

MINUTE of MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, EH54 6FF, on 26 September 2023.

Present – Present – Provost Cathy Muldoon (Chair), Depute Provost Peter Heggie; Councillors Alison Adamson, Stuart Borrowman, Tony Boyle, William Boyle, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, Jim Dickson, Mary Dickson, Angela Doran-Timson, Damian Doran-Timson, Lawrence Fitzpatrick, 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, Veronica Smith, Pauline Stafford and Kirsteen Sullivan

Apologies – Councillor Carl John

1. DECLARATIONS OF INTEREST

Agenda Item 15 :- Members stated a connection with regards to their union membership as follows :-

Councillor Fitzpatrick (Unite), Councillor Campbell (Unison and former shop steward for the National Union of Public Employees), Councillor Sullivan (GMB), Councillor McGuire (Unison), Councillor Tony Boyle (Unite), Councillor Orr (PCS), Councillor Meek (Unison), Councillor Logue (Unite), Councillor Borrowman (GMB), Councillor Pearson (Unite), Councillor A McMillan (TSSA), Councillor Angela Doran-Timson (GMB), Councillor MacAulay (Unison), Councillor Smith (Prospect), Councillor Muldoon (TSSA); and Councillor Conn (Unison)

Councillors Campbell and Logue stated that they were NHS Lothian employees

Councillor Orr stated that she was a Scottish Government employee

Agenda Item 8 – Councillor Adamson stated that a family relative was a former member of the pipe band

Agenda Item 14 - Councillor Meek stated that a relative was an employee of Careline

Agenda Item 10 - Councillor Clark stated that a relative was a member of West Lothian School Pipe Band

2. ORDER OF BUSINESS

Council agreed, in accordance with Standing Order 8(3), that agenda items 21 and 22 were to taken as read and their recommendations noted without further consideration.

3. MINUTES

- a) The Council approved the Minute of its meeting held on 30 May 2023
- b) The Council noted correspondence arising from previous decisions
- c) The Council noted the Minute of the Audit Committee held on Friday 24 March 2023
- d) The Council noted the Minute of the Joint Consultative Group (Private) held on Thursday 09 February 2023
- e) The Council noted the Minute of the Joint Consultative Group (Teaching Staff) (Private) held on Monday 20 February 2023
- f) The Council noted the Minute of the Employee Appeals Committee (Private) held on Friday 28 April 2023
- g) The Council noted the Minute of the Employee Appeals Committee (Private) held on Friday 23 June 2023
- h) The Council noted the Minute of the Performance Committee held on Wednesday 10 May 2023
- i) The Council noted the Minute of the Performance Committee held on Monday 05 June 2023
- j) The Council noted the Minute of the West Lothian Leisure Advisory Committee held on Thursday 23 February 2023
- k) The Council noted the Minute of the West Lothian Leisure Advisory Committee held on Wednesday 07 June 2023
- l) The Council noted the Minute of the Education (Quality Assurance) Committee held on Tuesday 25 April 2023
- m) The Council noted the Minute of the Education (Quality Assurance) Committee held on Tuesday 06 June 2023
- n) The Council noted the Minute of the Governance and Risk Committee held on Monday 06 March 2023

4. ELECTION BUSINESS

Council agreed the following elected member appointments:-

- The appointment of Councillor Tony Boyle to the Integration Joint Board
- The appointment of Councillor Tom Conn as Chair of the Integration Joint Board and as Vice-Chair when the two appointments rotate

- The appointment of Councillor Tom Conn as Vice Chair to the Economy, Community Empowerment and Wealth Building Policy Development & Scrutiny Panel.
- The appointment of Councillor Cathy Muldoon as Vice Chair of the Public & Community Safety Policy Development & Scrutiny Panel

Council noted the following changes to elected member appointments :-

- ❖ The resignation of Councillor Tony Pearson from the Economy, Community Empowerment and Wealth Building Policy Development & Scrutiny Panel.
- ❖ The resignation of Councillor Tony Pearson as Vice Chair of the Public & Community Safety Policy Development & Scrutiny Panel
- ❖ That Councillor George Paul had resigned as Vice Chair of Licensing Committee and would be replaced by Councillor Tony Boyle
- ❖ The resignation of Councillor Peter Heggie from the West Lothian Leisure Board of Management. The Governance Manager requested that members make an appointment to fill the resulting vacancy, but no nominations were made

5. WEST LOTHIAN ACCOUNTS

The Provost welcomed, alongside the Head of Finance and Property Service, Rachel Browne, Audit Scotland, to the meeting.

The Council then considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising the Council of the outcome of the 2022/23 Audit and to provide a summary of the key points arising from the Auditor's Annual Report.

Ms Browne addressed council on Audit Scotland's annual audit report. The auditor had issued an unmodified audit opinion on the financial statements of the Council and its groups and had issued one action arising from the audit in relation to the recommendation to reduce the number of s106 charities administered by the council. The council has agreed to complete this task by 30 June 2024.

The key messages from the Auditor were summarised in the report over a number of sections; these being financial management; financial sustainability; vision, leadership and governance; and use of resources to improve outcomes.

It was recommended that Council: -

- a) Notes Audit Scotland's 2022/23 Annual Audit Report;
- b) Notes Audit Scotland's 2022/23 Best Value Thematic Review;

- c) Approves for signature the audited Annual Accounts for 2022/23;
 - d) Refers the Auditor's Report and the 2022/23 Annual Accounts to the Audit Committee for information and scrutiny.
- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan

Decision

1. To unanimously approve the terms of the report
2. To agree that officers would provide all councillors with details of the number of respondents to recent consultation exercise(s) and percentages with respect to the size of the West Lothian population

6. CASH PAYMENTS AT CIVIC CENTRE CAFE

The Council considered a report (copies of which had been circulated) by the Head of Operational Services providing an update on the actions taken to progress the motion approved by Council on 30 May 2023, which concerned the reinstatement of accepting cash payments at the Civic Centre café.

It was recommended that Council: -

1. Notes the outcome of the survey of café users which supported the reinstatement of cash payments
2. Notes the costs associated with the reinstatement of cash payments
3. Notes that the additional costs could be funded by a modest increase in prices

Motion

“Council notes the outcome of the recent customer survey that indicated an overwhelming preference from respondents for the reinstatement of cash payments at the Civic Centre café,

Council agrees that cash payments should be reinstated at the Civic Centre café and instructs the Chief Executive to make the necessary arrangements to train staff and additional costs to be funded by a modest increase in prices as stated in the report”.

- Moved by Councillor Conn and seconded by Councillor Sullivan

Prior to moving an amendment Councillor Borrowman requested that Councillor Conn consider to the inclusion of a timeline and a requirement for a cash payment provision in any new contract in his motion. Councillor Conn agreed to this suggestion and a composite motion was agreed in

the following terms: -

“Council notes the outcome of the recent customer survey that indicated an overwhelming preference from respondents for the reinstatement of cash payments at the Civic Centre café.

Council agrees that cash payments should be reinstated at the Civic Centre café as soon as practicable and instructs the Chief Executive to make the necessary arrangements to train staff and additional costs to be funded by a modest increase in prices as stated in the report

Additionally, any new contract for the service provision in the future was to include the requirement to accept cash payments.”

- Moved by Councillor Conn and seconded by Councillor Borrowman

Decision

To unanimously approve the terms of the composite motion.

7. NOTICE OF MOTION - CIVIC RECEPTION FOR PEOPLE'S FORD BOGHALL & BATHGATE CALEDONIA - SUBMITTED BY COUNCILLOR ALISON ADAMSON

Prior to moving her motion Councillor Adamson advised that she had agreed a composite motion with Councillors Willie Boyle and Cartmill (who had both enrolled motions on the same subject at Items 10 and 17 on the agenda) in the following terms: -

“West Lothian Council congratulates People's Ford Boghall & Bathgate Caledonia Pipe Band, Grade 1, on their well-deserved win in their magnificent result in becoming World Pipe Band champions 2023.

The band's ultimate ambition has always been to win "The Worlds" and they finally achieved this accolade when they were crowned champions of the world on 19 August 2023. This local pipe band with backing from People's Ford Chairman Brian Gilda, a strong and dedicated committee and many supporters, have been inundated with tributes from around the world.

This is a title and accolade that has eluded this long established and greatly respected band for far too long. Their talent, skill, development, presentation and tenacity are a model that is to be acknowledged replicated in many areas of society.

This magnificent outcome is testament to the incredible hard work by all band players and the support of all their families.

These band members and supporters stand out as an exemplar that can be reflected in new talent coming forward and acknowledgement should also go to West Lothian Schools Pipe Band on achieving, for the third time, second place in the “Novice Juvenile A, World Pipe Band

competition”.

Council requests the Provost to hold a Civic Reception in honour of People’s Ford Boghall & Bathgate Caledonia Pipe Band to mark this truly inspirational and outstanding achievement.

West Lothian Council also acknowledges West Lothian Schools Pipe Band on achieving, for the third time, second place in the “Novice Juvenile A, World Pipe Band Competition”.

West Lothian Council instructs the Provost to write in congratulating West Lothian Schools Pipe Band on this remarkable accomplishment.”

Decision

To unanimously agree the composite motion, with Items 10 and 17 on the agenda being dealt with accordingly

8. NOTICE OF MOTION - SCOTTISH OWL CENTRE, POLKEMMET COUNTRY PARK, WHITBURN

The Council considered a motion (copies of which had been circulated) submitted by Councillor Mary Dickson in the following terms

“West Lothian Council congratulates the Scottish Owl Centre based at Polkemmet Country Park in Whitburn, West Lothian following their recent 'Best Day Out' Award win at the Scottish Hospitality Awards 2023

The Scottish Hospitality Awards celebrate excellence in Scotland’s vibrant hospitality industry, with a focus on recognising outstanding businesses and individuals

The motto of Education, Inspiration and Conservation reflects the hope that by bringing people face to face with owls and increasing public knowledge will inspire a greater interest in the wider conservation concerns of our world today

I ask that the Chief Executive of West Lothian Council write to the Scottish Owl Centre congratulating them on their ‘Best Day Out Award 23’ recently achieved”.

- Moved by Councillor Mary Dickson and seconded by Councillor Jim Dickson

Decision

To unanimously approve the terms of the motion

9. NOTICE OF MOTION - REINFORCED AUTOCLAVED AERATED CONCRETE (RACC) - SUBMITTED BY COUNCILLORS SALLY PATTLE AND STUART BORROWMAN

Prior to moving her motion Councillor Pattle advised that she had agreed a composite motion with Councillor Fitzpatrick (who had enrolled a motion on the same subject at Item 19) in the following terms: -

“Council notes with ongoing concern the significant national publicity around RAAC particularly in schools. Council recognised that the safety of our staff, pupils and the public in West Lothian was paramount which is why we took a proactive and rapid approach being in the vanguard to address issues around RAAC roofs over the last three years and have carried out detailed structural surveys of all Council public buildings in West Lothian particularly our school estate.

In this regard Council is reminded of the Motion agreed at Council Executive on 22 June 2021 (Appendix 1) instructing the Chief Executive to alert COSLA to RAAC problems and his letter of 25 June 2021 (Appendix 2) to that effect.

Consequently, several schools were closed and staff and pupils relocated. The continuity of education has been uppermost in all the decisions made so minimising disruption to staff and pupils.

Council further notes cost associated with RAAC works are estimated at £53.420 million. It is the case that West Lothian Council revenue and capital budgets have faced historic and significant real term cuts by the Scottish Government with Council share of the Westminster block grant having reduced from 28% to 22% since 2007.

Council notes total buildings costs summate to the £53.420 million as detailed below: -

- Knightsridge Primary School - £6.7 million
- Balbardie Primary School - £1.9 million
- Windyknowe primary School - £2 million
- St Kentigern’s Academy - £35 million (estimated)
- Lanthorn Community Centre - £3.8 million
- Whitburn Community Centre - £3.2 million
- Fauldhouse Partnership Centre - £0.820 million

In addition, Council notes that further capital investment of £24 million requested for a full school replacement due to RAAC identified at Riverside Primary School is pending the outcome of a Learning Estate Investment Programme (LEIP) Phase 3 bid to Scottish Government – the outcome of which has now been delayed by the Scottish Government for nine months.

Council also notes that the Department for Education in England issued guidance on the risks of RAAC in schools and that the Institution of Structural Engineers issued guidance to its profession on the matter but that the Scottish Government issued no guidance to Education Authorities.

Also, that the additional costs associated with RAAC have further

constrained funding available to deliver essential council services and invest in the West Lothian community. Given these funding constraints and the impact on public services in West Lothian due to already insufficient funding it is time for the Scottish Government to act to help councils meet unavoidable costs associated with RAAC.

Council notes that officers have undertaken to report to Council Executive this autumn on the longer-term solution for St Kentigern's Academy when more accurate and complete costs will be established. In the meantime, and subject to any issues arising when that report is considered.

Council therefore instructs the Chief Executive to write to the First Minister highlighting the proactive action taken in West Lothian and requesting that the Scottish Government fully fund councils for costs associated with RAAC including the council's costs of £53.420 million and, in addition, provides confirmation on the council's LEIP bid as a matter of urgency. In addition, the First Minister is requested to confirm that any Barnett Consequentials for RAAC which pass to Scottish Government must be wholly applied to RAAC".

- Moved by Councillor Fitzpatrick and seconded by Councillor Pattle

Amendment

"Council notes that the risks associated with the presence of Reinforced Autoclaved Aerated Concrete (RAAC) in buildings is not a new issue in the construction sector, and that West Lothian Council officers have been exemplary in discharging their responsibilities to ensure schools are safe for pupils, staff and users.

Council recognises that the Institution of Structural Engineers first published guidance on RAAC in March 2022 with which the Scottish Government subsequently made contact with Scottish Heads of Property Services (SHOPS) and Association of Directors of Education in Scotland (ADES), commissioned a survey team to establish the extent and condition of RAAC across the NHS Estate, and issued a RAAC survey to all local authorities via SHOPS network

Council understands that concerns regarding RAAC had been raised in the 1980s such that by 1996, the Building Research Establishment (BRE), an Executive Agency of the UK Government, issued a warning about the useful life of RAAC and a proposal was made to remove the reference to RAAC from the British Standard for structural concrete as it gave "an unjustified respectability" and "the impression that it can be used for permanent structures". Consequently, RAAC is a UK-wide problem that requires a UK-wide resolution especially given the fact that virtually all RAAC structures were built to UK British Standards long before the re-establishment of the Scottish Parliament and Scottish Government.

Council therefore agrees to write to the UK Government calling for new money to be made available to: -

1. Establish a UK national fund to enable remedial works to public

- sector buildings; and,
2. Reimbursement to public bodies from the fund for remedial works already undertaken.
- Moved by Councillor De Bold and seconded by Councillor Campbell

An electronic vote was conducted with Councillor Calder casting her vote orally. The result was as follows: -

Motion

Alison Adamson
 Stuart Borrowman
 Harry Cartmill
 Tony Boyle
 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
 Janet Campbell
 Pauline Clark
 Robert De Bold
 Jim Dickson
 Mary Dickson
 Lynda Kenna
 Maria MacAulay
 Moira McKee Shemilt
 Andrew Miller
 Pauline Orr
 Veronica Smith
 Pauline Stafford

Decision

Following a vote, the composite motion was successful by 18 votes to 14, with 1 member absent and it was agreed accordingly, and with Item 19 on the agenda being dealt with accordingly.

10. NOTICE OF MOTION - SAY PANTS TO THE TAX - SUBMITTED BY COUNCILLOR KIRSTEEN SULLIVAN

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

“Council notes that in 2021, the 5% VAT rate on sanitary items (otherwise known as the tampon tax) was removed after a long running campaign by various women’s groups, charities and MPs

Since that time, there has been increased awareness and usage of reusable products such as period pants. However, period pants are classified as garments and therefore subject to VAT at a rate of 20%, making period pants a costly - and often prohibitive - option for many women and girls, with prices ranging from £8 to £46 for a pack of 3 online. The only exception is for period pants for girls under 14 years of age

which are VAT free

Council further notes the recent launch of the Say Pants to the Tax campaign (backed by leading retailers, women's rights campaigners, charities as well as MPs and peers from all parties) which calls on the Government to make period pants exempt from VAT. Council welcomes the commitment from leading retailers (including Marks & Spencer, Primark, Tesco, Sainsbury's and John Lewis) to pass on 100% of cost savings to customers, should the campaign be successful.

Council agrees that at a time of rising cost pressures alongside a desire to move towards more sustainable, reusable products, period pants should be brought into line with other single use and reusable menstrual products and be VAT-free.

Council therefore instructs the Chief Executive: -

- To write to the Chancellor of the Exchequer, Jeremy Hunt MP, to request the removal of VAT from period pants at the earliest opportunity”.
- Moved by Councillor Sullivan and seconded by Councillor Fitzpatrick

Decision

To unanimously approve the terms of the motion

11. NOTICE OF MOTION - HAPPY RETIREMENT FIONA PEARSON - SUBMITTED BY COUNCILLOR KIRSTEEN SULLIVAN

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

“Council notes the upcoming retirement of Fiona Pearson, a key figure in the voluntary sector in West Lothian for over three decades. Fiona has worked tirelessly to support individuals, families, communities and local organisations in a number of roles across various organisations such as West Lothian Council, the Scottish Refugee Council, Human Rights Scotland, and the Voluntary Sector Gateway West Lothian

Council also recognises the significant contribution she made in helping to further develop, expand and strengthen social enterprises in the county during her time as Co-ordinator at West Lothian Social Enterprise Network, from 2013 to 2019. Fiona is now ending her career at S.M.I.L.E Counselling where she has been an indispensable part of the team for the past few years.

Council extends its sincere gratitude to Fiona for her dedication and commitment to supporting the West Lothian community and wishes her a long, happy retirement.

Council therefore instructs the following: -

- For the Chief Executive to write to Fiona in these terms
- For the Provost to extend an invitation to Fiona for afternoon tea.”
- Moved by Councillor Sullivan and seconded by Councillor McGuire

Decision

To unanimously approve the terms of the motion

12. NOTICE OF MOTION - CARELINE - SUBMITTED BY COUNCILLORS SALLY PATTLE AND STUART BORROWMAN

Prior to moving her motion Councillor Pattle advised that she had agreed a composite motion with Councillor Fitzpatrick in the following terms: -

“Council is asked to note: -

1. Digital switchover for all Careline services across the United Kingdom will take place by October 2025. Virgin Media have however announced that they will transition all of their customers in West Lothian to digital phone lines by October 2023.
2. A communication campaign to raise awareness of the digital switchover has been running since the transition to digital telecare commenced in November 2021. This includes articles in the Bulletin, a newsletter, social media adverts, emails and text messages to service users and their key holders. Social media posts have been aimed at service users support network to raise their awareness and allow them to support the service user with the transition. Staff who visit service users are providing information and reassurance about what the transition will mean for them. The next update is planned for the Bulletin which will be published October 2023. Virgin Media customers are being prioritised for the new digital alarms in order to meet the October 2023 deadline.
3. Council further notes that approximately one third of careline users have already transitioned to using the new system and AGREES that officers without delay send letters to all service users further explaining the process and providing details of any assistance available.
4. There are no forms for service users to fill in or paperwork to complete. Their service will continue as it does now in that when they require assistance they can press their pendant and their alarm will send an alert to West Lothian Careline. The change will be in how their alarm sends that alert, instead of sending the alert via their analogue land line, it will send it via the SIM card

embedded within their new digital alarm.

5. Installation of the digital phone lines is being progressed by the telecom providers. Once the home safety service have been alerted to the installation of the digital line they will provide full assistance to support installation of the new digital alarm.
6. The advice home safety service have issued to customers relates to the equipment (in the main this relates to the hub in their home) that will require update to facilitate the digital switch over. This information has not been shared with telecoms companies and does not directly impact on activity they are progressing to transfer phone lines from analogue to digital.
7. There is no requirement for the digital alarm to be connected to a mobile phone or broadband. The digital alarm is provided with an embedded SIM card which is used to communicate with West Lothian Careline.

- Moved by Councillor Pattle and seconded by Councillor Fitzpatrick

Decision

To unanimously approve the terms of the composite motion.

13. NOTICE OF MOTION - FACILITY TIME - SUBMITTED BY COUNCILLOR DAMIAN DORAN-TIMSON

The Provost ruled in terms of Standing Order 11 that the motion would not be considered as it was seeking a decision and actions by Council that were not lawful in relation to its legal duties as employer concerning facility time.

14. NOTICE OF MOTION - ENSURING SCOTLAND BEST COUNTRY TO GROW UP - SUBMITTED BY COUNCILLOR JANET CAMPBELL

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

“Play is now understood to be vital for children’s development: it underpins learning and all aspects of children’s growth and progress. Through play, children develop language skills, their emotions and creativity, social and intellectual skills.

Outdoor play is of particular importance as it boosts physical activity and promotes happiness. It underpins learning and all aspects of a child’s development. It is recognised that play helps to boost creativity, imagination and understanding. All children and young people have the right to play and the right to learn as enshrined in the UN Convention on the Rights of Children.

These benefits are enhanced further when playing outdoors in diverse greenspaces, particularly when the play is led by the child or young person. Playing outdoors enhances learning and is fundamental for children and young people to thrive in health, wellbeing and development. Outside play has major benefits for young children as it helps them better remember and understand larger environments when they spend time playing outside. Children who are exposed to outdoor play have a greater chance of knowing their home-school routine, feel confident about traveling independently, and develop better wayfinding skills.

The Scottish Government have recognised the fundamental importance of outdoor play for our children which is why our Government have made a firm commitment to ensure all children in Scotland will have access to high quality play areas, which will remain free of charge, as a result of new investment.

The Scottish Government have committed £60 million in funding to local authorities over the course of this Parliament the refurbishment of children's play parks. This has meant that play areas in every ward in West Lothian Council have had improvements made, thanks to generous additional funding, with more improvements planned up until 2026. The total additional funding awarded to West Lothian Council is over £2.2M to spend on upgrading these important spaces for children and young people.

West Lothian Council welcomes this additional financial support from the Scottish Government which is committed to supporting our families, to improving and strengthening our facilities for Early Years education and for ensuring that Scotland is the best country to grow up.”.

- Moved by Councillor Campbell and seconded by Councillor De Bold

Amendment

“Council agrees of the immense benefits of play and outdoor activity for children.

Council welcomes any capital investment to West Lothian for the betterment of the residents of West Lothian and therefore welcomes investment in play equipment.

Council regrettably notes that Scotland is not, as the motion suggests, the greatest country in the world to grow up in and would highlight a number of policy failures created exclusively by the separatist Government which prevent Scotland from achieving its potential.

Council notes recent policy failures by the separatist Government which it believes are holding back children and young people include but are not limited to:

- Increases in child poverty
- Decrease in literacy rates

- Failure to commit to free school meals for all
- Failure to announce new school building projects including here in West Lothian
- Failure to outlaw unfair and exploitative work practises including within the SNP
- Failure to adequately fund local authorities and to scrap the council tax

Council therefore calls on the Chief Executive to write to the Scottish Government and highlight the council's firm held view that capital funding should not be ring fenced by the Scottish Government but that council's should be allowed to fund projects in a manner with which they see fit."

- Moved by Councillor McGuire and seconded by Councillor Fitzpatrick

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

<u>Motion</u>	<u>Amendment</u>	<u>Abstain</u>
William Boyle	Alison Adamson	
Diane Calder	Harry Cartmill	Stuart Borrowman
Janet Campbell	Tony Boyle	
Pauline Clark	Tom Conn	
Robert De Bold	Angela Doran-Timson	
Jim Dickson	Damian Doran-Timson	
Mary Dickson	Lawrence Fitzpatrick	
Lynda Kenna	Peter Heggie	
Maria MacAulay	Danny Logue	
Moira McKee Shemilt	Andrew McGuire	
Andrew Miller	Anne McMillan	
Pauline Orr	Craig Meek	
Veronica Smith	Cathy Muldoon	
Pauline Stafford	Sally Pattle	
	George Paul	
	Tony Pearson	
	Kirsteen Sullivan	

Decision

Following a vote, the amendment was successful by 17 votes to 14, with 1 abstention and 1 member absent, and it was agreed accordingly.

15. NOTICE OF MOTION - THE SCHEME - SUBMITTED BY COUNCILLOR MARIA MACAULAY

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

"Council is asked to send a letter of support, congratulating The Scheme, a charitable organisation started by two lads from Ladywell in Livingston on the work they do in West Lothian.

Aidan Martin and Mark Deans set up a charitable organisation based in West Lothian college, they play an active role in reducing drug related deaths. They have a plethora of experience with partners, and local organisations. With a trauma informed knowledge, they maintain throughout, a safe environment as well as a creative and inclusive community

Aidan and Mark have excelled in setting up support through filming, painting, song writing and writing and their workshops are open and welcoming safe space for those that need it. They also run a safe space session's at HMP Addiewell in West Lothian.

The Scheme have come a long way in a short time and recently launched an App which is a free to use. The health and wellbeing app to help improve mental health

I ask that Council acknowledges and recognises the good work that The Scheme have done and will continue to do in our communities and further afield.

- Moved by Councillor MacAulay and seconded by Councillor Orr

Decision

To unanimously approve the terms of the motion

16. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 128 documents for execution.

17. CORPORATE GOVERNANCE - ANNUAL REPORT 2022/23

The Council considered a report (copies of which had been circulated) by the Governance Manager which provide assurance to members on the council's compliance with the principles and standards of good corporate governance.

Council was asked: -

1. To note the summary of the corporate governance reporting to Governance & Risk Committee on 12 June 2023 when it approved the council's annual governance statement for 2022/23.
2. To note the assurance given to and accepted by the committee on behalf of the council that the council's corporate governance standards were substantially met in 2022/23.

Decision

To note the content of the report

18. TREASURY MANAGEMENT - ANNUAL REPORT FOR 2022/23

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the activities and results of treasury management operations for the year to 31 March 2023.

It was recommended that Council: -

1. Notes the report on the treasury management operations for 2022/23.
2. Notes the exercise of the Head of Finance and Property Services' delegated treasury management powers

Decision

To note the content of the report

19. PLANNING OBLIGATIONS - QUESTION TO EXECUTIVE COUNCILLOR FOR ECONOMY, COMMUNITY EMPOWERMENT AND WEALTH BUILDING SUBMITTED BY COUNCILLOR STUART BORROWMAN

A written question had been asked concerning planning obligations (copies of which had been circulated). A verbal answer was provided by Councillor Sullivan at the meeting

Councillor Borrowman indicated he wished to put a supplementary question as provided for in Standing Orders. He did so and Councillor Sullivan indicated she would provide a written answer to the supplementary question in due course

Decision

1. To note the written question and the verbal answer provided; and
2. To note the supplementary question put and that a written answer would be provided in due course.

20. BLUE BADGE HOLDERS - QUESTION TO COUNCIL LEADER SUBMITTED BY COUNCILLOR DAMIAN DORAN-TIMSON

A written question had been asked seeking information with regards to blue badge holders and a written answer provided, both of which had been circulated in advance of the meeting.

Councillor Damian Doran-Timson indicated he wished to put supplementary questions as provided for in Standing Orders. He did so and the Council Leader provided a verbal response to the first supplementary question and indicated he would provide a written answer to the second supplementary question in due course

Decision

1. To note the written question and the written answer provided
2. To note the supplementary questions put and the verbal answer provided to the first supplementary and that a written answer would be provided to the second supplementary question in due course.

21. ACCESS TO SWIMMING FACILITIES AT SCHOOLS - QUESTION TO EXECUTIVE COUNCILLOR FOR EDUCATION SUBMITTED BY COUNCILLOR MARIA MACAULAY

A written question had been asked regarding safety measures in place for accessing school swimming facilities and a written answer provided, both of which had been circulated in advance of the meeting.

Councillor MacAulay indicated she wished to put a supplementary question as provided for in Standing Orders. She did so and Councillor McGuire indicated he would provide a written answer to the supplementary question in due course and facilitate a meeting with Councillor MacAulay so that more information could be provided

Decision

1. To note the written question and the written answer provided.
2. To note the supplementary question put and that a written answer would be provided in due course and that a meeting would be facilitated with Councillor MacAulay so more information could be provided.