



## ***West Lothian Council***

West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

25 May 2023

A hybrid meeting of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston on Tuesday 30 May 2023 at 10:00am.**

For Chief Executive

### **BUSINESS**

#### **Public Session**

1. Apologies for Absence
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Presentation from the Scottish Women's Budget Group by Heather Williams (herewith)
5. Deputation request by the Joint Trade Unions (UNISON, GMB and UNITE) on IJB proposals for care homes and care-at-home
6. Minutes :-
  - (a) Confirm Draft Minutes of Meeting of West Lothian Council held on Tuesday 14 March 2023 (herewith)
  - (b) Correspondence arising from previous decisions (herewith)
  - (c) Note Minutes of Meeting of Education (Quality Assurance) Committee held on Tuesday 07 March 2023 (herewith)

- (d) Note Minutes of Meeting of Performance Committee held on Monday 06 February 2023 (herewith)
- (e) Note Minutes of Meeting of Performance Committee held on Monday 27 March 2023 (herewith)
- (f) Note Minutes of Meeting of Employee Appeals Committee (Private) held on Friday 24 February 2023 (herewith)
- (g) Note Minutes of Meeting of Employee Appeals Committee (Private) held on Friday 31 March 2023 (herewith)
- (h) Note Minutes of Meeting of Audit Committee held on Friday 20 January 2023 (herewith)

**Public Items for Decision**

- 7. Election Business
- 8. Corporate Plan 2023/24 to 2017/28 - report by Depute Chief Executive (herewith)
- 9. Notice of Motion - Linlithgow Rose Football Club - submitted by Councillor Pauline Orr (herewith)
- 10. Notice of Motion - Accepting Cash at Civic Centre Cafe - submitted by Councillors Stuart Borrowman and Sally Pattle (herewith)
- 11. Notice of Motion - Happy 10th Birthday OPAL - submitted by Councillor Kirsteen Sullivan (herewith)
- 12. Notice of Motion - Minister for Older People - submitted by Councillor Anne McMillan (herewith)
- 13. Notice of Motion - Disposable Vapes - submitted by Councillor Janet Campbell (herewith)
- 14. Notice of Motion - CAMHS (Children & Adolescent Mental Health Services) - submitted by Councillor Peter Heggie (herewith)
- 15. Notice of Motion - Care and Care Homes - submitted by Councillor Stuart Borrowman and Councillor Sally Pattle (herewith)
- 16. Notice of Motion - Ban the use of single disposable vapes in Scotland - submitted by Councillor Stuart Borrowman and Sally Pattle (herewith)
- 17. Notice of Motion - Railway Station for Winchburgh - submitted by Councillor Angela Doran-Timson (herewith)
- 18. Notice of Motion - Respite Care - submitted by Councillor Janet Campbell (herewith)

19. Notice of Motion - Licensing of Nail Bars - submitted by Councillor Pauline Stafford (herewith)
20. Notice of Motion - CRC Usage - submitted by Councillor Pauline Orr (herewith)
21. Notice of Motion - Beecraigs Country Park - submitted by Councillor Veronica Smith (herewith)
22. Notice of Motion - Scrapping Age Related Soft Touch Sentencing - submitted by Councillor Alison Adamson (herewith)
23. Notice of Motion - Different House Types - submitted by Councillor Fitzpatrick (herewith)
24. Notice of Motion - Investing in Volunteers Awards - submitted by Councillor Lawrence Fitzpatrick (herewith)
25. Notice of Motion - Declaration of a Nature Emergency - submitted by Councillor Lawrence Fitzpatrick (herewith)
26. Notice of Motion - West Lothian Integration Joint Board - submitted by Councillor Lawrence Fitzpatrick (herewith)

**Public Items for Information**

27. Documents for Execution
28. Investment in IT - Question to Council Leader submitted by Councillor Stuart Borrowman (herewith)
29. Community Centres Update - Question to Council Leader submitted by Councillor Maria MacAulay (herewith)
30. Active Travel Plan - Question to Executive Councillor for Environment & Sustainability submitted by Councillor Pauline Stafford (herewith)

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NOTE      **For further information please contact Val Johnston, Tel No.01506 281604 or email [val.johnston@westlothian.gov.uk](mailto:val.johnston@westlothian.gov.uk)**





## **CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)**

**This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.**

**Interests must be declared at the meeting, in public.**

**Look at every item of business and consider if there is a connection.**

**If you see a connection, decide if it amounts to an interest by applying the objective test.**

**The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.**

**If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.**

**If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.**

**When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.**

**Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.**

**More detailed information is on the next page.**

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- James Millar, Interim Monitoring Officer and Governance Manager, 01506 281613, [james.millar@westlothian.gov.uk](mailto:james.millar@westlothian.gov.uk)
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, [carol.johnston@westlothian.gov.uk](mailto:carol.johnston@westlothian.gov.uk)
- Committee Services Team, 01506 281604, 01506 281621  
[committee.services@westlothian.gov.uk](mailto:committee.services@westlothian.gov.uk)

January 2022



# Building Support for Gender Budgeting

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Scottish Women's Budget Group

British  
women  
get  
up

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- ‘many disparities and inequalities between the sexes have become embedded, to a greater or lesser extent, in the baseline of public policies and the allocation of public resources.’ (Downes et al., 2017)
  - O’Hagan (2013), argues that a central proposition of gender budgeting is that budgets are products of established gender norms within government processes and practices, as such they result in gender blind policy and resource decisions which contribute to the persistent social and economic disadvantage that women face.





# What is Gender Budgeting?

- Challenges assumptions that budgets are gender neutral
- Examines the allocation of public resources for the impact on women and men
- Uses impact assessment, policy analysis, and data to reveal the different outcomes for women and men from policy and finance decisions
- Challenges established economic models to eliminate discriminatory outcomes

# Some Principles of Gender Impact Assessment

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- Look at impact on individuals as well as households.
- Take a life time perspective wherever possible.
- Take account of effects on unpaid care economy.
- Look at differences within particular groups of women and men, wherever relevant.
- Quantify differences in effects wherever possible.



# Essentials for Gender Budgeting

Gender analysis requires intersectional data

Public authorities and civil society need to be involved

Needs to be commitment across organisations

Needs to be part of package of work to change norms, stereotypes and expectations

# Contact



[training@swbg.org.uk](mailto:training@swbg.org.uk)



[www.swbg.org.uk](http://www.swbg.org.uk)

MINUTE of MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 14 March 2023.

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, 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, Veronica Smith, Pauline Stafford and Kirsteen Sullivan

Apologies – Councillor Pauline Orr

1. DECLARATIONS OF INTEREST

- Councillor Campbell stated that she was an NHS Lothian employee
- Councillor Logue stated that he was an NHS Lothian employee

2. MINUTES :-

- a) The Council approved the Minute of its special meeting held on 24 January 2023
- b) The Council approved the Minute of its meeting held on 24 January 2023
- c) The Council approved the Minute of its special meeting held on 7 February 2023
- d) The Council approved the Minute of its special meeting held on 21 February 2023
- e) The Council noted correspondence arising from previous decisions
- f) The Council noted the Minute of Governance and Risk Committee held on 12 December 2022
- g) The Council noted the Minute of Education (Quality Assurance) Committee held on 17 January 2023
- h) The Council noted the Minute of West Lothian Leisure Advisory Committee held on 8 December 2022
- i) The Council noted the Minute of Performance Committee held on 14 November 2022
- j) The Council noted the Minute of Employee Appeals Committee held on 16 December 2022.

Councillor Conn stated that the declaration he made at the meeting of

Employee Appeals incorrectly recorded that he was a fully paid up member of Unite.

- k) The Council noted the Minute of Employee Appeals Committee held on 27 January 2023

### 3. ELECTION BUSINESS

Council noted that Councillor Tony Boyle would replace Councillor Cathy Muldoon on Housing Services Policy Development & Scrutiny Panel.

Council noted the appointment of Peter Doolan, using the delegated authority of the Depute Chief Executive, as the Catholic Church representative on the council's Education Executive and other committee/bodies that dealt with education matters

### 4. CAPITAL STRATEGY 2023/24 TO 2032/33

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval of the updated capital strategy for 2023/24 to 2032/33, including the requirements of the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) and associated performance indicators.

It was recommended that the Council :-

1. Notes the requirements from the CIPFA Prudential Code in relation to the council's capital strategy;
2. Approves the updated capital strategy for 2023/24 to 2032/22, as set out in Appendix 1 of the report.

#### Decision

To approve the recommendations of the report

### 5. APPOINTMENT OF A LAY PERSON TO THE AUDIT COMMITTEE

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval to extend the appointment of the lay member of the Audit Committee for a further three years.

It was recommended that the Council extends the appointment of the lay member of the Audit Committee for a further three years

#### Decision

To agree the extension of the appointment of a lay member to the Audit Committee for a further three years.

6. NOTICE OF MOTION - CELEBRATING VOLUNTEERS IN OUR COMMUNITIES - SUBMITTED BY COUNCILLOR DIANE CALDER

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

“Council recognises the considerable achievements of a local man John West as Co-Founder of Winchburgh Growers and Winchburgh Wombles over the last few years.

From its inception Winchburgh Growers have been awarded a Silver Award by Beautiful Scotland in their first and second year of entering the competition.

Winchburgh Community Garden is growing at an increasing pace attracting more volunteers by the week. John has also been hugely successful in bringing in the energy of a large number of volunteers including our new residents to Winchburgh to a fantastic Community project.

Council extends its heartfelt thanks to John West as a Volunteer in championing the role of volunteers in our Communities and instructs the Chief Executive to write to John conveying this Council’s congratulations on his achievements to date and wishing him and the volunteers continued success for the future”.

- Moved by Councillor Calder and seconded by Councillor Campbell

Decision

To unanimously approve the terms of the motion

7. NOTICE OF MOTION - WASPI WEST LOTHIAN GROUP - 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 with disappointment the UK Government’s failure to end the injustice experienced by women affected by the changes to state pension laws; who have unfairly borne the burden of the increase to the State Pension Age without adequate notice; and supports the campaign of the Women Against State Pension Injustice (WASPI) group to achieve fair and fast compensation arrangements for all women, including approximately 6,300 women in West Lothian, who were born in the 1950s and were affected by these changes to state pension age.

Council further notes that 3.8 million women throughout the UK had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no personal notification of the changes. As a consequence, many women born in the 1950’s are living in hardship.

Retirement plans were shattered with devastating consequences. Women born in this decade are suffering financially and many have serious health problems which mean they cannot work.

Council understands that it is not the pension age itself that is in dispute; the issue is that the rise in women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving them with no time to make alternative arrangements.

Council acknowledges the work of the All-Party Parliamentary Group (APPG), chaired by Andrew Gwynne MP and co-chaired by Peter Aldous MP, which agrees with the Parliamentary and Health Service Ombudsman's (PHSO) finding of maladministration, and that the APPG has submitted evidence to the PHSO calling for "the highest compensation level available in making its recommendations".

Council instructs the Chief Executive to write to Secretary of state for Work and Pensions Mel Stride MP to urge the UK Government:

- to accept the reported findings of the Parliamentary and Health Service Ombudsman that 1950s-born women have been severely affected by the Department for Work and Pensions maladministration
  - to take swift action to provide an appropriate level of compensation to the women
  - to compensate beneficiaries of the estates of those who are deceased".
- Moved by Councillor Sullivan and seconded by Councillor Fitzpatrick

### Amendment

"People who have worked hard all their lives deserve security in their retirement, but equalizing the State Pension age was necessary to ensure the State Pension remained sustainable, and to reflect our modern economy and society. The Pensions Act 1995 legislated for this to be done gradually after 2010. Following sharp increases in life expectancy projections, the UK Government had to accelerate this process slightly in the Pensions Act 2011 to secure the sustainability of the system.

The UK Government did listen to concerns raised at the time of the 2011 adjustment, and that as a result the maximum increase was capped at 18 months relative to the 1995 timetable. That represented a £1.1 billion concession, helping those women affected with the transition to a higher State Pension age

On the issue of notice being given to those affected, contrary to the motion submitted to Full Council, the Department for Work and Pensions has said that all those women affected were written to between January 2012 and November 2013. Those affected by the 1995 changes were



also contacted between April 2009 and March 2011.

Higher life expectancy does mean that as a society we will have to adjust to slightly longer working lives, but the Scottish Conservatives believe that it is right to ensure, at the same time, that people have security and dignity when they do retire. That's why we support the Conservative UK Government in providing unprecedented support for people in later life, including maintaining universal benefits such as the Winter Fuel Payment.

There is to be a judicial review in June of this year and therefore any actions prior to this are superficial. However, to receive an update on the current situation would be helpful.

Therefore, Council instructs the Chief Executive to write to Secretary of State for Work and Pensions, Mel Stride MP to ask for clarification on the matter of compensation".

- Moved by Councillor Damian Doran-Timson and seconded by Councillor Adamson

An electronic vote was conducted, with Councillor Pearson casting his vote orally. The result was as follows: -

#### Motion

Stuart Borrowman  
 Tony Boyle  
 William Boyle  
 Diane Calder  
 Janet Campbell  
 Harry Cartmill  
 Pauline Clark  
 Tom Conn  
 Robert De Bold  
 Jim Dickson  
 Mary Dickson  
 Lawrence Fitzpatrick  
 Carl John  
 Danny Logue  
 Lynda Kenna  
 Maria MacAulay  
 Andrew McGuire  
 Moira McKee Shemilt  
 Anne McMillan  
 Craig Meek  
 Andrew Miller  
 Cathy Muldoon  
 Sally Pattle  
 George Paul  
 Tony Pearson  
 Veronica Smith  
 Pauline Stafford  
 Kirsteen Sullivan

#### Amendment

Alison Adamson  
 Angela Doran-Timson  
 Damian Doran-Timson  
 Peter Heggie

Decision

Following a vote, the amendment was successful by 28 votes to 4, with 1 member absent and it was agreed accordingly.

8. NOTICE OF MOTION - SCOTTISH GOVERNMENT INTERFERENCE -  
SUBMITTED BY COUNCILLOR ANDREW MCGUIRE

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

“Council notes that it and the other 31 Local Authorities in Scotland are themselves a tier of Government in Scotland distinct from the UK Parliament and the Scottish Parliament and as such have their own set of elections and are accountable locally to voters on policy decisions taken locally.

It is therefore with deep regret that Council notes the increasing interference from the Scottish Government on policy matters that are related to local government and that often funding related to these matters is being constrained or withheld if Scottish Government policy is not enacted.

Council notes with alarm that 77% of West Lothian Council’s budget for 2023/24 is effectively ring-fenced for the delivery of Scottish Government’s national commitments, leaving little room for local priorities.

Council calls upon the Scottish Government to reset the relationship it has with Scottish Local Authorities and instructs the Chief Executive to write to the First Minister, the Cabinet Secretary with responsibility for Local Authorities, the Chief Executive of COSLA and the President of COSLA to outline our views on this”.

- Moved by Councillor McGuire and seconded by Councillor Fitzpatrick

Amendment

“Council concurs that the 32 Local Authorities in Scotland are a tier of Government in Scotland distinct from the UK Parliament and the Scottish Parliament and, as such, have their own set of elections and are accountable locally to voters on policy decisions taken locally.

Council notes that these considerations also apply to the Scottish Parliament where they must be accountable for their policy decisions and spending commitments. Given that nearly 80% of West Lothian’s budget funding is in the form of a grant from the Scottish Government, it is to be expected that any such grant funding from the Scottish Government will be directed to specific functions as directed by the Scottish Government.

Furthermore, the amounts of grant funding from the Scottish Government are commonly determined by specific need of the local authority – for the

Scottish Government to allocated funding because of a specific need of a local authority, only to then permit the local authority to spend that funding on something else would be financial malpractice and undermine the local government funding model.

Council therefore expresses deep concerns at the attempts by the Labour Group to redirect specific funding from the Scottish Government, which is invariably based on a specific need in West Lothian, to other entirely undefined functions.”

- Moved by Councillor De Bold and seconded by Councillor MacAulay

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  
Janet Campbell  
Pauline Clark.  
Robert De Bold  
Jim Dickson  
Mary Dickson  
Carl John  
Lynda Kenna  
Maria MacAulay  
Moirra McKee Shemilt  
Andrew Miller  
Veronica Smith  
Pauline Stafford

#### Decision

Following a vote, the amendment was successful by 18 votes to 14, with 1 member absent and it was agreed accordingly.

### 9. NOTICE OF MOTION - MANDATORY BICYCLE BELL - SUBMITTED BY COUNCILLOR SALLY PATTLE

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

“Council recognises and welcomes the current focus on Active Travel in all its forms, especially the increased funding that is available to progress it. However, Council also recognises that the huge increase in cyclists travelling on roads, cycle paths and shared routes has also led to an increase in incidents between bikes and other route users.

In January 2023 a tragic fatal accident involving an 89-year-old man and a group of cyclists occurred on the Blackness Road in Linlithgow. Although it has not yet been established how the incident happened, where personal injury and lives are at stake it is sensible to put in place all reasonable precautions and preventative measures to avoid or reduce the risk of harm.

Bicycle bells are mandatory in several countries, including Holland and Canada. They are also mandatory in Northern Ireland – the only part of the United Kingdom where this is the case.

West Lothian will soon become a national hub for cycling when the West Lothian Cycle Circuit opens later in 2023. This presents us with a unique opportunity to lead the way in Scotland, and bring England and Wales into line along with us, with a common-sense policy that will help to protect all of us, including cyclists.

West Lothian Council therefore agrees to write without delay to the Minister for Active Travel, the Minister for Transport, and The Cabinet Secretary for Net Zero, Energy and Transport, and request that they work together to develop and implement a new regulation requiring all bikes to be fitted with a bell.

Furthermore, West Lothian Council will write to the UK Minister for Transport, and request that the Highway Code is updated so that the Rules for Cyclists, Item 63, is changed from:

63.Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **recommended** that a bell is fitted to your bike), or by calling out politely.

To:

63.Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **mandatory** that a bell is fitted to your bike), or by calling out politely.

- Moved by Councillor Pattie and seconded by Councillor Conn

### Decision

To unanimously approve the terms of the motion

10. NOTICE OF MOTION - ACTION ON DISABLED PARKING IN WEST  
LOTHIAN - SUBMITTED BY COUNCILLOR ALISON ADAMSON

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

“Blue badge holders within our communities deserve our respect and understanding where disabled parking bays have been installed. Sadly, there appears to be an increasing number of non-blue badge holders abusing these spaces which forces people with disabilities to face unacceptable difficulties getting access to places and services.

Elburn Community Council successfully secured grant funding and WLC installed new disabled parking bays to allow blue badge holders to have priority accessible parking. Within hours of these bays being allocated, selfish non-blue badge holders were forcing people with disabilities away from the area. This scenario is repeated throughout the County. This situation is unacceptable and as a caring community we need to take action to raise awareness of the difficulties people face when trying to go about their daily business.

WLC officers are instructed to highlight the issue working with stakeholders such as Police Scotland, Carers, Disability groups, care homes and schools to name a few, and create a joint platform from which to launch a campaign of public awareness. A report should be produced for the appropriate PDSP and all media resources used to highlight and reinforce the message that abusing disabled parking bays is not acceptable, under any circumstances.

Local Authorities have a duty to promote the proper use of disabled parking places. However, it is for our local communities to show that we respect the rights of people who deserve our support in protecting their parking entitlements without further barriers.

- Moved by Councillor Adamson and seconded by Depute Provost Heggie

Councillor Conn then advised Council that a composite motion had been agreed with Councillor Adamson.

#### Composite Motion

“Blue badge holders within our communities deserve our respect and understanding where disabled parking bays have been installed. Sadly, there appears to be an increasing number of non-blue badge holders abusing these spaces which forces people with disabilities to face unacceptable difficulties getting access to places and services

Elburn Community Council successfully secured grant funding and WLC installed new disabled parking bays to allow blue badge holders to have priority accessible parking. Within hours of these bays being allocated, selfish non-blue badge holders were forcing people with disabilities away from the area. This scenario is repeated throughout the County. This situation is unacceptable and as a caring community we need to act to raise awareness of the difficulties people face when trying to go about

their daily business.

The Disabled Persons' Parking Places (Scotland) Act 2009 introduced a duty on local roads authorities to provide designated on-street parking places for qualifying disabled people at their homes on request.

Once parking spaces have been agreed with qualifying applicants that meet the policy criteria and have been provided a parking bay in an advisory capacity, the council must make a permanent Traffic Regulation Order (TRO) to make the agreed parking bay solely for the use of registered blue badge holders. During this process objections are invited in line with procedures set out in the Road Traffic Regulation Act 1984.

Once the legal TRO is made by Legal Services, Police Scotland are the enforcing body responsible for the enforcement of disabled parking bays on the public road network. The Roads Authority has no powers to enforce disabled parking bays.

The last statutory report for period 2021-2022 was approved by Council Executive and then submitted to the Scottish Ministers in June 2022. The next statutory annual report will be submitted in June 2023 containing the 2022-2023 information.

All information in relation to Disabled Persons' Parking Places is detailed on the council's website and is updated annually or when required.

Engagement is carried out with partners through the legal TRO process. This includes statutory consultees, ward members and Disability West Lothian. After the legal TRO process is concluded, the update-to-date disabled parking related information will be made available through the council's website. The council also runs a messaging campaign consisting of pictorials on designated council vehicles.

The service carries out a full audit and customer survey of all on-street disabled persons' parking places every two years. This ensures that all legal disabled parking bays remain fit for use by approved applicants. Any alterations or parking bay removals are also carried out as required.

Council officers are instructed to continue to highlight the issue and work together with stakeholders to launch a campaign of public awareness.

However, council notes it is for our local communities to show that we respect the rights of people who deserve our support in protecting their parking entitlements without further barriers.

- Moved by Councillor Adamson and seconded by Councillor Conn

#### Amendment

"We in the SNP Group wholeheartedly agree that it is shameful that people habitually use Disabled Parking Spaces in our local authority area and beyond. However, a media campaign will not resolve this situation as perpetrators abusing the Scheme are fully aware that they are denying

people with legitimate access in terms of mobility issues access to areas which would be difficult for them to use without their blue badges.

The only resolve is enforcement and we would be delighted to have a formal and legal route to resolving this situation by employing Decriminalised Parking Enforcement in West Lothian at the earliest opportunity.”

- Moved by Councillor W Boyle and seconded by Councillor Calder

The Provost adjourned the meeting for discussions to take place about agreeing a unanimous position. The meeting was informed that the composite motion could be agreed subject to the addition of the following at its end:-

“We await with interest the report going to the Environment & Sustainability PDSP on 28 March 2023 and how with a formal and legal route the implementation of decriminalised parking maybe a solution to current parking issues in our communities”

### Decision

To unanimously agree the terms of the amended composite motion

## 11. NOTICE OF MOTION - GENDER RECOGNITION BILL - SUBMITTED BY COUNCILLOR ANGELA DORAN-TIMSON

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

“It is quite right and proper that Alister Jack Secretary of State for Scotland has made an order under section 35 of the Scotland Act preventing the Scottish Parliament Gender Recognition Reform bill.

Transgender people who are going through the process to change their legal sex deserve our respect, support and understanding. This decision is about the legislation’s consequences for the operation of GB-wide equalities protections and other reserved matters.

It’s taken decades indeed over 100 years for women to have equal rights. The GRR Bill would have a detrimental effect to women’s rights and especially with regards to safe spaces for women and young girls.

It is our duty of care as human being to protect women’s rights and ensure their well-being is not at risk.

Therefore, the Chief Executive is instructed to write to Alister Jack Secretary State for Scotland expressing the gratitude of West Lothian Council in protecting women’s and young girls rights and request that he continues to do so, working with the Scottish Government for a more appropriate Bill”.

- Moved by Councillor Angele Doran-Timson and seconded by

Councillor Damian Doran-Timson

### First Amendment

“Council notes that Alistair Jack Secretary of State for Scotland has made an order under section 35 of the Scotland Act preventing the Scottish Parliament Gender Recognition Reform Bill from gaining Royal Assent due to concerns regarding the impact of the Bill on reserved GB wide legislation, in particular, the Equality Act 2010.

Transgender people deserve our respect, support and understanding to live the lives they wish to lead. Similarly, the hard won rights for women set out in the Equality Act must be upheld particularly with regards to single sex spaces in order to protect the right to dignity, safety and privacy.

Therefore the Chief Executive is instructed to write to Alistair Jack Secretary of State for Scotland and to Shona Robison MSP, Cabinet Secretary for Social Justice, Housing and Local Government, calling on them to work together in conjunction with input from the Equality and Human Rights Commission to amend the Bill in a way that upholds the sex-based rights and protections for women and girls in the Equality Act but also improves the process by which transgender people can obtain a Gender Recognition Certificate.”

- Moved by Councillor Sullivan and seconded by Councillor Pattle

### Second Amendment

“Six years of debate, consultation and in-depth critical examination resulted in The Gender Recognition Reform Bill being passed in the Scottish Parliament, bringing Scottish legislation more in line with international standards by simplifying the **process** required for a trans person to change their sex on their birth certificate

This legislation was passed by a decisive majority in the Scottish Parliament by MSPs from all political parties.

That the Secretary for State, Alistair Jack thinks this important piece of legislation should be subject to a Section 35 Order is preposterous and is not only an insult to the Scottish Parliament, but also an assault on democracy in Scotland.

West Lothian Council instructs the Chief Executive to write to Alistair Jack to request that rather than tell the Scottish Parliament to “address it, fix it, drop it or take them to court”, Mr Jack should engage with the Scottish Parliament to work towards ensuring agreement is reached and should further take time to reflect on the lost opportunity he had during the consultation period and in the weeks and months prior to the Bill being passed to raise any concerns he had about how it may impact upon the Equalities Bill.”



- Moved by Councillor Clark and seconded by Councillor Campbell

An electronic vote was conducted on the motion and the first amendment.  
The result was as follows: -

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

The first amendment was successful by 14 votes to 4, with 14 abstentions and 1 member absent.

A second electronic vote was conducted on the motion (surviving position) and the second amendment. The result was as follows :-

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

### Decision

Following a vote the motion was successful by 15 votes to 13, with 4 abstentions and 1 member absent.

12. NOTICE OF MOTION - HALT THE DEPOSIT RETURN SCHEME - SUBMITTED BY COUNCILLOR DAMIAN DORAN-TIMSON

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

“Irrespective of the intentions of the deposit return scheme, this badly thought-out legislation that the anti-business SNP/Green coalition are intending to force on consumers and producers is completely unacceptable.

The scheme was delayed from June 2022 as it was agreed by all that the processes and governance for the scheme was found to unworkable by an independent review body.

This scheme is still unworkable in its current form and the drinks industry are calling for the scheme to be halted until processes are in place that satisfy the industry and consumers.

In November 2022, more than 520 industry professionals signed an open letter to Lorna Slater voicing an “urgent demand to pause, revise and redesign” the DRS with industry input. Organised by Bowman, the letter highlighted the “key flaws” of the scheme: risk of fraud; loss of revenue; loss of investment in the Scottish economy; and unknown financial and environmental implications for local authorities.

The architect of this disastrous scheme, Lorna Slater, accepts that the cost implications for the scheme are unknown.

Even just days before the introduction of the scheme, Lorna Slater stated some small businesses could be exempt for a period of time. She couldn’t elaborate on what businesses would be exempt.

The anti-business SNP and Green party are just introducing this scheme to be ‘different’ from the rest of the UK and this is unacceptable.

Therefore, and irrespective if the scheme has been introduced, West Lothian Council instructs the Chief Executive to write to the SNP Business, Trade, Tourism and Enterprise Minister, Ivan McKee requesting that the scheme be halted and all stakeholders engaged with for the introduction of a UK wide scheme which will not harm Scottish Businesses and consumers”.

- Moved by Councillor Damian Doran-Timson and seconded by Deputy Provost Heggie

Councillor Conn intimated that he had agreed a composite motion with Councillor Damian Doran-Timson in the following terms :-

“Irrespective of the intentions of the deposit return scheme, this badly thought-out legislation that the anti-business SNP/Green coalition are intending to force on consumers and producers is completely unacceptable.

The scheme was delayed from June 2022 as it was agreed by all that the processes and governance for the scheme was found to unworkable by an independent review body.

This scheme is still unworkable in its current form and the drinks industry are calling for the scheme to be halted until processes are in place that satisfy the industry and consumers.

In November 2022, more than 520 industry professionals signed an open letter to Lorna Slater voicing an “urgent demand to pause, revise and redesign” the DRS with industry input. Organised by Blair Bowman, whisky broker and consultant the letter highlighted the “key flaws” of the scheme: risk of fraud; loss of revenue; loss of investment in the Scottish economy; and unknown financial and environmental implications for local authorities

The champion of this disastrous scheme, Lorna Slater, accepts that the cost implications for the scheme are unknown.

Even just days before the deadline of 28<sup>th</sup> February producers had to register to participate in the scheme, Lorna Slater stated some small businesses could be exempt for a period of time. She couldn't elaborate on what businesses would be exempt.

The anti-business SNP and Green party are just introducing this scheme to be ‘different’ from the rest of the UK and this is unacceptable.

It is noted that the private firm Circularity Scotland 's business model relies on individuals not bothering to return a proportion of glass and plastic bottles for a 20p refund. Circularity Scotland's own estimates suggest that they could make £57m from the public NOT recycling, “unredeemed deposits are factored as a revenue stream”. Apparently, this is standard practice for similar schemes around the world as about 10 per cent of containers are not returned

Council notes that candidates for the leadership of the Scottish National Party have all expressed their reservations about the scheme in its current proposed implementation, with one “*fearing the economic carnage it will cause if the timetable continues as planned right now*”.

Therefore, considering the scheme is due to begin on Friday 16<sup>th</sup> August, Council instructs the Chief Executive to write to the Business, Trade, Tourism and Enterprise Minister, Ivan McKee requesting a further delay or reform of the Deposit Return Scheme following mounting criticism from businesses that it is not fit for purpose and that all stakeholders engage with the aim of the introduction of a UK wide scheme in 2025 that meets the concerns of industry, retailers and consumers.

- Moved by Councillor Damian Doran-Timson and seconded by Councillor Conn

### Amendment

“Council welcomes the 664 companies that have registered for the deposit return scheme. These companies are responsible for 95% of drinks sold in single-use containers in Scotland. Submissions have been filed for 26,000 products responsible for an estimated two billion

containers each year. The recycling of these products will go a long way to meet our net-zero target.

Council also welcomes the announcement by Circularity Scotland of £22 million of support to remove upfront charges from some companies.

SEPA and Circularity Scotland will continue to provide advice and guidance to those remaining producers still to register.

Businesses throughout Scotland have already invested millions of pounds in getting the infrastructure ready for it to go live in August. Delaying the scheme would undermine all this investment.

Therefore, Council regrets the approach of the UK Government to the Scottish Government's right to legislate in devolved matters - which indicates their true purpose - to destroy devolution that was hard won by the people of Scotland. It is obvious that devolution is not safe in the hands of this Conservative Government and it is only through independence that we can build a better nation - one that matches the values, hopes and aspirations of the people of Scotland."

- Moved by Councillor Smith and seconded by Councillor Campbell

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

#### Composite 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  
 Janet Campbell  
 Pauline Clark.  
 Robert De Bold  
 Jim Dickson  
 Mary Dickson  
 Carl John  
 Lynda Kenna  
 Maria MacAulay  
 Moira McKee Shemilt  
 Andrew Miller  
 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.

13. NOTICE OF MOTION - TRAFFIC MANAGEMENT IN BATHGATE - SUBMITTED BY COUNCILLOR WILLE BOYLE

The Provost ruled in terms of Standing Order 11 that the motion submitted by Councillor Willie Boyle concerning traffic management in Bathgate would not be considered by Council as its financial implications had not been mentioned in it or verified in advance by the Head of Finance & Property Services as required by Standing Orders.

14. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 50 documents for execution.

15. SUPPORTING THE PEOPLE OF UKRAINE - QUESTION TO THE COUNCIL LEADER SUBMITTED BY COUNCILLOR MARY DICKSON

A written question had been asked concerning supporting the people of Ukraine and a written answer provided, both of which had been circulated in advance of the meeting.

Councillor Mary Dickson indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Fitzpatrick indicated he would provide a written answer to the supplementary question in due course

Decision

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

16. HAVE YOUR SAY CONSULTATION - QUESTION TO COUNCIL LEADER SUBMITTED BY COUNCILLOR SALLY PATTLE

A written question had been asked concerning the "Have Your Say Consultation" and a written answer provided, both of which had been circulated in advance of the meeting.

Councillor Pattle indicated she did not wish to put supplementary questions as provided for in Standing Orders.

Decision

To note the written question and the written answer provided.

17. DEBT COLLECTION FEES - QUESTION TO COUNCIL LEADER SUBMITTED BY COUNCILLOR ANGELA DORAN-TIMSON

A written question had been asked concerning debt collection fees and a written answer provided, both of which had been circulated in advance of the meeting.

Councillor Angela Doran-Timson indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Fitzpatrick indicated he would provide a written answer to the supplementary question in due course

Decision

3. To note the written question and the written answer provided; and
4. To note the supplementary question put and that a written answer would be provided in due course.

18. UNION COSTS - QUESTION TO COUNCIL LEADER SUBMITTED BY COUNCILLOR DAMIAN DORAN-TIMSON

A written question had been asked concerning union costs 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 Councillor Fitzpatrick indicated he would provide a written answer to the supplementary question in due course

Decision

5. To note the written question and the written answer provided; and
6. To note the supplementary question put and that a written answer would be provided in due course.

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Shona Robison MSP  
Cabinet Secretary for Social Justice, Housing and Local  
Government  
[CabSecSJHLG@gov.scot](mailto:CabSecSJHLG@gov.scot)  
(letter sent electronically only)

16 March 2023

Dear Cabinet Secretary

**Gender Recognition Bill**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed. I have attached a copy of the agreed Amendment.

It was agreed that I write to you and Alistair Jack MP, Secretary of State for Scotland, to call on you to work together in conjunction with input from the Equality and Human Rights Commission to amend the Bill in a way that upholds the sex-based rights and protections for women and girls in the Equality Act but also improves the process by which transgender people can obtain a Gender Recognition Certificate.

I look forward to receiving your response soon as practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Shona Robison MSP  
Cabinet Secretary for Social Justice, Housing and Local  
Government  
[CabSecSJHLG@gov.scot](mailto:CabSecSJHLG@gov.scot)  
(letter sent electronically only)

16 March 2023

Dear Cabinet Secretary

**Scottish Government Interference**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed.

At the meeting it was agreed that I write to you to outline the terms of the agreed Notice of Motion (attached).

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl



**Chief Executive Office**

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

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**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Sally Loudon  
Chief Executive  
COSLA  
[Sally@cosla.gov.uk](mailto:Sally@cosla.gov.uk)  
(letter sent electronically only)

16 March 2023

Dear Chief Executive

**Scottish Government Interference**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed.

At the meeting it was agreed that I write to you to outline the terms of the agreed Notice of Motion (attached).

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
Councillor Shona Morrison  
President  
COSLA  
[Shona.Morrison@moray.gov.uk](mailto:Shona.Morrison@moray.gov.uk)  
(letter sent electronically only)

16 March 2023

Dear President

**Scottish Government Interference**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed.

At the meeting it was agreed that I write to you to outline the terms of the agreed Notice of Motion (attached).

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Rt. Hon. Nicola Sturgeon MSP  
First Minister of Scotland  
[firstminister@gov.scot](mailto:firstminister@gov.scot)  
(letter sent electronically only)

16 March 2023

Dear First Minister

**Scottish Government Interference**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed.

At the meeting it was agreed that I write to you to outline the terms of the agreed Notice of Motion (attached).

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

Mr John West  
30 Church Avenue  
Winchburgh  
EH52 6UX

Contact: **Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

16 March 2023

Dear Mr West

**Letter of Congratulations – Celebrating Volunteers In Our Communities**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which your considerable achievements as Co-Founder of Winchburgh Growers and Winchburgh Wombles was recognised. I have enclosed a copy of the relevant Notice of Motion for your information.

I am writing on behalf of West Lothian Council to extend the council's congratulations to you and to wish you and the volunteers continued success for the future.

With best wishes



**Graham Hope**  
**Chief Executive**

Encl



**Committee Services**  
**Carol Johnston**  
**Chief Solicitor**

Rt Hon Mark Harper MP  
UK Minister for Transport  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

Civic Centre  
Howden South Road  
Livingston  
West Lothian  
EH54 6FF  
e-mail: [val.johnston@westlothian.gov.uk](mailto:val.johnston@westlothian.gov.uk)

Contact: Val Johnston  
Tel: 01506 281604

16 March 2023

Dear Minister

**MOTION – MANDATORY BELLS ON BICYCLES**

At a meeting of West Lothian Council held on 14 March 2023, the Council agreed a motion entitled 'Making it Mandatory for Bells to be Fitted on Bicycles'.

I would be grateful if you could consider the terms of the motion (copy attached).

I also would ask that your response be directed to Graham Hope, Chief Executive, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF.

Yours sincerely

A black rectangular box redacting the signature of Graham Hope.

for Graham Hope  
Chief Executive

Enc

MAKING IT MANDATORY FOR BELLS TO BE FITTED ON BICYCLES  
(AND FOR CYCLISTS TO USE THEM)

Council recognises and welcomes the current focus on Active Travel in all its forms, especially the increased funding that is available to progress it. However, Council also recognises that the huge increase in cyclists travelling on roads, cycle paths and shared routes has also led to an increase in incidents between bikes and other route users.

In January 2023 a tragic fatal accident involving an 89-year-old man and a group of cyclists occurred on the Blackness Road in Linlithgow. Although it has not yet been established how the incident happened, where personal injury and lives are at stake it is sensible to put in place all reasonable precautions and preventative measures to avoid or reduce the risk of harm.

Bicycle bells are mandatory in several countries, including Holland and Canada. They are also mandatory in Northern Ireland – the only part of the United Kingdom where this is the case.

West Lothian will soon become a national hub for cycling when the West Lothian Cycle Circuit opens later in 2023. This presents us with a unique opportunity to lead the way in Scotland, and bring England and Wales into line along with us, with a common-sense policy that will help to protect all of us, including cyclists.

West Lothian Council therefore agrees to write without delay to the Minister for Active Travel, the Minister for Transport, and The Cabinet Secretary for Net Zero, Energy and Transport, and request that they work together to develop and implement a new regulation requiring all bikes to be fitted with a bell.

Furthermore, West Lothian Council will write to the UK Minister for Transport, and request that the Highway Code is updated so that the Rules for Cyclists, Item 63, is changed from:

63. Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **recommended** that a bell is fitted to your bike), or by calling out politely.

To:

63. Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **mandatory** that a bell is fitted to your bike), or by calling out politely.



Received on 27 Feb 2023 at  
11:31am



Councillor Sally Pattle

Liberal Democrat Councillor for the Linlithgow Ward



**Committee Services  
Carol Johnston  
Chief Solicitor**

Rt Hon Michael Matheson MSP  
Cabinet Secretary for Net Zero, Energy and Transport  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Civic Centre  
Howden South Road  
Livingston  
West Lothian  
EH54 6FF  
e-mail: [val.johnston@westlothian.gov.uk](mailto:val.johnston@westlothian.gov.uk)

Contact: Val Johnston  
Tel: 01506 281604

16 March 2023

Dear Minister

**MOTION – MANDATORY BELLS ON BICYCLES**

At a meeting of West Lothian Council held on 14 March 2023, the Council agreed a motion entitled 'Making it Mandatory for Bells to be Fitted on Bicycles'.

I would be grateful if you could consider the terms of the motion (copy attached).

I also would ask that your response be directed to Graham Hope, Chief Executive, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF.

Yours sincerely

A black rectangular box redacting the signature of Graham Hope.

for Graham Hope  
Chief Executive

Enc



MAKING IT MANDATORY FOR BELLS TO BE FITTED ON BICYCLES  
(AND FOR CYCLISTS TO USE THEM)

Council recognises and welcomes the current focus on Active Travel in all its forms, especially the increased funding that is available to progress it. However, Council also recognises that the huge increase in cyclists travelling on roads, cycle paths and shared routes has also led to an increase in incidents between bikes and other route users.

In January 2023 a tragic fatal accident involving an 89-year-old man and a group of cyclists occurred on the Blackness Road in Linlithgow. Although it has not yet been established how the incident happened, where personal injury and lives are at stake it is sensible to put in place all reasonable precautions and preventative measures to avoid or reduce the risk of harm.

Bicycle bells are mandatory in several countries, including Holland and Canada. They are also mandatory in Northern Ireland – the only part of the United Kingdom where this is the case.

West Lothian will soon become a national hub for cycling when the West Lothian Cycle Circuit opens later in 2023. This presents us with a unique opportunity to lead the way in Scotland, and bring England and Wales into line along with us, with a common-sense policy that will help to protect all of us, including cyclists.

West Lothian Council therefore agrees to write without delay to the Minister for Active Travel, the Minister for Transport, and The Cabinet Secretary for Net Zero, Energy and Transport, and request that they work together to develop and implement a new regulation requiring all bikes to be fitted with a bell.

Furthermore, West Lothian Council will write to the UK Minister for Transport, and request that the Highway Code is updated so that the Rules for Cyclists, Item 63, is changed from:

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Received on 27 Feb 2023 at  
11:31am



Councillor Sally Pattle

Liberal Democrat Councillor for the Linlithgow Ward

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Ivan McKee MSP  
Minister for Business, Trade, Tourism and Enterprise  
[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)  
(letter sent electronically only)

16 March 2023

Dear Minister

**Deposit Return Scheme**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed. I have attached a copy of the agreed Composite Motion.

It was agreed that I write to you to request a further delay or reform of the Deposit Return Scheme following mounting criticism from businesses that it is not fit for purpose and that all stakeholders engage with the aim of the introduction of a UK wide scheme in 2025 that meets the concerns of industry, retailers and consumers.

I look forward to receiving your response soon as practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl



**Committee Services**  
**Carol Johnston**  
**Chief Solicitor**

Rt Hon Patrick Harvie MSP  
Cabinet Secretary for Zero Carbon Buildings, Active Travel  
and Tenants Rights  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Civic Centre  
Howden South Road  
Livingston  
West Lothian  
EH54 6FF  
e-mail: val.johnston@westlothian.gov.uk

Contact: Val Johnston  
Tel: 01506 281604

16 March 2023

Dear Minister

**MOTION – MANDATORY BELLS ON BICYCLES**

At a meeting of West Lothian Council held on 14 March 2023, the Council agreed a motion entitled 'Making it Mandatory for Bells to be Fitted on Bicycles'.

I would be grateful if you could consider the terms of the motion (copy attached).

I also would ask that your response be directed to Graham Hope, Chief Executive, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF.

Yours sincerely



for Graham Hope  
Chief Executive

Enc

MAKING IT MANDATORY FOR BELLS TO BE FITTED ON BICYCLES  
(AND FOR CYCLISTS TO USE THEM)

Council recognises and welcomes the current focus on Active Travel in all its forms, especially the increased funding that is available to progress it. However, Council also recognises that the huge increase in cyclists travelling on roads, cycle paths and shared routes has also led to an increase in incidents between bikes and other route users.

In January 2023 a tragic fatal accident involving an 89-year-old man and a group of cyclists occurred on the Blackness Road in Linlithgow. Although it has not yet been established how the incident happened, where personal injury and lives are at stake it is sensible to put in place all reasonable precautions and preventative measures to avoid or reduce the risk of harm.

Bicycle bells are mandatory in several countries, including Holland and Canada. They are also mandatory in Northern Ireland – the only part of the United Kingdom where this is the case.

West Lothian will soon become a national hub for cycling when the West Lothian Cycle Circuit opens later in 2023. This presents us with a unique opportunity to lead the way in Scotland, and bring England and Wales into line along with us, with a common-sense policy that will help to protect all of us, including cyclists.

West Lothian Council therefore agrees to write without delay to the Minister for Active Travel, the Minister for Transport, and The Cabinet Secretary for Net Zero, Energy and Transport, and request that they work together to develop and implement a new regulation requiring all bikes to be fitted with a bell.

Furthermore, West Lothian Council will write to the UK Minister for Transport, and request that the Highway Code is updated so that the Rules for Cyclists, Item 63, is changed from:

63. Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **recommended** that a bell is fitted to your bike), or by calling out politely.

To:

63. Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted, take care when passing pedestrians and horse riders, especially children, older adults or disabled people. Slow down when necessary and let them know you are there; for example, by ringing your bell (it is **mandatory** that a bell is fitted to your bike), or by calling out politely.



Received on 27 Feb 2023 at  
11:31am



Councillor Sally Pattle

Liberal Democrat Councillor for the Linlithgow Ward

**Chief Executive Office**

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

Our Ref: CEO/MH FC140323  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697

email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**

Rt. Hon. Alistair Jack MP  
Secretary of State for Scotland  
[enquiries@ukgovscotland.gov.uk](mailto:enquiries@ukgovscotland.gov.uk)  
(letter sent electronically only)

16 March 2023

Dear Secretary of State

**Gender Recognition Bill**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed. I have attached a copy of the agreed Amendment.

It was agreed that I write to you and Shona Robison MSP, Cabinet Secretary for Social Justice, Housing and Local Government, to call on you to work together in conjunction with input from the Equality and Human Rights Commission to amend the Bill in a way that upholds the sex-based rights and protections for women and girls in the Equality Act but also improves the process by which transgender people can obtain a Gender Recognition Certificate.

I look forward to receiving your response soon as practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl

**Chief Executive Office**

West Lothian Civic Centre  
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**Private and Confidential**

Rt. Hon. Mel Stride MP  
Secretary of State for Work and Pensions  
[ministers@dwg.gov.uk](mailto:ministers@dwg.gov.uk)  
(letter sent electronically only)

16 March 2023

Dear Secretary of State,

**WASPI West Lothian Group**

A meeting of West Lothian Council took place on Tuesday 14 March 2023 at which the above was discussed. I have attached a copy of the agreed Notice of Motion.

At the meeting it was agreed that I write to you to urge the UK Government:

- to accept the reported findings of the Parliamentary and Health Service Ombudsman that 1950s-born women have been severely affected by the Department for Work and Pensions maladministration
- to take swift action to provide an appropriate level of compensation to the women
- to compensate beneficiaries of the estates of those who are deceased

I would be grateful to receive a response from you on this matter as soon practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

Encl





**Department  
for Work &  
Pensions**

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Correspondence  
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**ministers@dwp.gov.uk**

Your ref: CEO/MH FC140323

Our ref: MC2023/21414

Graham Hope  
Chief Executive, West Lothian Council  
West Lothian Civic Centre  
Howden South Road  
Livingston  
EH54 6FF

21 March 2023

Dear Mr Hope,

Thank you for your letter of 16 March to the Secretary of State about women's State Pension age. I am replying as the Minister for Pensions.

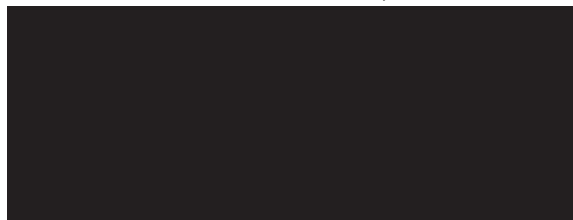
The Parliamentary and Health Service Ombudsman (PHSO) has not completed his investigation.

It would not be appropriate to comment whilst the investigation is ongoing; and section 7(2) of the Parliamentary Commissioner Act 1967 states that Ombudsman investigations "shall be conducted in private".

The Department is cooperating fully with the PHSO in their investigation.

Further details can be found on the PHSO website;  
<https://www.ombudsman.org.uk/complaints-womens-state-pension-age>.

Yours ever,



**Laura Trott MBE MP**

**Minister for Pensions**



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Morgan Hewitt  
morgan.hewitt@westlothian.gov.uk

Our Reference: 202300348254

Your Reference: West Lothian Council composite motion - Deposit Return Scheme

6 April 2023

Dear Morgan Hewitt

Thank you for your correspondence of 20 March 2023 regarding the implementation of Scotland's Deposit Return Scheme (DRS). I am replying as I am the Minister responsible for the scheme. I trust you will find the information in my reply helpful.

As I am sure you will appreciate, the Scottish Government are unable to comment on individual business cases. However, I have provided further information below regarding the DRS that I hope will be helpful in addressing the concerns raised.

Scotland's DRS is a major endeavour and a change that affects thousands of businesses across the country. I understand the concerns some businesses have and the need for clarity. We continue to work to support businesses to deliver the scheme and to identify further feasible, fair and legal options to support small businesses.

The scheme will be a major part of our efforts to cut emissions and build a more circular economy. It will reduce littering by a third and increase recycling rates of single-use drinks containers from the current rate of approximately 50% towards 90%.

I understand that implementing DRS is a big change for businesses to manage, which is why a range of measures have been put in place to support them.

The Scottish Government and Circularity Scotland, the industry-led scheme administrator, have recently taken a number of practical steps to reduce the implementation and financial burden of the scheme for Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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businesses. My [recent letter](#) to MSPs sets out many of these.

In addition, Circularity Scotland has announced a package of support to improve cashflow for producers which equates to £22m of support. This includes:

- Removal of the day one and month one charges for all producers, up to a threshold of three million units per year.
- Above the three million unit threshold, the Day 1 payments for producers using UK wide barcodes has previously been reduced by two thirds, from 2.4 months of fees to 3 weeks of fees (announced in December 2022).
- Providing two month credit terms on deposits and fees up to the same volume threshold to reduce the working capital impact on all producers.
- Offering the option to use self-adhesive barcode labels for producers placing less than 25,000 units per year of a specific product on to the Scottish market, alleviating administrative burden.

There is no registration fee for producers with an annual turnover of £85,000 or lower or producers that only fill and seal single-use drink containers at point of sale. For all other producers, the registration fee will be £365 (annually).

Circularity Scotland's producer fee is charged for each individual container, so will be proportionate to the size of the business. So a small producer like a craft brewery will pay less than a larger producer.

The scheme will be introduced in Scotland on 16 August 2023. This means that people will pay a 20p deposit when they purchase a drink in a can, glass or PET bottle, between 50ml and 3L in size, and they will get it back when they return the bottle to a local shop or collection point. The return point could be a manual one where customers return their empty containers over the counter to a member of staff or use a reverse vending machine (RVM). Some supermarkets have started trials of RVMs in their stores.

The deposit is fully refundable, and we expect that many people will use returned deposits to service the next deposit they pay. After paying their first deposit, most consumers who return containers should find the system to be broadly cost-neutral.

Any unredeemed deposits from the scheme will be reinvested into keeping the costs of running the scheme as low as possible, this model is in line with best practice seen in other schemes around the world. Under the DRS regulations, the scheme administrator (Circularity Scotland) is required to meet a minimum of 80% return rates in the first year and 90% in subsequent years.

We want businesses to be ready for the scheme going live on 16 August. However, the Scottish Environment Protection Agency (SEPA) has agreed that, where there are clearly evidenced operational challenges, they will take a proportionate approach to compliance. They have committed to providing advice and guidance as the preferred route to achieving compliance for businesses who are striving to meet their obligations.

In regards to a grace period, the DRS launch on the 16 August is set out in legislation to apply to all producers. Changing the fundamental approach of the scheme to exempt some producers from that agreed by Parliament raises a number of issues about how this would work as it would potentially give different producers a competitive advantage relative to other producers. These issues must be fully explored to ensure the scheme is fair and legal for all businesses. That is why the focus has been on

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providing support to help producers to comply with the scheme.

We welcome the UK Government's plans for a deposit return scheme which will bring the rest of the UK in line with Scotland. We will continue to work closely with the UK and devolved governments to maximise interoperability of the schemes when they go live.

Circularity Scotland has a dedicated customer support helpline if businesses need advice in relation to the scheme – 0141 401 0899 – and their [website](#) provides valuable and comprehensive information about the scheme.

I am committed to continuing to work closely with businesses and others to ensure that we have pragmatic solutions in place to implement this transformational scheme which will help us achieve our net zero ambitions.

Kind regards



**LORNA SLATER**

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Graham Hope  
Morgan.hewitt@westlothian.gov.uk

Our Reference: 202300347906

27 March 2023

Dear Graham Hope,

Thank you for your email of 16 March regarding the Gender Recognition Reform (Scotland) Bill (the Bill).

The Bill has not yet received Royal Assent. This is because the Secretary of State for Scotland has made an order under section 35 of the Scotland Act 1998. The Scottish Government is confident in the legislation as passed and maintains the position that there is a clear and pressing need for gender recognition reform. You can view our response to the Secretary of State for Scotland here: [Gender recognition: letter to the Secretary of State for Scotland - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/gender-recognition-letter-to-the-secretary-of-state-for-scotland-2023/pages/1-to-3.aspx)

In light of the impact of the section 35 order, it is as yet unclear when the Bill might be implemented. The Scottish Government will set out the next steps following the order to the Scottish Parliament in due course.

As the Bill has not yet become law, the Scottish Government cannot start to work with the Registrar General for Scotland to make the necessary preparations that would allow eligible individuals to make their applications. The steps required would include matters such as IT changes, secondary legislation about the form and manner in which applications are to be made, as well as the development of accessible guidance for potential applicants.

The Scottish Government is clear that all rights – those of women and trans people – must be protected. This includes the protection of women's safe spaces. Existing criminal offences apply to any person who assaults another person, harasses another person, or threatens another person anywhere – including in a toilet or changing room, and that will not change. We are not proposing any changes to

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public policy.

You can find more information about the Parliamentary process for the Bill, including amendments, on the Parliament Website: [Gender Recognition Reform \(Scotland\) Bill – Bills \(proposed laws\) – Scottish Parliament | Scottish Parliament Website](#)

The Scottish Government webpage for the Bill can be found here, which includes information about the process envisaged under the Bill: [Gender recognition - LGBTI - gov.scot \(www.gov.scot\)](#)

Thank you for your interest in this matter.

Yours sincerely,



**SHONA ROBISON**

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Graham Hope  
graham.hope@westlothian.gov.uk

Our Reference: 202300347915  
Your Reference: -

23 March 2023

Dear Graham,

Thank you for your letter of 16 March 2023 to Shona Robison MSP, Cabinet Secretary for Social Justice, Housing and Local Government, requesting an amendment to the Local Government (Scotland) Act 1973 to enable proxy voting at council committee meetings in the event that a Councillor is on parental, or similar, leave. I am replying as this is an issue I am aware of and I have already responded to other councils concerning it.

I am committed to increasing the diversity of Councillors in Local Government and to breaking down barriers which currently discourage people from standing or re-standing for elected office. This is a shared priority of both the Scottish Government and COSLA.

In 2020, the Scottish Government, working alongside COSLA, amended regulations on Councillors' pay to increase the flexibility Councils have when granting paid leave, which in the past made it harder for some people to take on senior elected roles, such as Council leaders and civic head, while they were on family leave. The changes made it easier for Councillors to take family leave, particularly women, new fathers or parents adopting a child.

More recently the Scottish Government and COSLA jointly committed to undertaking an independent review of Councillor remuneration given this was identified by COSLA as a major barrier to recruiting and retaining Councillors. This one-off review will be carried out by reconstituting the Scottish Local Authorities Remuneration Committee (SLARC). The Committee is intended to be up and running imminently and they should report, with recommendations, later this year.

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In terms of your specific request to introduce proxy voting for local government meetings, I am open to considering the Council's proposal and have asked my officials to explore the matter further including discussing it with COSLA.

I hope this reply is helpful.

Yours sincerely,



**BEN MACPHERSON**

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Graham Hope  
[Morgan.hewitt@westlothian.gov.uk](mailto:Morgan.hewitt@westlothian.gov.uk)

Our Reference: 202300348439

Your Reference: West Lothian Council motion - Scottish Government Interference

5 April 2023

Dear Mr Hope,

Thank you for your correspondence of 16 March addressed to Nicola Sturgeon in her role as First Minister, regarding the motion passed by West Lothian Council in respect of funding ring-fenced by the Scottish Government. Nicola had asked me to thank you for your correspondence and reply on her behalf as Public Finance falls within my remit.

Firstly, I should note that the Scottish Government recognises the crucial role councils and their employees play in our communities across Scotland and the challenging financial circumstances they face.

The 2023-24 Local Government Settlement provides nearly £13.5 billion for councils. This represents a cash increase of more than £793 million, a real terms increase of 3 per cent.

In response to the council motion, I can confirm that only 7 per cent of the total funding of nearly £13.5 billion is provided by means of specific ring-fenced grants which, as the name suggests, must be used for the purposes provided. This ring-fenced funding is for increased investment in services like our schools and nurseries. The remaining 93 per cent, plus all locally raised income, is allocated by local authorities as they see fit. The reason local authorities estimate that 60-70 per cent of the total funding is ring-fenced is because they have to spend money on either Scottish Government or joint central and local government priorities which is true but such funding is not formally ring-fenced.

The level of funding that is formally ring-fenced, being provided to West Lothian Council in 2023-24, amounts to only 6.3 per cent. I fully accept that local authorities have certain statutory duties which they must fulfil, but how they do that and the level of their overall resources they allocate to individual

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services is, in the main, the responsibility of individual local authorities.

However, the Scottish Government recognise that local government have repeatedly called for removal of ring-fencing in the settlement and a greater focus on trust and partnership working. On that basis the Scottish Government committed to reviewing all ring-fenced funding.

The Scottish Government would welcome constructive engagement from Local Government, in that process to ensure that the removal of ring-fencing goes hand in hand with the Scottish Governments shared priorities and outcomes whilst ensuring maximum value for money.

I note the motion also calls on the Scottish Government to reset the relationship with Scottish Local Authorities. Following the 2022-23 budget, work began with COSLA on resetting the relationship. The Scottish Ministers' ambitions to do this were set out in the Resources Spending Review, describing the offer of a New Deal for Local Government.

Before the summer recess initial discussions were held with COSLA and this was followed recently by a meeting between Ministers and COSLA politicians on 26 January. The key themes of those discussions were:

- A desire for a building a productive relationship based on honesty and understanding perspectives.
- Financial constraints and reform opportunities, maximising the contribution of the whole public sector.
- Working differently in a partnership based on agreed outcomes, trust and accountability.
- Current challenges surrounding education and teacher numbers.
- Pay negotiations, both those ongoing and looking ahead to 2023-24.

Scottish Government officials are now working with COSLA Officers at pace to develop an agreement or accord for further Ministerial and COSLA Leader consideration.

Finally, the Scottish Government is committed to working in partnership with local government to agree a new deal for local government to ensure greater flexibility over financial arrangements with improved accountability for the delivery of national priorities whilst ensuring maximum value for money and high quality public services that our communities deserve.

Yours sincerely



**TOM ARTHUR**

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**Minister for Zero Carbon Buildings, Active Travel  
and Tenants' Rights**

Ministear airson Thogalaichean Às Aonais Carboin,  
Siubhal Èasgaidh is Còraichean Gabhaltaich

**Patrick Harvie MSP /BPA**



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Our Reference: 202300348875

Your Reference: Mandatory bells on bikes

27 April 2023

Dear Mr Hope,

Thank you so much for your recent letter to Mr Matheson regarding West Lothian Council's motion of 14 March 2023, "Making It Mandatory For Bells To Be fitted On Bikes". As Minister for Active Travel, your letter has been passed to me for consideration and response.

Firstly, I would like to take this opportunity to acknowledge the decision that West Lothian Council has taken to prioritise the safety of walkers, cyclists and wheelers in your local authority area. As you will know, the Scottish Government are investing almost £190m in 23/24 across a suite of active travel funds to enable local authorities and others to support the people of Scotland in their active travel ambition. It is heartening to see local authorities like West Lothian embed the safety of those choosing active travel into the centre of the work you are doing.

Your motion seeking to make it mandatory for bells to be fitted on bikes, is something that has been given much consideration over recent years.

With the intention of reducing unnecessary laws, the compulsory requirement for bicycles to have a bell fitted was ended in 1999. As it stands, cyclists in Scotland or the wider GB are under no obligation to have a bell fitted to their bicycle or to use a bell when they're riding their bike. In 2018 this was looked at again and a UK Government review on cycle safety was conducted, finding that there had been nine cases in the past ten years (2008-2018) with sufficient levels of culpability to be relevant to whether we need a 'dangerous cycling' law. Whilst any cyclist or pedestrian fatality is distressing, we must ensure that our responses are both proportionate, and lead to the desired outcome, to reduce the likelihood of

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injury or death.

Given that 99.33% of pedestrian deaths and 99.55% of serious injuries to pedestrians are caused by motorists, it may be better to focus intervention there in the first instance. In addition, we hold no evidence to suggest that there has been an increase in incidents between cyclists and other road users.

It is necessary that we share roads and spaces equitably, whilst ensuring we engage in our environment as responsible citizens. As Minister for Active Travel, I will continue to work with local authorities and others, ensuring that active travel is a safe option for all cyclists, walkers and wheelers in Scotland.

Yours sincerely,



**Patrick Harvie MSP**

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MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 7 MARCH 2023.

Present – Councillors Peter Heggie (Chair), Andrew McGuire, Tony Boyle, Pauline Clark, Moira McKee Shemilt and Sally Pattle; and Appointed Member Kent Ballantyne

Apologies – Councillor Stuart Borrowman and Appointed Member Lynne McEwen

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

The committee confirmed the Minutes of its meeting held on 17 January 2023 as a correct record. The Minute was thereafter signed by the Chair.

3. EDUCATION SCOTLAND REPORT: DEANS COMMUNITY HIGH SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Secondary, Community Learning and Inclusion) informing of the outcome of the Education Scotland (HMI) inspection at Deans Community High School. Pauline Allison, Head Teacher, was in attendance to provide an update on the school's progress.

The inspection team had identified the following areas for improvement; to continue to improve the consistency of learning, teaching and assessment and to improve the quality of young people's success and focus specifically on attainment in literacy. A number of questions were asked of the Head Teacher in relation to these areas for improvement, the strengths found in the school's work and the contents of the report.

During the discussion, the Head Teacher advised that staff were provided with in-service professional development opportunities. Where some staff members were involved in more intense training, the content would subsequently be cascaded to other staff members. Good teaching practice was also shared between colleagues as a result of some lessons being recorded, which enabled both the observation of pupil participation levels and the exemplification of good practice.

In relation to literacy, the Head Teacher explained that staffing in the English department had been particularly difficult in 2019. However, the department had turned this around and the resulting decline in the subject's uptake, specifically in relation to English Higher, had recently

increased from 48% to 73%. Part of the school's Pupil Equity Fund (PEF) allocation was also being used to address this subject with work undertaken that included school cluster colleagues and a focus on S1 and S2 reading.

In concluding the discussion, the committee were informed that the school worked closely with the Quality Improvement Team to improve learning and teaching and attainment. The individual subject support that was made available was well received by staff. The Quality Improvement Team also worked with the school's middle leadership team to improve the leadership of learning and to ensure an understanding of HMI standards.

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.

#### 4. EDUCATION SCOTLAND REPORT: OUR LADY'S PRIMARY SCHOOL AND EARLY LEARNING AND CHILDCARE (ELC) SETTING

The committee considered a report (copies of which had been circulated) by the Head of Education (Primary, Early Years and Resources) informing of the outcome of the Education Scotland (HMI) Inspection at Our Lady's Primary School and Early Learning and Childcare (ELC) Setting. Claire McGoldrick, Head Teacher, was in attendance to provide an update on the school's progress.

The inspection team had identified the following areas for improvement; to capture the wider range of skills children develop as a result of their learning across the curriculum and for teachers to develop approaches to high quality assessments in order to continue to increase attainment across the school. A number of questions were asked of the Head Teacher in relation to these areas for improvement, the strengths found in the school's work and the contents of the report.

The Head Teacher was asked for further information regarding the supports in place for pupils identified as requiring extra help. The committee were informed that a wide range of interventions were in place for health and well-being, literacy and numeracy. The school's well-equipped pupil support team carried out a lot of these interventions, with staff engaged in high-quality learning to ensure the best support available.

In response to a question regarding the drop in reading and writing levels, for both 2020/21 and 2021/22, it was explained that although the pandemic had an impact, the very small cohort meant the results of one or two children could cause a high percentage change. However, the data was important in identifying the interventions required to support children's progress, which led to the utilisation of PEF funding to employ a literacy pedagogy officer.

Moving on, the Head Teacher advised that discussion had taken place with the inspectorate with regard to enabling children to apply and demonstrate skills in new and unfamiliar contexts. This resulted in the planned use of outdoor spaces within the area to provide contextualised opportunities for children to apply their learning in a different environment outside the school.

Having been asked about the reintroduction of leadership opportunities for children, the Head Teacher provided examples of those available such as Reader Leaders, Maths Champions and Health and Wellbeing Champions. Pupils were aware of their impact in driving forward improvement within the school and were active participants in the self-evaluation process.

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.

## 5. VALIDATED SELF-EVALUATION: SOUTHDALÉ PRIMARY SCHOOL AND EARLY LEARNING AND CHILDCARE

The committee considered a report (copies of which had been circulated) by the Head of Service (Primary, Early Learning and Resources) bringing to their attention Southdale Primary School and ELC's validated self-evaluation and identified areas for improvement for session 2022-2023. John Cloherty, Head Teacher, was in attendance to provide an update on the school's progress and to answer questions from committee members.

Clarification was sought on the Acting Principal's post remaining as an acting position given the length of time they had been in the role. The Head Teacher explained that this additional post was financed through PEF funding, which was allocated by the Scottish Government annually, and was therefore not a permanent funding stream.

It was then asked, given that the Acting Principal Teachers post was funded by PEF, how their role contributed to closing the poverty-related attainment gap, which was the purpose of this funding source. The committee were informed that the post holder's overall strategic remit was to; identify children who required additional support or challenge, to support and challenge class teachers and to work with, and upskill, Pupil Support Workers so that they could provide pupils with the supports identified.

The Primary 7 attainment figures were highlighted and the Head Teacher asked if there had been an issue with this particular cohort. In response, it was explained that attainment was raised through the application of tracking and monitoring procedures with writing interventions also put in place. In addition, a literacy pedagogy officer, funded by PEF, had worked

with staff to help identify the supports required.

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.

### 6. VALIDATED SELF-EVALUATION: ST NINIAN'S PRIMARY SCHOOL AND EARLY LEARNING AND CHILDCARE

The committee considered a report (copies of which had been circulated) by the Head of Education (Primary Schools, Early Years, and Resources) bringing to their attention St Ninian's Primary School and ELC's validated self-evaluation (VSE) and identified areas for improvement for session 2022-2023.

It was noted that 18% of learners within the school had English as an additional language and the Head Teacher informed committee members that there were nine different languages spoken. Interventions enabled these students to flourish and two further languages were also learned throughout their time in the school, through the 1 + 2 Approach to language learning.

The transition arrangements, for pupils moving from primary to secondary school, was queried and it was explained that this was considered from Primary 5 onwards. St Margaret's teachers had been involved in the VSE and attended the primary school to deliver lessons as part of the transition programme. Information was shared to ensure learning and curricular transition was in place for those who required support or challenge when moving schools.

Returning to the subject of learners who had English as an additional language, the Head Teacher was asked what the school did to make the school welcoming for a diverse range of children. It was explained that relationships and working with families began in nursery to give a sense of belonging at an early stage.

The school's scores were higher than those of the local authority and, given the number of languages spoken in the school, it was asked how this was achieved. The Head Teacher informed committee members of the school's relentless focus, maintained over a long period of time and that it had the highest expectations for its learners. Knowing families, removing barriers, and enhancing the pupil's unique personalities and strengths ensured the supports required were in place.

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. WORKPLAN

A workplan had been circulated for information.

The committee were informed that the St Kentigern's Academy VSE, detailed on the workplan as due to be reported on 6 June 2023, had been postponed until the 2023-24 school term in order to allow the school time to prepare.

Decision

1. To note the workplan; and
2. To note the St Kentigern's Academy VSE had been postponed and would take place during the 2023-24 school term.



MINUTE of MEETING of the PERFORMANCE COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 6 FEBRUARY 2023.

Present – Councillors Peter Heggie (Chair), Danny Logue, Tony Boyle, Carl John and Maria MacAulay

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

The Committee confirmed the Minutes of its meeting held on Wednesday 14 November 2022 as a correct record. The Minute was thereafter signed by the Chair.

3. SERVICE PERFORMANCE AND WLAM OUTCOME REPORT - BUILDING SERVICES

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 (2022/25).

The report was accompanied by a presentation which provided both a service overview and performance dashboard together with information on; key achievements, scarcity of resources, disruptive technologies and demand for skills and automation. Officers expanded on the presentation topics before the Committee were given the opportunity to ask questions and provide comment.

In response to queries regarding the Tenants Portal, which was advised to be one month into an anticipated twelve month development programme, officers explained the content that would be accessible to users. The Committee requested that the functionality be shared with Members and it was confirmed that the portals user interface would be shared when available.

The discussion moved on to Void properties, specifically concerning the turnaround times leading up to their management and letting. Officers advised that the standard of returns, and staff retention, were contributory factors in any delays to properties becoming available. To address the issues experienced, such as the need for replacement bathrooms and kitchens, work would be undertaken on pre-tenancy checks and include videos showing the condition in which tenants should be leaving their property. A pre-termination visit would also take place to ensure the property's condition was to an appropriate standard, with recharges for any necessary repairs.

With regard to staff retention, other tendering processes and flexible

working hours were being considered. The modernisation programme, involving consultation with tenants, stakeholders and employees, would provide an understanding of preferred appointment times which could result in different working patterns. Training in other skills, to complement trades, was also being explored.

It was recommended that the Committee:

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

#### Decision

1. To note the contents of the report and presentation; and
2. To note that officers undertook to demonstrate the functionality of the Tenants Portal with Committee Members when available.

#### 4. FACTFILE 2022 - REPORT BY DEPUTE CHIEF EXECUTIVE (HEREWITH)

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive presenting the council's annual performance report Factfile 2022.

It was queried if the number of Community Payback orders was an increased figure or lower than it had been previously. Officers understood it to be a higher number and possibly due to a backlog caused by the COVID-19 pandemic. However, this information would be checked with the appropriate area and confirmed to Members.

In order to assess whether the council support provided to new business start-ups had resulted in value for money, it was asked if their success rate was available. Officers advised that the support provided was during an extraordinary year with assistance grants in higher numbers. Information on the tracking of business sustainment for those reported would be sought and Members updated accordingly.

The discussion concluded with a question regarding difficulties with care provider procurement and how this affected priority 4: (Improving the quality of life for older people) and priority 6 (Delivering positive outcomes on health). Members were informed that recruitment levels for care workers would be obtained from the relevant area and circulated.

It was recommended that the Committee note the content of Factfile 2022.

#### Decision

1. To note the contents of the report; and
2. To note officers undertook to establish further information on the following and update Committee Members accordingly:
  - clarification on the number of Community Payback orders and if their noted increase was attributed to a catch-up following the COVID-19 pandemic;
  - business sustainment for the new business start-ups assisted by the council during the twelve-month period; and
  - the outcome of difficulties with care provider recruitment on both priority 4: (Improving the quality of life for older people) and priority 6 (Delivering positive outcomes on health).

5. COMPLAINT PERFORMANCE REPORT QUARTER 2: 2022/23

The Committee considered a report (copies of which had been circulated) by the Depute Chief Executive reporting the quarterly analysis of closed complaints in Quarter 2: 2022/23.

Following a query regarding missed bin collection complaints, it was acknowledged that there had been recent issues with this service. Instances included those during the festive period, partly caused by poor weather conditions. However, work was underway to improve collections, such as new in-cab technology, which would enable the monitoring and tracking of uplift areas. It was considered that, given the numbers involved across the authority, there was a very high success rate for bin collections.

Complaints regarding poor communication had decreased in the past yet increased during this reporting period. In response to a question regarding the possible causes, officers explained that the recent increase was principally due to services provided by Housing and Building Services. This service area created a Customer Experience team to engage with its customers and understand their needs and preferences. The Tenants Portal, currently in development, was also thought likely to assist in preventing such complaints from being made in future.

The discussion concluded on the subject of upheld complaints and Members informed that, in such cases, the customer would receive a response, including any information they had requested, together with an explanation regarding what the service had done to avoid such instances occurring in future. All local authorities in Scotland should follow the same complaints procedure and processes, principally driven by the Scottish Public Services Ombudsman (SPSO), and extensive training was available to services for complaints management and handling.

It was recommended that the Committee:

1. note the corporate and service complaint performance against the

standards outlined in the council's complaint handling procedure;  
and

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

Decision

To note the contents of the report.

6. WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.

MINUTE of MEETING of the PERFORMANCE COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 27 MARCH 2023.

Present – Councillors Peter Heggie (Chair), Danny Logue, Tony Boyle and Maria MacAulay

Apologies – Councillor Carl John

1        DECLARATIONS OF INTEREST

There were no declarations of interest made.

2        MINUTES

The committee approved the minutes of its meeting held on 6 February 2023. The Chair thereafter signed the minute.

3        SERVICE PERFORMANCE AND WLAM OUTCOME REPORT - NETS, LAND AND COUNTRYSIDE SERVICES

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 (2022/25). It also provided a summary of recommendations from the officer-led scrutiny panel that had been identified for action and were to be delivered by the service.

During discussion, officers explained the various ways the service communicated with different customers and plans for further improvements in communications. The use of technologies was also discussed and members were advised that there were a number of relevant pilot projects about to commence and progress updates on these projects would be brought to this and other appropriate committees in due course.

It was recommended that the committee:

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

Decision

1. To note the terms of the report.
2. To provide updates on technology pilot projects to appropriate

committees in due course.

4 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 (2022/25). It also provided a summary of recommendations from the officer-led scrutiny panel that had been identified for action and were to be delivered by the service.

During discussion, the differences and links between the council and private transport companies were explained. School transport arrangements were also discussed as well as improvements in communications and processes relating to school transport.

It was recommended that the committee:

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

Decision

To note the terms of the report.

5 COMPLAINT PERFORMANCE REPORT QUARTER 3 2022/23

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive presenting the quarterly analysis of closed complaints in Quarter 3: 2022/23.

It was recommended that the committee:

1. Note the corporate and service complaint performance against the standards outlined in the council's complaint handling procedure; and
2. Continue to monitor complaint performance and request additional information from services as required.

Decision

To note the terms of the report.



MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, on 24 FEBRUARY 2023.

Present – Councillors George Paul (Chair), Tom Conn, Maria MacAulay, Anne McMillan (substituting for Councillor Peter Heggie) and Tony Pearson

Apologies – Councillor Peter Heggie

1      DECLARATIONS OF INTEREST

Councillor Tony Pearson stated that the appellant's trade union representative was known to him; however, the connection would not prevent him from participating in all items of business.

2      ORDER OF BUSINESS

The Chair had previously agreed for an observer from Legal Services to be present throughout the meeting.

The Chair ruled additional documentation circulated during the meeting as urgent in terms of Standing Order 7 as it contained information relevant to the hearing.

3      MINUTES

The committee approved the minute of its meeting held on 27 January 2023. The Chair thereafter signed the minute.

4      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.

5      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 Procedure for Consideration of Appeals against Disciplinary Action.

The management was represented by Andy Johnston, NETs Land and Countryside Manager, who was accompanied by Alison Egan, Senior HR Business Adviser. The management called three witnesses.

The appellant was present and was accompanied by his trade union representative. The appellant called one witness.

Parties agreed that witnesses would be excluded from the proceedings until called.

The committee heard the management speak in relation to the appeal. A video presentation was shown as part of the management's case.

The appellant was then given the opportunity to question the management.

The committee had an opportunity to question the management.

The management called their witnesses in turn.

The appellant had the opportunity to question the management's witnesses.

The committee then had an opportunity to question the management's witnesses.

The management was given an opportunity to re-examine their witnesses after they had answered questions from the appellant and committee.

The committee heard the appellant and his representative speak in relation to the appeal.

The management was given the opportunity to question the appellant.

The committee then had the opportunity to question the appellant.

The appellant called his witness.

At this stage, new information was presented to the committee and the Chair called a short adjournment to allow for the additional documentation to be circulated to members and all parties involved in the appeal. The Chair thereafter ruled the documents as urgent in terms of Standing Order 7.

The management had the opportunity to question the appellant's witness.

The committee then had an opportunity to question the appellant's witness.

The appellant was given an opportunity to re-examine his witness after they had answered questions from the management and the committee.

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

All parties then exited the meeting 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 not been substantiated and therefore the appeal was not upheld.



MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 31 MARCH 2023.

Present – Councillors George Paul (Chair), Tom Conn, Tony Boyle (substituting for Councillor Maria MacAulay), Anne McMillan and Moira McKee Shemilt

Apologies – Councillor Maria MacAulay

1        DECLARATIONS OF INTEREST

There were no declarations of interest made.

2        MINUTES

The committee approved the minute of its meeting held on 24 February 2023. The Chair thereafter signed the minute.

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.

4        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 an employee under the Procedure for Consideration of Appeals against Disciplinary Action.

The management was represented by Julie Whitelaw, Head of Housing and Customer Services, who was accompanied by Mark Grierson, Senior HR Business Adviser. The management called one witness.

The appellant was present and was accompanied by a companion. The appellant did not call any witnesses.

Parties agreed that witnesses would be included in the proceedings.

The committee heard the management speak in relation to the appeal and question their witness.

The appellant and his representative were given the opportunity to question the management and their witness.

The committee then had an opportunity to question the management and their witness.

The management were given an opportunity to re-examine anything that had been raised during questioning.

The committee heard the appellant and his representative speak in relation to the appeal.

The management was given the opportunity to question the appellant.

The committee then had the opportunity to question the appellant.

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

Per paragraph 6.10 of the Procedure for Consideration of Appeals Against Disciplinary Action, the committee did not allow new evidence to be introduced by the appellant at the summing up stage.

All parties then exited the meeting 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 for the appeal had not been substantiated and therefore the appeal was not upheld.

MINUTE of MEETING of the AUDIT COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 20 JANUARY 2023.

Present – Councillors Angela Doran-Timson (Chair), Lawrence Fitzpatrick, Lynda Kenna, Kirsteen Sullivan and; Appointed Member Moira Glencorse

Apologies – Councillor Pauline Orr

In attendance – Graham Hope (Chief Executive), Donald Forrest (Head of Finance and Property Services), James Millar (Governance Manager), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), Stuart Saunders (Senior Compliance Officer), David Baird (Property Services Manager), Clare Stewart (Community Wealth Building Manager) Scott Blyth (Fleet Coordinator), and; Cathie Wyllie (Dundee City Council)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

The committee confirmed the Minutes of its meeting held on held on 21 October 2022 as a correct record. The Minute was thereafter signed by the Chair.

3. COMMITTEE SELF-ASSESSMENT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager inviting them to review and renew the arrangements for carrying out a self-assessment of its administrative arrangements and activity.

It was recommended that the committee:

1. consider the statements set out in the appendix to the report; and
2. agree that, subject to any changes it considered appropriate, the statements were circulated to members with a view to the results being reported back to the Committee on 24 March 2023.

Decision

To approve the contents of the report.

4. EXTERNAL QUALITY ASSESSMENT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome

of an external quality assessment of the internal audit function.

Following the reports presentation by the Audit, Risk and Counter Fraud Manager, Cathie Wyllie spoke on behalf of Dundee City Council in respect of their review of West Lothian's internal audit function. The committee were informed a lot of good practice had been identified in the running of the internal audit process.

In response to a question regarding the overall "generally conforms" conclusion, when of the 14 areas assessed, it has been determined that the internal audit service "fully conforms" in 12 and "generally conforms" in two, it was confirmed that despite the weighting being in favour of "fully conforms", the overall conclusion was appropriate.

Assurance mapping had been assessed as an area for improvement and officers were asked why this had not progressed. The committee were informed that there had been progression previously although it was not kept up to date. This subject would be revisited and kept updated to ensure it was effective.

The Service Level Agreements (SLAs) for audit work undertaken for the Improvement Service and West Lothian Leisure, were discussed and clarification was sought on whether these could not be located or were not in place. The Audit, Risk and Counter Fraud Manager understood that these had been in place although they could not be found. Members were informed that completion of an SLA was not proposed, rather that it was considered appropriate for Internal Audit Charters to be completed, for each organisation, which would be acceptable to meet the requirements and add value.

It was recommended that the committee note that the external assessor had concluded that the internal audit service generally conforms with the requirements of the Public Sector Internal Audit Standards (PSIAS).

### Decision

1. To note the contents of the report; and
2. To note that the Audit, Risk and Counter Fraud Manager would consider the preparation of an Internal Audit Charter for both the Improvement Service and West Lothian Leisure.

## 5. 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.

Action OPSHQ19116 (Aro Pre-use checks), detailed within the appendix to the report, was discussed and it was asked if the e-learning module was achievable within the noted timescale. It was advised that, following discussion with the training department and through liaison with other



councils who had implemented systems, there was confidence that this would be available by May 2023.

It was recommended that the committee note that there was one outstanding risk action arising from audit and inspection reports which was due for completion by 31 March 2022.

#### Decision

To note the contents of the report.

### 6. INTERNAL AUDIT OF LEGIONELLA MANAGEMENT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome of an internal audit of the controls in place in relation to the management of legionella.

Risk action 3.3 (Control parameters for temperature testing) was highlighted, with regards to the importance level categorised as low, and the committee advised that it was considered as such given the temperature controls in place. The Audit, Risk and Counter Fraud Manager explained that, in his view, the importance level should be related directly to the risk and that he and the relevant officer would review this risk to ensure the appropriate processes were in place.

In response to a query regarding Fauldhouse swimming pool, officers informed the committee that testing in this location was undertaken in line with all other swimming pools. Stringent controls were in place and Hard Facilities Management took care of both the pool and water quality maintenance.

During discussion of Hard Facilities Management and PPP properties legionella management reporting, it was advised that assurance had now been given that West Lothian Council would receive regular documentation to demonstrate the undertaking of water quality testing. Given the high importance ranking, this would soon be followed up, and findings included as part of the next regular report on outstanding audit and inspection recommendations.

A question was asked on risk action 3.4 (Hard Facilities Management/PPP properties) regarding whether the action date of 31 December 2022 had been achieved, which officers confirmed was the case.

It was recommended that the committee note that controls in place were considered to require improvement.

#### Decision

1. To note the contents of the report;
2. To note that officers would review risk action 3.3 (Control

parameters for temperature testing) to ensure the appropriate processes were in place; and

3. To note evidence of legionella management completion for PPP or Hard FM properties would be included within routine monitoring reports.

7. INTERNAL AUDIT OF THE COUNCIL'S MEDIUM TERM FINANCIAL STRATEGY

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome of an internal audit of the processes in place for the preparation and agreement of the council's medium term-financial strategy.

It was recommended that the committee note that controls in place were considered to be effective.

Decision

To note the contents of the report.

8. SCOTLAND'S PUBLIC FINANCES: CHALLENGES AND RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing them with a summary of the Auditor General's briefing paper *Scotland's public finances: challenges and risks* prepared by Audit Scotland in November 2022.

With regards to reform, detailed on page four of the report, it was asked if this would become increasingly difficult due to constraints on council budgets and specifically in respect of user needs. It was advised that proposals intended to minimise the impact on services. However, due to the massive challenge faced by councils, there would be an inevitable impact on services.

In response to a question on how realistic and achievable, in the current economic climate, "preventative spend" was, officers informed the committee that the aim was to look at all activities and prioritise preventative action where possible. Realistically, the available resource had been declining yearly since 2007-8 making it more challenging to change the emphasis and scope of spending.

Following a question regarding the current level of ring fencing compared to several years ago, it was explained that this would be difficult to quantify due to different types of ring fencing. However, a large proportion of the budget had some degree of restriction on the spending possible and flexibility would be preferred to enable a focus on outcomes.

It was recommended that the committee note the key messages and recommendations within the Audit Scotland report.

Decision

To note the contents of the report.

9. INTERNAL AUDIT INTERIM REPORT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of progress in relation to the internal audit plan for 2022/23.

It was recommended that the committee note progress on the 2022/23 internal audit plan as set out in section D.1 of the report.

Decision

To note the contents of the report.

10. COUNTER FRAUD INTERIM REPORT (APRIL 2022 TO DECEMBER 2022)

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the performance and activities of the Counter Fraud Team for the period from 1 April 2022 to 31 December 2022.

It was queried if West Lothian had been subject to fraudulent business grant applications during the COVID-19 pandemic. In response, officers confirmed there had been attempts, previously reported to the Audit Committee, and West Lothian had experienced fraudulent attempts and some established fraud. The Counter Fraud team had worked with colleagues in Revenues to put processes in place for fraud prevention and had been successful in the retention of some established funds.

The discussion moved on to the summary of counter-fraud investigations, contained in Appendix 1 of the report, and in particular, whether there were any trends in the types of fraud. Members were informed that increased fraud awareness in Housing had led to a rise in tenancy frauds accounting for around 50% of the cases detailed. Other categories to note were Blue Badge and Crisis Grant application frauds. To assist prevention of these claims, the Counter Fraud team worked with services to ensure fraud awareness training was available and proper procedures were in place for staff members to follow.

It was recommended that the committee note the performance and activities undertaken by the Counter Fraud Team during the first nine months of financial year 2022/23.

Decision

To note the contents of the report.

11. 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 consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 4 and 14 of Schedule 7A of the Act.

12. COUNTER FRAUD INVESTIGATION: BANK MANDATE FRAUD

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome of an investigation into a bank mandate fraud.

The agreed actions contained within the Action Plan and the outcome of the investigation were discussed with the processes now in place considered to be robust controls. Personal contact was suggested, as an additional control measure, to prevent similar instances from occurring in future. Whilst it could be considered, members were informed that, a large number of recipients were not within the local area and, as such, this would not be practicable. However, the suggestion would be considered for those within the authority, although it would likely present resource issues.

Having been asked if the police would provide an update on their investigations, officers advised that this would be unlikely unless contacted for witness statements in the event of a prosecution. Officers informed the committee of the current known position with the case and advised they would request an update from the police, informing the committee if further information was available.

It was recommended that the committee note:

1. the findings of the counter fraud investigation and the agreed actions within the action plan;
2. that in accordance with the council's Anti-Fraud and Corruption Policy, the matter had been reported to Police Scotland; and
3. that recovery action was being progressed with the Financial Ombudsman.

Decision

1. To note the contents of the report;
2. To note officers undertook to request an update from the police regarding their investigation and report any information obtained to the Audit Committee; and
3. To note that whilst personal contact could be considered it would only be practicable for payments made locally and would present

problems over resourcing.



DATA LABEL: PUBLIC

**WEST LoTHIAN COUNCIL****WEST LoTHIAN COUNCIL CORPORATE PLAN 2023/24 TO 2027/28****REPORT BY DEPUTE CHIEF EXECUTIVE****A. PURPOSE OF REPORT**

The purpose of the report is to allow the Council to agree a Corporate Plan for 2023/24 to 2027/28, setting out the council's strategic priorities for the next five years.

**B. RECOMMENDATION**

It is recommended that Council:

1. Notes that the five strategic priorities have been identified through consultation feedback from the public, staff and partners;
2. Notes a refreshed Purpose, Vision and Values for the Council that will support a more customer and performance focused culture;
3. Notes that the Corporate Plan would commence in 2023; and
4. Agrees the new Corporate Plan.

**C. SUMMARY OF IMPLICATIONS**

<b>I Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
<b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	It is the duty of a local authority to make arrangements that secure best value. This requires continuous improvement in the performance of the authority's functions and for the local authority to contribute to the achievement of sustainable development.
<b>III Implications for Scheme of Delegations to Officers</b>	There are no implications.
<b>IV Impact on performance and performance Indicators</b>	<p>A review of the corporate performance management system in the council would be required should any of the proposals contained in this report be taken forward.</p> <p>A new Corporate Plan will require a fresh assessment and possible re-prioritisation of the</p>

performance management system in order to ensure that it is in alignment with the aspirations and the new Strategy of the council.

- |                                                          |                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>V Relevance to Single Outcome Agreement</b>           | The Community Planning Partnership (CPP) is in the process of identifying new focus areas for West Lothian. The council shall have to ensure that the performance management system and monitoring arrangements are updated to reflect any change in focus or outcomes from the CPP.                                                       |
| <b>VI Resources - (Financial, Staffing and Property)</b> | Staffing resource will be required to take forward the proposals in this report, including the delivery of the agreed Corporate Improvement Plan. It is proposed that this work will be delivered from existing resources, under the direction of the named responsible officers.                                                          |
| <b>VII Consideration at PDSP</b>                         | The Corporate Plan (2023 to 2028) was considered at the Corporate Policy and Resources PDSP on 2 May 2023.                                                                                                                                                                                                                                 |
| <b>VIII Other consultations</b>                          | A public consultation on the needs and priorities of the West Lothian community was undertaken in July 2022. Over 5,000 respondents provided feedback on the issues that were important to them and their families and were also consulted on the principles for change, including the council priorities and possible commitments/values. |

## **D. TERMS OF REPORT**

### **D.1 Background**

Like any future-focused organisation, the council must periodically consider the long-term sufficiency of our strategic planning and how the organisation is positioned to continue to deliver value for stakeholders.

A new corporate planning period (2023 to 2028) offers the opportunity to create and communicate a refreshed vision of the future and identify the levers that will create the right conditions for some quite profound changes to the organisation during this planning period.

In July 2022, the Council undertook a public consultation in order to set the priorities for the next five years. Over 5,000 respondents provided feedback on their needs and expectations and importantly, their aspirations for West Lothian and the actions needed to improve their community and quality of life for people in the area.

The Corporate Plan 2023/28 was developed taking into consideration the aspirations and needs of our local community, asking them to help us create a vision of what West Lothian should be and how we can get there. Supporting national priorities for Scotland and reducing inequality in society were also key drivers.

The data collected from the consultation has been supplemented with other considerations, such as the statutory duties of the Council, policy commitments and social and demographic



changes and benchmarking and learning from other organisations, to create the Corporate Plan.

## **D.2 Your Council, Your Say Consultation**

The council held a public consultation on Our Future, to help set council priorities for the years 2023 to 2028. The consultation commenced on 24 June 2022 and closed on 31 July 2022 and asked people to:

- To tell us about the services they think local people want and need in the future;
- Identify the priorities that will help West Lothian be a better place to live, work, learn and visit;
- Identify some principles for change that will help us to transform the way the council works;
- Understand how they think we should address the funding gap;
- Understand how people want to engage with the council moving forward.

A total of 5,045 people responded to the consultation.

The combined feedback from this consultation provided a good source of information on local peoples' views of the challenges, issues and opportunities in the West Lothian community. Including how the council can improve our prioritisation of resources.

The essential information gathered in the consultation has been used to shape the development of this Corporate Plan.

## **D.3 Corporate Plan**

The Corporate Plan 2023/24 to 2027/28, contained in Appendix 1, sets the strategic priorities for the council and identifies the outcomes that we aim to achieve for West Lothian. These priorities will be the focus for all council services in the next five years, as we work to deliver better outcomes for West Lothian.

Five new priorities have been identified, taking account of what is most important to local people in West Lothian and targeting services towards those most in need:

Raising educational attainment

Improving care and support for children and older people

Supporting skills and jobs

Helping to create strong and sustainable communities

Tackling homelessness, poverty and inequality

As well as focusing on key areas such as; education, social care, employability, homelessness and poverty, the combined impact of positive progress in each of the priorities will support better outcomes for all and a fairer and more inclusive West Lothian.

The council's approach to delivering transformation and improvement of council services is also outlined in the Corporate Plan and this will fundamentally alter the way that services are provided, with an increasing focus on digital services and more effective, prioritised use of council resources.

Looking forward the Corporate Plan will help shape the council's corporate and financial planning, and the consultation responses will continue to influence the development and transformation of council services in the years ahead.

#### **D.4 Corporate Policy & Resources PDSP**

The Corporate Plan was considered at the Corporate Policy and Resources PDSP on 2 May 2023 and comments raised have been reflected in the Corporate Plan set out in Appendix 1.

#### **D.5 Next Steps**

Subject to approval of the Corporate Plan by West Lothian Council, officers will develop a performance scorecard to track and monitor progress and actions in the five priorities.

There will also be work undertaken to communicate the Plan and the refreshed Purpose, Vision, Values and Priorities of the Council to stakeholders – including customers, staff and partners.

Officers will also review and refresh performance and planning arrangements across council services to support the delivery of the Corporate Plan.

### **E. CONCLUSION**

The development of the Corporate Plan has been directly influenced by the views of the people living and working in West Lothian, ensuring that we are all focused on meeting the needs of a growing and vibrant community.

The Corporate Plan sets the council's strategic direction and identifies our priorities for the years between 2023/24 and 2027/28. These priorities will be the focus for all council services in the next five years, as we work to achieve better outcomes for West Lothian.

The five priorities reflect the areas that are the most important for the community and improving the quality of life for all living, working and visiting West Lothian. In the next five years, the council will focus on achieving outcomes in each priority. This will help to ensure that we continue tackling the most important issues for West Lothian. Also, that we invest in and prioritise the services that make the most significant contribution to the achievement of positive outcomes.

### **F. BACKGROUND REFERENCES**

[WL2028 Your Council Your Say – Public Consultation \(Phase 1 – Our Future\) report](#)

#### **Appendices/Attachments: 1**

Appendix 1 – West Lothian Council Corporate Plan 2023/28

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**Graeme Struthers**  
**Depute Chief Executive**

**30 May 2023**

WEST LOTHIAN COUNCIL  
**CORPORATE PLAN**  
2023 to 2028



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## SUMMARY

Welcome to the Corporate plan for West Lothian Council 2023/24 to 2027/28. This sets our strategic direction and identifies our priorities for the next five years (2023/24 to 2027/28).

For over 25 years, the council has been working with our community and partners to make West Lothian a great place to live, work, learn and do business – a place where local people and communities can grow and thrive.

In that time, the population of West Lothian has continued to increase, with a great many families choosing to make a home here because it offers so many of the attributes of urban living – easy access to services, shops, transport and major cities – but with all of the benefits of living in great towns and villages with a strong community spirit and a beautiful natural environment in which to play, exercise and explore.

We recognise that these next five years will bring both challenges and opportunities for the council and West Lothian citizens, and we will continue to prioritise adapt and protect, where possible, essential council services that contribute and strengthen the fabric of local communities and the quality of life in West Lothian.

Ongoing budget and financial pressures are expected to continue and difficult decisions will also have to be made by the council in order to prioritise the services that meet the needs of the most vulnerable in our community, such as children, older people, vulnerable adults and families living in poverty.

We will deliver services that enhance the local infrastructure and protect the natural environment, but a large proportion of council resources will continue to be dedicated to helping people, especially those in our community who are most in need of our support.

This plan sets out how we will strive to harness our collective strengths and passion to help create a thriving West Lothian. We have identified five clear priorities for 2023/24 to 2027/28 from our consultation with the public in 2022. These priorities represent the most challenging and important issues for people in the community and we will work to achieve improvement in each one for the benefit of our customers and for all of West Lothian.



**Lawrence Fitzpatrick,**  
**Leader of the Council**



**Graham Hope,**  
**Chief Executive**

# WEST LOTHIAN COUNCIL

As a provider of essential public services to a growing community, we are working to build and sustain a thriving West Lothian for all who live, learn and work here.

We are active partners with our community and other public service providers in delivering fundamental change to the area and supporting better outcomes for local people. The collective impact of our services on our customers' lives can be significant, with the council a familiar presence in the day-to-day lives of people in West Lothian. Every person who lives, works, learns or even travels in the area will experience the services provided by the council.

From universal services that underpin the infrastructure of the local area, to highly specialised and personalised support services for some of the most vulnerable in society, we support better outcomes in education, employment, health and community safety and contribute to wider equality in society and the sustainability of the local environment.

## A Thriving West Lothian

Our Vision puts people at the heart of everything we do. For the last 25 years, the council has worked with communities, staff, partners and stakeholders to design and deliver public services that are helping West Lothian – and local people – to thrive. A thriving West Lothian means vibrant, strong and inclusive communities where people have access to the services that they need.

The Corporate Plan captures the priorities that we believe will increase opportunities for all, such as:

- Providing high quality education and learning for our young people, helping them to fulfil their potential in life and contribute to society in a meaningful way
- Strengthening care and support services that will help older and vulnerable people to live better, more independently and longer lives
- Investing in jobs and skills to improve employability and create a strong and sustainable local economy
- Helping to build strong communities that are well-designed and well looked after and empowered;
- Increasing access to affordable housing and mitigating poverty and exclusion in our community to create a fairer society

In the next five years, we will require to be agile in our approach and will continue to focus on delivering essential public services that improve the quality of life here in West Lothian and build towards a better future.

Our ambition for West Lothian and helping the people who live here is what motivates every council employee. It drives our actions, decisions and influences our Purpose and our Vision for the future:

### Our purpose



**Improving lives and making West Lothian a great place to live, work, learn and do business**

### Our Vision



**A thriving West Lothian**

**OUR VISION  
PUTS PEOPLE AT THE  
HEART OF EVERYTHING  
WE DO.**



## OUR WLC TRANSFORMATION AND PERFORMANCE



The past decade has been a challenging period overall for local government in Scotland. Councils have faced understandable growing demand from within their communities for innovative, responsive and bespoke public services, delivered against a backdrop of major societal change and the long-term, UK-wide spending restraint in the public sector.

Looking ahead, 2023/24 to 2027/28 (the period of this Corporate Plan) is expected to bring fundamental change to council services as we seek to transform council services to continue to meet customer needs, take advantage of opportunities, such as new technology, and bridge a funding gap of £47.6 million.

**As part of our approach to transformation, the council will develop and utilise the following key capabilities:**

- 1 Increasing Our Customer Focus**
- 2 Financial Sustainability**
- 3 Community Empowerment**
- 4 Working in Partnership**

**to support change and increase operational efficiency.**



# OUR WLC TRANSFORMATION AND PERFORMANCE



## 1

### Increasing Our Customer Focus

The council is a high performing organisation that holds the importance of the customer at the core of everything we do. That customer focus influences the decision making and actions of leaders and employees on a daily basis and has driven change in the organisation since the council was established, with customer needs prioritised in the design and delivery of services and processes.

This approach has been evident in our regular and wide-reaching consultations with the community. This Corporate Plan, the associated priorities and the Council's Financial Strategy were all shaped by two major public consultations held in 2022 to review and set the strategic direction of the organisation and consult on budget proposals with service users and the wider community. Combined, the two consultations in 2022 received over 7,000 responses.

Moving forward, we want to make sure that our relationship with our customers remains strong and is built on collaboration, understanding and compassion. We recognise that we need good co-operation with our customers to achieve this and will continue to look for new ways to engage and include customers in shaping services and plans for West Lothian. We will also continue to look for new ways to engage and listen to customers views and changes services and plans for West Lothian.

Effective engagement is a priority for the council as understanding exactly what people need and want from our services can only improve our operational efficiency. To achieve this type of positive engagement with customers on a council-wide basis, we will continue to develop a customer-focused culture and new approaches to customer engagement and consultation in the next five years.

### Our values



**CARING &  
COMPASSIONATE**



**OPEN, HONEST &  
ACCOUNTABLE**



**COLLABORATIVE,  
INCLUSIVE & ADAPTIVE**

These Values will be at the heart of a culture and behaviours that the council will encourage at every level of the organisation. For example, through new customer service training and re-development of our staff development processes, the council will continue to foster a "West Lothian Way" across every council service. This will encompass all of these Values and will ensure that our customers have the best possible experience when interacting with council staff and services.



# OUR WLC TRANSFORMATION AND PERFORMANCE

## Our Commitments – Improving Council Performance

We will work collaboratively with customers, staff and partners to make our services better and reduce our operating costs to address the funding gap. Our principles for making these changes will be based on three commitments:



### Actions we will take in 2023/24 to 2027/28 aligned to these commitments include:

- Creating a better model for Customer Engagement and Customer Participation;
- Mapping processes and customer journeys to better understand how we can improve the experience of the service user;
- Establishing better governance and monitoring arrangements for tracking customer engagement and experience within the council
- Collecting data that offers better customer insight for target groups;
- Identifying the best measures of the customer experience (linked to the services provided) and updating the corporate performance management framework;
- Improving the systems for feedback and consultation and increasing the value delivered to the customer;
- Highlighting good practice and learning from other organisations and sectors.

## OUR WLC TRANSFORMATION AND PERFORMANCE



### Financial Sustainability

The council has a robust approach to financial planning that has delivered over £150 million of savings since 2007. Early identification of savings and effective engagement with our customers, partners and stakeholders in the decisions about savings has helped the council ensure that our available resources are directed to services that have the greatest impact in the priority outcomes for West Lothian.

Over the next five years the council again faces a budget gap because the funding that the council receives will not be enough to meet the rising costs of delivering our services.

Delivering a sustainable Financial Strategy for the council in 2023/28 will be a challenging but critical task to protect the most vital services to the community. We will continue to constructively engage our customers, partners and stakeholders on proposed changes to council services that will address a funding gap of £47.6 million.

We will also continue to identify opportunities and innovations that will increase operational efficiency and reduce costs. Our aim of delivering a Digital Council for the future will also support this strategy, as well as increasing choice and access to services for customers.



### Community Empowerment

We want to support community empowerment by increasing participation in local democracy, increase community involvement and increasing confidence and skills among local people. This will be undertaken by a range of capacity building activity.

We will support the local community to have a say in decision making through the Community Choices programme to help determine local spend in their areas where appropriate. Locality plans will continue to have

a focus on local areas of deprivation and ensuring local communities have a role in address key challenges.

In 2023/24, the Council will develop an approach to Community Wealth building that will focus on changing our approach to service delivery to ensure the maximum benefits to West Lothian residents, businesses and local communities. This approach will be reflected through Corporate strategies over the five-year period.



### Working in Partnership

Local authorities plan and work collaboratively with other public and voluntary sector organisations through a partnership arrangement called a Community Planning Partnership (CPP). The purpose of the CPP is to bring together key service providers to jointly address strategic priorities for the local area.

The council is an active partner in the CPP and there is a strong link between the strategic priorities of the CPP and the Corporate Plan priorities. The council can demonstrate our contribution to the strategic priorities and through effective performance management, we ensure outcomes are achieved and resources prioritised to deliver sustainable, positive change in West Lothian.

## OUR IMPACT

During the period of our last Corporate Plan (2021/22), the council made progress in our key outcomes for West Lothian in relation to education, health, housing and care. A summary of some of the impact that the council has made includes:



Improved **numeracy, reading and literacy** levels in our primary school pupils



Improved **attainment** results for school leavers



Continued to support adults with physical and learning disabilities, with high levels of satisfaction recorded for these services



Increased the percentage of school leavers entering a **positive destination** (further education or work)



Helped businesses to create on average **440+ jobs** per year



Supported an average of **770 small and medium sized businesses** per year



An average of **46% of Looked After Children** were cared for in Kinship Care setting



Supported an average of **64% of people aged 65+** to remain in their own home with care at home services



**Recycled over 50%** of all household waste



Received on average over **400,000 enquiries** to our contact centre per year and over **45,000 enquiries** in our local offices



Provided financial assistance to an average of 9,600 people per year through the Scottish Welfare Fund



Reduced the time it takes to **process benefits** for Housing and Council Tax



Increased the **supply of council houses** through our new build and acquisition programmes



Welcomed an average of **1.8million visitors** per year to our country parks

## OUR PRIORITIES

The council has five priorities for the period 2023/24 to 2027/28. These reflect the areas that are the most important for the community and improving the quality of life for all living, working and visiting West Lothian.

The priorities have been set through consultation with our community, staff and partner agencies and identify and address the most pronounced, collective needs of the local area. They will also provide a focus for decision making and resource prioritisation in the next five years,

ensuring that we target our efforts towards the issues that matter most to the community.

In the next five years, the council will focus on achieving outcomes in each priority.



## Measuring success in each priority

The council has robust performance management arrangements that provide an in-depth view of the quality, efficiency and effectiveness of our service delivery and our impact on the community.

A performance scorecard, with measures of success for each priority, will provide information on the levels of performance throughout the lifetime of the Corporate Plan. This information will be used across the next five years to challenge and scrutinise performance in the priority and to provide transparent reporting of performance to the public.

## Management of risk

Risk may be defined as those threats, opportunities or unexpected events that may affect the council's ability to achieve its corporate objectives. Risk management is therefore a key component of the council's corporate governance arrangements.

The council will continue to ensure that there are effective risk management arrangements in place which will enable corporate, service and project risks to be properly identified, assessed and managed.

## RAISING EDUCATIONAL ATTAINMENT



The council remains strongly committed to helping West Lothian's young people to make the most of their opportunities, so that they can go on to achieve positive outcomes in their lives. Raising educational attainment increases personal, social, cultural and economic opportunities and helps our young people to fulfil their potential.

Increasing attainment and achievement for all learners in West Lothian has been a key priority for the council in the last ten years and the council has invested in our schools and provided additional, specialist support to improve the quality of teaching. West Lothian has a strong track record of delivering positive outcomes for young people and we want to build on this outstanding record and continue to develop a culture of aspiration for all our young people.

In 2023/28, we will continue to strive to improve attainment and positive destinations, with particular focus on addressing the attainment gap for the most deprived young people in our communities.

We will focus on:

- Improving Health and Wellbeing for all children and young people ensuring that learning promotes confidence, resilience and positive attitudes and dispositions. This includes ensuring the highest possible attendance levels for all learners, leading to increased engagement, participation and achievement.
- Ensuring that children and young people are at the heart of educational decisions, self-evaluation and school improvement.
- Providing high quality multi-agency approaches, to enable all young people to achieve success.
- Ensuring effective tracking and monitoring of health and wellbeing including for specific targeted groups and/or individuals, and that timeous interventions are agreed with learners, and having a positive impact.
- Improving the quality of learning and teaching to ensure all learners experience motivating, engaging, well-planned and inclusive learning opportunities that maximise attainment and achievement.
- Creating a culture of high ambition and aspiration through a curriculum that is designed to meet the needs of all learners, with engaging and motivating pathways into, and through, the Senior Phase.
- Enhancing partnerships with Developing Young Workforce teams, other education providers and employers to increase the range of choices available to young people at all levels.
- Embedding the engagement of parents and carers as partners in their child's learning through family learning programmes and support.

### TRACKING PROGRESS:

We will measure our success in this priority through; school exam results, positive destinations for pupils and pupil and parental satisfaction with schools.

## STRENGTHENING CARE AND SUPPORT FOR CHILDREN, ADULTS AND OLDER PEOPLE



The council aims to deliver high quality services that ensure that people in need of care and support in West Lothian are supported to live well

We are committed to working with key partners to ensure:

- That vulnerable children and young people have the best start in life and are supported to realise their potential
- That vulnerable adults and older people have access to services that improve the quality of their lives and enable them to live as independently as possible within their own communities

Through the West Lothian Health and Social Care Partnership (HSCP), NHS Lothian and West Lothian Council work together to meet the health and social care needs of people in West Lothian. The HSCP will continue to work to develop and deliver services that are high quality, person centred, accessible and integrated.

Health and social care services in West Lothian operate within a challenging environment with:

- Increased demand for support due to an increasing elderly population
- Increased complexity of assessed need,
- A range of demographic pressures,
- Workforce challenges and
- Financial constraints faced by all public sector services in Scotland.

In order to meet these challenges, the HSCP will work to create a culture of cooperation, co-production and co-ordination across all partners. By working with people who use our services, their families and the wider community, the partnership will aim to create effective and sustainable solutions and achieve the best outcomes for people in West Lothian.

In 2023/28, we will work with our partners to deliver joined up services across health, education, and social care for vulnerable children, adults and older people.

We will focus on:

- Developing services targeted at those most in need with a 'Home First' approach. We will maximise the use of technology enabled care where appropriate to reduce and prevent hospital admissions and facilitate speedier hospital discharge.
- Improving our approach to integrated models for mental health services for children, young people and adults recognising the importance of mental health and wellbeing on people achieving positive outcomes.
- Improving support for young carers and unpaid carers over the next five years through improved identification of unpaid carers, assessment, information and advice, health and well-being, carer support, participation and partnership.
- increase the range of available support to enable people to achieve better outcomes by choosing and directing their own support
- Providing support for vulnerable children and young people to achieve sustainable positive outcomes and destinations in line with priorities in the West Lothian Corporate Parenting Plan.
- Providing support for care experienced children and young people to help achieve positive outcomes.
- Protecting those in our community who are most at risk by providing effective interventions across the four main strands of public protection; Child Protection, Adult Support and Protection, Gender Based Violence and Multi-Agency Public Protection Arrangements (MAPPA).

### TRACKING PROGRESS:

We will measure our success in this priority through; measures on the quality of care, percentage of self-directed support and technology-enabled care and service user/carers satisfaction with our services.

## INVESTING IN SKILLS AND JOBS



The council aims to support the growth of a vibrant business sector, built around a highly motivated and skilled workforce.

Improving the employment position will positively impact on the quality of life and the overall wellbeing of citizens in West Lothian. Our community needs a strong local economy to flourish as it supports the success of other priorities, particularly in improving attainment and health outcomes, and addressing poverty.

The council will continue to focus on maximising employment opportunities with a particular focus on helping young people enter the job market.

In 2023/28 we will continue to support local businesses to start-up and grow and encourage investment in West Lothian through collaboration with national partners we will focus on:

- Targeting regeneration interventions on communities with the greatest need including areas suffering disadvantage, rural areas and isolated communities, whilst attracting investment and promoting sustainable growth in those areas.
- Promoting access to employment by ensuring young people have an opportunity to aspire and understand the opportunities available in new industries on leaving school.
- Through Investinwestlothian we will continue to Support investment ensuring collaboration with national and local agencies and other partners.
- Supporting businesses through building an entrepreneurial culture, supporting business start-ups and early stage company growth to increase the overall stock of businesses.
- Collaboration through partnership working to maximise job opportunities and minimise skills gaps
- Maximising the potential of West Lothian's town centres and visitor attractions through targeted investment and partnership working to increase the range of employment opportunities available.

### TRACKING PROGRESS:

We will measure our success in this priority through; employment, successful outcomes from employability programmes, town retail occupancy and business and jobs supported through council interventions/support.



## HELPING TO CREATE STRONG AND SUSTAINABLE COMMUNITIES



The council aims to support the development of a strong, inclusive and sustainable West Lothian. We want to support empowered communities through services that are well designed and protect the built and natural environment for current citizens and future generations.

We will continue to focus on building an infrastructure that will support a growing and thriving West Lothian, ensuring that there is access to council services, schools, housing, roads and transportation networks that will allow people, families and businesses to succeed.

This will include services that contribute to our local culture and heritage, and services that help build resilient and inclusive communities.

The council declared a Climate Emergency in September 2019, and is committed to taking action to mitigate and adapt to the impacts of climate change.

In 2023/28, we will focus on ensuring that we have the infrastructure to succeed – that there is access to council services, schools, housing, roads and transportation networks for people, families and business to continue to grow and achieve.

We will focus on:

- Supporting the sustainable residential and commercial development of the local area.

- Providing affordable housing where people are supported to live sustainably
- Supporting community inclusion and empowerment.
- Ensuring that West Lothian has a transport and roads network to support and sustain economic and population growth in the local area.
- Providing high quality customer, community and heritage services and a range of culture and leisure facilities that will enhance the quality of life for local people.
- Protecting the environment through a range of regulatory and enforcement activities that will protect the health, wellbeing and safety of local people.
- Improving waste recycling rates in West Lothian and introducing low carbon and renewable energy solutions.
- Promoting active and sustainable travel options, working in partnership to improve passenger transport options, reducing emissions and achieving the Council's carbon reduction targets.

### TRACKING PROGRESS:

We will measure our success in this priority through; housing and local development progress, outcomes in relation to recycling, the environment and improvements in the local infrastructure (roads and land) and measures of the quality and responsiveness of customer and community services.



## TACKLING HOMELESSNESS, POVERTY AND INEQUALITY



The council aims to help people living in poverty and deprivation as they have significantly worse life outcomes than those in average households, and this is often determined at a very early age by family circumstances.

Individuals who do less well at school, are more likely to be unemployed or in poorly paid jobs and will generally have poorer health and shorter lives. The financial cost is significant also, with people having a greater reliance on public services throughout their lives.

We have been working together with partners to mitigate the human costs of poverty through a range of supports and targeted activities in our communities. This includes helping people to manage their household finances, debts and benefits but also, by investing in increasing the supply of council housing – through the provision of new build council houses and acquisition of former council houses – to create new homes for lower income families

In 2023/28, we will aim to address some of the serious issues that have affected our communities, and through education and multi-agency support we will focus on:

- Increasing the supply of affordable homes for rent across West Lothian through our council house new build and acquisition programmes and our partnership with social and private landlords.
- Helping people to access housing appropriate to their needs and support to sustain their accommodation.
- Ongoing implementation and development of an Anti-Poverty Strategy and action plan for West Lothian to address the causes of poverty and mitigate the impact of poverty.
- Providing holistic benefit, debt, housing and energy support and advice services to local people to maximise their income and mitigate the impact of the cost of living rises.
- Providing a route out of poverty through work and continuing to support those further from the labour market to progress towards work through training and volunteering.
- Providing clothing grants, free school meals, and education maintenance allowance to parents and carers who qualify.
- Increasing the efficient processing of Housing Benefit, Council Tax Reduction, Discretionary Housing Payments, Blue Badge and National Entitlement Cards.
- Ensure that the Scottish Welfare Fund and Discretionary Housing Payments are utilised to support our most vulnerable citizens.
- Working with our Community Planning Partners, Third Sector and the Scottish Government to embed the West Lothian Food Network and food poverty action plan into local support mechanisms to further support low income households.

### TRACKING PROGRESS:

We will measure our success in this priority through; council house new build and acquisition progress, measure of impact/quality of financial support and advisory services, council house tenancy sustainment.



# **CORPORATE PLAN**

## **2023 to 2028**

Howden South Road, Livingston, EH54 6FF  
01506 280000  
[westlothian.gov.uk](http://westlothian.gov.uk)



# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 9

## **Motion -Linlithgow Rose Football Club**

**Full Council Meeting 30<sup>th</sup> May 2023**

West Lothian Council congratulates Linlithgow Rose Football Club on winning the Premier Division of the East of Scotland Football League Premiership 2022/23. This sealed the club's first championship in ten years. With just 2 defeats in 28 league games the Rose have shown an incredible transformation under their new manager Gordon Herd and the Championship Title is just reward for their hard work.

The Linlithgow Rose team were:

Binnie, Webb, Allison, Stowe, Doherty, McMullan, McKenzie, Ogilvie, Sneddon, Cunningham, MacPherson, Baxter, Heaver and Allan with substitutes Thom, Davidson, Gillespie and McMinn on hand.

Council instructs the Chief Executive to write to Linlithgow Rose Football Club with the Council's congratulations and best wishes for the year ahead."



Moved by Cllr Pauline Orr.

Received on 3 May 2023 at 13:59





## **JOINT MOTION TO EXPLORE THE OPTIONS REGARDING THE CIVIC CENTRE CAFÉ**

### **ACCEPTING CASH PAYMENTS**

WEST LoTHIAN FULL COUNCIL MEETING 30/05/23

Council recognises that during the various periods of restrictions that were in place for everyone's health & safety during the pandemic, it was perhaps easier for the Civic Centre Café to stop accepting cash payments, as many other establishments did. Thankfully, the time for those restrictions has long past, and there is therefore no public health reason for the Civic Centre Café to continue the exclusionary practice of card only payments.

Unfortunately, we are now experiencing a Cost of Living crisis, which means many people are budgeting and returning to cash as a means of payment to help them live within their means. At a time when West Lothian Council should be enabling people to access food & drink at reasonable prices wherever possible, by only accepting card payments at the Civic Centre Café, they are excluding many potential customers.

Livingston Civic Centre claims to be the biggest Partnership Centre of its kind in the United Kingdom. Not only is it the headquarters of West Lothian Council, it also houses other public sector organisations serving the area, including:

- Police Scotland,
- Livingston Sheriff Court and Justice of the Peace Court,
- Crown Office and Procurator Fiscal Service,
- Scottish Children's Reporter Administration,
- Scottish Fire and Rescue Service
- and West Lothian Health and Social Care Partnership.

The Civic Centre is therefore well-used by public sector workers, and members of the public accessing any of the varied services listed above. Council recognises that regular customers can use the iPayimpact system, however for visitors to the Civic Centre, this is obviously not an option.

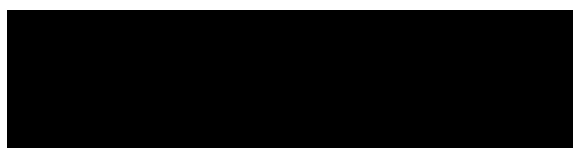
There are myriad reasons why someone may not have access to a functioning credit or debit card, but they may have two or three pounds in cash which they can use in the Café. By only accepting card payments, the Civic Centre Café is losing out on potential revenue. In addition, because the card machine provider charges a flat fee for all transactions, any transactions of less than £5 are therefore disproportionately charged, which is another loss of revenue for the Café. Therefore, this motion has the potential to increase the profitability of the Civic Centre Café, which will increase the lease value going forward.

West Lothian Council's own mission statement includes the following aims:

- focusing on our customers' needs
- providing equality of opportunities
- making best use of our resources

At a fundamental level, while the Civic Centre Café is not accepting cash payments, it is not focusing on all of its customer's needs, it is not providing equality of opportunity for all, and it is certainly not making the best use of its resources.

West Lothian Council therefore agrees to instruct Officers to explore all the options regarding the Civic Centre Café resuming acceptance of cash payments again, including surveying café users, and report back to the appropriate PDSP, and Full Council.



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward



**Councillor Sally Pattle**  
Liberal Democrat  
Linlithgow Ward

Received on 10 May 2023 at 13:35



## **WEST LOTHIAN COUNCIL LABOUR GROUP**

### **Notice of Motion from Councillor Kirsteen Sullivan for Council on Tuesday 30<sup>th</sup> May 2023**

#### **OPAL**

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Council notes the recent 10<sup>th</sup> birthday celebrations held by OPAL (Older Lives, Active People) in the Almondvale Suite, bringing together volunteers, staff members and clients to enjoy a Par-Tea with an afternoon of entertainment and dancing.

Council understands that over the past 10 years, OPAL has supported more than 2000 older people from across West Lothian to increase their independence and well-being through a variety of social, leisure and community activities such as singing, lunch clubs, cooking and quizzes. Council further notes that OPAL also offers remote support to those unable to meet in person or who prefer to be involved remotely, via online groups, telephone befriending and monthly activity packs.

Council instructs the Chief Executive to write to Billie Hamilton, OPAL Community Worker, to extend congratulations to all the staff and volunteers on behalf of West Lothian Council and to wish OPAL all the best for the next 10 years of supporting elderly citizens in West Lothian.



**Councillor Kirsteen Sullivan  
Executive Councillor  
West Lothian Council Labour Group**

Received on 12 May 2023 at 12:37







## **WEST LoTHIAN COUNCIL LABOUR GROUP**

### **Notice of Motion from Councillor Anne McMillan for Council on Tuesday 30<sup>th</sup> May 2023**

#### **Minister for Older People**

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Council notes that the First Minister has appointed a Minister for Equalities, Migration and Refugees but has not appointed a named Minister for Older People.

Council further notes that there is now a Minister for Independence, a post newly created by the First Minister, while the priorities of older people now have a lower priority than the quest for Independence.

Council is disappointed that the importance of older people's issues will receive less of the necessary and important focus at a time when Scotland's population is ageing and facing a growing number of serious challenges.

AGE Scotland, along with 15 partner organisations, have written an open letter to the First Minister, Humza Yousaf, calling for the reinstatement of a named Older People's Minister.

Council therefore agrees:

- to support the Age Scotland campaign
- to instruct the Chief Executive to write to the First Minister to ask for the reinstatement of a named Older People's Minister.

Received on 12 May 2023 at 12:37

**Councillor Anne McMillan**  
**Executive Councillor for Social Work and Health**  
**West Lothian Council Labour Group**



# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

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



Agenda Item 13

## Motion to West Lothian Council –Tuesday 30<sup>th</sup> May 2023

### Disposable Vapes

Council notes with concern the serious and damaging environmental impacts of disposable vapes and recognises an increase in these electronic devices being discarded in communities and public spaces across the West Lothian council area.

Research by Material Focus, an independent not-for-profit organisation, identified in 2022 that at least 1.3 million so called “disposable” vapes are littered and binned each week.

Council recognises the findings of ASH Scotland that these products are harmful to health, in particular of children and young people. Disposable vapes contain highly addictive nicotine, and a single disposable vape can last for “600 puffs”, the equivalent of smoking a pack of 20 cigarettes, while many vapes contain chemicals that have not been safely tested for inhalation so that long-term health impacts are unknown. Recent estimates put the number of young people, under the age of 18, taking up smoking vapes as up to 40%.

West Lothian Council further notes a December 2022 report by Keep Scotland Beautiful, which identified significant public concerns around littering, with plastic pollution and potential leakage of toxic chemicals from discarded vapes adversely impacting our communities and the local environment. Notes that vapes contain a range of precious materials, including lithium and copper which can be collected if recycled in a safe and appropriate manner. Council also considers there is heightened risk of damage to infrastructure due to the potential combustion of batteries contained in the devices both at Council run facilities and within communities.

Further anticipates the publication of the Scottish Government’s urgent review into the environmental impact of disposable vapes, currently being undertaken by Zero Waste Scotland.

In light of these findings, West Lothian Council agrees:

- to instruct the Chief Executive to write to the Scottish Government expressing our support for the introduction of a nationwide ban on the sale of disposable vapes;
- that this position informs our response to the ongoing Evidence Review on the Impact of Single Use Vapes conducted by Zero Waste Scotland;

- to support communication campaigns promoted by relevant partners and stakeholders, such as NHS Lothian, ASH Scotland, and Keep Scotland Beautiful, that highlight the public health and environmental impacts of disposable vapes;
- to promote the work of Trading Standards in preventing the sale of e-cigarettes and vapes to those aged under 18.



Received on 12 May 2023 at 14:11



**Councillor Janet Campbell SNP Group Leader**  
**Broxburn, Uphall & Winchburgh Ward (SNP)**



## **WEST LoTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP**

Agenda Item 14

West Lothian Council

Motion – 30 May 2023

### **CAMHS**

#### **Child and Adolescent Mental Health Services**

Mental health services in Scotland are currently at crisis point. West Lothian has one of the youngest populations in Scotland and I have become aware of the horrendous waiting times for young people requiring support. I have spoken to families across West Lothian desperately seeking this vital support and heard their frustrations that their young people are missing opportunities to attend educational facilities and are potentially becoming more isolated every day that they wait for help.

The target set by the Scottish Government for 2022 was that 90% of patients referred to CAMHS should be seen within 18 weeks. Currently, the Scottish Government has only achieved an average of 70.1%.

I ask that the Chief Executive write to the Cabinet Secretary for NHS Recovery, Health, and Social Care Mr Michael Matheson and First Minister Mr Humza Yousaf to ask when our young people in West Lothian and those across Scotland on this waiting list for life changing support will receive the support they and their families deserve.



Received on 12 May 2023 at 14:25



**Councillor Peter Heggie**  
**Conservative Group**  
**Livingston South ward**



## WEST LoTHIAN COUNCIL

30 MAY 2023

### MOTION

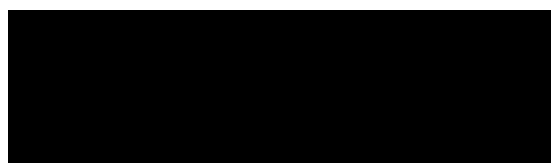
#### CARE AND CARE HOMES

Alarmed by expressions of concern about risks to quality of care; staff training; and staff terms and conditions following the publication of proposals by West Lothian Integration Joint Board on care homes and care-at-home, West Lothian Council instructs its Chief Executive to write to the IJB:

- calling on them to withdraw its proposals for privatisation of these services
- calling on them to consider more appropriate solutions to its budgetary pressures, including requesting adequate funding from the Scottish government
- ask them to publish a comparative assessment of the quality of care for older residents in the public, private and voluntary sectors

Further, the Chief Executive is instructed to write to the Scottish government:

- urging them to abandon - not merely delay - its plans for a wasteful national care service
- inviting them properly to fund local authority care services to ensure a publicly-managed care provision can flourish ensuring consumer choice; a quality comparator; a price comparator; and employers with high standards of terms, conditions and training.



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward



**Councillor Sally Pattle**  
Liberal Democrat  
Linlithgow Ward

Received on 12 May 2023 at 15:27







## **JOINT MOTION TO BAN THE USE OF DISPOSABLE VAPES IN SCOTLAND**

WEST LoTHIAN FULL COUNCIL MEETING, 30/05/23

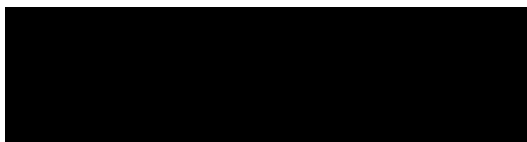
Council welcomes the recently announced review into the impact of disposable vapes (disposable e-cigarettes), by the Scottish Government. Various campaign groups across Scotland, including Ash Scotland, Keep Scotland Beautiful and the Marine Conservation Society are calling for urgent action to tackle the harmful environmental and health effects of disposable vapes. Here are some key statistics about the harm these products are causing:

- 1.3 million+ vapes being discarded in the UK every week, sending valuable materials to landfill.
- This equates to 10 tonnes of lithium reaching landfill/incinerators each year. Enough metal to make batteries for 1,200 electric cars.
- Damaged batteries from vapes cause of hundreds of fires each year at recycling plants. They can also cause fires during waste transportation in bin lorries, when damaged for example by grass cutters, or in the waste facilities themselves. The Fire Service have suggested the recent fire which devastated the recycling plant at Altens, Aberdeen might have begun in this way.
- Discarded vapes present a leak risk of toxic chemicals and microplastics which are harmful to children, pets, wildlife and water systems. Many local litter picking groups have seen a surge in the number of vapes found, including the West Lothian Litter Pickers.
- 90% of vape retailers are failing to comply with WEEE (Waste Electric and Electronic Equipment) regulations, meaning recycling is near impossible for consumers.

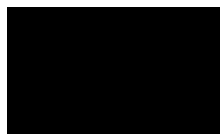
Five councils in Scotland already support the ban on disposable vapes: Dundee, Renfrewshire, Glasgow, North Ayrshire, and our neighbours in Falkirk. Others are currently debating similar motions, there is real cross-party momentum behind this campaign.

The Scottish Government already has existing powers which they could use to ban the sale and manufacture of disposable vapes in Scotland.

Council therefore instructs the Chief Executive to write to the Scottish Government and call on them to ban disposable vapes as soon as possible to help move Scotland toward a sustainable circular economy and protect children and young people from risks to their long-term health.



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward



**Councillor Sally Pattle**  
Liberal Democrat  
Linlithgow Ward

Received on 14 May 2023 at 16:38





## WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

### WEST LOTHIAN COUNCIL

30<sup>RD</sup> May 2023

### MOTION FOR RAILWAY STATION FOR WINCHBURGH

West Lothian Conservative Group notes that it is a huge concern, with a growing population of Winchburgh that they may not get the planned Railway Station that was in the original development plan. A major attraction for families buying houses at the new development in Winchburgh, was that they believed a station would be built, as promised 15 years ago from SNP Scottish Government, that would connect them to Edinburgh and Glasgow.

Obviously, such a station would improve transport links, reduce car usage and help with Scottish Government's Net zero targets.

By the end of this development, Winchburgh Village will have a population of around 12,000 and a train station is a must. The developer has said that they are happy to invest in a station however, they require support from the SNP Scottish Government, Transport Scotland, West Lothian Council and Network Rail

On the 6<sup>th</sup> December 2022 Jenny Gilruth Minister for Transport instructed Transport Scotland and Network Rail to come up with a proper design and a cost of a Railway Station for Winchburgh, now in May 2023 nothing has come forward to get this moving. We need all stakeholders to get around the table and agree on how a train station can be delivered as quickly as possible.

West Lothian Council therefore instructs the Chief Executive to the following –

- 1 – To write to the Scottish Government, Transport Scotland, Winchburgh Developments Ltd, Network Rail with the aim of arranging a meeting, along with West Lothian Council and agree on how a train station can be delivered as quickly as possible,
- 2 - Write to Network Rail asking for a cost of a proper design costed model for a railway station for Winchburgh to be shared with West Lothian Council as a matter of urgency with a time scale given to ensure best value and share best practice
- 3 - Write to MSP Minister for Transport, asking that the SNP Scottish Government commit to their share of funding to this project.
- 4 – For the relevant Council Officers to produce a report following the meeting and for this report to go to Environment & Sustainability PDSP and subsequently this report to be presented to Full Council for information.

Received on 15 May 2023 at 7:46

Councillor Angel Doran-Timson  
Ward 2 - Broxburn, Uphall and Winchburgh Ward



# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servíli!*



Agenda Item 18

## Council Meeting Tuesday 30<sup>th</sup> May 2023

### Motion – Respite Care

Caring can be a full-time job and carers are often in need of time off for themselves. The benefits of having time off from caring can be enormous, allowing for the opportunity to catch up on sleep, visit friends, do some shopping, or just spend a few quiet hours doing what you want to do.

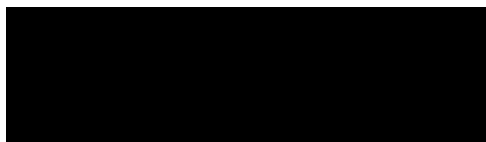
There can be difficulties in taking a break from caring. The person being looked after may be reluctant to accept care from anyone else or the carer might feel that the alternatives on offer are not appropriate to their loved one's needs. The carer often feels guilty about spending time away from the person they care for. But it is important that respite from caring is available to safeguard the carer's health and enable them to continue to cope. The person being cared for can also benefit from a change in surroundings, and a chance to meet new people.

We know therefore that having a short break can make an enormous difference to both carers and the people they care for by providing the space to rest, be themselves, pursue a hobby, catch up with friends or just relax and recharge.

When you get an adult carer support plan or young carer statement under the Carers Act (Scotland), your local authority must consider whether any support to be provided to you should include a break from caring.

This is why it is vital that we have adequate respite facilities within West Lothian, to enable this vital function to take place as close to the person being cared for own home as possible.

West Lothian Council, therefore, agrees to a report being brought to the next meeting of the Health & Care PDSP outlining the respite provision currently offered in West Lothian, to ascertain whether this is enough to meet the demands of this Local Authority with a rising elderly population.



Cllr Janet Campbell SNP Group Leader

Received on 15 May 2023 at 9:22





# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servíli!*



Agenda Item 19

## Council Meeting 30<sup>th</sup> May 2023

### Motion: Report on licensing nail bars

The increased popularity of acrylic nail extensions, manicures and other treatments in recent years has seen a rapid expansion in the number of nail bars in West Lothian.

While, for many, this is a relatively low-cost procedure which they purchase frequently there are a number of issues associated including health and safety risks and the potential for some of these businesses to attract human trafficking and exploitation. At a local level, we have powers available to ensure these businesses operate to as high a standard as possible through licensing these businesses under the Civic Government (Scotland) Act 1982 as already done in other local authorities. Yet currently in West Lothian, these businesses remain unlicensed.

One major issue arising from the expansion of nail bars is a rise in the number using unqualified technicians as well as the use of an alternative polymerising agent called methyl methacrylate, or MMA. This agent is banned in nail bars in the United States, Australia and New Zealand, but there is no such ban in this country. The attractions of MMA to the operative is that it is much cheaper than EMA (ethyl methacrylate) at between a third and a sixth of the price, and that it forms the extensions more quickly, enabling non-standard nail bars to undercut the prices of the more reputable businesses. The risks associated with the use of MMA include respiratory problems, allergic reactions and partial or permanent damage to the nail bed.

- Council, therefore, agrees to bring a report through the relevant PDSP to the council executive exploring the possibility of licensing businesses undertaking nail treatments by introducing the requirement for a public entertainment licence under the Civic Government (Scotland) Act 1982.

While it is right that the presumption of licensing should be towards enabling businesses and economic growth West Lothian Council also has a duty to proactively respond to concerns to ensure the health and wellbeing of staff, clients and members of the public in relation to these businesses.



Cllr Pauline Stafford  
**Bathgate Ward (SNP)**

Received on 15 May 2023 at 9:42







# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servíli!*



Agenda Item 20

## Council Meeting 30<sup>th</sup> May 2023

### Motion: CRC Usage

Constituents across West Lothian are concerned at the new restricted opening times at Council Recycling Centres. There are fears that it will be more difficult to access sites as reduced opening times may mean longer waiting times for slots.

Many elderly or infirm constituents rely on the goodwill of friends and neighbours often from out with the area to help with access to our CRC facilities. Restricted access will put a serious strain on this goodwill. Council must ensure that these constituents are not being disadvantaged in any way by these new measures.

There are also concerns as to how staff will be able to identify what is or is not commercial waste particularly if the vehicle is unmarked. We do recognise that more and more families have vans and rightly need access however we believe that council needs to address the issue of commercial vehicles masquerading as residential vehicles. Their taking residential slots in these reduced opening times will greatly affect our constituent's ability to recycle domestic waste.

Council Officers should monitor the vehicle movements in the CRC locations to establish the number of Vans, Pickups, Trailers and Cars. This information should be used to form a report to PDSP and Council Executive.

Analysis of such data can be used to establish an appropriate fee for all vehicles other than private un-liveried cars using CRC facilities. It is regrettable that such a blanket measure should be introduced but abuse by some requires intervention to protect the vulnerable. Any new system introduced should be regularly monitored and figures made available to establish further usage of sites.

West Lothian needs to provide and encourage recycling facilities at the same time as supporting businesses in the safe responsible disposal of waste.



Cllr Pauline Orr

**Councillor for Linlithgow Ward (SNP)**

Received on 15 May 2023 at 9:55





# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 21

Council Meeting Tuesday 30<sup>th</sup> May 2023

## **MOTION: BEECRAIGS**

The SNP group has grave concerns around the decision to remove the animal attraction at Beecraigs Country Park.

Home for some rare breeds such as the North Ronaldsay Sheep, of which only around 500 now survive, we believe that this decision is short sighted.

In the year to April 2022, approximately 1.4m people passed through the Park. Whilst we recognise that some of these will have been repeat visits the numbers demonstrate the popularity of the park to both the local community and tourists alike.

The Rare Breed Survival Trust has been working across Scotland and the UK for nearly 50 years to save and secure the futures of the rarest of native breeds of livestock and equines. The charity runs vital conservation projects and works to ensure rare breed conservation is supported through farming and environmental policy.

The group understands that in the current climate funding is challenging, however with 1.4 m visitors passing through this beautiful park last year alone, and with Beecraigs Festive Forrest encouraging in excess of 80,000 visitors over a 4 week period alone I put it to Council that there is ample opportunity to consider and implement fund raising measures that would save the attraction not just for this financial year, but for years to come.

Further, there is potential for considerable monies to be raised which can be put back into the park in terms of upgrades and improvements such as the waste disposal area which I know is a significant issue but would be expensive to upgrade.

Council also need to understand the impact of what these measures will have on the park. Will there be new costs incurred to keep growth down in the fields where animals were grazing. Deer eat lichen (some species also protected), will there be any impact there once the livestock have gone.

If only 10% of these visitors paid just £1 into a donation box, the park could raise in excess of £140,000, more than enough to cover animal costs on an annual basis. Donation boxes could be placed at the animal enclosures, at the entrance to the pathways from the car park etc and if clearly marked I do believe people would donate.

I put it to you therefore that you place any further movement of livestock on hold until a full feasibility study has been undertaken, facilitated by an appropriate working group of council officers, Councillors and Park Staff.



Received on 15 May 2023 at 10:00



**Councillor Veronica Smith**

**East Livingston & East Calder Ward (SNP)**



## WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

30<sup>th</sup> May 2023

### Scrapping Age related Soft Touch Sentencing

Council notes that under new court guidance, criminals under the age of 25 are being treated more leniently because of their alleged brain immaturity. Guidelines were drawn up by the Scottish Sentencing Council, which was set up by the SNP Government.

Community Payback Orders (CPO's) are being used to avoid custodial sentences at a time where throughout Scotland, 1 in 4 are not completed amounting to 700,000 hours still to be completed. CPO's are routinely being written off nationally. Hundreds of domestic abusers and more than a dozen killers were given CPO's in Scotland.

Last year 1,535 girls under the age of 16 were raped or sexually assaulted. A recent High Court case in Glasgow resulted in a sentence of 270 hours of CPO's instead of the 4 to 5-year custodial sentence for a man who raped a 13-year-old girl. The reason given was because he was 17 years old at the time.

"The Scottish Justice System has effectively decriminalised rape!" These are the words from the founder of Speak Out Survivors. Rape Crisis Scotland reports that "this sends out entirely the wrong message to anyone considering reporting rape. "

Victims are not being considered and are being let down at a time when they deserve to be given compassion and understanding. Many victims will be traumatised by the crimes committed and subsequent interviews and giving evidence in court. They deserve to be heard. This new light sentencing places the well-being of the perpetrators above that of the victims. When a CPO is issued, bail conditions preventing the perpetrators from contacting or approaching the victim no longer apply. This will leave the victims further unprotected.

It should be noted that the Lord Advocate has decided that The Crown should appeal the Glasgow court case sentence on the grounds that it was unduly lenient. According to the victim's lawyer she now has "some hope Justice will be done." However, this was as a result of the public outcry following sentencing. Meanwhile the perpetrator has announced that he wants to appeal his sentence, this is usually done when they feel the sentence was too harsh.

Council is instructed to write to First Minister Humza Yousaf and Justice Secretary Angela Constance to order a review of these sentencing guidelines with a view to scrapping them so that rapists and other serious criminals do not avoid prison because they are under 25.

Received on 15 May 2023 at 10:40

Councillor Alison Adamson - Livingston North  
West Lothian Council Conservative Group



## **WEST LOTHIAN COUNCIL LABOUR GROUP**

### **Notice of Motion from Councillor Lawrence Fitzpatrick for Council on Tuesday 30<sup>th</sup> May 2023**

#### **Recognition of the need of different house types including bungalows in new housing developments**

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Council is asked to note that:-

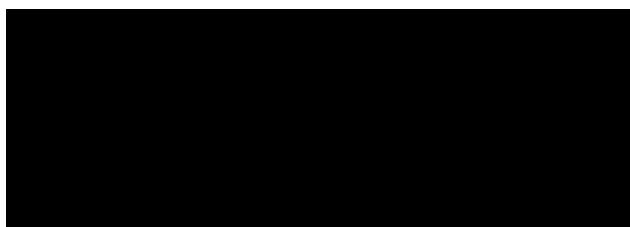
National Planning Framework 4 (NPF4) gives broad support for a range of house types to meet all needs of the community which include bungalows or dwellings on ground floor level.

NPF4 does not however provide any detail on how this can be achieved or delivered and that this creates a difficulty as in planning legislation there is no distinction of house types with the exception of flats and houses.

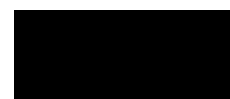
Council acknowledges that this creates a real difficulty for council planning authorities to require developers to provide a range of house types through the planning process.

Council is aware of numerous observations particularly from elderly/disabled constituents as regards the shortage of bungalows on the housing market and near absence of such in new housing developments.

Council therefore agrees to instruct the Chief Executive to write to the Planning Minister requesting this deficiency is addressed through a change to planning legislation and regulations to allow planning authorities to require specific house types in considering planning applications or in the allocation of sites in Local Development Plans.



Received on 15 May  
2023 at 11:57



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





## **WEST LOTHIAN COUNCIL LABOUR GROUP**

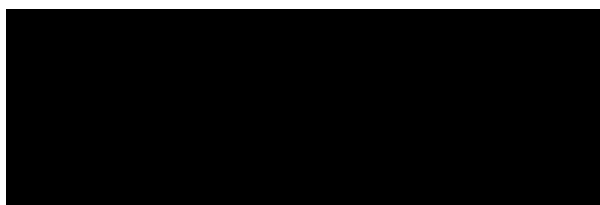
### **Notice of Motion from Councillor Lawrence Fitzpatrick for Council on Tuesday 30<sup>th</sup> May 2023**

#### **Investing in Volunteers Award**

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Council congratulates the Anti-Poverty Service and its committed group of volunteers on successfully achieving the Investing in Volunteers Accreditation.

Council expresses its deep gratitude for the many volunteers who give up their time to assist those in need



Received on 15 May  
2023 at 11:57



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



# WEST LOTHIAN COUNCIL LABOUR GROUP

## Notice of Motion from Councillor Lawrence Fitzpatrick for Council on Tuesday 30<sup>th</sup> May 2023

### Declaration of a Nature Emergency

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Council agrees to declare a Nature Emergency. Recognising the current state of nature and our dependence on the natural world in providing crucial ecosystem services. It is proposed this declaration sit alongside the Council's Climate Emergency (2019) declaration. Given the interconnectedness of climate change as one of the main factors in biodiversity loss council agrees there is an urgent need to act in favour of nature recovery and restoration to help address the issue and meet key targets.

Council is asked to note that there is a large body of evidence highlighting an alarming degree of biodiversity loss throughout the world:

- State of Nature Report, Scotland 2019: <https://www.nature.scot/doc/state-nature-scotland-report-2019> "the abundance and distribution of Scotland's species has on average declined over recent decades and most measures indicate this decline has continued in the most recent decade."
- WWF Living Planet Report 2022: <https://livingplanet.panda.org/en-GB/> "global wildlife populations have plummeted by 69% on average since 1970"
- The PREDICTS (Projecting Responses of Ecological Diversity In Changing Terrestrial Systems) team at the Natural History Museum has calculated a global Biodiversity Intactness Index (BII) to assess each area's biodiversity. A BII of 90% or more means the area has enough biodiversity to be a resilient and functioning ecosystem. Under 90%, biodiversity loss means ecosystems may function less well and less reliably. If the BII is 30% or less, the area's biodiversity has been depleted and the ecosystem could be at risk of collapse. The UK has a BII of 53%, which is in the bottom 10 percent globally. <https://www.nhm.ac.uk/our-science/data/biodiversity-indicators.html>

Council agrees that nature has an intrinsic value to humans, and plays an integral role in our culture and society, our health, wellbeing, and economy, this being demonstrated through literature, music, art, placemaking, green prescribing, scientific research, food, energy, water regulation, air quality regulation, etc

Nature plays a key role in meeting climate targets, with respect to adaptation, resilience and mitigation.

The final decision text at COP 27 recognises the interlinked crises of climate change and biodiversity loss, and recognises the "vital importance of protecting, conserving, restoring and sustainably using nature and ecosystems for effective and sustainable climate action" [https://unfccc.int/sites/default/files/resource/cma2022\\_L21\\_revised\\_adv.pdf](https://unfccc.int/sites/default/files/resource/cma2022_L21_revised_adv.pdf)

Council notes that the revised national [Scottish Biodiversity Strategy](#) (draft) and upcoming Natural Environment Bill will provide statutory targets for public bodies, including local authorities, will require them to meet the challenges of the nature crisis.

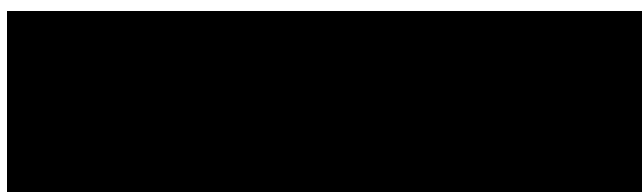
The [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#) agreed at COP15 in December 2022, presents 23 global biodiversity targets with long term goals including maintaining, enhancing or restoring “the integrity, connectivity and resilience of all ecosystems, substantially increasing the area of natural ecosystems by 2050”; and “Biodiversity is sustainably used and managed and nature’s contributions to people, including ecosystem functions and services, are valued, maintained and enhanced, with those currently in decline being restored, supporting the achievement of sustainable development, for the benefit of present and future generations by 2050”.

The key role of subnational governments and local communities in realising delivery of the GBF over the coming decade is acknowledged in the [Edinburgh Declaration](#), signed on behalf of West Lothian Council in Nov 2021 .

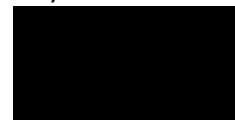
Council has already committed to addressing the nature crisis through signing the Edinburgh Declaration and having established a new Ecology and Biodiversity Team (in place since Oct 2021). This team is working with council colleagues and external partners to halt biodiversity loss (the national target is to halt loss by 2030), highlight and prevent wildlife crime, enforce the mitigation hierarchy in development, ensure space for nature through updated policies and spatial plans, and enrich biodiversity through the protection of species and habitats and through the creation of nature networks. A new 10-year Local Biodiversity Action Plan is underway, which we plan to publish at the end of 2023, helping us to attain the national target of restoring and improving biodiversity (in comparison with 1990 levels) by 2045.

Council further agrees that in declaring a Nature Emergency shows West Lothian Councils recognition of the current state of nature and its inherent value, as well as our continued commitment to aiding in the recovery and restoration of the natural environment to help realise our climate targets.

Council agrees to incorporate the ‘Declaration of Nature Emergency’ into the workings and reports to the Environment PDSP.



Received on 15 May 2023 at 11:57



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

## **WEST LoTHIAN COUNCIL LABOUR GROUP**

### **Notice of Motion from Councillor Lawrence Fitzpatrick for Council on Tuesday 30<sup>th</sup> May 2023**

#### **West Lothian Integration Joint Board**

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Council acknowledges the serious budget difficulties faced by West Lothian Integration Joint Board.

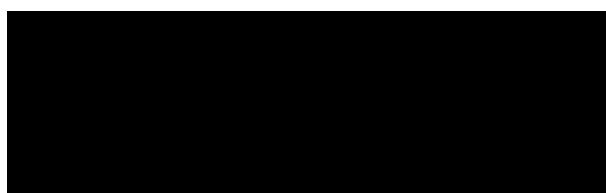
Council is asked to note the letter sent from the Council Leader to the First Minister on 29<sup>th</sup> March 2023 and the response received (see appendices)

Council agrees the exorbitant sums of consultancy fees for National Care Service proposals and the anticipated set up costs could be better spent on fully meeting the current demands for care provision in our local communities and agreeing a set of national standards to cover both public and private providers of care.

Council accepts that a significant reason for budgetary problems is rooted in great part in the extensive sums ear marked for a National Care Service.

Council calls on the Scottish Government to abandon its Bill for a National Care Service and provide a sufficiency of funds on an ongoing basis to West Lothian Integration Joint Board.

Council instructs the Chief Executive to write to the First Minister requesting an urgent meeting with Council Leader, Chair of IJB and appropriate TU representatives to discuss concerns.



Received on 15 May 2023 at  
11:57



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



Our Ref: LF/mm  
Your Ref:

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

**Contact:**

Tel: 01506 281731

email: [lawrence.fitzpatrick@westlothian.gov.uk](mailto:lawrence.fitzpatrick@westlothian.gov.uk)

Rt. Hon. Humza Yousaf MSP  
First Minister of Scotland  
[firstminister@gov.scot](mailto:firstminister@gov.scot)  
(letter sent electronically only)

29<sup>th</sup> March 2023

Dear First Minister

**Adult Social Care Funding Pressures**

Congratulations on your appointment as First Minister. I realise you will inherit many issues which will be required to be addressed as a matter of priority, but I must highlight one such concern.

I am extremely concerned about the underfunding of adult social care services that are delegated to Integration Joint Boards (IJBs). As you will be aware, councils are responsible for providing budget contributions to IJBs each year for delivery of delegated social care services. Due to chronic underfunding of councils, it is simply not possible to provide sufficient funding to meet the growth in costs associated with existing adult social care services.

In terms of West Lothian Council, the impact of underfunding of core service provision has meant that between the period 2007/08 and 2027/28, it is estimated the council will have delivered total budget savings of over £194 million, including savings related to IJB functions. These savings are unavoidable to ensure the council can control spend within the constrained funding available and meet statutory requirements to approve a balanced budget each year.

Turning to adult social care services delegated to the IJB, I understand that under very challenging circumstances a balanced 2023/24 budget and a three year budget plan was agreed by the IJB on 21 March 2023. Within adult social care services, the three year plan showed an estimated funding gap of £6.146 million over the three years that required to be met through saving options.

The IJB budget contributions from the council based on the council's approved three year budget are:

2023/24 - £95.208 million  
2024/25 - £97.828 million  
2025/26 - £99.944 million

The 2023/24 budget increase from the council to the IJB is £3.822 million and exceeds the Scottish Government requirements around funding uplifts to IJBs by over £1 million in order to help reduce the impact on adult care services.

The current increases in IJB funding for 2024/25 and 2025/26 are based on forecast Scottish Government increases specifically for IJB adult social care functions which will be subject to confirmation based on the annual Scottish Budget.

Despite the council maximising the additional funding uplift it can provide to the IJB to protect adult social care services, there still remained a budget gap of £6.146 million over the three years.

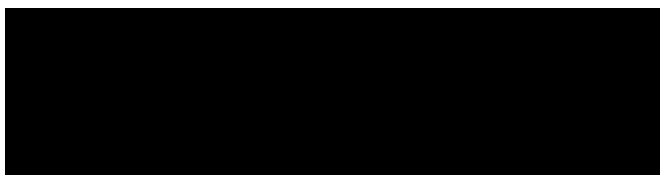
A public consultation was carried out by the IJB and, as part of this, a range of adult social care savings were identified and agreed by the Board to assist in managing spend within future available funding and ensure that the current level of services provided to service users continues. This will inevitably mean significant changes to how some services are delivered as it is simply not sustainable to continue delivery of all existing care delivery models within the funding provided by the Scottish Government.

I am aware of the position in many other IJBs where actual cuts to care delivered are proposed and a number of IJBs have been unable to agree even a budget plan for next year. I'm sure you will agree that this is a very concerning position for those vulnerable clients in need of care services and creates significant uncertainty and risks.

The close partnership working arrangement in West Lothian has helped in the agreement of a three year budget plan but the saving proposals contained in the plan will require significant work to deliver a number of complex budget proposals. These include a review of council operated care homes and savings in other council delivered care services which will have an impact on council staffing. For many of the proposals further work and consultation will be undertaken with service users and their families as well as staff and trade unions on more detailed delivery plans. In total the IJB changes could result in the loss of 189.3 full time equivalent council posts.

The chronic underfunding of core council service delivery and ever increasing lack of funding flexibility for councils is extremely concerning and is being compounded by high inflation impacting on all areas of spend. In terms of adult social care, the underfunding will, as noted, inevitably mean significant changes to how some social care services are provided if cuts to the level of care are to be avoided and growing demands are to be met. It is in this context that I would stress the necessity to further consider the funding of social care services, including reimbursement circa £10m of Covid-19 clawback money which could not be spent in the current fiscal year. as a matter of urgency. In this respect, I have noted the very significant costs and associated budget provision identified in establishing the National Care Service (NCS) and I would strongly urge you to reflect on the need to keep jobs and services local by viring a substantial part of this budget provision to local IJBs in general. These funds could be better used to meet the clearly insufficient funding available to meet the needs of vulnerable care clients both now and in future years.

Yours sincerely



**Councillor Lawrence Fitzpatrick**  
Leader of West Lothian Council

**Minister for Community Wealth and Public Finance**  
 Ministear airson Beartas Coimhearsnachd is Ionmhas  
 Poblach  
**Tom Arthur MSP/BPA**



**Scottish Government**  
 Riaghaltas na h-Alba  
 gov.scot

T : 0300 244 4000  
 E : scottish.ministers@gov.scot

Maureen Macpherson  
 maureen.macpherson@westlothian.gov.uk

Our Reference: 202300349818  
 Your Reference: Adult Social Care Funding Pressures

26 April 2023

Dear Councillor Fitzpatrick,

Thank you for your letter dated 29 March, addressed to the First Minister, Humza Yousaf, regarding Adult Social Care Funding Pressures. The First Minister has asked me to thank you for your correspondence and respond on his behalf as public finance falls within my remit.

Firstly, I should note that the Scottish Government recognises the financial challenges that local government are facing and that local authorities and their employees play a crucial role in our communities.

In the most challenging budget settlement since devolution, the Scottish Government is providing nearly £13.5 billion in the 2023-24 Local Government Settlement. Following the flat-cash position set out in the 2022 Resource Spending Review, the Scottish Government listened to councils and increased the resources available to Local Government this year by over £793 million, including the additional £100 million for non-teaching staff pay and £123 million to support the teachers' pay negotiations, announced by the previous Deputy First Minister, at Stage 3 of the Budget Bill on 21 February.

In 2023-24, West Lothian Council will receive £405 million to fund local services, which equates to an extra £17.2 million to support vital day to day services or an additional 4.4 per cent compared to 2022-23. In addition, all councils will receive their fair share of the currently undistributed sum of £329.8 million.

Local authorities also have a range of revenue raising powers that are not available to other public

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Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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 3DG  
[www.gov.scot](http://www.gov.scot)



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services including full freedom over the setting of their 2023-24 council tax rates and the newly devolved powers over empty property relief.

Turning now to funding for Health, the 2023-24 Scottish Budget underlines our ongoing commitment to prioritise investment in health and social care, providing additional funding of over £1 billion and taking the health and social care budget to a record high of over £19 billion. This budget includes over £1.7 billion for social care and integration, supporting essential reform and our work towards a national care service.

While this substantial uplift supports health and social care services in addressing these pressures, the scale of the challenge remains significant. We will continue to work with partners across health and social care to address financial pressures and to take forward reform to deliver improved, sustainable services.

In response to your comments on Adult Social Care, in 2021 the Independent Review of Adult Social Care showed the clear need for change. It recommended reforming social care in Scotland and strengthening national accountability for social care support, with Scottish Ministers being accountable for adult social care support. The opportunities to develop social care support are an investment in the future of Scotland. This investment is not only for the people who use social care support and those who work in the sector, but for our society and for the type of country we want to be.

The Scottish Government has also made a manifesto commitment to increase social care spend by 25 per cent over the course of this Parliament, resulting in at least £840 million additional investment. The increased investment in social care relates to a range of areas including workforce, the recommendations of the Independent Review, ongoing rising demand pressures and a move towards the NCS. The priority will be to maximise front line spending throughout. It is important that all investment decisions take into account the results of the public consultation and ongoing engagement with people with lived experience of the social care system to ensure it has the greatest impact on people's care.

On the matter of the Covid-19 related reserves that have been reallocated during 2022-23, these related to a ring fenced Covid-19 allocation Integration Joint Boards (IJBs) were given in 2021-22 for delegated services. There were a number of changes to public health policies in relation to Covid-19 over 2022-23, resulting in the profile of spend reducing significantly from earlier estimates. In response to this, surplus Covid reserves were redistributed to meet current Covid-19 priorities in non-delegated health services. This includes Test and Protect, vaccinations and PPE provisions to support patient care, to help control the spread of the virus and to protect those most at risk. As we move to a position where Covid is a part of our everyday lives, costs must be managed on an ongoing basis within baseline budgets.

Finally, you will be aware that Humza Yousaf in one of his first engagements as First Minister met with the COSLA President, Councillor Shona Morrison, on 31 March to reaffirm the Scottish Government's commitment to working collaboratively with local government to agree a New Deal which provides greater flexibility over local funding and clear accountability for delivering shared priorities.

I hope this is helpful.

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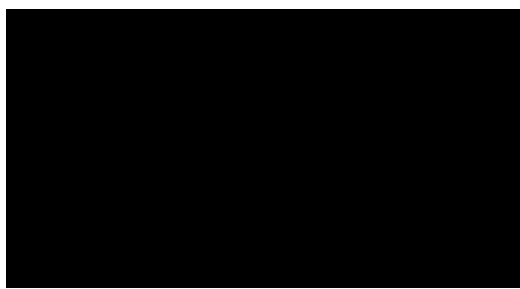
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Yours sincerely



**TOM ARTHUR**

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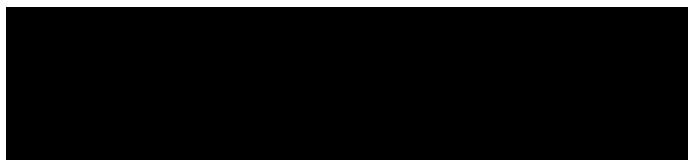
WEST LoTHIAN COUNCIL

30 MAY 2023

QUESTION TO THE EXECUTIVE COUNCILLOR

**INVESTMENT IN IT**

1. What new/additional investment has the Council made since May 2012 in IT hardware; systems; support services and other related actions?
2. In what way(s) can it be demonstrated that this has been effective investment in achieving better customer outcomes and better internal business results?



Received on 10 May 2023 at 13:40



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward



## **WEST LOTHIAN COUNCIL LABOUR GROUP**

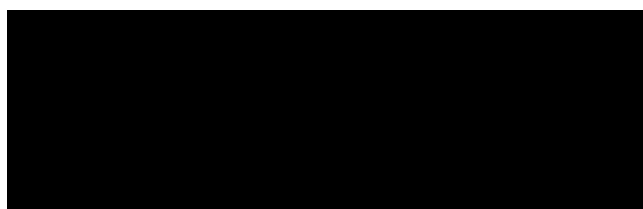
### **Response to the Question from Councillor Stuart Borrowman for the Council meeting on 30<sup>th</sup> May 2023**

#### **Investment in IT**

I would like to thank Councillor Borrowman for his questions.

Q.1.	What new/additional investment has the Council made sine May 2012 in IT hardware; systems; support services and other related actions?
A.1.	<p>During the period FY2011/12 to FY 2021/22 a total of £57,372,000 capital investment was made into ICT assets. Below provides information on the breakdown of this investment during the period and core benefits to the council as a result.</p> <p>£36.552k was invested in infrastructure (networking, servers and storage, desktops, laptops, etc.) used to support and enable access to applications and information.  £10.960k invested in applications and services (e.g., Social Care system, HR and Payroll, email services, document management system, CRM etc.)  £1.758k invested in security applications hardware and services  £2.671k invested in Digital Transformation and mobile working projects  £2.771k invested in telephony systems including contact centre technology  £2.660k invested in library books and materials (these assets are included in the ICT asset category)</p> <p>Of the total £13.670k was invested exclusively into the school's estate with £43.702k identified as Corporate and Transformation investment. Note portions of this investment particularly across infrastructure, telephony and security also served a shared benefit to schools</p>
Q.2.	In what way(s) can it be demonstrated that this has been effective investment in achieving better customer outcomes and better internal business results?
A.2.	<p>The £36.552k invested in infrastructure has allowed the council to implement its ICT capital asset management strategy over the 10-year period and deliver performance as reported annually in the ICT Capital Asset management update report presented to the Corporate Policy and Resources Policy Development and Scrutiny Panel.</p> <p>The impact of investment in applications and services is monitored by Services using the council's Corporate Performance Management system. Performance data includes service standards and performance targets, customer feedback and benchmarking.</p> <p>The investment in security devices and software has allowed the council to demonstrate compliance with requirements for connection to resources across</p>

	<p>the Public Sector Network, a secure private network for communication with other public sector bodies. It has also facilitated the gaining of Cyber Essentials Plus, a validation considered as an essential baseline to gaining trust in the security of information the council processes.</p> <p>The investment in Internet Protocol Telephony (IPT) has facilitated voice communication with a modern digital telephone service and has removed the risk of loss of telephone service due to the analogue to digital switchover (2025). It has also removed a significant ongoing line rental (revenue) cost for the council.</p> <p>The performance of network connectivity and IPT telephony for both availability and fault resolution times are monitored on a monthly basis and recorded in the council's performance management system.</p>
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**Councillor Lawrence Fitzpatrick**  
**Leader of the Council**

# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 29

## Council Meeting Tuesday 30<sup>th</sup> May 2023

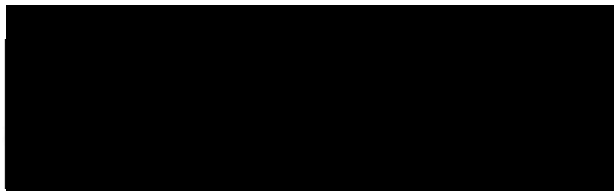
### Question for Executive Councillor for Housing Services

#### Question

Is there any update on what is happening with our community centres?

Cllr Maria MacAulay

Received on 11 May 2023 at 9:37am



**Councillor Maria MacAulay**  
**Councillor for Livingston South Ward (SNP)**





## **WEST LOTHIAN COUNCIL LABOUR GROUP**

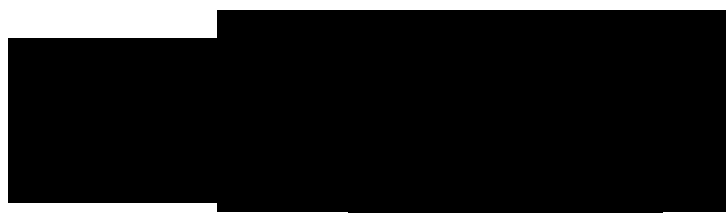
### **Response to the Question from Councillor Maria MacAulay for the Council meeting on 30<sup>th</sup> May 2023**

#### **Community Centres**

I would like to thank Councillor MacAulay for her question.

Q	Is there any update on what is happening with our community centres?
A	<p>West Lothian Council at its meeting on 21 February 2023 approved a five-year revenue budget for the period 2023/24 to 2027/28. Included in that budget were approved revenue savings to be delivered from the rationalisation of the community centre portfolio, principally by promoting community asset transfer of community centres and village halls, principally via staffing and resulting property maintenance savings.</p> <p>The savings are scheduled to be phased over the period 2024/25 to 2027/28.</p> <p>Officers have undertaken, and continue to undertake, various activities to raise awareness of community asset transfer.</p> <p>The proposed saving recognises the reduction in the use of community centres, the increased cost associated with running the buildings and the restricted capital budgets available to maintain the buildings.</p> <p>The proposal has been developed taking into consideration other areas of work including National Planning Framework 4 and 20-minute communities. The proposal is targeting staffing savings, property related savings in the reduction of associated maintenance, statutory compliance and energy costs, and the positive impact on carbon reduction following the reduction in energy usage.</p> <p>The first approach to delivering the savings will be the promotion of and facilitation of community asset transfer but, where this is not considered to be a viable option or the community is unwilling or unable to undertake asset transfer, groups who use the buildings will be supported to find alternative premises, making use of all council buildings including schools and the community centre will be closed.</p> <p>It is not the intention to leave any community without an appropriate facility to accommodate community activities such as community meetings.</p> <p>A methodical change management and project approach is being followed and this includes:</p> <ul style="list-style-type: none"> <li>• Establishing services and activities currently undertaken in community centres and village halls as well as considering future needs and mechanism of service delivery.</li> </ul>

	<ul style="list-style-type: none"> <li>• Mapping other council building assets which could best accommodate the activities held within the existing community centres, for example partnership centres, primary schools and secondary schools</li> </ul> <p>This analysis includes location (including active travel and public transport), services available, property condition and suitability and building capacities. It should be noted that if and when council buildings cannot accommodate activities, suitable alternative locations will be identified.</p> <p>This approach will ensure that community groups are supported to continue to operate locally and, in some occasions, there is the potential that locations closer to the user base will be identified, meeting with the aspirations of the 20-minute neighbourhood. Increased engagement and empowerment of local communities to design the services delivered in their community in the most suitable and appropriate locations.</p> <p>A link officer will be made available to support community groups who wish to progress community asset transfer and build sustainable programmes within the community centre or alternatively to support them to find suitable alternative accommodation.</p> <p>The proposal would support better asset utilisation with a focus on the provision of community activities and services within local communities rather than in specific buildings.</p> <p>Engagement and consultation will take place with all stakeholders to review the impact of any proposals and potential suitable alternative locations for the community activities.</p> <p>A presentation on Community Asset Transfer has already been provided to a 'delegation' of management committees with a follow up meeting scheduled for June.</p>
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**Councillor Lawrence Fitzpatrick**  
**Leader of the Council**

# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servíli!*



Agenda Item 30

## Full Council meeting 30<sup>th</sup> May 2023

### Question to the Executive Councillor for Environment and Sustainability

#### Question:

The previous active travel plan covered 2016-2021 and the next plan should cover 2023-2028. Can you outline progress on this new plan and give an indication of when it will come to the Environment and Sustainability committee?



Received on 15 May 2023 at 9:42



**Bathgate Ward (SNP)**