

MINUTE of MEETING of the COUNCIL EXECUTIVE held within MS TEAMS VIRTUAL MEETING, on 21 DECEMBER 2021.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Harry Cartmill, Tom Conn, David Dodds, Damian Doran-Timson, Peter Heggie, Chris Horne, Carl John (substituting for Councillor Janet Campbell), Charles Kennedy, Cathy Muldoon and George Paul

Apologies – Councillors Frank Anderson and Janet Campbell

1      OPENING REMARKS

The Chair allowed a minute's reflection in memory of David Morrison, past Chief Executive of West Lothian Council, who had recently passed away. It was agreed that the Chief Executive would send a condolence letter to David Morrison's family.

2      DECLARATIONS OF INTEREST

Agenda Item 13 - Proposed Stopping-up Order - Existing Private Road / Right of Way / Core Path at Raw Holdings, East Calder

Councillor Carl John stated that he was a local resident in the area the proposed stopping-up order was to be applied. However, having applied the objective test he considered that this did not amount to an interest and so took part in the item of business.

3      ORDER OF BUSINESS

Council Executive agreed, in accordance with Standing Order 8(3), that agenda items 15 and 16 were to be taken as read and their recommendations noted without further consideration.

4      MINUTES

The Council Executive approved the Minute of its meeting held on 7 December 2021.

5      PROCUREMENT APPROVAL REPORT

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval to enter into contracts where committee authorisation was required by Standing Orders.

It was recommended that the Council Executive approve:

1. A direct award of a contract to West Lothian Drug and Alcohol Service (WLDAS) to provide a Naloxone Champion for a period of 12 months from 1 January 2022 to 31 December 2022, with an estimated total value of £37,000; and
2. A direct award of a contract to Alzheimer's Scotland to provide support services to people with Alzheimer's living in West Lothian for a period of 4 years from 1 April 2022 to 31 March 2026, with the option to extend for up to 48 months, with an estimated total value, including extensions, of £520,000.

### Decision

To approve the terms of the report.

## 6 WHITBURN COMMUNITY EDUCATION CENTRE - REINFORCED AUTOCLAVED AERATED ROOF UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Financer and Property Services and the Head of Corporate Services providing an update on the works to replace the Reinforced Autoclaved Aerated Roof at Whitburn Community Education Centre and seeking approval to increase the scope of the works.

It was recommended that the Council Executive:

1. Note that Reinforced Autoclaved Aerated Concrete (RAAC) roof planks were present in all roof areas at Whitburn Community Education Centre;
2. Note the roof areas at the main games hall and first floor meeting rooms had been previously approved for replacement at an estimated cost of £1.05m due to concerns on their structural stability and that those areas had been immediately closed to public access;
3. Note that the remaining areas of the roof had continued to be regularly inspected; however, signs of water ingress and cracks had been identified that were associated with recent damage caused from unauthorised access and vandalism;
4. Note that the original intention to continue to enable public use of the areas outwith the main games hall and first floor meeting rooms was no longer possible due to health and safety issues and the potential for unacceptable levels of disturbance and that the building was now temporarily closed;
5. Approve the removal and replacement all roof areas outwith the original works scope at an estimated additional cost of £1.75 million, giving a total cost of £2.8m for the project;
6. Note that the full scope of roof replacement works were proposed

to be complete by August 2022 during which time the centre would remain temporarily closed;

7. Approve a direct award for the proposed additional roof works to Emtec Property Services, which would minimise significant and immediate health and safety risks, project timescales, disruption to the community and additional costs associated with separate tender packages; and
8. Note that officers have engaged with the Community Education Centre Management Committee on the roof replacement works and temporary relocation of users affected by the closure of the property.

In response to a question from members, the Governance Manager advised that information on bids received had not been included in the report as it constituted commercially sensitive information that might cause prejudice to the council in the course of negotiations.

#### Decision

To approve the terms of the report.

### 7 SITE OF THE FORMER COMMUNITY CENTRE AND PETROL FILLING STATION, ASH GROVE, BLACKBURN - PROPOSED SALE TO ABERNETHYN PROPERTIES LTD

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the sale of the site of former Community Centre and former petrol filling station site at Ash Grove, Blackburn to Abernethyn Properties Ltd for £300,000 (Three Hundred Thousand Pounds).

It was recommended that the Council Executive:

1. Approve the sale of the site of former Community Centre and petrol filling station at Ash Grove, Blackburn to Abernethyn Properties Ltd for £300,000 subject to the terms and conditions set out in the report; and
2. Authorise the Head of Finance and Property Services to carry out further negotiations with the proposed purchaser, on the basis that any revised terms and conditions still represented the achievement of best value for the council.

#### Decision

To approve the terms of the report.

### 8 CHILD DISABILITY PAYMENT AND WINTER FINANCIAL INSECURITY FUNDING

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on recurring £132,000 Scottish Government funding to form a Child Disability Payment team and one-off funding of £780,000 in 2021/22 to support vulnerable households which faced financial insecurity over the winter period.

It was recommended that the Council Executive:

1. Approve the proposed utilisation of the recurring funding of £132,000 to support the formation of a team to collate all requests made to West Lothian Council for additional evidence to support a customer's application for a child disability payment to Social Security Scotland;
2. Note one-off funding of £780,000 in 2021/22 to improve wellbeing by preventing and responding to financial insecurity over the winter period and that the guidance for the Winter Financial Insecurity funding emphasised a 'cash first' approach; and
3. Approve the proposals in D.2 of the report for the allocation of £780,000 to provide additional support over the winter.

#### Decision

To approve the terms of the report.

### 9 THE FIRE AND RESCUE FRAMEWORK FOR SCOTLAND - CONSULTATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services informing members of the Scottish Fire and Rescue Service Consultation on their 'Fire and Rescue Framework for Scotland'. The consultation was published 10 years after the Christie Commission had been published and set out the changes proposed going forward.

It was recommended that the Council Executive approve the response to the consultation and submit to the Scottish Fire and Rescue Service by the closing date 22 December 2021.

#### Decision

To approve the terms of the report.

### 10 PROPOSED WAITING RESTRICTIONS IN WEST LOTHIAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to commence the statutory process to install new waiting restrictions at various locations in West Lothian.

It was recommended that the Council Executive approve the initiation of the statutory procedures for the promotion of a traffic regulation order to install additional waiting restrictions in West Lothian.

Decision

To approve the terms of the report.

11 GOOD FOOD NATION (SCOTLAND) BILL - CALL FOR VIEWS

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval on a response to the call for views to the Good Food Nation (Scotland) Bill. The Rural Affairs, Islands and Natural Environment Committee of the Scottish Government was scrutinising the Bill and seeking views on eight questions relating to the Bill in advance of the food nation plan.

It was recommended that the Council Executive:

1. Note the aim of the Bill; and
2. Agree to the views detailed against each of the eight questions detailed in the report.

Decision

To approve the terms of the report.

12 COMMUNITY WEALTH BUILDING UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on the emerging Community Wealth Building approach in West Lothian, and asking Council Executive to agree the next steps and stakeholder and community engagement.

It was recommended that the Council Executive:

1. Note the update on progress with the Community Wealth Building approach; and
2. Agree the next steps and stakeholder and community engagement as set out in this report.

Decision

To approve the terms of the report.

13 PROPOSED STOPPING-UP ORDER - EXISTING PRIVATE ROAD /

RIGHT OF WAY / CORE PATH AT RAW HOLDINGS, EAST CALDER

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval to initiate the statutory procedures to stop-up a private road / right of way / core path at Raw Holdings, East Calder. The procedure was required to allow development to take place in accordance with two planning permissions for residential development.

It was recommended that the Council Executive approve the initiation of the statutory procedures to stop-up the private road / right of way / core path at Raw Holdings as identified in the plan appended to the report.

Decision

To approve the terms of the report.

14 REVIEW OF ROLES AND RESPONSIBILITIES OF MEMBERS

The Council Executive considered a report (copies of which had been circulated) by the Governance Manager seeking approval of a revised set of role descriptions for elected members.

It was recommended that the Council Executive approve the revised role descriptions for members set out in the appendix to the report.

Decision

To approve the terms of the report.

15 MID-YEAR PROCUREMENT REPORT - 1 APRIL 2021 - 30 SEPTEMBER 2021

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate services presenting the Mid-Year Procurement Report for the period 1 April 2020 to 30 September 2021 attached to the covering report as Appendix 1.

It was recommended that the Council Executive note the terms of the report.

Decision

To note the terms of the report.

16 SOCIAL POLICY CONTRACT ACTIVITY UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on contracting activity for the provision of care and support services in West

Lothian, in accordance with the council's Standing Orders.

It was recommended that the Council Executive:

1. Note the contents of the report; and
2. Note that the reporting period did not include extensions to social care and support contracts as a result of COVID-19 under regulation 33 in the procurement regulations for unforeseen emergencies.

Decision

To note the terms of the report.