

MINUTE of SPECIAL MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 7 February 2023.

Present – Provost Cathy Muldoon (Chair), Depute Provost Peter Heggie; Councillors Alison Adamson, Stuart Borrowman, Tony Boyle, William Boyle, Diane Calder, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, Jim Dickson, Mary Dickson, Angela Doran-Timson, Damian Doran-Timson, Lawrence Fitzpatrick, Peter Heggie, Carl John, Lynda Kenna, Danny Logue, Maria MacAulay, Andrew McGuire, Moira McKee Shemilt, Anne McMillan, Craig Meek, Andrew Miller, Pauline Orr, Sally Pattle, George Paul, Tony Pearson, Pauline Stafford and Kirsteen Sullivan

Apologies – Councillors Janet Campbell and Veronica Smith

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. HOUSING REVENUE ACCOUNT BUDGET 2023/24 TO 2027/28 AND RENT LEVEL 2023/24

The Council considered a report (copies of which had been circulated) by the Depute Chief Executive seeking approval for the updated Housing Revenue Account (HRA) financial plan for 2023/24 to 2027/28, as well as the proposed HRA budget, rent and services charges for 2023.

It was recommended that Council :-

1. Approves the 3.5% per annum rent strategy and financial plan for 2023/24 to 2027/28, which will fund service needs and a five-year housing capital investment programme;
2. Approves the rent increase of 3.5% for 2023/24 and the associated HRA budgets for 2023/24, as set out in the report;
3. Approves the 3.5% rent strategy for Sheltered Housing and Homelessness properties, as well as related service and support charges, for 2023/24

Motion

“West Lothian Council welcomes this Housing Revenue Account budget which alongside the proposed Housing Capital Investment Programme, forms part of the council’s integrated approach to financial strategy, corporate planning, delivery of outcomes and performance monitoring.

This five-year HRA Revenue budget strategy provides a balanced financial plan, incorporating a 3.5% per annum rent increase, which will allow the council to continue to provide value for money services to our tenants and to be responsive to customers’ needs. It will also enable continued investment in our existing housing stock and infrastructure, as well as to expand the supply of new housing.

Council notes that formal consultation on the five-year strategy took place from 25 October to 12 December 2022. During the consultation period, specifically arranged drop in sessions were held and a special edition of Tenant News was produced. As reported to the Housing Services Policy, Development and Scrutiny Panel on 26 January 2023, 74% of those tenants responding expressed a preference for a 3.5% per annum rent increase over the five-year period 2023/24 to 2027/28.

This minority Labour Administration doesn't underestimate the challenges for our tenants in these very difficult times, and notes the reported level of cumulative rent arrears. However, with an in-year collection rate of 97% this year to date, our tenants are to be commended for the priority they are placing on the payment of rent.

However, affordability of rents is a key concern and the ongoing support being provided by the council via Housing Services, the CX Affordability pilot and the Advice Shop will be even more important in the coming year. There also remains a concern on the ongoing impact of Universal Credit, the cost of living crisis, and other cost pressures. As such the Housing Revenue Account reserve should be maintained at £926,000 to meet with unforeseen demands on resources.

Council therefore agrees to approve the proposed five year 3.5% per annum rent strategy, encompassing HRA properties and garages, which will fund service needs and contribute to the 2023/24 to 2027/28 Housing Capital investment programme, and the 2023/24 HRA budget as set out in the report.

Council also approves the 3.5% rent strategy for Sheltered Housing and Homelessness properties, as well as related service and support charges, for 2023/24".

- Moved by Councillor Paul and seconded by Councillor McGuire

Amendment

"West Lothian Council SNP Group are concerned that we have an ongoing housing and cost of living crisis here in West Lothian, caused by Treasury mismanagement by Westminster Tories of an unparalleled magnitude. We note that the Leader of West Lothian Council signed a letter from Cosla leaders to the First Minister of Scotland acknowledging the responsibility for the shortfall in funding for public services in Scotland is entirely the fault of the UK Tory Government. We welcome the almost £70 Million in Scottish Government grant funding since 2011/2012, with more promised for future years, for Council House Building. Presently we have **5,926 tenants in arrears owing this Council almost £4.5 Million**. Since 2018, this is an **increase of almost 1400 in the number of tenants in arrears** and an **increase of over £2.6M in the amount of actual arrears**.

West Lothian Council SNP Group are concerned at the increasing number of our constituents who are facing financial hardship. There has been an

increase in families having to access foodbanks, struggling to heat their homes and finding themselves sinking further into the spiral of debt and having to make the impossible decisions around feeding or heating. Many have to a budget on almost an item by item basis. Putting some figures into reality for our constituents:

The average gross annual salary for *jobs per resident in West Lothian* for 2022 is £30,595. **The estimated number of our constituents earning below the real living wage is 18%.**

The SNP Group are aware that the one of the biggest outlays facing our constituents is rent/mortgage. This Council has total control over rent levels, for our tenant. Continued increasing inflation, astronomical increases in utility bills, freeze and cuts to benefits by the UK Government and many of our constituents are being driven into poverty

Any Rent increase will categorically increase the number of our tenants in poverty. ***The SNP Group understands that many families are increasingly feeling squeezed due to cuts in working benefits, increased food costs, rising inflation and increased costs of trying to keep their homes warm whilst at home every day - we feel it is the wrong time to ask those already under pressure to contribute more. Things are still tough for many families and getting tougher. Once in debt, many families find it impossible to get out of debt.***

For many of our constituents, **Fuel or Food will be a reality that many are forced to make.** As a Council, we have a moral and political responsibility to minimise the financial burden placed on our constituents, especially this year, following the hardship many have faced due to **decisions made by a Government we have never voted for.** The SNP Group accept the motion from the Cosla Leaders Group, signed by the Leader of West Lothian Council noting the effects of the UK Government's so called "mini-budget" and the impact of inflation, again caused by poor decisions made in Westminster as the reason for the challenges we now face as a Local Authority. As elected representatives, it is incumbent on us to do as much as we can to protect people locally from the ravages of continuing Westminster austerity.

The SNP Group propose that to support our hard working but hard-pressed constituents that Council agrees to:

1. Accept that longer term financial planning is desirable. However, in light of the pressures, uncertainties and volatility in the circumstances affecting our council house tenants and the council's financial planning, and in light of the increase in rent arrears and the numbers of tenants in arrears, agrees there should be no approval today of the rent strategy and financial plan as proposed for 2023/24 to 2027/28. Decisions on rent levels should be restricted to the coming financial year, with officers to report to Housing Services PDSP with an amended proposed rent strategy and financial plan considering changing fiscal circumstances and the rent increase as proposed below.
2. Approve a Rent increase of 2.5% for 2023/24 on HRA

residential properties and approve the 2023/24 HRA Budget subject to the adjustment of the rental income.

3. Approve a rent increase of 2.5% for Sheltered Housing and Homelessness properties, as well as related services and support charges, for 2023/24.
4. Recognise that many of our garages and garage sites in the HRA account are no longer rented by Council tenants, with many no longer used for the original purpose. Approve an average rent increase of £1.51 (25%) weekly for WLC garages and garage sites.
5. Instruct officers to compile an up to date register of all void garage sites owned by West Lothian Council, in order that this Council can ensure that the Local Authority is obtaining full value for money.

The reduction in rental income of £580,000 in 2023/24 will be offset by an increase in the garage rental income of £157,000 annually and use of £ 423,000 from the HRA reserve. The reduction in rental income of £50,000 for housing stock held within the general fund will be financed from the Insurance Fund Reserve.

- Moved by Councillor De Bold and seconded by Councillor W Boyle

An electronic vote was conducted. The result was as follows :-

Motion

Alison Adamson
Stuart Borrowman
Tony Boyle
Harry Cartmill
Tom Conn
Angela Doran-Timson
Damian Doran-Timson
Lawrence Fitzpatrick
Peter Heggie
Danny Logue
Andrew McGuire
Anne McMillan
Craig Meek
Cathy Muldoon
Sally Pattle
George Paul
Tony Pearson
Kirsteen Sullivan

Amendment

William Boyle
Diane Calder
Pauline Clark.
Robert De Bold
Jim Dickson
Mary Dickson
Carl John
Lynda Kenna
Maria MacAulay
Moirae McKee Shemilt
Andrew Miller
Pauline Orr
Pauline Stafford

Decision

Following a vote, the motion was successful by 18 votes to 13 and it was agreed accordingly.

3. HOUSING CAPITAL INVESTMENT PROGRAMME 2023/24 TO 2027/28

The Council considered a report (copies of which had been circulated) by the Depute Chief Executive seeking for the proposed Housing Capital Investment Programme for 2023/24 to 2027/28 and to note the scope of works to be undertaken by Building Services under the terms of the Best Value Framework.

It was recommended that Council :-

1. Approves the proposed 2023/24 to 2027/28 Housing Capital Investment Programme and related funding as detailed in the report
2. Notes the scope of works to be undertaken by Building Services under the terms of the Best Value Framework, as outlined in section D.5 of the report.

Motion

“West Lothian Council welcomes this Housing Capital Investment Programme for 2023/24 to 2027/28, which alongside the Housing Revenue Account budget, forms part of the council’s integrated approach to financial strategy, corporate planning, delivery of outcomes and performance monitoring.

Over the last five years, under the previous minority Labour Administration, the Housing Capital Investment Programme has delivered over £188.045 million of investment in both our existing stock and new build council housing, with a further £30.485 million projected investment in the current financial year 2022/23 as reported to the Council Executive this morning.

Building upon these strong foundations this minority Labour Administration is determined to deliver further investment of £157.972 million under the proposed programme. There is a strong focus within the programme on the creation of additional social housing including continuation of the approved new build programme and continuing with a programme of open market acquisitions.

This includes the continuation of approved projects which will deliver 240 new houses over the five-year period and a further 140 new houses from budgeted resources of £27.245 million factored into the investment programme. This will deliver an overall total of 380 new houses, including both new build and open market acquisition additions, over the five-year period. These measures will increase the availability of social housing within communities for both existing residents and future generations.

Alongside investment in new and additional housing stock, there will be

significant investment of £130.727 million in existing council housing stock and the environment, to improve homes and local amenity. Energy efficiency is recognised as a continuing priority, with an emphasis on meeting the requirements of the Energy Efficiency Standards for Social Housing legislation.

Council notes that a review of the Housing Capital Investment Programme for 2023/24 to 2027/28 has been undertaken to determine works that may be carried out by external providers and works that may be carried out in-house to ensure compliance with the Best Value Framework.

This five-year Housing Capital Programme forms a key part in the longer-term approach to asset investment and planning, and considers expenditure required to improve and extend council's assets for future years.

West Lothian Council therefore welcomes the proposed investment of £157.972 million and agrees to approve the 2023/24 to 2027/28 Housing Capital Investment Programme and related funding as detailed in the officer's report".

- Moved by Councillor Paul and seconded by Councillor McGuire

Amendment

"The SNP Group on West Lothian Council are in full agreement with the letter from Cosla Leaders, signed by Councillor Lawrence Fitzpatrick and sent to the First Minister which laid the blame for the most challenging fiscal situation since devolution where it belongs – disastrous decisions made by the Westminster Conservative Government, including former PM Truss's "mini-budget of 2022 which wreaked havoc with the economy. In spite of the most serious financial challenges faced by the Scottish Government, whilst we remain shackled to a failing and increasingly out of touch United Kingdom, there is a significant 17.8% increase to the total capital allocation going to Local Government in 2023/24 compared to the Budget in 2022/23.

Whilst energy costs soared to prohibitive levels during 2022, there are many indications these are now falling again. In addition, pressure is being applied on the UK Westminster Tory Government to begin taxing the oil companies which operate in Scotland's waters at levels commensurate with those of the Government of Norway. Unbelievably the UK Tory Government has actually provided over **£100,000,000M** of tax breaks to these companies whilst Norway has earned over **£1,330,000,000 Trillion** to provide health and local authority services for Norwegian residents.

In light of the continuing uncertainties regarding the ability of the United Kingdom Government, which continues to have full fiscal control over the Scottish Budget, Council agrees:

1. To accept that longer term financial planning and strategy are desirable and should continue to be pursued. However, in light of

the pressures, uncertainties and volatility in the circumstances affecting our council house tenants and the council's financial planning, agree there should be no approval today of the housing capital investment programme for 2023/24 to 2027/28 as proposed in the report. Senior finance officers shall keep this challenging situation under constant review and report to the Council Executive on a quarterly basis.

2. Approve the one-year capital budget for 2023/24, with total investment of £26.592m in 2023/24"

- Moved by Councillor De Bold and seconded by Councillor W Boyle

An electronic vote was conducted. The result was as follows :-

Motion

Alison Adamson
Stuart Borrowman
Tony Boyle
Harry Cartmill
Tom Conn
Angela Doran-Timson
Damian Doran-Timson
Lawrence Fitzpatrick
Peter Heggie
Danny Logue
Andrew McGuire
Anne McMillan
Craig Meek
Cathy Muldoon
Sally Pattle
George Paul
Kirsteen Sullivan

Amendment

William Boyle
Diane Calder
Pauline Clark.
Robert De Bold
Jim Dickson
Mary Dickson
Carl John
Lynda Kenna
Maria MacAulay
Moirá McKee Shemilt
Andrew Miller
Pauline Orr
Pauline Stafford

Decision

Following a vote, the motion was successful by 17 votes to 14, with one member unable to vote due to a technical fault and it was agreed accordingly.