

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, CIVIC CENTRE, LIVINGSTON, on TUESDAY 23 FEBRUARY 2010.

Present – Councillors Peter Johnston (Chair), Frank Anderson (Vice-Chair), William Boyle, John Cochrane, Martyn Day, Robert De Bold, Neil Findlay, Ellen Glass, Andrew Miller, Jim Walker.

Apologies – Councillors Isabel Hutton and Graeme Morrice.

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Chair ruled under Standing Order 7, that four items of business be taken as urgent business as undernoted:-

- i. Sale of West Lothian House – Report by Head of Property Services
- ii. West Lothian Fairtrade Zone Status and Fairtrade Fortnight – Report by Head of Cultural, Communities and Economic Development Services.
- iii. New Build Council Housing 2007-2011 – Report by Head of Housing and Building Services.
- iv. Broxburn/Uphall Town Centre Regeneration Fund Package – Report by Head of Cultural, Communities and Economic Development Services.

The Chair advised that two requests had been lodged for a deputation to be heard and that these related to the report on Contingency Strategy (Agenda Item 5) and Kirknewton Level Crossing (Agenda Item 10).

The Council Executive agreed that the two deputations be heard and that the order of business be changed to allow these to be taken at the start of the meeting.

2. DECLARATIONS OF INTEREST

Hub Initiative (Agenda Item 7)

Council Leader Peter Johnston declared a non-financial interest arising from his position as a Non-Executive Board Member of NHS Lothian, for which a dispensation applied.

Councillor John Cochrane declared a non-financial interest arising from his position as a Non-Executive Board Member of NHS Lothian, for which a dispensation applied.

3. MINUTE

The Council Executive approved the minute of its meeting held on 9th February 2009. The minute was then signed by the Chair.

4. CONTINGENCY STRATEGY

(a) Deputation on behalf of West Lothian Association of Community Councils

Prior to the meeting, Mr John Richardson, Chair, West Lothian Association of Community Councils, had made a request to address the meeting. Under Standing Order 13 (4), the request had been put before the Council Executive by the Clerk and the Council Executive had agreed earlier in the meeting that the deputation be heard. The Chair invited Mr Richardson to address the meeting.

Mr Richardson informed the Council Executive that the West Lothian Association of Community Councils wished to be involved in the consultation process on how the council should approach the challenges faced. Mr Richardson informed the Council Executive that he had been mandated by the Association to circulate a paper, however, this would now be withheld as Mr Richardson had subsequently discussed the matter with the Chief Executive.

(b) Report by Chief Executive

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive updating members on progress on developing a forward year contingency strategy to meet future financial pressures, and seeking approval to put in place arrangements for consultation and the future development of the strategy.

The Chief Executive explained that over the short, medium and longer terms, the UK government would need to significantly reduce public spending, increase taxes or apply a combination of both measures to reduce the national debt. This projected reduction in public spending would have a significant impact on the amount of money available throughout the UK's public sector.

The Chief Executive advised that Government grant figures would not be known until the next UK Comprehensive Spending Review was undertaken. It was anticipated that 2011/12 to 2013/14 spending review would take place following the UK General election, which would be held by June 2010. The Head of Finance had reported to the Partnership and Resources Policy Development and Scrutiny Panel in December 2009 that the outlook for public spending for the period 2011/12 to 2013/14 was bleak.

The Council Executive was informed that Cosla, local authority Chief

Executives, Directors of Finance and the Improvement Service had together produced a suggested common planning assumption for Government funding for Scottish local authorities over the three years of the next spending review period. Their recommendation was that local authorities should assume that the starting point for financial planning for 2011/12 to 2013/14 was a 12% real terms reduction in Scottish government grant funding over this period. Funding reductions of this magnitude would have major implications for the council and would present significant challenges in producing a robust financial strategy.

In addition to the funding pressures identified, there would be an increased demand for public services which would affect service affordability. The main factors were listed in the report.

Based on the Cosla recommendation, it was estimated the council might require budget savings of £45 million over the period 2011/12 to 2013/14. The actual budget gap over the period might be greater or less, however the £45 million assumption was the best working target available at present.

The proposed strategy was to retain the best of the council's current approach, and to concentrate the reduced resources on delivering key priorities.

The overall target would be split as undernoted:-

Efficiencies - £25.3m (56%)
 Service Changes - £10.9m (24%)
 Charges/Subsidies - £8.8m (20%)

In relation to Efficiencies, the report examined a number of strategies for delivering savings, which included:

- Worksmart West Lothian
- Administration
- Buildings
- Management Structure
- Shared Services
- Partnership
- Procurement
- Life Stages

The report went on to identify areas where the option of increasing existing charges (or reducing subsidies) would result in prices which more closely reflected the cost of service provision. In addition, it was possible to introduce new charges for discretionary services, or to reinstate charges which had been previously abandoned. A variety of potential changes was included in Appendix 1 to the report. As well as charges, the council would require to determine future policy in relation to council tax increases.

To ensure that the council's approach to the forthcoming budget pressures was as effective as possible, and identified all feasible means of balancing the budget, it was essential that all of the council's stakeholders had the opportunity to gain an understanding of the council's financial position and to contribute ideas on how the council should approach the challenges faced. A comprehensive three part consultation was proposed and this was set out in Section 3 of the report.

The proposals relating to the Management Structure were set out in Appendix 2 to the report and included a reduction of level 2 chief officers in the organisation, currently identified as Directors. Under the proposals there would be nine Heads of Services, a net reduction of two level 3 chief officers.

The Council Executive was asked to agree action in relation to Workforce Management and to specific recommendations within the report which related to Vacancies, Temporary and Fixed Term Posts, Reduction in Hours, Redeployment, Voluntary Severance and Early Retirement.

The Chief Executive concluded that the council had always benefitted from being proactive in addressing challenging financial situations and it was therefore appropriate that contingency plans were developed to examine how the council would approach bridging the significant budget gap which could occur. To assist elected members, officers had developed a proposed strategy and had identified the types of efficiencies and changes to charges and service provision which might be required to address the gap.

It was recommended that the Council Executive:-

1. notes the current planning assumptions in relation to future year contingency strategy;
2. notes the budget contingency options which had been drawn up by council officers (and shown in Appendix 1 to the report)
3. approves the consultation arrangements in relation to the proposed strategy and options identified by council officers;
4. agrees the revised senior management structure and agrees the methodology for reviewing the remainder of the management structure;
5. agrees that recruitment restrictions were introduced and that all temporary and fixed term positions within the council were reviewed to determine how the posts would be treated when they became vacant;
6. instructs the Head of Support Services to review current

organisational change and severance policies and to draft a reduced hours policy and redundancy scheme for consideration by the Council Executive, and

7. instructs the Head of Finance to identify the potential for one off savings to assist in funding potential termination costs.

Motion

1. To approve the recommendations by the Chief Executive as set out within the report; and
2. To agree that all matters relating to budget issues for 2010/11 to 2013/14 be considered in accordance with the process outlined in Section 3 of the report.

Moved by the Chair, seconded by Councillor Day.

Amendment

'West Lothian Council Labour Group rejects the recommendations on revising the council's management structure and restrictions on recruitment, seeks full and comprehensive consultation with all stakeholders and instructs the chief executive to bring back fully costed reports to future COUNCIL meetings so that ALL elected members can be involved in the decision making process and not just the chosen few.'

Moved by Councillor Findlay, seconded by Councillor Fitzpatrick.

Decision

On a vote being taken, the motion was successful by 10 votes to 2 votes and it was agreed accordingly.

5. KIRKNEWTON LEVEL CROSSING

(a) Deputation on Behalf of Kirknewton Community Council

Prior to the meeting, Mr Stewart McKenna, on behalf of the Kirknewton Community Council, had made a request to address the meeting. Under Standing Order 13 (4), the request had been put before the Council Executive by the Clerk and the Council Executive had agreed earlier in the meeting that the deputation be heard. The Chair invited Mr McKenna to address the meeting.

Mr McKenna spoke against aspects of West Lothian Council/Network Rail's proposals, summarising the views of the Kirknewton Community Council as undernoted:-

- Concern that a pedestrian underpass would replace the

existing pedestrian overbridge.

- Concern that the new road design was to an excessive standard for the type of “village” road.
- Concern that the Community Council had not been consulted on the report that was currently before the Council Executive for approval.

Mr McKenna explained that a pedestrian footbridge, which was DDA compliant, was the preferred design solution of the Community Councils and that, whilst Network Rail had given reasons why this could not be accommodated, Mr McKenna considered that there were other options that could be explored and costed.

Mr McKenna then responded to questions raised by elected members.

(b) Report by Transportation Manager and Head of Property Services

The Council Executive considered a report (copies of which had been circulated) advising that the safety of the existing level crossing at Kirknewton had been a major concern to Network Rail and the Council for several years. The Council had been working with Network rail over the past few years to advance a solution for the crossing and the report provided an update on the work undertaken.

The Transportation Manager advised that Network Rail, for reasons which were set out in the report, was considering a pedestrian underpass to the west of the existing level crossing as its preferred design solution. As part of the underbridge solution, land would require to be purchased from private individuals and the proposed mechanism to progress these acquisitions was outlined in the report. Although there had been discussions, it had not been possible to negotiate an access agreement with the landowner to enable accurate ground topography and site investigation parameters to be confirmed.

Council officers were currently working with Network Rail on the terms of an agreement that would ensure that the council's costs associated with land acquisition were underwritten. This would include reimbursing the Valuation Offices fees. Only with this in place would the council be able to progress the land acquisitions to conclusion or, if necessary, progress compulsory purchase procedures. The agreement would cover all statutory compensation payments to the current land owners, other affected parties, external professional fees and costs associated with the land acquisitions including the statutory costs related to compulsory purchase, should these be incurred.

It was hoped that the acquisition of land could be achieved by

agreement, but if not the Council might require the use of compulsory purchase powers in order to deliver the project in a time frame acceptable to the Office of the Rail Regulator (ORR).

The report enclosed three appendices:-

Appendix 1 – A letter to West Lothian Council from Network Rail (dated 2 June 2009) highlighting the urgency for works to be undertaken.

Appendix 2 – A letter to West Lothian Council from the ORR (dated 1 June 2009) setting out the ORR's position in respect of the proposed replacement of the level crossing.

Appendix 3 – A draft minute of meeting of the Kirknewton Community Council held on 8th December 2009.

Finally, the Transportation Manager responded to questions raised by elected members. He advised that the delivery partners were of the view that the proposal was the best available in terms of design layout and standards, pedestrian and vehicular connectivity, minimising land take, visual intrusion and deliverability in terms of cost.

The Council Executive was recommended to:

1. note the progress made by Network Rail, working in partnership with council officers, on designing the new underbridge, associated new section of road and the pedestrian underpass;
2. authorise the entering of an agreement on the general terms outlined in the report with Network Rail on the underwriting of the acquisition costs for the new road, underbridge and pedestrian underpass;
3. note that the council would commission when appropriate the Valuation Office Service to commence negotiations for the acquisition of the land required by agreement to deliver the project; and
4. authorise officers to commence the compulsory purchase of the land required and settle compensation claims on behalf of the council should the negotiations referred to in 3 above failed within an acceptable timescale to the partners.

Decision

1. To delay a decision for one month to allow council officers to open dialogue with Kirknewton Community Council and Network Rail, to see if a compromise solution could be found.

2. That a report come back to the Council Executive on 23rd March and that a representative from Network Rail be invited to attend the meeting.

6. BROXBURN/UPHALL TOWN CENTRE REGENERATION FUND PACKAGE

A report had been circulated by the Head of Cultural, Communities and Economic Development Services providing details relating to proposed streetscape works in Broxburn and Uphall Town Centres.

The report recalled that the TCRF (Town Centre Regeneration Fund) package for the West Lothian Towns was approved by Scottish government in early November 2009. The Council Executive then approved a report accepting the offer of grant of £1,745,300 with WLC leverage from capital programme £540,000. Within the West Lothian Towns package, £467,264 was available for investment in Broxburn and Uphall. The amount included both the Scottish Government TCRF allocation and the Council's contribution.

The Head of Cultural, Communities and Economic Development Services informed the Council Executive that to enable the Broxburn and Uphall package to proceed, a key decision now needed to be taken in respect of specific options for streetscape investment – the upgrading of footpaths with high quality finishes which formed a key component within the package for the area.

The report enclosed appendices providing plans of the three options, with the Option 3 package recommended for approval. The proposal resulted in a total area of upgraded street surfacing for the Broxburn town centre area of 3,041sq m (including existing surfacing that would be brought up to scratch through deep cleaning) Total area of paving slabs for Uphall of 653sq m. Because of the higher cost of the material for Uphall, expenditure within the two centres for this element was estimated to be Broxburn £219,000 (80.8%); and Uphall £52,000 (19.2%).

It was noted that, in formulating this detailed proposal, efforts had also focused on ensuring that the level of investment was commensurate with the relative economic need and potential of Broxburn and Uphall. Of the 141 separate shop units in the two areas, 104 (75%) were found in Broxburn and these employed an estimated 560 employees.

It was recommended that the Council Executive:-

1. Notes the terms of the report and agrees the proposed streetscape works package.
2. Agrees that additional works would be progressed within Uphall town centre in consultation with the Local Area Committee and

relevant stakeholders, and funded from the Capital Expenditure Programme over the next three years.

In relation to the three options referred to in the report, the Chair invited the three ward members in attendance to indicate their preferred option.

Councillors Glass and Campbell spoke in support of option 3, whilst Councillor Davidson spoke in support of option 1.

Motion

To approve the recommendations and to approve the Option 3 package as recommended by the Head of Cultural Communities and Economic Development Services.

Moved by the Chair, seconded by Councillor Cochrane.

Amendment

‘To approve Option 1 as outlined in the report which represented the preferred option of the community.’

Moved by Councillor Fitzpatrick, seconded by Councillor Findlay.

Decision

On a vote being taken, the Motion was successful by 10 votes to 2 votes and it was agreed accordingly.

ADJOURNMENT

At this point in the meeting, the Chair ruled that the meeting be adjourned for lunch and that the meeting be reconvened at 1.45 pm.

7. HUB INITIATIVE - SCOTTISH FUTURES TRUST

The Council Executive considered a report (copies of which had been circulated) by the Head of Property Services advising members of the progress made to date with the Hub Initiative and seeking agreement for the Blackburn Partnership Centre to be included in the first group of projects for the Hub Company to deliver.

A report on the principles of the Hub had been presented to the Council in 2009 when it was agreed that West Lothian would continue to participate in the Hub until summer 2010 when a decision would be required on whether West Lothian would continue to participate in a longer term partner in the project.

The report outlined the claimed benefits of the Hub model.

The Head of Property Services reported that Scottish Futures Trust was

currently working through the European Community process of advertising for and procuring the private sector partner required to create and drive forward the South East Territory Pathfinder Hub Company. This required participants in the Territory to commit to the first group of projects to be delivered by the Hub Company.

West Lothian Council was being asked to agree that, if it eventually decided to participate in Hub, then Blackburn Partnership Centre would definitely be included as an early project for delivery by the new Hub Company. In doing so, the incentive to the Council was that the project would then attract an additional £1.6 - £1.8 million from the Government's "enabling" fund for the Hub Initiative specifically for the Blackburn Project.

It was recommended that:-

1. the Council continued to participate in the Hub Initiative
2. Blackburn Partnership Project was included in the first group of projects to be delivered by the Hub Company.

Decision

To approve the terms of the report.

8. SALE OF WEST LOTHIAN HOUSE

The Council Executive considered a report (copies of which had been circulated) by the Head of Property Services providing an update regarding the outcome of further negotiations regarding the proposed sale of West Lothian House to Almondvale (Livingston) Limited, following the remit from the Council Executive of 9th February 2010.

The Head of Property Services advised that, following negotiations with representatives from Land Securities regarding the proposed payment structure for the sale price, the company had agreed to an amended payment plan as detailed within the report.

The report also provided details of the original financial model for the construction of the Civic Centre.

The Head of Property Services considered that, given the adverse changes in the general economy, and also in the commercial and retail property markets, together with the fact that West Lothian House was almost empty, it was in the council's best interests to proceed with the proposed sale of the property on the basis of the terms and conditions outlined within the report.

The Council Executive was asked to:-

1. note the outcome of further discussions with the proposed purchasers of West Lothian House with regard to payment terms for

the purchase price.

2. note the details of the original financial modelling in connection with the Civic Centre, and
3. authorise the disposal of West Lothian house in terms of the details contained in the report and the previous report on the matter, and subject to the area shown on the plan attached as an appendix to the report.

Decision

To approve the terms of the report.

9. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - TIMESCALE FOR SUBMISSION OF APPLICATIONS

The Council Executive considered a report (copies of which had been circulated) by the Chief Solicitor seeking approval to introduce a new policy in relation to a timescale for submission of applications for public entertainment licences, street trader's licences, market operator's licences and permissions for charitable collections.

The Chief Solicitor explained that a number of difficulties had arisen recently when applicants had applied for permission for particular events at short notice. This had led to difficulties for advisers who had not been given sufficient time to report fully on applications or to provide cover at particular events. As a result of this, the Chief Constable had raised concerns by letter dated 28th October 2009 (a copy of which was attached to the report). In order to avoid these situations, a new policy had been prepared for approval.

It was recommended:-

- that the Council Executive approve the introduction of a new policy in relation to a timescale of a minimum of thirty five days for submission of applications for public entertainment licences, street trader's licences, market operator's licences and charitable collections to allow sufficient time for all advisers to investigate and report fully on the implications of these applications;
- that an effective date for applications received on or after 1st April 2010 was agreed.

Decision

To approve the terms of the report.

In so agreeing, the Council Executive noted that letters had been prepared for current licence holders, head teachers and community groups giving early notification of the new policy.

10. SCOTLAND'S CLIMATE CHANGE DECLARATION - ANNUAL REPORT
DECEMBER 2009

The Council Executive considered a report (copies of which had been circulated) by the Head of Development and Regulatory Services informing the Council Executive of West Lothian's annual Declaration Report on climate change to the Scottish Government.

The report explained that the Declaration was a public statement wherein local authorities acknowledged the reality and implications of climate change and their responsibility to respond effectively. Signatories to the Declaration were committed to produce an annual statement detailing their progress in mitigating, and adapting to, climate change.

The Council Executive was asked to approve the content of the report, and appended Declaration Report (attached as Appendix 1 to the report) for submission to the Sustainable Scotland Network and publication on their website.

Decision

To approve the terms of the report.

11. GRASSROOTS PUBLIC ART GRANTS

The Council Executive considered a joint report (copies of which had been circulated) by the Head of Development and Regulatory Services and the Head of Cultural and Economic Development Services providing details of the Grassroots Public Art Grant scheme and seeking endorsement of the projects recommended for grants.

The Head of Development and Regulatory Services reported that the Grassroots Public Art Grants scheme comprised £44,000 from the council's Public Art Fund, which was generated through developer contributions, £50,000 awarded from the National Lottery administered through the Scottish Arts Council, and £5,000 from West Lothian on the Move. Applications had been invited for grants in the range of £10,000 - £24,000 from the whole of the West Lothian community.

The report went on to advise that applicants had been assessed by the Public Art Strategy Group and, of the nine applications which reached the second stage, four had been identified as meeting the criteria of the project and therefore worthy of support with grants of between £20,000 and £24,000 each. The applications which were recommended for the grants were those which best met the assessment criteria of quality and creativity of concept, lasting benefit to the community, demonstration of the applicant's commitment and ability to realise the project and the potential to enhance health and well-being. The recommended schemes

would result in a geographical spread of projects across west Lothian and complied with the strategy and supplementary planning guidance which required that funds from developers should be used in the communities affected the developments generating the contributions.

The applications recommended for grants were summarised as follows:-

The Sunny Dale Association for an art based garden at Mayfield Community House, Armadale.	£24,000
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Shale People Project of artworks in Broxburn Town Centre	£24,000
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A project for Dedridge Burn Plantation by members of DEEP	£21,600
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Boghall Drop in Centre, Bathgate	£20,700
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A list of all applications considered in the second stage assessment was included in Appendix 1 to the report.

It was recommended that the Council Executive:-

1. approves the allocation of £44,000 from the council's Public Art Fund to the Grassroots Public Art Grant scheme; and
2. approves the four schemes recommended as recipients of grants under the Grassroots scheme with a subsequent paper to follow in due course reviewing the scheme within a wider report on the progress of public art in West Lothian.

Decision

To approve the terms of the report.

12. CEMETERIES MANAGEMENT RULES

A report had been circulated by the Head of Operational Services advising of the outcome of a consultation exercise on proposed Cemeteries Management Rules. The Council Executive was recommended to adopt the rules, a copy of which was attached as Appendix 1 to the report.

Without discussion on the content of the report, the Chair suggested that the matter be referred back to the Environment Policy Development and Scrutiny Panel to allow wider consultation to be undertaken through the PDSP process.

Decision

To agree the suggestion by the Chair that the matter be referred back to

the Environment Policy Development and Scrutiny Panel.

13. PROPOSED LETTING CHARGES FOR LINLITHGOW BURGH HALLS -

The Council Executive considered a report (copies of which had been circulated) by the Head of Cultural, Communities and Economic Development Services seeking approval of a revised pricing structure for the Linlithgow Burgh Halls, scheduled to re-open in Spring 2010.

The Head of Cultural Communities and Economic Development Services reported that, in setting the charges within the pricing structure, officers had strived to ensure that the charges were affordable and not prohibitive to potential customers. Equally, that they reflected the quality of facilities provided and generated sufficient income to ensure the venue's sustainability.

The Proposed Letting Charges with effect from 1st April 2010 were outlined in Appendix 1 to the report.

The Council Executive was asked to approve the content of the report and the revised pricing structure as set out in the Appendix.

Decision

To approve the terms of the report and to note that further information would come back to the Council Executive in due course concerning Wedding and Conference Packages.

14. DEANS SOUTH

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing and Building Services setting out progress since the previous report to the Council Executive in August 2009, and seeking formal approval to make a compulsory purchase order to authorise the acquisition of the Deans South estate.

The report recalled that the Council Executive had, in August 2009, agreed that a consultation exercise take place with the remaining owners in Deans South estate and the surrounding community on proposals to redevelop the Deans South estate.

The report outlined progress in demolishing empty blocks of houses on the Deans South estate. The report also provided details of a public information session that had been held at the local community centre. Appendix 1 to the report summarised the responses received (a total of 41) to a consultation letter sent out to approximately 350 households in the area.

The Head of Housing and Building Services advised that, while it had

been possible to acquire a few houses by agreement with the owners, it had not been possible to reach agreement with the remaining owners primarily because it remained impossible to reach agreement on the level of compensation payable. These private ownerships were pepper-potted throughout the Land and it made the redevelopment of the land difficult to progress.

General conditions on the estate were deteriorating and in order to progress the redevelopment of the area, it was considered that the only option that the Council now had, in the absence of reaching voluntary agreements, was to compulsorily acquire the estate. It was proposed that the Council should formally proceed to make a compulsory purchase order so that the whole of Deans South estate could be redeveloped. The various stages involved and indicative timescales in relation to seeking a CPO were shown in Appendix 2 to the report. Appendix 3 to the report showed the area in Deans South affected.

The report went on to advise that, having sought legal advice on the various options open to the Council relating to making a compulsory purchase order, it was proposed that powers under the Town and Country Planning (Scotland) Act 1997 should be used. A "statement of reasons" was attached at Appendix 4 to the report setting out the need and justification for the order.

Finally, the Director of Customer and Support Services responded to questions raised by elected members, clarifying the position in relation to the requirement for the council to re-house homeowners on reasonable terms, and examining affordability issues.

The Council Executive was invited to agree:-

1. To approve the "statement of reasons" for making a compulsory purchase order to redevelop the Deans South estate, attached as Appendix 4 to the report.
2. That the Council makes a resolution to formally make a compulsory purchase order in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 to authorise the acquisition of the Deans South estate;
3. That this order, following its making and publication, together with all appropriate documentation be formally submitted to Scottish Government for confirmation and that the required notices be formally served on the interested parties as required by law;
4. To note the outcome of the consultation exercise on the future of the Deans South estate which took place last September as summarised in Appendix 1 to the report.
5. To note progress in demolishing empty blocks of house on the Deans South estate;

6. That further reports be submitted to the Council Executive on the progress of the compulsory purchase order as and when appropriate;
7. That a copy of the report be sent to affected home owners on the Deans South estate and an opportunity again be given for any owner to meet with council officials to discuss the situation.

Decision

To approve the terms of the report.

15. ACTION TAKEN IN TERMS OF STANDING ORDER 32 (URGENT BUSINESS)

(a) COSLA Litter Outcomes Survey

The Council Executive was advised that approval had been provided for submission of a council response as outlined in the report by the Head of Operational Services (copies of which had been circulated).

Decision

To note the action taken in terms of Standing Order 31 (Urgent business).

16. WEST LOTHIAN FAIRTRADE ZONE STATUS AND FAIRTRADE FORTNIGHT

The Council Executive considered a report (copies of which had been circulated) by the Head of Cultural, Communities and Economic Development Services setting out a proposal for West Lothian moving towards achieving Fairtrade Zone status.

The report explained that the Scottish Fairtrade Forum had been established in 2007 to work towards Scotland becoming one of the world's first Fairtrade Nations. Part of the campaign was to encourage local authorities to move towards achieving Fairtrade Zone status. The report also invited the Council Executive to consider establishing a Fairtrade Steering Group and to appoint members to the Group.

The Council Executive was informed that Fairtrade Fortnight 2010, the annual promotional event, would run from 22 February to 7 March 2010 and as part of the Council's continuing support, would use the Civic Centre to promote Fairtrade and its commitment to achieving Zone status amongst staff and users of the building over the period, including a

specific promotional event in the main foyer on a day to be decided.

The Council Executive was asked to:-

1. agree that a steering group of partners be established with the objective of West Lothian achieving Fairtrade Zone status.
2. nominate appropriate elected member representation on the steering group.
3. call for future updates on progress including opportunities to expand fair-trade through procurement.
4. consider a request to use the Civic Centre foyer to promote Fairtrade Fortnight which would run from 22 February – 7 March 2010.

Motion

1. To approve the recommendations outlined within the report.
2. To agree that the council be represented on the steering group by Council Leader Peter Johnston and Councillors Willie Boyle and Janet Campbell.
3. To invite representation from each of the four local Fairtrade Steering Groups (communities of Uphall, Livingston, Whitburn, Linlithgow) to the West Lothian Fairtrade Steering Group.
4. To re-iterate the terms of a motion passed by the Council in 2003 supporting Fairtrade.

Moved by the Chair, seconded by Councillor Anderson

Amendment

To approve the recommendations outlined within the report and to appoint Councillor Morrice to the Steering Group.

Moved by Councillor Findlay, Seconded by Councillor Fitzpatrick.

Decision

On a vote being taken, the motion was successful by 7 votes to 2 votes and it was agreed accordingly.

17. NEW BUILD COUNCIL HOUSING 2007-2011

The Council Executive considered a report providing an update on

progress with Phases 1 and 2 of the Council's new build housing programme and seeking approval for the provision of additional units.

The report recalled that, in November 2009, the Council Executive had agreed to re-tender the contract for Phase 2 of the new build council housing project and delegated powers were given to officers to implement this process.

Since then, additional funding had been made available from the Scottish Government through the Incentivising New Council House Building Fund. This, together with funding from the new build rents, had given the Council the potential to increase the target number of units of Council house new build from 700 to 800.

It was proposed that Dixon Terrace (Phase 3) and Eliburn HLV115 (southern part of site) were included in phase 2. On the remainder of the sites, it was proposed to increase the numbers of units to ensure that the sites were developed to their optimum capacity. This would enable the proposed additional units to be constructed and the target of 800 units to be met. The full list of sites and approximate capacities was contained in Appendix 1 to the report. Planning guidelines had been amended to take account of the additional site areas and numbers of units.

The proposals also included the construction of 7 bungalows associated with the respite unit in Uphall. This development, because of its specialist nature, had been procured separately.

The Council Executive was asked to agree:-

- to extend the number of new build council houses to be procured in Phase 2 from 452 to 545, in accordance with site details listed in Appendix 1.
- to note the progress made by officers in the re-tendering of the Phase 2 project.
- that a further report would be submitted to the Council Executive on the outcome of the tendering exercise prior to a contract being placed.

The Head of Housing and Building Services concluded that this second phase of new build Council housing would provide capacity to deliver 800 new houses which would assist in meeting the high demand for affordable rented housing in West Lothian.

Decision

To approve the terms of the report.

