

MINUTE of MEETING of the COUNCIL EXECUTIVE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 20 DECEMBER 2022.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Tom Conn, Robert De Bold, Angela Doran-Timson, Damian Doran-Timson, Danny Logue, Andrew McGuire, Anne McMillan, Sally Pattle and George Paul

Apologies – Councillors Janet Campbell and Carl John

1 DECLARATIONS OF INTEREST

Councillor Danny Logue stated a connection as an NHS Lothian employee.

Agenda item 18 – Older People Day Care Provision

Councillor Tom Conn declared an interest as a member of Linlithgow Day Care Centre Committee.

2 ORDER OF BUSINESS

Council Executive agreed, in accordance with Standing Order 8(3), that agenda items 12–16 and 18 were to be taken as read and their recommendations noted without further consideration.

Council Executive agreed to hear agenda item 17.

3 MINUTES

The Council Executive confirmed the minute of its meeting held on 6 December 2022 as a correct record. The minute was thereafter signed by the Chair

4 COMMUNITY COUNCIL SPECIAL PROJECT GRANTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services inviting members to consider an application for special project grant which had been received from the Eliburn Community Council.

It was recommended that the Council Executive determine the application received from Eliburn Community Council as detailed in the appendix to the report.

Decision

To approve the terms of the report.

5 SHORT-TERM LET LICENSING SCHEME - POLICY AND FEE STRUCTURE

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services informing members of the responses to the public consultation undertaken, as detailed in Appendix 1 of the report, and seeking Council Executive approval of the council's Policy detailed in Appendix 2 of the report and Fee Structure detailed in Appendix 3 of the report, relative to the Councils Short Term Let Licensing Scheme.

It was recommended that the Council Executive:

1. Note the responses to the public consultation which took place for a period of 3 weeks commencing 31 October 2022 as detailed in Appendix 1 of the report;
2. Note that the Short-Term Let Licensing Scheme would be administered from within Housing, Customer and Building Services;
3. Approve the Policy detailed in Appendix 2 of the report, and Fee Structure detailed in Appendix 3 of the report in implementation of the Councils Short Term Let Licensing Scheme;
4. Approve the changes to the Councils Scheme of Delegation to Officers detailed in Section D5 of this Report; and
5. Agree that decisions relative to applications received in terms of the Short Term Let Licensing scheme which required determination by committee would be referred to Licensing Committee.

Decision

To approve the terms of the report.

6 INTRODUCTION OF TARIFFS FOR ELECTRIC VEHICLE CHARGING

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the introduction of tariffs for use of the electric vehicle (EV) public charging network from 1 February 2023.

It was recommended that the Council Executive:

1. Note the contents of the report and the attached appendices;
2. Note the context and rationale for introducing a tariff;
3. Approve the introduction of tariffs for the use of council owned EV charge points from 1 February 2023 as set out in D.4 of the report; and

4. Delegate authority to the Head of Finance and Property Services to review tariff levels and amend where required.

Decision

To approve the terms of the report.

7 FORTH ESTUARY LOCAL FLOOD RISK MANAGEMENT PLAN - CYCLE 2 LOCAL PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval for the forthcoming publication of the Cycle 2 Forth Estuary Local Flood Risk Management Plan (2022–2028).

It was recommended that the Council Executive approve the final draft of West Lothian Council's submission to the Cycle 2 Forth Estuary Local Flood Risk Management Plan (2022–2028) and its publication.

Decision

To approve the terms of the report.

8 REMEMBERING TOGETHER - PHASE 1 UPDATE AND PHASE 2 PLAN

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 progress of the Remembering Together Project, the public engagement outcome of Phase 1 and the forthcoming plans for Phase 2 site developments in West Lothian.

It was recommended that the Council Executive:

1. Note the report on Phase 1 of the Remembering Together project in West Lothian, prepared by Marion Parola of Bespoke Atelier, which focused on community engagement around experiences of the COVID pandemic;
2. Note and agree the proposed location for the anticipated Phase 2 green space COVID memorial and the supporting rationale;
3. Note the contents of the partnership approach proposed and agreed in the greenspace Scotland Memorandum of Understanding (MOU); and
4. Agree the proposed Phase 2 plan for expenditure of the forthcoming grant funding of £100,000 from the Scottish Government, via Greenspace Scotland.

Decision

To approve the terms of the report.

9 VOLUNTARY AND THIRD SECTOR FUNDING 2023/24

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive (Education, Planning and Economic Development) seeking approval to modify the process for allocating funding to the Voluntary and Third Sector for 2023/24 and future years.

It was recommended that the Council Executive:

1. Approve the modified process for allocating funding to the Voluntary and Third Sector including the revised timing of applying and period covered by the funding;
2. Approve the provision of an additional three months funding for organisations funded on 2022/23 to take them to the end of June 2023,
3. Approve the ability to apply for up to two years funding for 2023/24 and 2024/25;
4. Note the reported requirements for the funding; and
5. Note the support to be provided to the sector in partnership with the Voluntary Sector Gateway.

Decision

To approve the terms of the report.

10 PLACE BASED INVESTMENT PROGRAMME 2022/23 TOWN CENTRE CAPITAL FUND

The Council Executive considered a report (copies of which had been circulated) by the East Livingston and East Calder Local Area Committee Lead Officer asking members to determine additional funding to the Place Based Investment Fund Town Centre Capital Fund 2022/23 for the East Livingston and East Calder Ward which could not be decided by the Local Area Committee.

It was recommended that the Council Executive:

1. Note that the East Livingston and East Calder Local Area Committee on 1 December 2022 had been inquorate when it had come to deal with the report on additional funding to the Place Based Investment Fund Town Centre Fund Capital Grant 2022/23;
2. Note the terms of that report, including the officers' recommendations, in the appendix; and

3. Consider and determine the recommendations in that report in accordance with the procedures agreed at Council Executive on 8 February 2022.

Decision

To approve the terms of the report.

11 SCOTTISH PUBLIC SERVICES OMBUDSMAN ANNUAL REPORT 2021–22

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing an update on the Scottish Public Services Ombudsman's annual report 2021–22.

It was recommended that the Council Executive note:

1. The Scottish Public Services Ombudsman's (SPSO) annual report 2021–22;
2. West Lothian Council's performance in relation to the number of complaints received by the SPSO and the outcome; and
3. The learning from SPSO complaints which was appended to the report for information.

Decision

To note the terms of the report.

12 MID YEAR PROCUREMENT REPORT - 1 APRIL 2022 TO 30 SEPTEMBER 2022

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 2022 to 30 September 2022 attached as an Appendix to the report.

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

Decision

To note the terms of the report.

13 WL2028 YOUR COUNCIL YOUR SAY - PUBLIC CONSULTATION

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive providing an update on the feedback received from respondents to Phase 2 of the *WL2028 Your*

Council Your Say public consultation, and providing an update on the remaining key dates and activities associated with Phase 2 of the public consultation.

It was recommended that the Council Executive note:

1. The update on the engagement process and results on the responses received to the Phase 2 consultation;
2. A combined response rate of 7,605 responses for Phase 1 (5,045 responses) and Phase 2 (2,560 responses) and over 22,800 comments received for the Phase 2 officer budget proposals and council tax levels; and
3. The remaining key dates and activities associated with Phase 2 of the public consultation.

Decision

To note the terms of the report.

14 REINFORCED AUTOCLAVED AERATED CONCRETE ROOFS UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a further update on the properties within the council's estate that had roof planks constructed using Reinforced Autoclaved Aerated Concrete (RAAC).

It was recommended that the Council Executive:

1. Note the update to the nine properties identified as having roofs constructed using Reinforced Autoclaved Aerated Concrete (RAAC) roof planks;
2. Note that funding was in place to replace the RAAC roofs at The Lanthorn Centre, Whitburn Partnership Centre, Balbardie Primary School and the Fauldhouse Partnership Centre;
3. Note the ongoing detailed inspections being carried out at Windyknowe Primary School, St Kentigern's Academy and Knightsridge Primary School and that updates would be presented to Council Executive on the position at each site once these inspections are complete;
4. Note the continued comprehensive management and regular inspection arrangements in place for properties which had been identified independently as not at risk of immediate failure; and
5. Note that the Head of Finance and Property Services had delegated authority to undertake urgent or emergency works to stabilise RAAC roofs should issues arise.

Decision

To note the terms of the report.

15 BUS PARTNERSHIP FUND UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services providing an update on the progress of the Bus Partnership Fund Project.

It was recommended that the Council Executive:

1. Note the outcome of the passenger engagement survey;
2. Note the key dates and timescales for the remainder of the project; and
3. Note that the final project submission would be reported to Council Executive in March 2023.

Decision

To note the terms of the report.

16 REVISED DRAFT NATIONAL PLANNING FRAMEWORK 4 (NPF4): 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 publication by Scottish Government of Revised Draft National Planning Framework 4 (NPF4).

It was recommended that the Council Executive:

1. Note the publication and content of Revised Draft National Planning Framework 4 (NPF4); and
2. Note that if NPF4 was Adopted a further report would be presented to Council Executive detailing any actions necessary to allow implementation in West Lothian.

Decision

To note the terms of the report.

17 OLDER PEOPLE DAY CARE PROVISION

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on

contractual developments associated with Older People Day Care provision.

It was recommended that the Council Executive:

Note the contents of the report;

Note that the Integration Joint Board would consider contracting arrangements associated with delivery of Older People Day care on 10 January 2023; and

Note that the implications of the Integration Joint Board's decision, including procurement requirements, would be presented to Council Executive thereafter.

Decision

To note the terms of the report.