; the increasing numbers applying for both crisis and community care grants and that the criteria for both grants had been set as “high” since March 2016; and
2. Approves one-off funding of £80,000 to mitigate the potential overspend in the Scottish Welfare Fund in 2019/20.

Decision

To approve the terms of the report

15. MURRAYFIELD PARK SPORTS PAVILION AND 3G PITCH, ASH GROVE, BLACKBURN – LEASE TO BLACKBURN UNITED COMMUNITY SPORTS CLUB

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the granting of a twenty-five-year lease of the sports pavilion, 3G synthetic pitch and ancillary land at Murrayfield Park in Blackburn to Blackburn United Community Sports Club (BUCSC).

The Head of Finance and Property Services advised that as the BUCSC, who had leased the facility since 2013, continued to grow they now had a team that had SFA Senior club status. As a result, the existing lease arrangement was insufficient to sustain the club’s status going forward and was also a barrier to them accessing potential sources of external funding.

It was recommended that Council Executive approves a twenty-five-year lease of the sports pavilion, 3G synthetic pitch and ancillary land at Murrayfield Park, Ash Grove, Blackburn to Blackburn United Community Sports Club at a rental of £2,000 per annum under the provisions of a community benefit lease, subject to the terms and conditions set out in the report.

Decision

To approve the terms of the report

16. ACCESSIBLE FACILITIES FOR PEOPLE WITH DISABILITIES IN OPERATIONAL PROPERTIES

The Council Executive considered a report (copies of which had been

circulated) by the Head of Finance and Property Services advising of the current number of properties considered accessible for people with disabilities and to seek approval of proposed amendments to the current approach.

The Equalities Act 2010 placed a duty on service providers to deliver services in a way that did not discriminate in terms of age, disability, gender assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

West Lothian Council records the accessibility of operational properties to deliver a service to the public on an annual basis based on seven criteria as outlined in the report.

In 2018/19 the total number of properties used to deliver services was 127 of which 97 met the criteria (76.7%). Thirty properties were deemed not to meet the seven criteria, details of which were contained in Appendix 1. Of these 11 were football pavilions and it was proposed that these were considered in relation to the accessibility of the facilities adjacent to them on a case by case basis.

Recent benchmarking with other Scottish local authorities indicated that most had updated the criteria used to measure accessibility. As a result, it was proposed that three additional criteria be added to reflect best practice; these were summarised in the report and would be adopted from 2020/21 onwards.

In terms of funding for accessibility works a Strategic Outline Business Case was submitted as part of the council's capital investment programme 2018/19 to 2027/28 detailing a range of options for funding accessibility improvement works. The report continued by providing details of the accessibility audits undertaken, the proposed range of activity that would be undertaken; and details of who would undertake the range of work.

The report also provided information relating to induction loop provision along with the consultation that had been undertaken with Disability West Lothian on the proposals contained in the report.

It was recommended that the Council Executive: -

1. Notes the 2018/19 performance in relation to accessible properties indicated 97 out of 127 properties used for service delivery were considered accessible (76.7%);
2. Approves the proposed amendments to the method for measuring accessibility, moving from seven criteria to ten criteria from 2020/21 onwards;
3. Approves the categories for prioritising any recommended accessibility improvement works and the proposed allocation of the capital budget as set out in the report; and
4. Approves the proposed standard for provision of induction loops in

council properties.

Decision

To approve the terms of the report

17. ANNUAL PROCUREMENT REPORT – 1 APRIL 2018 TO 31 MARCH 2019

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services presenting a copy of the Annual Procurement Report for the period 1 April 2018 to 31 March 2019, a copy of which was attached to the report at Appendix 1.

The Head of Corporate Services advised that this was the second annual report and that the report summarised the council's regulated procurement activities and detailed how regulated procurements had supported the council Priorities and Strategy Outcomes outlined in West Lothian Council's Procurement Strategy and the council's Corporate Plan.

The report also confirmed that all regulated procurement activity across the council was undertaken in accordance with Standing Orders for the Regulation of Contracts, the Corporate Procurement Procedures and relevant legislation.

It was recommended that the Council Executive notes the Annual Procurement Report 2018/19.

Decision

To note the contents of the report

18. EARLY RETIRAL AND VOLUNTARY SEVERANCE – 1 APRIL TO 30 SEPTEMBER 2019

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 retiral from the council during the 6-month period from 1 April to 30 September 2019.

The Head of Corporate Services recalled that the council's policy on Early Retiral and Voluntary Severance required that reports on the application of the policy were submitted regularly to Council Executive. In accordance with that policy, all cases approved during the period of 1 April 2019 to 30 September 2019 were dependent on the establishment of a business case which ensured that the costs of releasing the employee were recovered within the stipulated timescales.

Details of all the cases were provided in Appendix 1 attached to the report and it was reported that all 23 approved cases in the reporting period fell within the 3-year payback period with 18 cases paid back within a year; 3

cases being paid back within 2 years and 2 cases being paid back within 3 years.

The Council Executive was asked to note the content of the report which had been prepared in accordance with the reporting requirements of the council's policy on Early Retirement and Voluntary Severance.

Decision

To note the contents of the report.

19. PRIVATE SESSION

The Council Executive resolved under Section 50(A) of the Local Government (Scotland) Act 1973 that the public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 13 of Schedule 1A of the Act.

20. THE MILL CENTRE, BLACKBURN - UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the present position of negotiations with The Associated Trustees of G Dunbar & Sons (Builders) Limited Small Self-Administered Retirement and Death Benefit Scheme on the future of the shopping centre and redevelopment proposals when the existing head-lease for the Mill Centre expired in February 2020.

It was recommended that Council Executive note and agree the recommendations of the report.

Motion

Council Executive agrees the recommendations as outlined in the report and notes that the wider regeneration approach advocated by the council will remain available for discussion with the Pension Trustees.

Council Executive also instructs the Chief Executive to write to Pension Trustees to seek clarification on the timescales for the extension of leases for existing tenants in order to provide a level of assurance and clarity.

- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan.

Decision

To unanimously approve the terms of the motion.