

MINUTE of SPECIAL MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, EH54 6FF, on 22 February 2024.

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

1. DECLARATIONS OF INTEREST

Councillor Janet Campbell and Danny Logue both stated that they were employees of NHS Lothian.

Councillors, Carl John, Willie Boyle, Damian Doran-Timson and Angela Doran-Timson all stated that they had second homes in West Lothian.

Councillor Pauline Orr stated that she was a Scottish Government employee.

Councillor Pauline Clark stated that she was a second home owner out with the West Lothian area

2. REVENUE BUDGET 2024/25 TO 2027/28

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval of the updated four-year revenue budget strategy from 2024/25 to 2027/28, to agree updated detailed General Fund Revenue Budgets for 2024/25 and 2025/26, to set council tax levels for 2024/25 and to take decisions on associated issues.

The Head of Finance & Property Services informed council that a letter had been received from the Deputy First Minister advising of the Scottish Government's intention to increase councils' finding by a total of £67.2mn in the event that there was a favourable outcome for the Scottish Government from the UK Government's Spring Statement. He advised that the funding was not conformed and that the position would not be known until after the Spring Statement in March.

It was recommended that Council: -

1. Notes that, following the update of the budget model, the council faces a revenue budget gap of £38 million over the four years 2024/25 to 2027/28;
2. Notes the approach taken in relation to the integrated impact assessment (IIAs) of the budget, as set out in Appendix 9;
3. Notes feedback on the additional budget saving measures considered

- at PDSP meetings in January and February 2024, as set out in Appendix 1;
4. Agrees the budget reduction measures as set out in Appendix 2, including the full year impact of savings rolling forward into the final two years of the four-year period, and noting that agreement of these measures will leave a balance of savings to be identified of £9.5million to balance the council's budget on a recurring basis;
 5. Notes the risks to deliverability of the budget reduction measures, as summarised in Appendix 3;
 6. Agrees that officers will consider options to address the remaining budget gap and that options will be incorporated into the Phase 3 public consultation to be undertaken during the course of 2024;
 7. Agrees a schedule of charges for the two years 2024/25 and 2025/26, as set out in Appendix 4 of the report;
 8. Agrees the proposed revenue budgets for the two years 2024/25 and 2025/26, as set out in Appendix 5
 9. Agrees the 2024/25 level of resources associated with the functions delegated to the West Lothian Integration Joint Board (IJB) of £102.8 million, with forecast resources of £105.4million for 2025/26;
 10. Agrees that should additional recurring revenue resources be forthcoming at a later date, that these should, in the first instance, be used to balance the four-year revenue budget on a recurring basis;
 11. Agrees a council tax level for 2024/25;
 12. Agrees the application of identified one-off resources to address anticipated time limited pressures and to support delivery of a balanced two-year revenue budget, as set out in Appendix 6 and section D.8.1 of the report, with the remaining balance being held in contingency to support the ongoing financial sustainability of the council;
 13. Notes the position in regard to the General Fund Balance and other reserves as detailed in Appendix 7;
 14. Approves a strategy of maintaining a minimum uncommitted General Fund Balance of £2million;
 15. Approves the prudential indicators, as set out in Appendix 8;
 16. Agrees that officers should keep developments around funding and pressures under review.

Motion

“Council notes the huge and increasing scale of the financial challenges facing the council as a result of continuing cuts to its revenue funding since 2007. For West Lothian Council this has cumulatively amounted to approaching £160 million of savings having to be made over a 16-year period to date.

The Scottish Government's claimed increase to local government funding for 2024/25 has once again been shown to be pure fiction with the Institute for Fiscal Studies (IFS) labelling it as showing 'a seriously misleading picture' and concluding that 'the picture for local government funding is far less rosy than that painted by the Scottish Government.' The IFS highlight the funding discrepancies in Local Government funding between Scotland and England noting that in England funding for Local Government has increased by an estimated 5.7% in real terms over the period 2022/23 to 2024/25 compared to only 0.3% in Scotland over the same period.

As noted by the Convention of Scottish Local Authorities (COSLA) Reality Statement, the actual position for 2024/25 is a cash cut to core council funding of £62.7 million with West Lothian Council's share of this cash cut being over £1.015 million. In addition to this, the council tax freeze compensation for 2024/25 the Scottish Government had assured local government would fully fund planned council tax increases have unsurprisingly done no such thing, with West Lothian Council compensation funding being £1.4 million less than required this equates to 4.4% whereas the 3-year budget in February 2023 was 5.8%.

Council notes the letter to COSLA from the Depute First Minister dated 21st February 2024 which was received by all Council Leaders after close of the working day.

Council agrees that the suggested £62.7million additional funding of which the WLC share would be circa £1.9million is conditional and wholly reliant on a subjective interpretation of UK Government funding allocations and agrees the current budget position remains unchanged.

Given this resulting deterioration in the financial position faced, as well as the continued effective ring-fencing of funding, being 75.1% for West Lothian, most notably in respect on teacher numbers and learning hours, there is very limited flexibility and options for councils in how they deliver many services. It is imperative that councils are given full flexibility of funding to deploy in schools and the wider community to best support the diverse needs of children and young people. Given these restrictions, coupled with reducing funding while costs, driven by high inflation and growing demands, are significantly increasing means there will inevitably be an impact on how community services are delivered.

Council agrees that the Scottish Government in power since 2007 has regrettably demonstrated disdain and contempt for local government in Scotland and, despite the Verity House Agreement, is showing no genuine acknowledgement of the need for partnership working or recognition of the council's legitimate authority to make local decisions that they are clearly best placed to make in the interests of protecting services, they deliver on behalf of valued communities. It is in this context that the council and COSLA seeks and continues to press the Scottish Government guarantee that the £45 million Barnett Consequentials are passed in full to councils in accordance with the agreed principles of the Verity House Agreement.

Council also agrees that Scottish Government persistence on pursuing a

massive level of manifesto policy failures with total disregard for the need for Partnership working and recognition of council's legitimate authority to make decisions on quality services they strive to deliver.

The continued approach by the Scottish Government to centralising decision making and the imposition of restrictions, most notably via the ill-considered and shambolic council tax freeze for 2024/25, poses a very concerning threat to the continued ability of the council to maintain a range of high-quality services to the public in West Lothian.

Council also notes a report by the Scottish Housing Regulator of an 'emerging risk of systemic failure' with councils 'reaching the limits of their capacity' and finding it increasingly difficult to meet their statutory duties due to a lack of resources and housing supply. The report's findings were reinforced when the Scottish Parliament's Social Justice Committee heard evidence on the subject. Council also notes its concern about the introduction of a statutory prevention duty which could well create a surge in demand for some council services.

Council therefore:

1. Notes that, following the update of the budget model, the council faces a revenue budget gap of £38 million over the four years 2024/25 to 2027/28;
2. Notes the approach taken in relation to the integrated impact assessment (IIAs) of the budget, as set out in Appendix 9;
3. Notes feedback on the additional budget saving measures considered at PDSP meetings in January and February 2024, as set out in Appendix 1;
4. Agrees the budget reduction measures as set out in Appendix 2, including the full year impact of savings rolling forward into the final two years of the four-year period, and noting that agreement of these measures will leave a balance of savings to be identified of £9.5 million to balance the council's budget on a recurring basis;
5. Notes the risks to deliverability of the budget reduction measures, as summarised in Appendix 3 and agrees: -
 - Officers continue to work closely with West Lothian Leisure on additional saving options and income generation proposals to further assist West Lothian Leisure in becoming fully self-funded over the four-year period.
 - Officer's progress further work and engagement with community centre management committees with the objective of giving community centres a range of options that would allow them operate under new cost-effective models of delivery and this be reported to PDSP and Council Executive.
6. Agrees that officers will consider options to address the remaining budget gap and that options will be incorporated into the Phase 3 public consultation to be undertaken during the course of 2024;

7. Agrees a schedule of charges for the two years 2024/25 and 2025/26, as set out in Appendix 4 of the report while noting: -
 - that care home charges for self-funders reflect legislation and Scottish Government guidance on charging for local authority managed care homes that the authority must charge the full cost of providing the accommodation; and
 - agreeing that garden waste charges will not apply to council temporary tenancies, taking account of the rate of turnover of occupancy of those premises, and that council tenants can request to make payments alongside their rent, utilising existing administrative arrangements. This is in anticipation that the Scottish Government progress and implement their plans to make garden waste collection a statutory function and provide councils with funding to fully compensate them, then the council would be able to remove this charge in the future
 - noting that increased charges in relation to Burgh Halls, Linlithgow are forecast to remove the current budget pressure and agrees that a review of the operation of Burgh Halls is undertaken by officers in concert with Burgh Halls staff, all with a view to maximising the operational and financial benefits and community use of the facility, and this be reported to PDSP and Council Executive early in fiscal year 2024/25.
8. Agrees the proposed revenue budgets for the two years 2024/25 and 2025/26, as set out in Appendix 5;
9. Agrees the 2024/25 level of resources associated with the functions delegated to the West Lothian Integration Joint Board (IJB) of £102.8 million, with forecast resources of £105.4 million for 2025/26;
10. Agrees that should additional recurring revenue resources be forthcoming at a later date, that these should, in the first instance, be used to balance the four-year revenue budget on a recurring basis;
11. Agrees no increase to the council tax level for 2024/25;
12. Agrees the application of identified one-off resources to address anticipated time limited pressures and to support delivery of a balanced two-year revenue budget, as set out in Appendix 6 and section D.8.1 of the report, with the remaining balance being held in contingency to support the ongoing financial sustainability of the council;
13. Notes the position in regard to the General Fund Balance and other reserves as detailed in Appendix 7;
14. Approves a strategy of maintaining a minimum uncommitted General Fund Balance of £2 million;
15. Approves the prudential indicators, as set out in Appendix 8;
16. Agrees that officers should keep developments around funding and pressures under review;
17. Agrees that officers continue to review Civic Recycling Centre opening times and patterns of demand, including a review of the current booking system and process with reports brought to PDSP and Council Executive.

The Provost invited the Head of Finance & Property Services to comment on

the financial implications of the motion in terms of Standing Order 15(7). He confirmed there were no financial implications arising from the motion.

- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan

Amendment

It is recommended that the Council:

1. Notes that, following the update of the budget model, due entirely to Westminster imposed austerity the council faces a revenue budget gap of £38 million over the four years 2024/25 to 2027/28;
2. Notes the approach taken in relation to the integrated impact assessment (IIAs) of the budget, as set out in Appendix 9;
3. Notes feedback on the additional budget saving measures considered at PDSP meetings in January and February 2024, as set out in Appendix 1;
4. Agrees the budget reduction measures as set out in Appendix 2 taking into account the changes in this amendment, including the full year impact of savings rolling forward into the final two years of the four-year period and further noting that agreement of these measures will leave a balance of savings to be identified of £10.5 million to balance the council's budget on a recurring basis:

This is subject to them being reviewed and reconsidered when additional recurring revenue resources are forthcoming or when revenue is raised as a result of the measures proposed in paragraph 17 and subject to officers: -

- a) reviewing urgently the rationalisation of community centres to protect local communities and community assets and to engage with communities on the options available, and to bring regular reports to PDSP to keep members informed of progress
- b) reviewing, in consultation with West Lothian Leisure, the reduction in the management fee to West Lothian Leisure, to ensure that the ability to engage in active and healthy lifestyles does not become fully privatised in West Lothian, and to report to West Lothian Advisory Committee or PDSP on progress and risks.
5. Notes the risks to deliverability of the budget reduction measures, as summarised in Appendix 3;
6. Agrees that officers will consider options to address the remaining budget gap and that options will be incorporated into the Phase 3 public consultation to be undertaken during the course of 2024;
7. Agrees the schedule of charges for the two years 2024/25 and 2025/26, as set out in Appendix 4 of the report, after reflecting the impact of recommendation 4 above, to remove the charge for uplifting garden waste. This will be subject to them being reviewed and reconsidered when additional recurring resources are forthcoming or when additional revenue is raised as a result of the measures proposed in paragraph 17;
8. Agrees the proposed revenue budgets for the two years 2024/25 and 2025/26, as set out in Appendix 5, after reflecting the impact of recommendation 4 above and further agrees to keep these under regular review, and subject to them being reviewed and reconsidered

- when additional recurring revenue resources are forthcoming or when additional revenue is raised as a result of the measures proposed in paragraph 17;
9. Agrees the 2024/25 level of resources associated with the functions delegated to the West Lothian Integration Joint Board (IJB) of £102.8 million, with forecast resources of £105.4 million for 2025/26;
 10. Agrees that when additional recurring revenue resources are forthcoming at a later date as it always does, that these should, in the first instance, be used to balance the four-year revenue budget on a recurring basis;
 11. Agrees a council tax level for 2024/25; to accept the Scottish Government's proposal to freeze council tax levels at the current amount for the year 2024/25 and to accept the Scottish Government's full funding to reimburse West Lothian Council for this bold step in protecting West Lothian residents from the worst damage to our constituent's standard of living caused entirely by Westminster created austerity, including the damaging effects of Brexit;
 12. Agrees the application of identified one-off resources to address anticipated time limited pressures and to support delivery of a balanced two year revenue budget, as set out in Appendix 6 and section D.8.1 of the report, with the remaining balance being held in contingency to support the ongoing financial sustainability of the council, after reflecting the impact of recommendation 4 above which requires additional one-off resources of £1.901 million over 2 years to balance the budget, whilst also recognising the expected significant resources to be raised by the Council, also after reflecting the impact of recommendation 4 above;
 13. Agrees to allocate £240,000 over two years for 3 fte posts to maximise income generation from promotion of existing West Lothian Council facilities from the Modernisation Fund;
 14. Notes the impact of the new savings measure to cease production of the council's "Bulletin" on the Housing Revenue Account budget for 2024/25 which will reduce costs by £38,000 per annum;
 15. Notes the position in regard to the General Fund Balance and other reserves as detailed in Appendix 7;
 16. Approves a strategy of maintaining a minimum uncommitted General Fund Balance of £2 million;
 17. Approves the prudential indicators, as set out in Appendix 8;
 18. Agrees that officers should keep developments around funding and pressures under review.
 19. Agrees that officers should report to the Environment PDSP at the next scheduled meeting as a matter of urgency on introducing and accelerating and widening the following measures which, based on factual and published evidence from similar Scottish Local Authorities are capable of bring significant additional sums of money to the council: -
 - a) Decriminalised parking enforcement
 - b) Pavement parking charges
 - c) Charges at council owned car parks
 - d) Charges for parking at country park

The budget set out by the SNP Group today is one that wants to strengthen

the social contract West Lothian Council has with the people of West Lothian. Due to the disastrous decisions made by Tories in Westminster, the Scottish budget has been slashed. The cuts made by the Tories to Scotland's budget have inevitably to be passed on to public service providers. We wish wholeheartedly that this wasn't the case – we all have to accept that it doesn't have to be this way. However, only with the full fiscal powers that Independence will bring can we ensure all monies raised in Scotland stay here to fund our local services – not squandered on yet another useless, Westminster vanity project.

Thanks, must go to the Deputy First Minister who yesterday announced a further £62.7m for Scottish local Authorities. This announcement from a government that works in partnership with and listens to Local Authorities, means the Local Government resource budget is now over £730m higher than the position published in the Resource Spending Review.

This alternative budget advanced by the SNP Group is ambitious for West Lothian; it is aspiring and shows clear strategic future planning using our existing resources, both natural and the built environment; it shows how things can be so very different with a positive and proactive administration rather than the current moribund and myopic administration. Encumbered with their close relationship with the Tories, as evidenced by the continued awarding of senior councillor positions the current administration shows no fore-sight; no ambition nor any proactivity in consideration of how we can, as a Local Authority use the powers and resources we have to generate income – income that can and should be used to help fund Council services.

There can be absolutely no doubt, from anyone present here today, the disastrous decisions made by the UK Tory Government in the Autumn Statement have meant the most fiscally challenging settlement for the Scottish Government in the history of Devolution. At a global level the impacts of inflation, the war in Ukraine, and the after-effects of the pandemic continue to create instability. In the UK the combined effects of Brexit and disastrous Westminster policies mean that the Scottish Government is uniquely vulnerable to these international shocks.

In light of the budget gap we have, caused entirely by fiscal decisions made by a hostile, right-wing Government neither Scotland nor indeed West Lothian has ever voted for, the SNP Group have shown how we can and should be supporting services and our communities by income maximisation. In light of this, we have proposed bringing forward, as a matter of absolute urgency:

- Decriminalised Parking Enforcement in West Lothian
- Introduction of parking charges for council owned car parks
- Introduction of parking charges at our country parks, where many of the visits are made by visitors from out with West Lothian.

Taken in tandem with our proposals to create a team charged with maximising the number of visitors to West Lothian, working in partnership with private and public sector visitor attractions the above has the potential to make a significant and recurring income stream for West Lothian Council year on year. This is documented in evidence from similar local authorities. In addition, this also has the potential to create meaningful jobs for local

people and grow the West Lothian economy, protecting local services into the future.

Despite a real term cut to the Scottish Block Grant derived entirely from UK Government spending decisions of 1.2% in real terms since 2022-23 and Scotland's capital spending power due to contract by almost 10% in real terms over 5 years, additional funding of £144M has been provided to Local Authorities in Scotland who agree to fully fund a council tax freeze in 2024/25. This is equivalent to a 5% increase for Scottish Local Authorities, in stark contrast to the settlements being imposed on English Local Authorities by an arrogant and out of touch Westminster Tory Government, which unfortunately has representation on West Lothian Council. Combined with the other support being provided to local government this will increase our overall funding by six per cent since the last budget. The proportion of local government funding formally ring fenced is also smaller than last year, providing greater flexibility for Local Authorities in spending decisions. The budget also includes almost £390 million to protect teacher numbers and fund the teacher pay deal, and up to £1.5 million to cancel school meal debt. Despite a positive settlement for the revenue budget for local authorities, capital budgets are seeing a significant reduction due to the Tories continued slashing of funding available to public bodies.

The Tories in Westminster have also slashed funding for English Local Authorities which of course has a direct impact on the Scottish Block Grant – in effect a little of our own monies being handed back and for which we are supposed to be grateful. Devolution has brought many benefits, but it has also exposed quite how beholden the Scottish Government is to the decisions of a Tory Government in Westminster we have never voted for.

In contrast to the arrogant, out of touch right wing Government in Westminster, the Scottish Government have put their contract with the people of Scotland and by extension West Lothian, at the heart of all they do. This means those with the broadest shoulders are asked to contribute a little more – this is the kind of Scotland and the kind of West Lothian that we in the SNP want to see.

The SNP Scottish Government is unashamedly targeting resources at those most in need to support them through the cost of living crisis. The Scottish Government refuses to follow UK Government spending decisions – indeed, it is doing all it can to mitigate them. **The SNP in Government will always do the best with the powers that we have, but they are simply no substitute for independence.**

The SNP Scottish Government is committed to equality through tackling poverty and protecting people from harm. A Scotland where everyone can have access to universal services and entitlements – and those in need of an extra helping hand will receive targeted additional support. Something that is anathema to the Tories, beholden as they are to their wealthy friends and donors.

This is what we mean when, in the face of Westminster austerity, we say we will always stand up for Scotland – and all of Scotland's people.

In the shadow of 14 years of Westminster austerity, the Scottish budget is about choices.

The Scottish Government has been forced to prioritise the most vital – the NHS and social security. That means supporting those on lowest incomes - lifting kids out of poverty while the Scottish Budget has been slashed by Westminster.

The Tories delivered a 3% real-terms cuts to England's NHS in their Autumn Statement - The SNP has just increased the frontline NHS budget in real terms.

The Scottish Government has made significant efforts to support those most in need. But without the full powers, our hands are tied because of Westminster austerity.

Look at similar countries to Scotland that are thriving, even in difficult circumstances - so with the full powers of independence, why not Scotland?

If the SNP Scottish Government didn't exist these investments would not have been made

Health

Over £19.5 billion for NHS recovery, health and social care in 2024-25 – giving our NHS a real terms uplift in the face of Westminster government austerity.

This investment reduces the pressure on Local Authority budgets.

NHS staffing up to record high levels, up by over 31,300 WTE, or 24.6% since 2006 (Sept 2006 to Sept 2023). Our core A&E services are the best performing in UK for over 8 years.

Education

Record investment in education - highest level of school spend per pupil anywhere in the UK by £1,300 per pupil, and we've protected free tuition for higher education. This record investment reduces pressure on Local Authority budgets.

Record high numbers of school leavers in education, employment or training 3 months after the end of the school year, 95.7% in 2021/22.

Narrowest gap on record between school leavers from the most and least deprived areas attaining one pass or more at SCQF Level 4 or better.

Record high number of students from deprived areas entering full-time first-degree courses at university in 2021-22 - with 5,595 Scots getting places, up 41% since 2014-15.

More teachers per pupil than any other UK nation.

Justice

Police Recorded Crime at the lowest level since 1974, down 40% under the SNP (since 2006/07).

Higher number of Police Officers than at any time during the last administration.

This investment reduces the pressure on Local Authority budgets.

More police per head than England and Wales - 30 officers per 10,000 population, compared to 25 in England and Wales (at 31 March 2023).

Reconviction rate at one of the lowest levels since comparable records began.

Economy

Scotland has a lower unemployment rate (3.8%) than the UK overall (4.2%), according to the most recent comparable data.

Accounting for population growth, since 2007 GDP per person has grown by 10% in Scotland, compared to 6.4% in the UK, and productivity in Scotland has grown at an average annual rate of 1.0% per year, compared to the UK average of 0.5%.

Scotland has been the top destination in the UK for foreign direct investment outside London for the past 8 years. The 2023 EY Attractiveness Survey shows a record number of FDI projects in Scotland in 2022 up by 3%, compared with 1% across Europe, and a fall of 6% in the UK.

This investment reduces the pressure on Local Authority budgets.**SNP BUDGET 2024/25 TO 2025/26**

SNP BUDGET AMMENDMENT WORKINGS	2024/25	2025/26	2 Year Total
	£'000	£'000	£'000
<u>Adjustments Impacting on Recurring Position and Requiring one Off Funding</u>			
Additional Saving - Members Disbursements	-98	0	-98
Additional Saving - Cease publication of Bulletin	-15	0	-15
Remove charging for garden waste permit	977	173	1,150
Total Adjustments Impacting on Recurring Position and Requiring One Off Funding	864	173	1,037
One off Funding Required to Meet Two Year Impact	864	1,037	1,901
<u>Adjustments Impacting on 2024/25 & 2025/26 and requiring One Off Funding</u>			
Time limited funding - 3 fte to maximum income generation from promotion of West Lothian facilities	120	120	240
Total Adjustments Impacting on 2024/25 & 2025/26 and requiring One Off Funding	120	120	240

One off Funding Required to Meet Two Year Impact	120	120	240
TOTAL ONE OFF FUNDING REQUIRED	984	1,157	2,141
FUNDED BY			
Remaining Contingency - £6.670 million	864	1,037	1,901
Modernisation fund	120	120	240
TOTAL ONE-OFF FUNDING REQUIRED TO MEET IMPACT	984	1,157	2,141
BALANCE REMAINING OF CONTINGENCY			4,769

The Provost invited the Head of Finance & Property Services to comment on the financial implications of the amendment in terms of Standing Order 15(7). He confirmed that the amendment would result in the recurring revenue budget gap increasing from £9.5m to £10.5m over the four-year period. Additionally, the revenue contingency balance of £6.670m would be reduced to £4.769m and the additional investment proposed in the Modernisation Fund would mean that the balance of the fund as of 1 April 2024 would reduce from £5.5m to £5.3m

- Moved by Councillor Campbell and seconded by Councillor Orr

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
 Moira McKee Shemilt
 Andrew Miller
 Pauline Orr
 Pauline Stafford
 Veronica Smith

Decision

Following a vote, the motion was successful by 18 votes to 15 and it was agreed accordingly

3. CORPORATE ASSET MANAGEMENT STRATEGY AND GENERAL SERVICES CAPITAL INVESTMENT PROGRAMME 2024/25 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 General Services Capital programme for 2024/25 to 2032/33.

It was recommended that Council: -

1. Notes the progress achieved to date during the first year of the new ten-year capital programme;
2. Approves the updated General Services capital programme for 2024/25 to 2032/33, as set out in Appendix 1;
3. Approves the updated capital funding for 2024/25 to 2032/33, as set out in section D.4 of the report;
4. Agree that officers carry out a review of potential capital resources and future expenditure requirements, taking account of reduced capital grant for 2024/25 and the likelihood that this will continue in future years;
5. Notes the requirements of the CIPFA Prudential Code, as set out in section D.6;
6. Notes the outcome of the Integrated Relevance Assessment;
7. Notes that the reporting and monitoring governance arrangements agreed as part of the Corporate Asset Management Strategy and ten-year capital investment programme will continue, including quarterly monitoring reports to Council Executive through which adjustments to the programme may be considered.

Motion

“Council is asked to agree recommendations 2, 3 and 4 and note recommendations 1, 5, 6 and 7.

Council is also asked to note the position on rectifying RAAC at St Kentigern’s Academy and other council owned assets and the adverse impact on the Councils Capital Programme.

Council agrees to instruct the Chief Executive to write to the Deputy First Minister of the Scottish Government to fully provide the requested £15million to meet the shortfall towards the total cost of renovating St Kentigern’s Academy”.

- Moved by Councillor Fitzpatrick seconded by Councillor Sullivan

Amendment

“Council is asked to agree recommendations 2, 3 and 4 and note recommendations 1, 5, 6 and 7.

Council is also asked to note the position on rectifying RAAC at St Kentigern’s Academy and other council owned assets and the adverse impact on the Councils Capital Programme.

Council agrees to instruct the Chief Executive to write to the Deputy First Minister of the Scottish Government and the Chancellor of the Exchequer to fully provide the requested £15million to meet the shortfall towards the total cost of renovating St Kentigern's Academy".

- Moved by Councillor Campbell and seconded by Councillor De Bold

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
 Moira McKee Shemilt
 Andrew Miller
 Pauline Orr
 Pauline Stafford
 Veronica Smith

Decision

Following a vote, the motion was successful by 18 votes to 15 and it was agreed accordingly.

4. HOUSING REVENUE ACCOUNT BUDGET 2024/25 TO 2027/28 AND RENT LEVEL 2024/25

The Council considered a report (copies of which had been circulated) by the Depute Chief Executive seeking approval of the updated Housing Revenue Account (HRA) financial plan for 2024/25 to 2027/28 as well as the proposed HRA budget, rent and services charges for 2024/25.

It was recommended that Council: -

1. Approves the proposed 3.5% per annum rent strategy and financial plan for the period 2024/25 to 2027/28, which will fund service needs and the Housing Capital Investment Programme;
2. Approves the proposed rent increase of 3.5% for 2024/25 and the associated HRA budgets for 2024/25, as set out in the report; and
3. Approves the proposed rent increase of 3.5% for Sheltered

Housing and Homelessness properties, as well as related service and support charges, for 2024/25.

Motion

“West Lothian Council welcomes this Housing Revenue Account budget strategy for 2024/25 to 2027/28, which alongside the proposed Housing Capital Investment Programme, forms part of the council’s integrated approach to financial strategy, corporate planning, delivery of outcomes and performance monitoring.

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

Council notes that formal consultation on the five-year strategy for the 2023/24 to 2027/28 budget strategy took place in 2022, and as reported to the Housing Services Policy, Development and Scrutiny Panel on 26 January 2023, 74% of those tenants responding expressed a preference for a 3.5% per annum rent increase over the five-year period 2023/24 to 2027/28.

A further consultation took place in November and December 2023 and the majority of those tenants responding expressed a preference for a 3.5% per annum rent increase over the four-year period 2024/25 to 2027/28. This position is also supported by the Tenants Panel.

This minority Labour Administration doesn’t underestimate the challenges for our tenants in these very difficult times, and notes the reported level of cumulative rent arrears. However, with an in-year collection rate of 97% this year to date, our tenants yet again are to be commended for the priority they are placing on the payment of rent. However, affordability of rents remains a key concern and the ongoing support being provided by the council via Housing Services and the Advice Shop will continue to be important in the coming year for those tenants who may struggle to pay their rent and other cost of living expenses.

There also remains a concern on the ongoing impact on the cost of living crisis, and other cost pressures. As such the Housing Revenue Account reserve should be maintained at £926,000 to meet with unforeseen demands on resources.

Council therefore agrees to approve the proposed four year 3.5% per annum rent strategy and financial plan, encompassing Housing Revenue Account properties and garages, which will fund service needs and contribute to the 2024/24 to 2027/28 Housing Capital investment programme, and the rent increase of 3.5% for 2024/25 and the associated Housing Revenue Account budget as set out in the report.

Council also approves the 3.5% rent strategy for Sheltered Housing and Homelessness properties, as well as related service and support charges, for 2024/25”.

- Moved by Councillor Paul and seconded by Councillor Fitzpatrick

Amendment

“West Lothian Council acknowledges that over the previous four quarters, over £2 million has had to be spent on additional homeless service costs. These costs are unsustainable, reduce the ability to fund other Council services, and have resulted in closures and cut-backs to several aspects of other Council service provision.

West Lothian Council notes that as the housing provider of last resort, it is incumbent upon the Administration to manage the Council housing estate with a long-term vision to meet futures needs; the current house-building programme does not do this.

West Lothian Council agrees that the current five-year programme for 383 additional council homes via new build and open market acquisitions is inadequate. The last Housing performance quarterly report noted “no further new build completions as there are currently no active sites under construction” and that there were no further Open Market Acquisitions Scheme purchases.

West Lothian Council recognises the real misery and despair being caused through the inability of the Council to adequately provide much needed social housing

West Lothian Council understands that an additional 1% to the current rent strategy proposals where these funds would be directed to the Housing Capital Investment Programme would raise over £600,000 annually. This would correspond to an additional £9 million in capital funding for new council house construction each year – representing a doubling of the annual average of the current five-year housing programme. West Lothian Council therefore resolves to: -

1. Approve the proposed rent increase of 3.5% for 2024/25 and the associated HRA budgets for 2024/25, as set out in the report, subject to paragraph 3;
2. Approve the proposed rent increase of 3.5% for Sheltered Housing and Homelessness properties, as well as related service and support charges, for 2024/25, subject to paragraph 3;
3. Instruct officers to proceed immediately with a consultation on a revised rent strategy of a 4.5% increase each year for the period 2024/25 to 2027/28, and to report back to council on the outcome in order that Council may consider again rent levels for 2024/25 and for the future years of the strategy; and,
4. Direct any resultant additional funds towards the construction of much needed social housing (subject to sustainable borrowing requirements).”

- Moved by Councillor De Bold and seconded by Councillor Kenna

The Provost invited the Head of Finance & Property Services to comment on the financial implications of the motion and the amendment. He advised that he had no comment to make on the motion, and that the amendment would require a review of the council's Prudential Indicators were it to be approved.

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
 Moira McKee Shemilt
 Andrew Miller
 Pauline Orr
 Pauline Stafford
 Veronica Smith

Decision

Following a vote, the motion was successful by 18 votes to 15 and it was agreed accordingly.

5. HOUSING CAPITAL INVESTMENT PROGRAMME 2024/25 TO 2027/28

The Council considered a report (copies of which had been circulated) by the Depute Chief Executive seeking approval of the proposed Housing Capital Investment Programme for 2024/25 to 2027/28 and to note the scope of works to be undertaken by Building Services under the terms of the Best Value Framework.

It was recommended that Council: -

1. Approves the proposed 2024/25 to 2027/28 Housing Capital Investment Programme and related funding as detailed in the report; and
2. Notes the scope of works to be undertaken by Building Services under the terms of the Best Value Framework, as outlined in section D.5 of the report.

Motion

West Lothian Council welcomes this Housing Capital Investment Programme for 2024/25 to 2027/28, which alongside the Housing Revenue Account budget, forms part of the council's integrated approach to financial strategy, corporate planning, delivery of outcomes and performance monitoring.

Under the previous Labour Administration, the Housing Capital Investment Programme delivered over £188.045 million of investment in both our existing stock and new build council housing. Since May 2022 this Labour Administration has delivered £27.986 million of investment in 2022/23, with £27.649 million projected for 2023/24.

Building upon these strong foundations this minority Labour Administration is determined to deliver further investment of £132.982 million under the proposed programme. There is a strong focus within the programme on the creation of additional social housing including continuation of the approved new build programme and continuing with a programme of open market acquisitions.

Good progress is being made in delivery of the West Lothian Affordable Housing programme across the active sites, with 782 units completed to the end of Quarter 3 2023/24, and the proposed Housing Capital Investment Programme includes the provision of a further 111 additional new council houses with budget provision of £26.723 million.

This will deliver an overall total of 383 new houses by the council, including both new build and open market acquisition additions, over the five-year period to 2027/28. These measures will increase the availability of social housing within communities for both existing residents and future generations.

Alongside investment in new and additional housing stock, there will be significant investment of £106.259 million in existing council housing stock and the environment, to improve homes and local amenity. Energy efficiency is recognised as a continuing priority, with an emphasis on meeting the requirements of the Energy Efficiency Standards for Social Housing legislation.

The proposed programme sees the continuation of the capital investment approved by Council on 7 February 2023, with a provision for the removal of Reinforced Autoclaved Aerated Concrete in council housing stock as reported to the Housing Services Policy Development and Scrutiny Panel on 9 February 2024.

Council notes that a review of the Housing Capital Investment Programme for 2024/25 to 2027/28 has been undertaken to determine works that may be carried out by external providers and works that may be carried out in-house to ensure compliance with the Best Value Framework.

This four-year Housing Capital Investment Programme forms a key part in the longer-term approach to asset investment and planning, and

considers expenditure required to improve and extend council's assets for future years.

West Lothian Council therefore welcomes the proposed investment of £132.982 million and agrees to approve the 2024/25 to 2027/28 Housing Capital Investment Programme and related funding as detailed in the officer's report.

Council also approves scope of works to be undertaken by Building Services under the terms of the Best Value Framework, as outlined in section D.5 of the report".

- Moved by Councillor Paul and seconded by Councillor Fitzpatrick

Decision

To unanimously approve the terms of the motion

6. TREASURY MANAGEMENT PLAN FOR 2024/25

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the Treasury Management Plan for 2024/25.

It was recommended that Council approves the 2024/25 Treasury Management Plan.

Decision

To unanimously approve the recommendations of the report and the Treasury Management Plan 2024/25