



West Lothian Council

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

8 May 2019

A meeting of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 14 May 2019** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Presentation by Catherine Prendreigh and Margaret Gilmour, Soil Association, Food for Life Scotland (herewith)
5. Minutes :-
 - (a) Confirm Draft Minutes of Meeting of West Lothian Council held on Tuesday 19 March 2019 (herewith)
 - (b) Correspondence arising from previous decisions (herewith)
 - (c) Note Minutes of Meeting of Educational Quality Assurance Committee held on Tuesday 5 March 2019 (herewith)
 - (d) Note Minutes of Meeting of Joint Consultative Group (Teaching) held on Friday 15 February 2018 (herewith).

- (e) Note Minutes of Meeting of Performance Committee held on Monday 18 March 2019 (herewith)
- (f) Note Minutes of Meeting of Employee Appeals Committee held on Friday 1 March 2019 (herewith)
- (g) Note Minutes of Meeting of Employee Appeals Committee held on Monday 11 March 2019 (herewith)
- (h) Note Minutes of Meeting of West Lothian Leisure Advisory Committee held on Thursday 24 January 20189 (herewith)
- (i) Note Minutes of Meeting of Audit Committee held on Monday 14 January 2019 (herewith)

Public Items for Decision

- 6. Election Business
- 7. Senior Officer Appointment Committee - Post of Head of Social Policy (herewith)
- 8. Notice of Motion - Bathgate Academy Polar Academy - Submitted by Councillor Charles Kennedy and Councillor Harry Cartmill (herewith)
- 9. Notice of Motion - Brexit - Submitted by Councillor Lawrence Fitzpatrick (herewith)
- 10. Notice of Motion - Food Insecurity - Submitted by Councillor Kirsteen Sullivan (herewith)
- 11. Notice of Motion - National Data Science Competition - Submitted by Councillor Kirsteen Sullivan (herewith)
- 12. Notice of Motion - Care Charges - Submitted by Councillor Frank Anderson (herewith)
- 13. Notice of Motion - Inward Investment - Submitted by Councillor Frank Anderson (herewith)
- 14. Notice of Motion - Decriminalised Parking Enforcement (DPE) - Submitted by Councillor Diane Calder (herewith)

Public Items for Information

- 15. Registered Social Landlord Protocols for New Build Council Properties - Question to Executive Councillor for Services for the Community - Submitted by Councillor Damian Timson (herewith)
- 16. Voids and Temporary Accommodation - Question to Executive Councillor for Services for the Community - Submitted by Councillor Frank

DATA LABEL: Public

Anderson (herewith)

17. Documents for Execution

NOTE **For further information please contact Val Johnston, Tel No.01506
281604 or email val.johnston@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621, committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses



FOOD FOR LIFE IN WEST LOTHIAN

Making good food the easy choice

In December 2018, West Lothian Council's primary schools achieved Bronze level of Food for Life Served Here

The Council is now serving 8600 Food for Life meals across its 66 primary schools



FOOD FOR LIFE ACROSS SCOTLAND



	SITES	ANNUAL MEALS
BRONZE	590	11M
SILVER	273	5.9M
GOLD	91	2.1M
TOTAL	954	19M

HIGHLAND



8,800 **BRONZE** meals daily in 166 primaries & 53 nurseries (2009)
800 **SILVER** meals daily in 6 primaries & 6 nurseries (2014)

ARGYLL & BUTE



4,300 **BRONZE** meals daily in
80 primaries (2014)

RENFREWSHIRE



6,350 **BRONZE** meals daily in
42 primaries (2017)

EAST RENFREWSHIRE



4,800 **BRONZE** meals daily in
22 primaries (2014)

NORTH AYRSHIRE



6,900 **GOLD** meals daily in
50 primaries & 1 secondary (2013)

EAST AYRSHIRE



5,100 **GOLD** meals daily in
40 primaries (2008)

ABERDEENSHIRE



15,000 **SILVER** meals daily in
155 primaries & 4 ASN schools (2015)

ABERDEEN CITY



11,200 **SILVER** meals daily in
48 primaries & 12 secondaries (2017)

STIRLING



3,600 **SILVER** meals daily in
39 primaries & 6 nurseries (2014)

WEST LoTHIAN



8,600 **BRONZE** meals daily in
66 primaries (2018)

EDINBURGH CITY

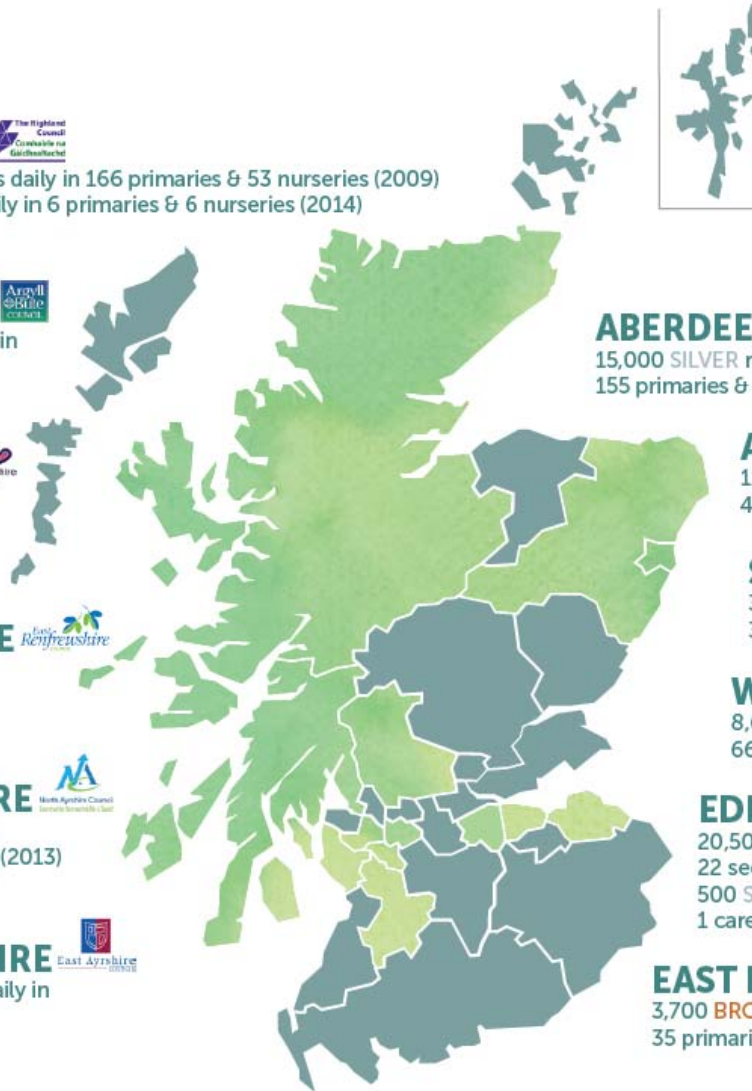


20,500 **BRONZE** meals daily in 87 primaries,
22 secondaries, 11 ASN schools & 6 care homes (2016)
500 **SILVER** meals daily in 1 primary, 1 secondary &
1 care home (2016)

EAST LoTHIAN



3,700 **BRONZE** meals daily in
35 primaries (2013)



A GOOD NEWS STORY FOR WEST LoTHIAN



positive press coverage

Parliamentary motion



NEWS

West Lothian catering staff recognised for their fresh and healthy school meals

The school catering staff in West Lothian Council have achieved the Food for Life Served Here award

SHARE

By Marjorie Kerr
16:57, 29 DEC 2018



West Lothian Council celebrated its success in achieving the Soil Association's Bronze Food for Life Served Here Award (Image: West Lothian Courier)



WHAT IS FOOD FOR LIFE SERVED HERE?

OUR DEFINITION OF GOOD FOOD



Food that's good for your health

Lots of fruit and vegetables, fish and wholegrains, less but better quality meat, and a lot less less processed food. Good food is even better when shared.



Food that's good for the environment

In season, sustainably produced, low-climate impact and high animal welfare standards.



Food that's good for the economy

Grown by local producers, prepared by skilled and knowledgeable people, and supports a thriving economy

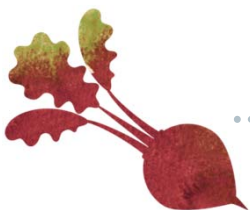




**Annual, independently
inspected award
Recognising & rewarding
continuous improvement and
success**



- **Framework of standards**
- **Platform for change**
- **Facilitating a journey**



WEST LoTHIAN SCHOOL MEALS ARE RESPONSIBLY SOURCED :



All eggs on the menu are from free range hens



All of the meat on the menu is from farms which satisfy UK animal welfare standards



No fish is from the Marine Conservation Society “fish to avoid”



WEST LoTHIAN SCHOOL MEALS ARE SEASONAL AND PREPARED FROM SCRATCH :



Menus are in season and in season produce is highlighted

West Lothian serve seasonal vegetables



At least 75% of menu items are freshly prepared from minimally processed ingredients



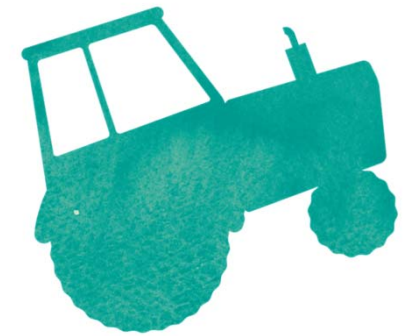


LOOKING TO THE FUTURE...



 **Bathgate Academy Bronze pilot**

 **Local Vegetable Sourcing**







THANK YOU

Food for Life Scotland

cpendreigh@soilassociation.org

@SoilAssocScot

0131 666 2474

MINUTE of MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, on 19 March 2019.

Present – Provost Tom Kerr (Provost), Depute Provost Dave King (Vice Chair), Councillors Alison Adamson, Frank Anderson, Stuart Borrowman, William Boyle, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, David Dodds, Angela Doran, Bruce Fairbairn, Lawrence Fitzpatrick, Peter Heggie, Chris Horne, Carl John, Charles Kennedy, Sarah King, John McGinty, Andrew McGuire, Dom McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillor Peter Johnston

Absent – Councillor Jim Dickson

1. PROVOST'S REMARKS

The Provost referred to the terrorist attack on a mosque in New Zealand the previous week. Those present at the meeting observed one minute's silence in memory of those who had lost their lives in the attack.

2. PRESENTATION BY COUNCILLOR ALISON EVISON, PRESIDENT OF COSLA

The Provost welcomed Councillor Alison Evison, President of CoSLA, Graham Houston, Vice President of CoSLA and Sally Loudon, Chief Executive of CoSLA to the meeting.

The CoSLA President provided the council with an overview of the work of CoSLA explaining that CoSLA was the sum of its parts in that it was a membership organisation and it was those members that made it the organisation it was today.

Councillor Evison continued by providing an update on the review that had been carried out in 2017 and how all 29 recommendations that had come out of the review had been completed and was therefore an indication of how CoSLA was listening and taking cognisance of its member's wishes. She also explained what the priorities would be going forward as contained in the CoSLA Plan 2017-2022. This included ten key priorities which included local government funding, Brexit, health and social care; and effective shared services to name but a few.

Councillor Evison also provided an overview of the CoSLA working groups which were themed under the headings of Children and Young People; Community Wellbeing; Health and Social Care; and the Environment and Economy.

Councillor Evison and Councillor Houston then responded to questions from members.

The Provost concluded the presentation by thanking Councillor Evison,

Councillor Houston and Sally Loudon for attending the meeting and providing an overview of CoSLA.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

4. ORDER OF BUSINESS

The Provost advised council of the statement made by the Scottish Schools Pipes and Drums Trust who wished to pass on their thanks to Inveralmond Community High School for hosting their championship competition recently.

5. MINUTES :-

- a) The Council approved the minute of West Lothian Council held on 22 January 2019;
- b) The Council approved the minute of the special meeting of West Lothian Council held on 19 February 2019;
- c) The Council noted correspondence arising from previous decisions;
- d) The Council noted the minute of West Lothian Leisure Advisory Committee held on 29 November 2019;
- e) The Council noted the minute of Performance Committee held on 17 December 2018;
- f) The Council noted the minute of Audit Committee held on 8 October 2018;
- g) The Council noted the minute of Governance and Risk Committee held on 29 October 2019;
- h) The Council noted the minute of Education Quality (Assurance) Committee held on 6 November 2018;
- i) The Council noted the minute of Employee Appeals Committee held on 30 November 2018;
- j) The Council noted the minute of Employee Appeals Committee held on 17 January 2019
- k) The Council noted the minute of Employee Appeals Committee held on 25 January 2019; and
- l) The Council noted the minute of Employee Appeals Committee held on 1 February 2019

6. ELECTION BUSINESS

West Lothian Integration Joint Board

The Council was informed that the Labour Group wished to appoint Councillor Dom McGuire to replace Councillor Dave King on West Lothian Integration Joint Board

Community Planning Partnership Board

The Council was informed that the Labour Group wished to appoint Councillor Andrew McGuire as Vice Chair of the Community Planning Partnership Board; and

West Lothian Licensing Board

The Council was informed that the Labour Group wished to appoint Councillor Dave King to the West Lothian Licensing Board.

Decision

To agree the appointments proposed

7. POST OF DEPUTE CHIEF EXECUTIVE (HEALTH & SOCIAL CARE PARTNERSHIP)

The Council considered a report (copies of which had been circulated) by the Chief Executive to agree joint arrangements with NHS Lothian and West Lothian Integration Joint Board for recruitment and appointment to the post of Depute Chief Executive (Health and Social Care Partnership).

The Council were advised that the Depute Chief Executive (Health and Social Care Partnership) was retiring and arrangements required to be made for recruitment and appointment to the post. The position carried senior management and corporate responsibilities in the council and the health board and the post holder was jointly employed by them. The post also took in the statutory appointment of Chief Officer (locally known as "Director") of the Integration Joint Board.

The post holder was required to be appointed as a member of staff of either the council or health board or both and then seconded to the Integration Joint Board as a member of its staff. Therefore all three bodies had an interest in the appointment process

All three bodies had their own internal governance arrangements around recruitment and appointment to senior positions with the council's being the Senior Officer Appointment Committee. However West Lothian Council retained the power to make alternative arrangements if so minded.

Discussions have taken place amongst senior officers on behalf of all

three organisations and it was proposed that the appointment was carried out through a tripartite recruitment and appointment process. It was proposed that an appointment panel was set up to carry out the interviewing and selection and to make an appointment recommendation to all three bodies. The appointment panel would consist of six members, two from each of the three organisations. The panel would be advised by the Chief Executives of the council and health board and supported by senior HR advisers from both organisations.

At the end of the interview process the appointment panel would select its preferred candidate and make a recommendation to all three bodies on the appointment. The three bodies would then follow their own governance arrangements to formally make the appointment to their own organisation.

Attached to the report at Appendix 1 was an indicative timeline for the recruitment process based on the assumption that all three bodies would agree the joint process.

It was recommended that Council :-

1. Note that the post of Deputy Chief Executive (Health and Social Care Partnership) would become vacant upon the retirement of Jim Forrest in June 2019;
2. Note that the post combined senior management and corporate responsibilities in the council and the health board and the statutory appointment of Chief Officer of the integration joint board;
3. Agree that recruitment and appointment to the post was carried out in cooperation with the health board and the integration joint board through a joint appointment panel with equal representation and in accordance with the process set out in the appendix to the report;
4. Agree that the formal and final appointment for the council's interest would be made by the Senior Officer Appointment Committee at the end of the process; and
5. Appoint two members to the appointment panel to represent the council's interest.

Decision

To approve recommendations 1, 2, 3 and 4 of the report and to approve the appointment of Councillor Lawrence Fitzpatrick and Councillor Kirsteen Sullivan as the council's representatives on the appointment panel for the post of Deputy Chief Executive (Health and Social Care Partnership)

8. WEST LOTHIAN LICENSING BOARD MEMBERSHIP

The Council considered a report (copies of which had been circulated) by the Chief Executive to consider the membership of the West Lothian

Licensing Board.

The report recalled that at meetings in May and August 2017 council determined that the Licensing Board should have eight members, made up of four Labour and four Conservative members. On 6 November 2018 Councillor Tom Conn resigned his membership with immediate effect. It was decided at that meeting that a replacement member from the Labour Group would be found.

The Provost advised that the vacant position on the Licensing Board had been filled earlier in the meeting under Minute Item 06

Decision

To note the appointment of Councillor Dave King earlier in the meeting.

9. CAPITAL STRATEGY

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval of the capital strategy for 2019/20 to 2027/28, including the associated indicators and action plan.

Council was advised that the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) controlled capital spending in a system based on self-regulation by authorities. The key objectives of the Prudential Code were to ensure the capital expenditure plans were affordable, external borrowing was prudent and sustainable and that treasury management decisions were taken in accordance with professional good practice.

In December 2017, CIPFA issued a revised Treasury Management Code of Practice and a revised Prudential Code. The revisions particularly focused on non-treasury investments and major purchases of property with a view to generating substantial increases in income compared to normal treasury management activities. There had also been some minor updates to the required prudential indicators, which had been approved by council on 19 February 2019.

Under the revised code, all local authorities were required to prepare an additional report from 2019/20, a capital strategy report which was intended to provide the following :-

- A high-level overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of services;
- An overview of how associated risk was managed; and
- The implications for future financial sustainability.

A checklist had been prepared, based on the information provided by CIPFA. The checklist set out the requirements and considerations for the

capital strategy and this was attached to the report at Appendix 1.

The capital strategy outlined the principles and framework that shaped the capital investment programme to positively contribute to the achievement of the council's eight priorities.

The layout of the strategy document was outlined in the report and the strategy set out the outcomes and activities to be undertaken to implement the strategy as well as the performance indicators that would be used to monitor delivery. It also set out the governance and monitoring arrangements, whereby outcomes would be monitored by the Capital Asset Management Board and reported to the Corporate Management Team, Partnership and Resources Policy Development and Scrutiny Panel and Council Executive on an annual basis.

It was recommended that the Council :-

1. Notes the requirement for the council to prepare a capital strategy from 2019/20 following changes to the CIPFA Prudential Code;
2. Notes the purpose of the Capital Strategy;
3. Notes the checklists provided by CIPFA to ensure that the strategy met the requirements of the code, as provided at Appendix 1;
4. Approves the capital strategy for 2019/20 to 2027/28 as set out in appendix 2 of the report; and
5. Agree that the council's financial regulations and scheme of administration were updated to reflect the requirement for treasury management reports and for the capital strategy to be considered and approved by the council.

Decision

To approve the terms of the report

10. NOTICE OF MOTION - THE GREATEST DANCER

The Council considered a motion (copies of which had been circulated) submitted by Councillor Lawrence Fitzpatrick in the following terms. It was also noted that a similar motion had been submitted by Councillor Peter Heggie (Agenda Item 15, copies of which had also been circulated). Councillor Fitzpatrick and Councillor Heggie agreed that the two motions could be considered at the same time. Both members spoke to the motion as follows :-

"Council extends its heartiest congratulations to Ellie Ferguson, a pupil at West Calder High School, in winning the inaugural BBC show "The Greatest Dancer".

Her stunning performance was a wonder that one so young could excel at such an outstanding level of dance professionalism.

Council requests the Provost to arrange a Civic Reception for Ellie and her family in recognition of her marvellous achievement.”

Decision

To unanimously agree the terms of the motion.

11. NOTICE OF MOTION - BROXBURN ACADEMY - SENIOR NURTURE GROUP WINNING THE PALLET GARDEN COMPETITION - SUBMITTED BY COUNCILLOR ANGELA DORAN

The Council considered a motion (copies of which had been circulated) submitted by Councillor Angela Doran in the following terms :-

“Council acknowledges the fantastic efforts of Broxburn Academy’s THE HUB on winning the Pallet Garden Competition.

With over 20 schools competing, the senior Nurture class pupils from Broxburn Academy picked up Gold and Silver Gilt Awards along with third place overall in the annual competition.

Therefore, Council instructs the Chief Executive to write to the young students and staff to congratulate them on winning these awards.”

Decision

To unanimously agree the terms of the motion

12. NOTICE OF MOTION - BUDGETARY DECISIONS - SUBMITTED BY COUNCILLOR DAMIAN TIMSON

The Provost referred to a Notice of Motion submitted by Councillor Damian Timson (copies of which had been circulated) concerning Budgetary Decisions. Councillor Timson intimated that following discussion with officers he wished to update the information contained in the motion, by deleting bullet point 2 of the motion. The Provost ruled that the motion be amended as advised.

The Council considered an updated motion submitted by Councillor Damian Timson in the following terms :-

“Each year Full Council sits, and the budgets are set for the upcoming year and subsequent years where appropriate. This involves all political parties and the independent councillor and allows for all 33 Councillors to have full scrutiny and debate of budget direction.

Currently it is then allowable for alterations, amendments and additions to the Budget to be made at Council Executive, at which less than 40% of the elected Councillors are represented, or at Education Executive. And a Council Executive at which the Labour Group hold an overall majority.

This allows for poor governance and process, we have in recent times seen at least two examples of this; one, the decision to remove primary pathway gritting before 8 am and two, removing the option to charge at council owned car parks.

Therefore:

Council accepts that in principle future decisions by members which substantially depart from decisions made by council at the annual budget-setting meeting each year should be made at meetings of Full Council and not by Council Executive or Education Executive. Council therefore agrees:

1. In relation to revenue budget reduction measures, decisions by members which substantially change or delete decisions made by council at the annual budget-setting meeting each year must be made at full council
2. To amend Standing Orders and the Scheme of Administration accordingly, with immediate effect

For clarity these changes do not apply to the implementation of decisions without substantial change, either by officers under delegated powers or by consideration of delivery proposals through PDSP and Council Executive or Education Executive, or to the rephrasing or reprioritisation of or minor adjustments to projects within the capital programmes”.

- Moved by Councillor Damian Timson and seconded by Councillor Chris Horne

First Amendment

“Council notes that the structure for both revenue and capital budget decisions has been in place since 2007 and that these arrangements accord with the Prudential Code and the Council’s financial regulations. Council:

1. Agrees that in terms of the revenue budget these arrangements provide a basis for an excellent financial strategy in relation to a three year budget, corporate plan and associated workforce planning, which help underpin the Council’s position as the best performing council in Scotland, under national benchmarking arrangements, and year on year has facilitated strong financial performance and unqualified annual audit reports.
2. Agrees that the Council administration, at least 2 months prior to the anticipated date of the annual budget-setting meeting each year meets fortnightly with opposition political groups and independent councillors to obtain views and inform considerations on the annual Council budget.
3. For revenue budget reduction measures agreed at the annual budget-setting meeting each year;

- Where no significant changes are proposed by officers to those to be implemented as operational measures there is no requirement for reports to PDSP or committee
 - Where significant changes are proposed by officers to those to be implemented as operational measures officers must report to PDSP and committee
 - Where council called for PDSP and committee consideration of measures before implementation, officers must report to PDSP and committee
 - Where reports to PDSP and committee are required, there must be at least four weeks between PDSP and committee consideration
4. Members proposing significant changes to any revenue budget reduction measure agreed at the annual budget-setting meeting each year must meet formally to discuss proposals with all other political groups and independent councillors at least two weeks before committee consideration.
5. Agrees that the capital budget should continue to be based on objective, verifiable assessments of need, under criteria which have enjoyed longstanding consensus across all elected members, and that arrangements for revisions to capital budgets should remain unchanged.”

Agrees that Standing Orders and the Scheme of Administration are amended accordingly.

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

Second Amendment

“The SNP Group accept that the current “poor governance, process” and the democratic deficit are not acceptable and the logical way to address the situation is by adjusting the Council Executive to a more proportionally representative configuration. This would allow some decisions to remain at Executive level, the most appropriate level for such decisions.

Council therefore agrees :

- To reflect the democratic composition of the council
- To achieve this, the membership of the Council Executive is changed to 5 Labour, 5 SNP and 3 Conservative members

Standing Orders and Scheme of Administration are amended to reflect these changes”.

- Moved by Councillor Frank Anderson and seconded by Councillor Sarah King

Third Amendment

“To continue consideration of the motion to a future council meeting.”

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

Before a vote was taken Councillor Sullivan withdrew her amendment.

A roll vote was taken on the motion against the first amendment moved.
The result was as follows :-

<u>Motion</u>	<u>First Amendment</u>
Alison Adamson	Harry Cartmill
Frank Anderson	Tom Conn
Stuart Borrowman	David Dodds
William Boyle	Angela Doran
Diane Calder	Lawrence Fitzpatrick
Janet Campbell	Dave King
Pauline Clark	John McGinty
Robert De Bold	Andrew McGuire
Bruce Fairbairn	Dom McGuire
Peter Heggie	Kirsteen Sullivan
Chris Horne	George Paul
Carl John	Kirsteen Sullivan
Charles Kennedy	
Tom Kerr	
Sarah King	
Andrew Miller	
Moir Shemilt	
David Tait	
Damian Timson	

The motion was successful by 19 votes to 12 (2 members absent) and it was agreed accordingly.

A roll call vote was taken on the motion (surviving position) against the second amendment. The result was as follows :-

<u>Motion</u>	<u>Second Amendment</u>	<u>Abstain</u>
Alison Adamson	Frank Anderson	Angela Doran
Stuart Borrowman	William Boyle	Dom McGuire
Harry Cartmill	Diane Calder	Cathy Muldoon
Tom Conn	Janet Campbell	
David Dodds	Pauline Clark	
Bruce Fairbairn	Robert De Bold	
Lawrence Fitzpatrick	Carl John	
Peter Heggie	Sarah King	
Chris Horne	Andrew Miller	
Charles Kennedy	Moir Shemilt	
Tom Kerr	David Tait	
Dave King		
John McGinty		
Andrew McGuire		

George Paul
Kirsteen Sullivan
Damian Timson

Decision

Following a vote the motion was successful by 17 votes to 11 with 3 abstentions (2 members absent) and it was agreed accordingly.

13. NOTICE OF MOTION - LOANS FUND LEGISLATION - SUBMITTED BY COUNCILLOR DAMIAN TIMSON

The Council considered a motion (copies of which had been circulated) submitted by Councillor Damian Timson in the following terms :-

“On 19 February 2019, council agreed that following enactment of the new loans fund legislation proposed by the Scottish Ministers the Head of Finance & Property Services will report to elected members on the use of additional resources to support the council’s financial plan. Council’s decision did not specify where that report should go. Without seeking to change council’s decision, clarification of the reporting route is necessary and desirable.

Council therefore agrees that the loans fund report by the Head of Finance & Property Services goes to Partnership & Resources PDSP, then to Full Council and not to Council Executive.”

- Moved by Councillor Damian Timson and seconded by Councillor Chris Horne

Amendment

“In setting the Revenue Budget for 2019/20 to 2022/23 on 19th February 2019 Council agreed that following enactment of new loans fund legislation officers would report to elected members on the use of the additional resources to support the council’s financial plan by in the first instance providing resources for the Modernisation Fund required to support continued delivery of budget savings on the impact on the Loans Fund and Treasury Strategy. Council agrees that a report will be presented to Council for approval.

Council notes that such arrangements accord with the Prudential Code and the council’s Financial Regulations.

Council agrees that existing arrangements which have been in place since 2007, under which the Council Executive determines the application of additional resources remain in place, and that these arrangements will be applied to any resources generated through the changes to the loans fund legislation.”

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

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

Motion

Alison Adamson
Frank Anderson
Stuart Borrowman
William Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Bruce Fairbairn
Peter Heggie
Chris Horne
Carl John
Charles Kennedy
Tom Kerr
Sarah King
Andrew Miller
Moiria Shemilt
David Tait
Damian Timson

Amendment

Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Dave King
John McGinty
Andrew McGuire
Dom McGuire
Kirsteen Sullivan
George Paul
Kirsteen Sullivan

Decision

Following a vote the motion was successful by 19 votes to 12 (2 members absent) and it was agreed accordingly.

14. NOTICE OF MOTION - MILL CENTRE, BLACKBURN - SUBMITTED BY COUNCILLOR BRUCE FAIRBAIRN

The Council considered a motion (copies of which had been circulated) submitted by Councillor Bruce Fairbairn in the following terms :-

“The Mill Centre at Blackburn has been servicing the community of Blackburn for nearly 20 years.

The Conservative Group understand that the current lease arrangement with the owners of the centre is not viable and quite rightly will not be renewed on these terms when it reaches its lease end in 2020.

However, the potential loss of the Mill Centre as a shopping complex will have a devastating loss to the local community and all efforts to keep the Mill Centre in operation should be made.

Therefore, Council is instructed to enter into immediate negotiations with the owners of the Mill Centre, Blackburn and ascertain if commercially favourable head lease arrangements can be achieved.

Any future lease agreed to with West Lothian Council and the owners of The Mill Centre, Blackburn should not be to financial detriment of the Council and if agreement cannot be reached by August 2019, Council

should state their withdrawal from any future involvement with the premise.”

- Moved by Councillor Bruce Fairbairn and seconded by Councillor Chris Horne

First Amendment

Council notes that on 26th June 2018 Council Executive took the decision that the Council would not “seek to extend, renew or enter into a further lease agreement” with the Mill centre in Blackburn on expiry of the head lease on 29th February 2020.

Council notes the significant losses incurred annually by the Council, with average losses between £55,000 and £65,000 per year. Given the financial constraints and challenges facing Council in delivering any non-statutory services, Council agrees such losses are untenable.

At a meeting of the subcommittee of the Community Council on Monday 4th March 2019, the agent for the owner of the Mill Centre, stated that in his view, the centre is not financially viable and that his client would not accept any "risk". Should Council therefore seek to continue to lease the Mill Centre under any terms, it is clear that both financial detriment and management risks would transfer to the Council and not the owner of the Mill Centre.

Council notes that officers are continuing discussions with the owner as to the potential redevelopment of the site. At a meeting in Blackburn Partnership Centre on Monday 4th March, the owner outlined many options that he is considering, including the potential for purchase and development of another site in the immediate vicinity for retail purposes.

Council notes that with a population of around 5,000, there is a clear need for retail provision within the community. Instead of running down the clock to August, there is a need to act swiftly and with purpose. Therefore, Council instructs officers:

- To actively market sites owned by the council in the vicinity of the Mill Centre, specifically, but not limited to, the former filling station on Ash Grove
 - To continue discussions with the owner of the Mill Centre around opportunities for investment in Blackburn
 - To continue discussions with community partners including the Blackburn Community Council (and sub-committee), current Mill Centre tenants and the wider community as appropriate to work towards the continued provision of retail within Blackburn
 - To bring a report to the Council Executive before summer recess outlining the latest position with regards to the Mill Centre and the owner's proposals
 - To bring a report to Council Executive before summer recess on opportunities for economic regeneration in Blackburn
- Moved by Councillor Kirsteen Sullivan and seconded by Councillor

Lawrence Fitzpatrick

Second Amendment

To accept the first four paragraphs of the motion but to replace the last paragraph with the following :-

“Any future lease should take account of the necessity of the Mill Centre and officers should be instructed to look at options for covering any potential loss.”

Prior to formally moving the second amendment Councillor Frank Anderson intimated that he thought a composite motion could be agreed by all three parties. Therefore the Provost agreed to a short adjournment to allow discussion to take place.

Following the adjournment Councillor Fairbairn indicated that a composite motion had been agreed in the following terms :-

“The Mill Centre at Blackburn has been servicing the community of Blackburn for nearly 20 years.

The Conservative Group understand that the current lease arrangement with the owners of the centre is not viable and quite rightly will not be renewed on these terms when it reaches its lease end in 2020.

However, the potential loss of the Mill Centre as a shopping complex will have a devastating loss to the local community and all efforts to keep the Mill Centre in operation should be made.

Therefore, Council is instructed:-

- To enter into immediate negotiation with the owners of the Mill Centre, Blackburn and ascertain if commercially favourable head lease arrangements can be achieved
- To actively market sites owned by the council in the vicinity of the Mill Centre, specifically, but not limited to, the former filling station on Ash Grove
- To continue discussions with the owner of the Mill Centre around opportunities for investment in Blackburn
- To continue discussions with community partners including the Blackburn Community Council (and sub-committee), current Mill Centre tenants and the wider community as appropriate to work towards the continued provision of retail within Blackburn
- To bring a report to the Council Executive before summer recess outlining the latest position with regards to the Mill Centre and the owner's proposals
- To bring a report to Council Executive before summer recess on opportunities for economic regeneration in Blackburn

Council agrees:-

- Any future lease should take account of the necessity of The Mill Centre and officers are to look at proposals for covering any loss; and
- If there is a financial consideration it should be brought back to this Chamber once that has been identified.”

Councillor Frank Anderson’s motion was therefore withdrawn. Councillor Kirsteen Sullivan indicated that she wished her amendment to be considered in its original format and not part of the composite motion.

A roll call vote was therefore taken on the composite motion against the first amendment. The result was as follows :-

Motion

Alison Adamson
Frank Anderson
Stuart Borrowman
William Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Bruce Fairbairn
Peter Heggie
Chris Horne
Carl John
Charles Kennedy
Tom Kerr
Sarah King
Andrew Miller
Moir Shemilt
David Tait

Amendment

Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Dave King
John McGinty
Andrew McGuire
Dom McGuire
Kirsteen Sullivan
George Paul
Kirsteen Sullivan

Damian Timson

Decision

Following a vote the motion was successful by 19 votes to 12 (2 members absent) and it was agreed accordingly.

15. NOTICE OF MOTION - ELLIE FERGUSON, WINNER OF THE GREATEST DANCER 2019 - SUBMITTED BY COUNCILLOR PETER HEGGIE

To note that the item had already been dealt with at Minute Item 10.

16. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 165 documents for execution.



**West Lothian
Council**

Chief Executive Office

**West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF**

**Our Ref: CEO/MC
Your Ref:**

**Contact: Graham Hope
Tel: 01506 281679**

e-mail: graham.hope@westlothian.gov.uk

**Students of the Senior Nurture Group
The Hub
c/o Peter Reid
Head Teacher
Broxburn Academy**

21 March 2019

Dear Staff and Students

Pallet Garden Competition

A meeting of West Lothian Council was held on 19 March 2019, at which your recent achievement of winning the Pallet Garden Competition was reported.

On behalf of the council, I am writing to congratulate you on this outstanding achievement. With over 20 schools competing, it is a remarkable accomplishment to win both the gold and silver awards as well as third place overall in the competition.

Wishing you every continued success.

Yours sincerely

**Graham Hope
Chief Executive**

MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 5 MARCH 2019.

Present – Councillors Stuart Borrowman (Chair), David Dodds, Pauline Clark, Peter Heggie, Chris Horne, Carl John, Dave King, Andrew McGuire, Andrew Miller, George Paul, Moira Shemilt and Damian Timson; Appointed Members Myra MacPherson and Lynne McEwen

Apologies – Councillor Charles Kennedy and Appointed Member Margaret Russell

Absent – Appointed Member Eric Lumsden

1. DECLARATIONS OF INTEREST

Agenda item 6: Education Scotland Report - West Calder High School

Councillor Pauline Clark declared an interest as she had two children attending West Calder High School. Councillor Clark advised that she would participate in consideration of this item of business.

2. MINUTE

The committee confirmed the minute of its meeting held on 15 January 2019 as being a correct record. The Chair thereafter signed the minute.

3. EDUCATION SCOTLAND INSPECTIONS - UPDATE

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing an update on Education Scotland's approaches to inspection activity and the national outcome of inspections from 2016 to 2018.

The report outlined the full and short models of inspection and noted that as part of Education Scotland's new approach to scrutiny and improvement across all aspects of education, a 30% increase in the number of inspections had been implemented since April 2018. The report also provided national data for primary and secondary inspections. The Support through Education Scotland Inspection Process 2018–2019 was shown in Appendix 1.

During discussion, the committee was informed that the type of inspection model used was determined by Education Scotland, while in response to a query with regard to Education Scotland accountability, it was noted that the agency's chief executive was responsible to Scottish ministers.

In response to concerns raised by the committee with regard to the

effectiveness of the short inspection model, the Head of Education (Curriculum, Quality Improvement and Performance) and the Quality Improvement Manager indicated that regardless of the number of quality indicators used at the inspection, all fifteen indicators were interlinked and the level of performance in the short model was indicative of the school's overall performance. It was also noted that evaluation processes were continually reviewed and that schools produced summary reports of their performance every year.

It was recommended that the committee note the contents of the report and the Quality Improvement Team's approaches for supporting West Lothian schools through inspection.

Decision

To note the contents of the report.

4. EDUCATION SCOTLAND REPORT: WEST CALDER HIGH SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) informing members of the outcome of the Education Scotland (HMI) Continuing Engagement Inspection at West Calder High School. The Education Scotland letter outlining the results of the inspection was attached to the report as Appendix 1.

Following inspections in 2016 and 2017, inspectors had visited the school again in January 2019 in order to ascertain the progress the school had made and how well this was supporting young people's learning and achievements.

The report listed three previously identified areas for improvement, namely: To improve the quality and consistency of learning and teaching across the school, to continue to improve the curriculum, in particular young people's experiences from S1 to S3, and to improve approaches to meeting the learning needs of all young people, in particular those with social, emotional and behavioural needs.

Key strengths of the school included effective leadership and enthusiastic staff, pupils' sense of purpose and pride in their school, the school's value of respect, effective approaches to meeting pupils' needs, facilities conducive to creativity, improved curriculum and new skills-based courses.

Next steps suggested included more consistent high quality of learning experiences, improved quality of feedback, monitoring of new courses and ongoing improvements in a minority of classes to ensure sufficient challenge and pace of progress.

The report concluded that the school had made significant progress since the original inspection. Inspectors were confident that the school had the capacity to continue to improve, and they would make no more visits in connection with this inspection. The school was well supported by West

Lothian Council.

The committee acknowledged the school's progress since the original inspection. In response to a question by the committee about low Highers results in certain subjects, Julie Calder, Head Teacher, indicated that the school had taken steps towards improving those results. The Head Teacher also provided more information on the skills-based courses offered by the school. Catchment areas and parental choice of school were then discussed.

It was recommended that the committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update by the Head Teacher.

5. EDUCATION SCOTLAND REPORT: ARMADALE ACADEMY

Councillor George Paul left the meeting during this item and did not participate in the remaining items of business.

The committee welcomed Graham Paris, Armadale Academy's new Head Teacher, and wished him well in his role.

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) informing members of the outcome of the Education Scotland (HMI) inspection at Armadale Academy. The Education Scotland letter outlining the results of the inspection was attached to the report as Appendix 1.

The report outlined the school's strengths, namely: positive and collaborative relationships, pupils' good manners and sense of pride in their school, increasing variety of courses on offer and encouraging trends in achievement and attainment outcomes.

Areas of improvement identified were: increased leadership opportunities for teachers, pupils and partners; continued focus on improving outcomes for maximum achievement and consistent experiences; supporting an improved sense of wellbeing for pupils; and continued skills building for staff in the use of data tracking pupils' attainment.

Inspectors were confident that the school had the capacity to continue to improve, and they would make no more visits in connection with this inspection. The school was well supported by West Lothian Council.

During discussion the committee acknowledged that the school had faced challenging times in the past and noted the steps taken to prioritise and safeguard student wellbeing. In that context it was also noted that the council was in discussions with NHS and COSLA and efforts were being made to reduce the CAMHS waiting list. Further priorities for the school included consistency of stay-on rates between pupils of different

backgrounds and tracking attainment.

It was recommended that the committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update by the Head Teacher.

6. EDUCATION SCOTLAND REPORT: MURRAYFIELD PRIMARY SCHOOL AND NURSERY CLASS AND LANGUAGE CENTRE

Councillor Andrew Miller left the meeting during this item and did not participate in the remaining items of business.

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) informing members of the outcome of the Education Scotland (HMI) inspection at Murrayfield Primary School, Nursery Class and Language Centre. The Education Scotland letter outlining the results of the inspection was attached to the report as Appendix 1.

The report listed a number of strengths the inspectors identified, namely effective leadership of the Head Teacher and staff teamwork, positive relationships between staff and children, positive approaches to wellbeing and effective work of the language unit.

Areas of improvement included developing approaches to learning, teaching and assessment and ensuring consistency in the quality of interactions in the early learning and childcare class to allow children to reach their maximum potential.

Inspectors were confident that the school had the capacity to continue to improve, and they would make no more visits in connection with this inspection. The school was well supported by West Lothian Council.

The Head Teacher, Catriona Macrae, then responded to questions from the committee and noted that the school made efforts to maintain consistency of practice across all levels.

It was recommended that the committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Head Teacher.

7. VALIDATED SELF EVALUATION: BOGHALL PRIMARY SCHOOL AND NURSERY CLASS

Councillors Chris Horne and Andrew McGuire left the meeting during this item and did not participate in the remaining items of business.

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcomes of the Validated Self-Evaluation (VSE) of Boghall Primary School and Nursery Class.

The report outlined a number of key strengths and areas for ongoing improvement. Details of performance information for the school were provided in the report relating to attendance for session 2017/18 and teacher professional judgements for pupils achieving expected national levels in 2017/18 at Primary 1, 4 and 7.

Ann Duncan, Head Teacher, then responded to questions from the committee and highlighted that pupils were active in a number of community initiatives. The Head Teacher also explained how the school made effective use of its outdoor space. Finally, the school's approaches to poverty proofing were discussed.

It was recommended that the committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Head Teacher.

8. WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.

MINUTE of MEETING of the JOINT CONSULTATIVE GROUP (TEACHING STAFF) (PRIVATE) held within EMERGENCY PLANNING ROOM, WEST LOTHIAN CIVIC CENTRE, on 15 FEBRUARY 2019.

Present – Councillor David Dodds (Chair), Councillor Alison Adamson, Mark Bonallo (EIS / LNCT), Councillor Lawrence Fitzpatrick, Rachel Glover (EIS), Councillor Dave King, Councillor Dom McGuire, Shirley Thomson (EIS) and Beth Vanson (SSTA / LNCT)

Apologies – Elsie Aitken (EIS), Rachel McCann (EIS) and Councillor Damian Timson

Absent – Councillor Andrew Miller

In attendance – Elaine Cook (Depute Chief Executive), James Cameron (Head of Education – Learning Policy and Resources), Donald Forrest (Head of Finance and Property Services) and Fiona Russell (Group Accountant, Finance and Property Services)

1. DECLARATIONS OF INTEREST

Councillor Dodds declared an interest as an EIS member.

2. MINUTE

The minute of the meeting of the group held on 9 February 2018 was approved.

3. REVENUE BUDGET 2019/20 - 2022/23 AND ASSET MANAGEMENT STRATEGY AND GENERAL SERVICES CAPITAL INVESTMENT PROGRAMME 2019/20 - 2027/28

The Head of Finance and Property Services presented the Group with information on the council's proposed Revenue Budget for 2019/20 to 2022/23 and the Asset Management Strategy and General Services Capital Investment Programme 2019/20 to 2027/28.

In February 2018 the council had agreed a corporate Plan for 2018/19 to 2022/23, a long-term revenue financial plan for 2018/19 to 2022/23, detailed revenue budgets for 2018/19 to 2020/21, a ten-year capital investment strategy and housing revenue and capital plans. The corporate plan set out the strategic priorities for the council and identified the outcomes that the council aimed to achieve to support the delivery of positive outcomes and the modernisation of council services in West Lothian.

A number of financial constraints were highlighted, which included increasing cost of providing council services, growing population in West Lothian, ongoing government constraints on public spending, and Scottish

Government grant funding being insufficient to meet the increasing costs of providing local services. Details of funding assumptions for the next four-year period were then provided. Taking into account proposed saving measures, the budget gap would decrease to £4.4 million for the period 2019/20 to 2022/23.

More detail was then provided on the budget for Education Services in particular. The four-year budget strategy and two-year detailed revenue budgets would allow the council to deliver key priorities including improving attainment and positive destinations for school children and achieving positive outcomes and early interventions for early years. School budgets had increased to reflect anticipated growth in pupil numbers over the next four years and Pupil Equity Funding in 2019/20 of £5.1 million would be available for direct use by schools, at the discretion of Head Teachers, to reduce the poverty-related attainment gap.

Further budget commitments included continued roll out for expansion of Early Learning and Childcare provision to 1,140 hours, protection for school clothing grants, school clothing stores, free school meal and breakfast club provision, free sanitary products, probationer places under the Teacher Induction Scheme, funding for teachers' pay offer and for increased employer contribution, revenue consequences for new schools at Winchburgh and Calderwood, and national commitment to provide £12 million for school counselling services.

The council's proposed education capital investment programme was also discussed, which included major investment in school infrastructure.

In conclusion, the budget would enable the council to build upon its established strategic approach to deliver key priorities, providing a sustainable financial position. The proposed Revenue Budget 2019/20 to 2022/23 and Asset Management Strategy and General Services Capital Investment Programme 2019/20 to 2027/28 would be considered at a special meeting of West Lothian Council scheduled to be held on Tuesday 19 February 2019.

Following conclusion of the presentation, a number of questions were asked by members of the group in relation to budget proposals, which officers responded to.

The group then noted the following comment from Heather Hughes on behalf of the teaching unions: Union members were appreciative of the support and protection given to education services and acknowledged the budget constraints and challenges ahead; however, concerns were raised about funding not keeping up with costs in real terms and about changes that the devolved school management model might lead to.

Decision

To note the budget proposals and the comments made.

4. FUNDING FOR SCHOOL TRIPS

Concerns were raised by the teaching unions that funding for the ten pupils from Bathgate Academy who would participate in the 2019 Polar Academy expedition to Greenland had come from the education budget. The group were advised that approval of that funding by Council Executive on 15 January 2019 had been a one-off decision.

Concerns were also raised by the teaching unions that funding had been allocated by elected members and not council officers. The group were advised that as financial situations continually changed the decision by councillors to allocate the funding had been exceptional and carefully made.

Decision

To note the comments made.

5. IMS AND TRUST FUNDS

The group noted concerns raised by the teaching unions about colleagues in the Instrumental Music Service due to budget cut proposals as this was a valuable service across education services as a whole. The teaching unions felt that funding through charitable trusts would not be an option that offered financial security for IMS teachers.

The group noted assurances that teachers would be consulted before any decision was made and that currently in-house provision remained the best option identified.

Decision

To note the comments made.

MINUTE of MEETING of the PERFORMANCE COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 18 MARCH 2019.

Present – Councillors Stuart Borrowman (Chair), Andrew McGuire, Carl John, Charles Kennedy, Dave King, Carl John

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Committee confirmed the Minute of its meeting held on 4 February 2019 as a correct record. The Minute was thereafter signed by the Chair.

3. SERVICE PERFORMANCE AND WLAM OUTCOME REPORT - ROADS AND TRANSPORTATION

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an overview of a service assessment from the West Lothian Assessment Model process (WLAM 2017/20).

The report also provided a summary of recommendations from the officer led panel that had been identified for action and were to be delivered by the service management team.

The report advised that self-assessment was an important part of the council's Best Value Framework, ensuring that there was rigorous challenge of performance and continuous improvement embedded at all levels of the organisation. Regular, programmed self-assessment was also an integral part of improvement planning and preparation for external inspections.

The report provided the outcome from the self-assessment of Roads and Transportation and the agreed recommendations for improvement for the service as well as a summary overview of performance.

The West Lothian Assessment Model applied an evidence based rigorous model – the European Foundation for Quality Management (EFQM) Framework. This required employees to consider the long-term impact of the service in the stated objectives.

The Depute Chief Executive explained that Roads and Transportation provided an integrated service to construct, manage and maintain the road, footpath and transportation network in West Lothian. The service managed and maintained over 1,043 km of public roadway, 1,390 km of public footpath, 48,193 street lights, 163 traffic light installations, 2,419 grit bins, 11, 295 illuminated and non-illuminated signs and bollards, 578

bridges and other structures.

The main activities of the service were to manage, maintain and improve public roads and footpaths, flood risk management, provide transport planning and a development control service. Appendix 1 to the report contained a summary of the service activities.

The report went on to advise that Roads and Transportation was part of Operational Services which delivered a wide array of activities including the provision of environmental and road services. This was a large and valued frontline service for the community and had a key asset planning and management role within the council, in respect of road, land and fleet assets.

The service made a critical contribution to the council's corporate priorities 7 and 8 as follows:

- Priority 7.6 – Reducing the casualty rates from fires and road traffic collisions by continuing to work in partnership with Fire and Rescue Services, and Police Scotland through enforcement, engineering, education and effective early interventions.
- Priority 8.4 – Maintaining roads network to support and sustain economic and population growth in the local area. Engaging with the community and commercial operators to deliver a cost effective public transport network and active travel options.

The service went through the West Lothian Assessment Model process in 2018/19 with a representative group of employees from the service critically evaluating the service effectiveness in the nine criterion parts of the assessment model. The service scored 529.

Table 1 contained an overview of the service's score in the last four cycles. The trend column was based on a comparison between the base position and the current WLAM score.

The Review Panel in the WLAM Programme 2017/20 had three possible outcomes that would identify the progress and risk level of service performance and subsequently the level of scrutiny that would be applied to the service during the period of the WLAM programme. Table 2 provided the outcome of the Review Panel. Table 3 contained the evaluation of Performance Management in the service.

The Review Panel set out the following recommendations for the service:-

1. The Panel recognised the work that had been ongoing in the service to improve employee engagement, communication and satisfaction levels.
2. The Panel encouraged the service to look to the market and good practice in other authorities in the application of technology in Roads, Transportation Services. The focus of scrutiny related to how the service was currently using mobile devices to increase agility, and management systems that could support capital

improvement works.

3. The panel recommended that the service continue to build on improvements in relation to communications that had been put in place around winter activities and services.
4. The Panel recommended that the service continue to build resilience for winter activities and services, in particular that the use of volunteer schemes was reviewed to increase support in the community during severe weather.
5. The service should introduce the National Highways and Transportation customer survey results as performance indicators.
6. The panel recommended that the service continue to identify new methods of engaging with customers to improve customer satisfaction.
7. The Panel recommended that the service continue to investigate and resolve any issues that were contributing to the staff survey results in relation to equality.
8. The service should continue to regularly review targets and thresholds providing clear target setting rationale.
9. The Panel recommended that the service continue to pursue opportunities for benchmarking with other bodies of local authorities.

An overview of the performance indicators categorised as Public or High Level were included in Appendix 2 to the report.

The service had five indicators in the Local Government Benchmark Framework that were aligned with the activity of Community Care. The data for 2017/18 had not yet been published however the performance and ranking information for 2016/17 was as follows:

- SENVO4a – Cost of maintenance per kilometre of roads.
WLC had an average cost of £14,260 per kilometre in 2017/18. This cost was higher than the Scottish average of £10,546 and ranked at 21 (out of 32) overall in Scotland
- SENVO4b – Percentage of A class road that should be considered for maintenance treatment
WLC had performance of 21/6 percent in 2017/18. This was above the Scottish average of 30.2 percent and ranked at 6 (out of 32) overall in Scotland.
- SENVO4c – Percentage of B class roads that should be considered for maintenance treatment.

WLC had performance of 30.7 percent in 2017/18. This was above

the Scottish average of 35.9 percent and ranked at 15 (out of 32) overall in Scotland.

- SENVO4d – Percentage of C class roads that should be considered for maintenance treatment.

WLC had performance of 45.1 percent in 2017/18. This was below the Scottish average of 36.2 percent and ranked at 28 (out of 32) overall in Scotland.

- SENVO4e – Percentage of Unclassified roads that should be considered for maintenance treatment

WLC had performance of 28.1 percent in 2017/18. This was above the Scottish average of 39 percent and ranked at 2 (out of 32) overall in Scotland.

In conclusion it was advised that Roads and Transportation completed the WLAM process as part of the council's corporate programme of self-assessment. This helped to ensure that excellent practice and performance was supported and that the principle of continuous improvement was adopted in all council services.

The report recommended that the Committee:-

1. Note the outcome from the WLAM and Review Panel process;
2. Note the recommendations for improvement;
3. Agree any other recommendations that may improve the performance of the service.

The Committee then asked a number of questions in relation to the standard and quality of road repairs, road speed limit signs, flooding issues and public engagement.

The officer explained that there was a roads inspection programme to ensure that defects were recorded on to the system and scheduled into the works programme. It was explained that each defect noted from the inspection was recorded and initially made safe using temporary materials of a quality that could withstand a number of months wear. The work was thereafter scheduled into the work program for follow on repairs.

The officer also undertook to investigate a number of issues raised by members with regard to particular areas of concern in relation to temporary road repairs, flooding, and the lack of speed limit signs.

With regard to public engagement and communication It was advised that the council had robust processes in place to inform the public when road closures and works were due to commence, including use of the media, council website, social media, and advising other services within the council. It was also explained that co-ordination was easier when works were being carried out by West Lothian Council as opposed to another party being involved such as utility companies.

Decision

To note the terms of the report.

4. SERVICE PERFORMANCE AND WLAM OUTCOME REPORT - FACILITIES MANAGEMENT

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an overview of a service assessment from the West Lothian Assessment Model process (WLAM 2017/20).

The report also provided a summary of recommendations from the officer led panel that had been identified for action and were to be delivered by the service management team.

The report advised that self-assessment was an important part of the council's Best Value Framework, ensuring that there was rigorous challenge of performance and continuous improvement embedded at all levels of the organisation. Regular, programmed self-assessment was also an integral part of improvement planning and preparation for external inspections.

The report provided the outcome from the self-assessment of Facilities Management and the agreed recommendations for improvement for the service as well as a summary overview of performance.

The West Lothian Assessment Model applied an evidence based rigorous model – the European Foundation for Quality Management (EFQM) Framework. This required employees to consider the long-term impact of the service in the stated objectives.

The Depute Chief Executive explained that Facilities Management provided catering, cleaning, crossing patrol guides and janitorial services throughout the authority. The service also included inprint, the council's in-house print management and reprographics service

The main activities of the service were to clean 169 buildings covering 309,806 square metres of floor space, it was anticipated that it would serve 2.6 million meals in 2019/20 and 84 crossing patrol points were maintained. The service also provided security, maintenance and janitorial service to 86 secondary, primary nursery and additional support schools digital reprographics, print finishing and direct mailing.

The service made a critical contribution to the council's corporate priority 1.

- Priority 1.6 – Continuing to provide access to a free Breakfast Club for all primary pupils and for secondary pupils with free meal entitlement, in recognition of the link between health and attainment.

The service went through the West Lothian Assessment Model process in 2018/19 with a representative group of employees from the service critically evaluating the service effectiveness in the nine criterion parts of the assessment model. The service scored 535.

Table 1 contained an overview of the service's score in the last four cycles. The trend column was based on a comparison between the base position and the current WLAM score.

The Review Panel in the WLAM Programme 2017/20 had three possible outcomes that would identify the progress and risk level of service performance and subsequently the level of scrutiny that would be applied to the service during the period of the WLAM programme. Table 2 provided the outcome of the Review Panel. Table 3 contained the evaluation of Performance Management in the service.

The Review Panel set out the following recommendations for the service:-

1. The Panel acknowledged the work that the service had undertaken to provide healthier options for school meals. This involved working with schools and marketing healthier options to parents and resulted in the achievement of the Food for Life Bronze Award.
2. The Panel encouraged the service to continue working to reduce the use of plastics and disposable plastics and note the good example of work done with West Calder High School to reduce plastic in school.
3. The Panel recognised the culture of change embedded in the service and how well the leadership team had managed change.
4. The service should review the scope of performance indicators in line with their key activities / priorities, ensuring all relevant measures were captured. This would include printing and reprographics activities.
5. The Panel recommended the service continue to review complaints process to ensure complaints were being captured across the service.
6. The Panel encouraged the service to look into ways to improve survey response rates, specifically with Head Teachers.
7. The Panel recommended the service identify ways to improve the levels of customer satisfaction (with customers outwith schools).
8. The Panel recommended the service continue to identify opportunities to benchmark performance.

An overview of the performance indicators categorised as Public or High Level were included in Appendix 2 to the report.

The service had no relevant performance/ranking information in the Local

Government Benchmarking Framework (LGBF) that related to the activities of Facilities Management services. It had proven difficult to benchmark with other local authorities due to the variance in operational models. However, the service did undertake benchmarking with other local authorities where possible.

In conclusion it was advised that Facilities Management completed the WLAM process as part of the council's corporate programme of self-assessment. This helped to ensure that excellent practice and performance was supported and that the principle of continuous improvement was adopted in all council services.

The report recommended that the Committee:-

1. Note the outcome from the WLAM and Review Panel process;
2. Note the recommendations for improvement;
3. Agree any other recommendations that may improve the performance of the service.

The Committee asked a series of questions in relation to the supply of food following exit from EU, cost of school meals, school crossing patrols, benchmarking and the use of plastics in schools.

It was explained that a working group had been established to ensure food supply in the event of any issues in relation to leaving the EU. It was also advised that the cost of school meals referred to was for food only.

In answer to a question on benchmarking in relation to cost of food and what was supplied by each local authority the officer advised that a total of 6 councils responded which ranked West Lothian as 3rd for the cost of food. As far as what food was supplied to schools, all authorities were bound by nutritional standards therefore provision was quite similar.

It had been reported that there was a difficulty in recruiting to school crossing patrol posts and following a suggestion that splitting the role may alleviate some of the difficulties the officer undertook to consider this as a way forward.

The officer explained that while good progress had been made in removing plastic bottles and other plastics from schools there was still a number of difficulties in rolling this out fully as there were still a number of barriers including the lack of water fountains and the cost of biodegradable alternatives.

Decision

To note the terms of the report.

5. SERVICE PERFORMANCE AND WLAM OUTCOME REPORT - PASSENGER TRANSPORT

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an overview of a service assessment from the West Lothian Assessment Model process (WLAM 2017/20).

The report also provided a summary of recommendations from the officer led panel that had been identified for action and were to be delivered by the service management team.

The report advised that self-assessment was an important part of the council's Best Value Framework, ensuring that there was rigorous challenge of performance and continuous improvement embedded at all levels of the organisation. Regular, programmed self-assessment was also an integral part of improvement planning and preparation for external inspections.

The report provided the outcome from the self-assessment of Passenger Transport and the agreed recommendations for improvement for the service as well as a summary overview of performance.

The West Lothian Assessment Model applied an evidence based rigorous model – the European Foundation for Quality Management (EFQM) Framework. This required employees to consider the long-term impact of the service in the stated objectives.

The Depute Chief Executive explained that Passenger Transport was responsible for ensuring the provision of efficient council public transport services within West Lothian and to neighbouring areas including infrastructure and publicity provision.

The service was also responsible for the provision of free and fare paying school transport services for schools, including pupils with additional support needs, as well as the provision of travel concessions for elderly and vulnerable residents. Appendix 1 to report contained a summary of the service activities.

The service made a critical contribution to the council's corporate priorities 8 as follows:

- Priority 8.4 – Maintaining roads network to support and sustain economic and population growth in the local area. Engaging with the community and commercial operators to deliver a cost effective public transport network and active travel options.

The service went through the West Lothian Assessment Model process in 2018/19 with a representative group of employees from the service critically evaluating the service effectiveness in the nine criterion parts of the assessment model. The service scored 479

Table 1 contained an overview of the service's score in the last four cycles. The trend column was based on a comparison between the base position and the current WLAM score.

The Review Panel in the WLAM Programme 2017/20 had three possible outcomes that would identify the progress and risk level of service performance and subsequently the level of scrutiny that would be applied to the service during the period of the WLAM programme. Table 2 provided the outcome of the Review Panel. Table 3 contained the evaluation of Performance Management in the service.

The Review Panel set out the following recommendations for the service:-

1. The Panel recognised that this was a new service that still had two distinct employee groups – Public Transport and Community Transport. The service should work to improve employee satisfaction by improving internal communication and employee engagement across all teams.
2. The service should segment and analyse the current and historical employee satisfaction indicators for both Public Transport and Community Transport, develop a better understanding of the base position and any improvement actions that should be developed for the new service.
3. The Panel noted the lack of Appraisal Development and Review (ADR) carried out for Community Transport employees and required the management to extend this process to all employees in the service as a priority action.
4. The Panel noted the level of sickness absence within the Community Transport and encouraged the service to utilise the council's policies and procedures to reduce absence.
5. The Panel encouraged the service to enhance the level and reach of customer engagement activity, with the aim of improving survey response rates and encouraging more feedback from service users, including complaint information.
6. The Panel noted the lack of segmentation of the service's customer groups and increase engagement activity with them to capture more qualitative information about the quality of services and their needs and preferences.
7. The service should identify opportunities to increase benchmarking activity and identify relevant comparators to help improve services and performance.
8. The service should improve the deployment of performance management approaches, including better trend chart commentaries for performance indicators fully explaining the fluctuations in trends.
9. The Panel encouraged the service to review the key outcomes / activities of Community Transport service and refine the suite of performance indicators.

An overview of the performance indicators categorised as Public or High Level were included in Appendix 2 to the report.

The function of Passenger Transport was structured differently in each local authority meaning that it was difficult to benchmark on a like for like basis. However, the services engaged in various benchmarking activities to monitor the performance of the service and identify best practice areas.

The report explained that the service took part in the National Highways and Transport Public Satisfaction Survey which collected public perspective on and satisfaction with Highway and Transport Services in local authority areas.

The service was also represented at the Association of Transport Coordinating Officers which helped to develop and promote good practice, and to formulate policies and standards and promote transport initiatives aimed at achieving better passenger transport services for all.

In conclusion it was advised that Passenger Transport completed the WLAM process as part of the council's corporate programme of self-assessment. This helped to ensure that excellent practice and performance was supported and that the principle of continuous improvement was adopted in all council services.

1. The report recommended that the Committee:-
2. Note the outcome from the WLAM and Review Panel process;
3. Note the recommendations for improvement;

Agree any other recommendations that may improve the performance of the service.

The Committee then asked a number of questions in relation to declining passenger usage, sustainability of current commercial routes, subsidised bus routes, and increased cost of school meal delivery.

In answer to the question in relation to subsidised bus routes the officer responded by advising that passenger numbers on subsidised services would be monitored and a review of routes being subsidised would be carried out to ascertain the current position.

With regard to the increase in cost of the delivery of school meals it was anticipated that figures for this year would show if this was an initial rise due to the additional meal provision for primary 1 to 3 and nurseries.

The officer acknowledged that passenger numbers were down however it was also noted that there was no benefit to the public from only having one supplier and therefore a commercial network strategy was introduced.

Decision

To note the terms of the report.

6. ECONOMIC DEVELOPMENT AND REGENERATION REPORT - FOCUS REGENERATION

The Committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on the work to support regeneration in West Lothian.

The report recalled that in September 2018 the Performance Committee agreed that an update on SIMD long term patterns; evidence of the impact that plans were having on the community and regeneration impacts were to be measured and reported back to a future meeting.

The Head of Planning, Economic Development and Regeneration explained that the Local Regeneration plans were progressing with most now live, and a number of activities being taken forward. Appendix 1 to the report set out the wider detail how regeneration would be measured and reported back. It detailed the range of strategies and plans that would help to deliver regeneration activities.

The work currently being done to develop Locality Regeneration Plans involved linking the plans to other key strategies including the Local Outcomes Improvement Plan, the Anti-Poverty Strategy, Economic Strategy, the work of the Health Localities, Development Planning and School attainment.

This information would then provide the Community Planning Partnership and the Performance Committee with a clear overview of regeneration across the Locality Regeneration Planning areas.

The report concluded that regeneration was integral to a number of the activities of West Lothian Council and the Community Planning Partnership.

The report recommended that the Performance Committee:

1. Provide feedback on the information provided; and
2. Consider whether the approach outlined would provide appropriate regeneration reporting.

The Committee was interested in how the team adjusted its approach to each of the 13 identified regeneration areas given the differing size and scale of each of them.

It was explained that all areas were at different levels and starting points. Some of the areas already had the structure in place while others required to be transported out of the area to access facilities. Steering groups were set up to ascertain client base and engage with as many groups as possible. However it was also noted that other opportunities for engagement could be considered.

It was also explained that Locality Plans addressed areas of deprivation,

following which mini plans were drawn up for the most deprived areas to allow resources to be utilised in the areas of most need.

It was the intention to build capacity by maximising external funding and strengthen community groups in an effort to provide an integrated knowledge system in order to reach clients from the most deprived data zones.

The Committee was interested in the relationship of the regeneration team and Anti-Poverty strategy. The Committee was advised that the regeneration team facilitated advice through Steering groups and worked with the Anti-Poverty Strategy at a drop in session in the Advice Shop, however no one attended the session.

The Committee felt that elected members did not receive enough feedback on Locality Regeneration Plans and expressed concern at there not being a role for elected member's involvement in the local regeneration process and community group meetings.

The officer undertook to provide an explanation to the Committee on the set up and structure of the council's Regeneration Framework.

It was suggested that a mechanism to address the lack of local elected member involvement in the local regeneration plan process be considered.

Decision

To note the terms of the report.

7. CITIZEN LED INSPECTION - UPDATE 2017 AND 2018

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an overview of activity from the council's lay inspection programme.

The report advised that the council operated a programme of Citizen Led Inspections (CLI) which allowed lay inspectors to identify what worked well in council services and where services could be improved. The programme supported and enhanced the council's other quality and performance arrangements, with a specific focus on the council's Customer Service Strategy and how the overall standard of service received by customers could be improved.

The Depute Chief Executive explained that the council had made a commitment to carry out a scheduled programme of CLIs each year following a successful pilot phase in 2012/13.

This was deemed as a powerful improvement tool and involved customers in the design of services but one of the key challenges of the process was engagement from the local community and retaining inspectors beyond one or two inspections. In 2016/17 the process was reviewed and new

forms of inspection introduced in order to try to increase participation rates and representation from local people. Appendix 1 to the report provided an overview of the revised CLI offering.

CLIs were carried out by two to four inspectors usually with a mix of experience and knowledge. The composition of teams could still be improved by representation from different parts of the community. Although fair representation was achieved in terms of gender and different localities there was scope for improvement in other characteristics.

The report went on to advise that implementing the CLI process had required the council to maintain a register of citizen inspectors who were supported through access to training, guidance materials and a dedicated council resource.

Attempts to engage the community through a wide range of council media and contacts with various community groups had limited success. The time commitment required from participants may exclude significant parts of the community from the CLI process, particularly those in full-time employment and those with caring responsibilities.

It was further advised that at the end of the CLI process the service would be provided with a feedback report, the details of which would depend upon whether it was a full inspection or the simpler customer experience report of the “Look See” process.

Reports from both the full inspection and the “Look See” process would then be published on the council’s website and the outcome of the full inspection would also be reported to the relevant PDSP.

In conclusion it was advised that the Citizen Led Inspection was an important part of the council’s approach to improve service performance and engage with the community on the quality of the services provided.

The report recommended that the Committee note the terms of the report.

Decision

To note the terms of the report.

8. COMPLAINT PERFORMANCE REPORT QUARTER 3

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing the council’s annual report 2018/19. Appendix 1 to the report contained the council wide performance against the SPSO defined measures covering the period Quarter 3 2018/19.

The committee was advised that the Scottish Public Services Ombudsman (SPSO) developed and published a model Complaint Handling Procedure (CHP) on 28 March 2012. The model CHP was to ensure a standardised approach in dealing with customer complaints across the local authority sector. All local authorities were required to

adopt the model CHP by 31 March 2013.

Table one provided a breakdown of complaints by complaint category over a 5 year period.

The Depute Chief Executive explained that the current service level complaint performance varied across the council and was linked to the complexity and quantity of complaints received. Housing, Customer and Building Services (HCBS) and Operational Services were the main complaint generators.

There was an increase in standard of service complaints and policy complaints which had been generated by Operational Services and Housing, Customer and Building Services. There was a decrease in waiting time complaints when compared to the equivalent quarter in the previous year. Employee Attitude complaints were driven by Operational Services and Housing, Customer and Building Services.

The Corporate Complaint Steering Board identified 4 high level indicators as follows:-

- Total complaints received
- Complaints closed within 5 working days
- Complaints closed within 20 working days
- Complaints partly upheld/upheld

Table 2 provided a summary of service performance against the 4 key indicators, while table 3 provided a service trend summary of closed complaints received by quarter 3.

Table 4 provided a service trend summary of upheld/part upheld complaints as a percentage of complaints received by quarter 3 covering 2017/18 and Q1 2018/19.

Table 5 provided indicative ratios for the number of complaints against the specific customer groups for Education Services, Housing, Customer and Building Services and Operational Services.

Across the council, 45.9% of all complaints received in quarter 3 2018/19 were upheld/part upheld. Operational Services received the highest number of complaints and also had one of the highest percentage of complaints that were upheld/part upheld.

In conclusion the report advised complaint numbers were at the lowest level when compared to the previous 4 quarters. This decrease was mainly related to Operational Services who continued to demonstrate a reduction in complaints closed on a quarterly basis.

It was recommended that the Performance Committee :-

1. Note the corporate and service complaint performance against the

standards outlined in the council's complaint handling procedure.

2. Continue to monitor complaint performance and request additional information from services as required.

Decision

1. To note the terms of the report.

9. PERFORMANCE COMMITTEE WORKPLAN

The Committee considered a list of items that would form the basis of the committee's work over the coming months.

Decision

To note the contents of the workplan.

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 1 MARCH 2019.

Present – Councillors George Paul (Chair), Tom Conn, Peter Heggie, Dom McGuire

Apologies – Councillors Chris Horne, Dave King, Andrew McGuire

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

- a) The Committee confirmed the Minute of its meeting held on 17 January 2019 as a correct record. The Minute was thereafter signed by the Chair
- b) The Committee confirmed the Minute of its meeting held on 25 January 2019 as a correct record. The Minute was thereafter signed by the Chair.
- c) The Committee confirmed the Minute of its meeting held on 1 February 2019 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The committee resolved in terms of Paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 that the remaining items of business be taken in private.

3. CONSIDERATION OF APPEAL

Introductions were made by all parties and the Chair explained the procedure that would be followed.

The committee was invited to consider an appeal by a former employee under the Sickness Absence Management Policy and Procedure.

The management was represented by Jo MacPherson, Head of Social Policy and was accompanied by Vera Muir, Senior HR Adviser. The management called 2 witnesses.

At the request of the appellant the Committee agreed on 17 January 2019 that it would to consider the case in his absence and that a date was to be set for that hearing.

The Committee heard the management and witnesses speak in relation to the appeal.

The Committee had an opportunity to question the management and witnesses in turn.

Finally, the management summed up the merits of the case.

All parties then left the room to allow the Committee to deliberate in private.

After reaching its decision all parties returned to hear the decision of the Committee.

Decision

1. Having considered the evidence submitted by all parties and verbal submissions at the hearing the Committee agreed that the service had correctly followed the Sickness Absence Management Policy and Procedure.
2. The Committee therefore found that the grounds of the appeal had not been substantiated and the appeal be not upheld.

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 11 MARCH 2019.

Present – Councillors George Paul (Chair), Peter Heggie, Chris Horne, Andrew McGuire, Dom McGuire, Damian Timson, Tom Conn (substitute for Angela Doran)

Apologies – Councillor Angela Doran

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2 PRIVATE SESSION

The committee resolved in terms of Paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 that the remaining items of business be taken in private.

3. CONSIDERATION OF APPEAL

Introductions were made by all parties and the Chair explained the procedure that would be followed.

The committee was invited to consider an appeal by a former employee under the Sickness Absence Management Policy and Procedure.

The management was represented by Jim Jack, Head of Finance and Property Services and was accompanied by Vera Muir, Senior HR Adviser. The management called 2 witnesses.

The appellant was present and represented by his union representative Mr Tom Carr-Pollock (GMB). The appellant did not call any witnesses.

All parties agreed that witnesses could be in attendance throughout proceedings.

The Committee heard the management and witnesses speak in relation to the appeal.

The appellant and his representative were given an opportunity to question the management and witnesses in turn.

The Committee had an opportunity to question the management and witnesses in turn.

The Committee heard the appellant's representative speak on behalf of the appellant in relation to the appeal.

The management was given an opportunity to question the appellant's representative and the appellant..

The Committee had an opportunity to question the appellant's representative and the appellant.

Finally, each side summed up the merits of the case.

All parties then left the room to allow the Committee to deliberate in private.

After reaching its decision all parties returned to hear the decision of the Committee.

Decision

The Committee found that the grounds of the appeal had been substantiated and therefore the appeal be upheld to the extent that:-

1. The appellant was to be reinstated to the post held prior to dismissal.
2. The appellant was to suffer no interruption to his period of continuous service.
3. The appellant was to receive payment of earnings which he would have received if he had not been dismissed.
4. The appellant was to be placed on Stage 2 of the Policy and Procedure for Supporting Attendance at Work on his return.

MINUTE of MEETING of the WEST LOTHIAN LEISURE ADVISORY COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 24 JANUARY 2019.

Present – Councillors Dave King (Chair), Cathy Muldoon, Alison Adamson, Tom Conn, Andrew McGuire and David Tait

Apologies – Councillor Charles Kennedy

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The committee confirmed the minute of its meeting held on 29 November 2018. The Chair thereafter signed the minute.

Matters arising:

5. West Lothian Leisure Financial Plan - Update on Progress

West Lothian Leisure (WLL) Chief Executive Officer's presentation on the WLL three-year plan would be added to the agenda for the West Lothian Leisure Advisory Committee meeting on Thursday 28 March 2019.

It was noted that a package for West Lothian Council staff membership of Xcite had been agreed between the council and WLL.

3. PRIVATE SESSION

The committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the public be excluded from the meeting during discussion of the following items of business as it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the Act.

4. MONITORING REPORT: CULTURE, SPORT, LEISURE & OUTDOOR EDUCATION

The committee considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing an update on the operation of Culture, Leisure & Outdoor Education services delivered by WLL to 30 November 2018.

The report summarised the strategic outcomes of the WLL business plan and went on to show generic and specific key performance measures, which were further detailed in Appendix 1. Above target performance had been reported against the following Key Performance Indicators:

Customer Satisfaction, Memberships, Concessionary Visits and NHS Referrals.

The WLL performance dashboard to 30 November 2018 as reported to the WLL Board on 25 October 2018 was attached as Appendix 2 to the report.

WLL Wider Service Activities were also shown, and it was noted that WLL was the only Scottish leisure operator to receive a Gold Medal Award at the UK TRP Customer Service Awards. In addition, Xcite Broxburn Pool had won the 2018 CEA best customer award for UK Swimming Pools.

During discussion, WLL representatives explained that WLL constantly monitored facilities to ensure efficiency and to effectively respond to any challenges. They also clarified that although the rate of absence seemed high in smaller facilities, this was due to the size of the facilities, and WLL ensured there was cover and that the minimum number of staff required was present.

It was recommended that the committee note the contents of the report.

Decision

- To note the contents of the report.
- To note that the committee congratulated WLL for the Gold UK TRP Customer Service Award and Xcite Broxburn Pool for the 2018 CEA Best Customer Award for UK Swimming Pools.

5. WEST LOTHIAN LEISURE FINANCIAL POSITION

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the WLL 2018/19 financial position to 30 November 2018.

A timetable had been agreed with WLL to ensure current and relevant financial information was provided in the reports to the West Lothian Leisure Advisory Committee. All financial information was regularly monitored and analysed by the WLL and West Lothian Council Review Group before being reported to the committee, with a focus on potential implications for the council.

The report summarised WLL's financial position for 2018/19, showed WLL's income and expenditure and provided an update on savings and cash position. More detail was provided in Appendices 1 and 2 of the report.

The report also indicated that WLL board had approved a financial plan for the period 2019/20 to 2021/22 on 13 December 2018. The plan had been presented to Council Executive on 4 December 2018, where it was agreed that council officers would provide further updates to the WLL Advisory Committee in due course and as required, enabling decisions to be made by the council to assist WLL to fully implement their three-year

plan.

During discussion, it was noted that a green plan was being considered to keep energy costs down and discussions were ongoing with regard to WLL's energy scheme.

It was recommended that the committee note:

1. WLL's financial performance to 30 November 2018;
2. An update on the progress of WLL's 2018/19 savings measures;
3. That WLL were closely monitoring the 2018/19 cash flow forecast, with regular updates being provided to the council; and
4. The position on WLL's three-year financial plan for the period 2019/20 to 2021/22.

Decision

To note the contents of the report.

MINUTE of MEETING of the AUDIT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 14 JANUARY 2019.

Present – Councillors Chris Horne, Damian Timson, Dave King (substituting for Councillor Fitzpatrick), John McGinty and David Tait

Apologies – Councillor Lawrence Fitzpatrick

Absent: Appointed Representative Noel Lawlor

In attendance: Graham Hope (Chief Executive), Donald Forrest (Head of Finance and Property Services), Jim Forrest (Depute Chief Executive) (present for item 10), Nicola Gill (Public Transport Manager), Lesley Henderson (HR Services Manager), Jo MacPherson (Interim Head of Service, Social Policy), James Millar (Governance Manager), Alice Mitchell (Economic Development Manager), Gillian Oghene (Group Manager, Management and Support), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), Stuart Saunders (Senior Compliance Officer), Tim Ward (Senior Manager, Young People and Public Protection); Stephen Reid (EY)

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. ORDER OF BUSINESS

The Chair ruled that Agenda Item 10 would be discussed last, after the private session, due to the Depute Chief Executive attending another meeting.

3. MINUTE

The committee approved the minute of its meeting held on 8 October 2018 as being a correct record. The Chair thereafter signed the minute.

4. INTERNAL AUDIT PROGRESS REPORT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing details of progress in relation to the internal audit plan for 2018/19.

With regard to risk-based audit, the report listed works that had been completed as well as those in draft, in progress and those yet to start. The annual audit of the Leader (rural development) grant claim had been undertaken, and review of the 2017/18 Climate Change Declaration and the audit of the 2017/18 Carbon Reduction Commitment Energy Efficiency Scheme had also been completed. No material items of reactive work had been undertaken during that period.

The internal audit team also undertook work for other external bodies,

reported separately to the audit committees of those organisations – namely the West Lothian Integration Joint Board, West Lothian Leisure and the Improvement Service.

Two amendments to the current internal audit plan had been proposed: 1. The Gallagher Basset review of personal safety in social policy, scheduled to take place on 30 January, to be included in the 2019/20 internal audit plan and to be currently replaced with a follow up of the internal audit report on external children's placements submitted to the Audit Committee on 8 October 2018; and 2. The review of procurement within Building Services to be replaced with a review of corporate debt recovery, while council-wide procurement risks to be further considered as part of the scoping of the 2019/20 internal audit plan.

In conclusion, the 2018/19 internal audit plan remained on target to be completed.

It was recommended that the Audit Committee:

1. Note that the 2018/19 internal audit plan remained on target to be completed; and
2. Agree to the amendments to the 2018/19 internal audit plan as set out in section D.5 of the report.

Decision

To agree the recommendations in the report.

5. BREXIT PREPARATIONS

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on work being carried out by officers to identify Brexit-related risks with specific reference to the Audit Scotland report *Key Audit Issues For The Scottish Public Sector*.

The covering report noted that leaving the European Union would have implications for West Lothian Council, its partners and West Lothian as a whole. Potential risks impacting council service delivery and operations have been identified as part of a 'Horizon Scanning' exercise; lack of certainty about the UK parliament's position regarding the Draft Withdrawal Agreement had made it difficult to score those risks, although that process was now being progressed. Information and advice from government, agencies and other organisations had helped benchmark the risks identified by services across the council with those identified by others.

The report advised that no immediate threat to the operation of the council was foreseen; however, due to the dynamic nature of the issues and emerging guidance, work would continue to understand those issues and develop contingency plans.

In October 2018, Audit Scotland had published a report identifying key issues for local authorities to consider with respect to Brexit. The report was attached as Appendix 1 and addressed questions under the headings of People, Finance, and Rules & Regulations.

The council had established a Brexit Working Group with the aim of understanding and managing the risks associated with Brexit. Potential risks had been identified and assessed and mitigation actions were being put in place, although in many cases addressing the risks would be outwith the council's control.

During the course of further discussion it was noted that the proportion of non-EU nationals in Scotland was 6%, while according to an assessment undertaken by the council's Human Resources the corresponding figure for the council was 1%. No immediate threat had been identified with regard to the council's supply chain and disruption to council services; the situation continued to be monitored, taking into consideration advice from COSLA.

It was recommended that the Audit Committee:

1. Note that there was an increasing amount of guidance and collaborative working on understanding Brexit issues;
2. Note that the Brexit outcomes were unknown and that there remained a great deal of fluidity and uncertainty on Brexit; and
3. Note that the Corporate Working Group on Brexit was carrying out further work on risks, informed by the Audit Scotland report and other information sources.

Decision

To note the terms of the report.

6. RISK ACTIONS ARISING FROM AUDIT AND INSPECTION REPORTS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager advising of progress in implementing agreed actions arising from audit and inspection reports.

The report followed on from a previous report submitted to the Audit Committee on 25 June 2018 and provided an update on the five outstanding actions of the previous report. The update was attached as Appendix 1. Currently there remained three outstanding actions, all relating to internal audit.

The report noted the importance of timeous implementation of actions and advised that oversight of outstanding risk actions by the Audit Committee would facilitate their completion in order to comply with council objectives.

The committee expressed concern with regard to frequent adjustment of due dates and the gaps between original and revised due dates. In relation to two actions in Public Transport that had been overdue for almost three years, the committee was assured that they were on track for completion in January 2019. The Audit, Risk and Counter Fraud Manager agreed to keep the matter under consideration and work with customers to determine due dates that were both timeous and practical.

The committee noted its appreciation that the number of outstanding actions had been significantly reduced.

It was recommended that the Audit Committee consider progress in relation to the outstanding risk actions.

Decision

To note the terms of the report.

7. AUDIT SCOTLAND REPORT: HOUSING BENEFIT PERFORMANCE AUDIT - ANNUAL UPDATE 2018

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the Audit Scotland's report on the Housing Benefit performance audits carried out during 2017/18.

The main objective of the benefit performance audit was to help councils improve their benefits service and to hold councils to account for any failing services. Assessment took place every autumn and had two phases: a risk assessment and a focused audit phase.

Audit Scotland had performed risk assessment visits to five councils and had identified a total of 24 risks to continuous improvement. Weaknesses had been identified in business planning and performance, quality checking and intervention outcomes; outstanding risks related to accuracy, interventions and overpayments. Audit Scotland reported that in all the five councils visited, the level of resources might not be sufficient to maintain or improve on previous claims processing performance levels.

The roll out of Universal Credit remained the most significant change to the social security landscape. A report by the National Audit Office published in June 2018 had identified a number of ongoing issues; the Scottish Government had introduced two flexibilities as of October 2018 to how Universal Credit claimants in Scotland could choose to receive their payment.

Audit Scotland also commented on a number of ongoing developments with the potential to impact on housing benefit performance levels going forward. In West Lothian, performance statistics for the speed of processing housing benefit new claims and changes had improved significantly.

In conclusion, Audit Scotland had recognised the improvements made by the councils visited; it also acknowledged ongoing pressures due to Universal Credit roll out and additional welfare reforms. West Lothian Council would continue to work on improving the service and proactively address future challenges of Welfare Reform. The current housing benefit performance statistics for West Lothian remained excellent and a further visit by Audit Scotland was not anticipated.

It was recommended that the Audit Committee note the content of Audit Scotland's annual update report.

Decision

To note the terms of the report.

8. LOCAL GOVERNMENT IN SCOTLAND FINANCIAL OVERVIEW 2017/18

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services which provided a summary of the *Local Government in Scotland Financial Overview 2017/18* report published by the Accounts Commission on 29 November 2018 and outlined officer responses to the points included in the scrutiny tool for councillors, shown as Appendix 1 of the report.

The Accounts Commission report provided a high level view of the challenges facing councils, how well councils were addressing those challenges and what more they could do to maintain or improve services for the public within reduced resources. The Accounts Commission expected councillors and senior council officers to use the report as a source of information to support their complex and demanding role.

The Accounts Commission report identified key messages for councillors and summarised key issues on local authority budgets and spending in 2017/18; it then went on to provide the financial outlook facing councils and to describe potential implications for the council.

During discussion, an update on teachers' pay award and pensions was provided; pay negotiations were ongoing, while according to COSLA 2/3 of the pensions increase would be funded by Scottish Government and 1/3 by local authorities. The committee was informed that the council's revenue budget model would be updated to reflect the outcomes of the negotiations.

It was recommended that the Audit Committee:

1. Note the key messages included in the report;
2. Note officer responses to the points raised within the councillors' scrutiny tool which could be used by elected members to help them better understand the council's financial position and to scrutinise financial performance.

Decision

To note the terms of the report.

9. COUNTER FRAUD REPORT FOR FIRST SIX MONTHS OF 2018/19 (APRIL TO SEPTEMBER)

The committee resolved that this and the item of business following should be considered in private under paragraphs 1 and 14 of Schedule 7A to the Local Government (Scotland) Act 1973.

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing an update on the performance and activities of the Counter Fraud Team for the six months from 1 April 2018 to 30 September 2018. The work had been carried out in accordance with the council's Anti-Fraud and Corruption Policy and Whistleblowing Policy and the council's zero-tolerance approach to fraud.

The Counter Fraud Team administered the National Fraud Initiative and worked in partnership with the council's external auditors – Ernst & Young, Police Scotland, NHS, Scotland Counter Fraud services and other local authorities for the prevention and detection of fraud, theft and wrongdoings against the council.

The report summarised the referrals received by the Counter Fraud Team during the monitoring period and provided a summary of investigation outcomes. Appendix 1 of the report (private) summarised fraud incidents encountered during the monitoring period, while Appendix 2 provided a list of the Performance Indicators for the team's work.

In the discussion that followed, the committee noted the recent and expected impact of staffing and resources on the number of referrals and their processing.

It was recommended that the committee note the performance and activities undertaken by the Counter Fraud Team during the first six months of the 2018/19 financial year.

Decision

1. To note the terms of the report.
2. To note completion by Roberta Irvine, Counter Fraud and Compliance Officer, of the CIPFA Accredited Counter Fraud Specialist qualification.

10. COUNTER FRAUD INVESTIGATION: COMMUNITY PAYBACK ORDERS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager describing the outcome of an investigation into an allegation relating to the administration of community payback orders by the Community Payback team, within Criminal and Youth Justice, Social Policy.

The report indicated that in February 2018, the Counter Fraud team had been advised of concerns raised by an individual relating to falsification of community payback orders documentation, breach of confidentiality and misuse of council property by the Community Payback team. Investigation into the allegations ensued, which involved interviews with witnesses and review of Community Payback team practices, and it was concluded that the concerns raised had been partially substantiated. Details of the investigation were shown in Appendix 1 of the covering report and included details of the allegations, the findings of the investigation and grading of their importance and an action plan containing agreed management actions intended to rectify the deficiencies identified and improve control.

During the discussion that followed the committee was assured that the problems reported had not been found to be widespread and that actions had been designed to ensure that did not happen. The timescales were confirmed to be challenging but achievable, especially since actions were already in progress. Officers also confirmed that the result of the investigation had been passed on to the original whistle-blower in accordance with the council's policy and procedure.

It was recommended that the Audit Committee:

1. Note the findings of the investigation; and
2. Note the agreed actions which were set out in the investigation report's action plan to improve internal control.

Decision

To note the terms of the report.

11. AUDIT SCOTLAND REPORT: HEALTH AND SOCIAL CARE INTEGRATION: UPDATE ON PROGRESS

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an update on Audit Scotland's progress report on health and social care integration, attached as Appendix 1.

The report formed part of a five-year programme of work on integration and was the final of three performance reports Audit Scotland had produced. The aim of this audit was to examine the impact of public bodies as they integrated health and social care services.

The report had found that financial planning was not integrated, long term or focused on providing the best outcomes for people who needed support, thus limiting the ability of Integration Authorities to improve the health and social care system. Furthermore, relevant legislation had not been enacted and strategic planning faced significant barriers and required improvement. The report also highlighted the importance of appropriate leadership and engagement of all partners in order for successful reforms. It then recommended six areas that would need to be addressed for integration to make a meaningful difference for people in Scotland.

In the discussion that followed, the committee noted the Depute Chief Executive's view on progress in West Lothian and that a full review of the Strategic Plan was under way with a review of the Integration Scheme to be undertaken thereafter.

It was recommended that the Audit Committee:

1. Note Audit Scotland's findings in relation to progress against integration; and
2. Note the recommendations set out by Audit Scotland as requiring to be addressed to further integration and make a meaningful difference to people in Scotland.

Decision

To note the terms of the report.



WEST LOTHIAN COUNCIL

SENIOR OFFICER APPOINTMENT COMMITTEE – POST OF HEAD OF SOCIAL POLICY

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To inform the council of the decision on 4 April 2019 of the Senior Officer Appointment Committee in relation to the post of Head of Social Policy.

B. RECOMMENDATION

To note that on 4 April 2019 the Senior Officer Appointment Committee appointed Jo MacPherson to the post of Head of Social Policy.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The appointment has been made in accordance with the council's Standing Orders and Scheme of Administration.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	None
VII	Consideration at PDSP	None
VIII	Other consultations	None

D. TERMS OF REPORT

On 25 May 2017 the council appointed members to the Senior Officer Appointment Committee to deal with all chief officer post vacancies. Under the council's Scheme of Administration, the committee has the power to make such appointments, which are subsequently reported to the council.

The interview of one candidate for the vacant post of Head of Social Policy was held on 4 April 2019 and it was the committee's decision that Jo MacPherson should be appointed to the post. The committee delegated to the Chief Executive the making of the necessary arrangements for her to take up the post, including the date of commencement of her employment in that post.

As well as being the Head of Social Policy the post holder was also the council's Chief Social Work Officer in terms of Social Work (Scotland) Act 1968.

E. CONCLUSION

The decision to appoint Jo MacPherson to the post of Head of Social Policy means that the vacancy at Head of Service level has been filled.

F. BACKGROUND REFERENCES

Council's Scheme of Administration

Appendices/Attachments: None

Contact Person: Jim Forrest, Depute Chief Executive
jim.forrest@westlothian.gov.uk, Tel No. 01506 281977

Date of meeting: 14 May 2019

**Notice of Motion from Councillor Charles Kennedy and Councillor Harry Cartmill
for the West Lothian Council Meeting**

14th May 2019

Bathgate Academy Polar Academy

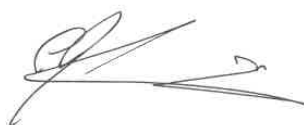
West Lothian Council extends its congratulations to the pupils of Bathgate Academy who completed a 12 month intense training course which culminated in a gruelling trek over East Greenland's Arctic Ice and Mountains.

The team skied and pulled Pulks across the vast frozen lakes, climbed mountains and camped in an icy wilderness north of Tasiilaq before having to complete a two day trek in one day as a storm threatened to cut the expedition off.

The intense training of the last 12 months resulted in the pupils developing the strength, resilience and team work which enabled them to successfully complete this extreme expedition into the Arctic.

Polar Academy Staff, led by Craig Mathieson, changed the lives of these pupils in developing them in 12 months into accomplished, confident and respected young people. The Polar Academy Charity is to be congratulated on developing a programme which is so beneficial to young students.

West Lothian Council requests the Provost to arrange a Civic Reception for the pupils, staff and members of the Polar Academy involved in the 2019 expedition in recognition of their outstanding achievement.



Councillor Charles Kennedy
Bathgate Ward
West Lothian Council Conservative Group



Councillor Harry Cartmill
Bathgate Ward
West Lothian Council Labour Group

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Lawrence Fitzpatrick for the Council Meeting 14th May 2019

BREXIT

This council fully supports the contention from the Convention of Scottish Local Authorities that the monies provided to the Scottish Government as included in the Barnett consequential for assisting councils in Scotland to help with resilience related work has not been distributed to Scottish councils.

Despite the assertion from the cabinet secretary for government business and constitutional relations that the £92m allocated has been spread across the public sector, it is the case that the local government settlement was silent on this matter.

Council therefore instructs the Chief Executive to write to the First Minister to seek guarantees that these funds be properly accounted for to allow fair and appropriate distribution to all Scottish local authorities and to West Lothian in particular as there is no budgetary capacity for the costs associated to preparing local services for Brexit.



**Councillor Lawrence Fitzpatrick
Leader
West Lothian Labour Group**



11.09
V. Johnston

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan for the Council Meeting 14th May 2019

Food Insecurity

Council notes the increasing problem of food insecurity with over 8 million people in the UK struggling to put food on the table and more than 200,000 children in Scotland living in a household that is unlikely to afford a healthy diet.

Council notes that in the last year, West Lothian Foodbank issued 2925 3-day emergency food packs to feed 5885 local people, a 41% increase on the same period last year.

Council commends the crucial work of West Lothian Foodbank and other third sector organisations that provide food to those in need throughout the county.

Council recognises that whilst local authorities have limited ability to address the causes of food poverty, there is much that can be done on a local level to tackle hunger through partnership working.

Council believes that everyone has a right to food and that no one should go hungry. Council therefore instructs the Anti-Poverty Team to:

- Convene a Food Summit, bringing together council members, council officers, the public sector, the third sector and the business community to look at the issues of food poverty in West Lothian and potential solutions
- Map the issues of food insecurity and available support resources within West Lothian
- Develop a food action plan in conjunction with community partners to work towards a hunger free West Lothian
- Align/Incorporate the food action plan with the existing Anti-Poverty Strategy and Food Growing Strategy
- Report on all of the above actions to the P&R PDSP and Council Executive

Council further instructs the Chief Executive to write to the First Minister to request that the Scottish Government brings forward legislation to enshrine in Scots law the 'right to food'.

**Councillor Kirsteen Sullivan
Whitburn & Blackburn Ward**



11.09
V. Johnson

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan for the Council Meeting 14th May 2019

National Data Science Competition

Council notes the outstanding achievement of the S2 girls' team from St Kentigern's which recently won a national data science competition.

The girls competed against over 200 applicants in 65 teams from 23 local authorities across Scotland.

Council instructs the Chief Executive to write a letter of congratulations to the Head Teacher and students in recognition of this tremendous achievement.



**Councillor Kirsteen Sullivan
Whitburn & Blackburn Ward**



11.09
V. Jomaro

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Notice of Motion for West Lothian Council Meeting

14 May 2019

Care Charges

West Lothian SNP Group are concerned about the distress and upset that has been caused by the 'financial assessment' being carried out by the Council regarding the introduction of these charges. To conduct these initial assessments over the phone goes against all advice given to elderly and vulnerable people to never discuss their finances over the phone. The fact that we have not, as promised, been able to assess everyone should have led to a delay in the introduction of these increased charges as it might be seen as discriminatory and possibly breach Equality.

The SNP Group calls on Council to prepare a report from officers on the effect these increased charges may have on the Council's anti-poverty strategy and the possibility of any breach of Equality and any consequences of placing a cap on the maximum any individual will have to pay.

Moved

A handwritten signature in blue ink, appearing to be 'F. Anderson', is written over a horizontal line.

F. ANDERSON

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum.
Nunquam Servili!*



Notice of Motion for West Lothian Council Meeting

14 May 2019

Inward Investment

West Lothian Council SNP Group welcomes the latest Scottish Government initiative in funding, via a loan, a new trade park in Livingston which will help businesses grow and create jobs. The loan is for £2.18 million.

We note that the loan, financed from the £150 million Building Scotland Fund, is being delivered through the Scottish Partnership for Regeneration in Urban Centres fund. It will be used to help speculatively develop 40,000 square feet of new industrial and trade counter accommodation at Livingston Trade Park on Houstoun Industrial Estate, leading to further business investment and jobs in West Lothian.

Council therefore resolves to write both the Investment Minister Ivan McKee and the First Minister welcoming this support for job creation within West Lothian.

A handwritten signature in blue ink, appearing to read 'F Anderson', written in a cursive style.

Moved

F ANDERSON

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Notice of Motion for West Lothian Council Meeting

14 May 2019

Decriminalised Parking Enforcement (DPE)

Council agrees to consult with key stakeholders, including neighbouring authorities, Transport Scotland and Police Scotland to initiate the process to acquire DPE powers. This will enable West Lothian Council as a local authority to administer its own parking penalties.

Currently 18 local authorities in Scotland operate DPE focussing on illegal parking causing hazard and blue badge misuse including wider traffic management issues aligned with other policies, such as town regeneration and road safety.

Council agrees to bring forward a Report to the relevant PDSP's within 3 months on the options available.

A handwritten signature in blue ink, appearing to read 'Diane Calder', is positioned above the printed name.

Councillor Diane Calder

West Lothian SNP Group



WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

Tuesday 14th May 2019

Question to Executive Councillor for Housing

What are the protocols for Registered Social Landlord (RSL) tenants with regard to new build council properties?

**Councillor Damian Timson
East Livingston and East Calder Ward
West Lothian Council Conservative Group**

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Questions to Exec Member

Services for the Community

1. Currently, how many of our houses are classed as void and what is the length of period they have been void, listed individually?
2. Currently, how many people are in B&B and of those are any families with children?
3. What is the current cost of B&B since 1st January 2019 and what is the average and longest length of time someone has been in B&B since 1st January 2018?

F Anderson