

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, CIVIC CENTRE, on 15 JUNE 2010.

Present – Leader of the Council Peter Johnston (Chair); Councillors John Cochrane, Ellen Glass, Isabel Hutton, Greg McCarra (substitute for Willie Boyle), Andrew Miller, John Muir (substitute for Frank Anderson), Cathy Muldoon and Jim Swan (substitute for John McGinty).

Apologies – Councillors Frank Anderson, William Boyle, Martyn Day, Robert De Bold, John McGinty, Jim Walker.

1. DECLARATIONS OF INTEREST

Proposed Amendment to the West Lothian Leisure Concessionary Access Scheme (Agenda Item 5)

Councillor Cochrane declared a non-financial interest as a council appointee to West Lothian Leisure Management Board. Councillor Cochrane considered that his interest was not significant and advised that he would remain in the room for consideration of the item of business.

2. MINUTE

The Council Executive approved the minute of its meeting held on 18th May 2010. The minute was then signed by the Chair.

3. PROPOSED AMENDMENT TO THE WEST LOTHIAN LEISURE CONCESSIONARY ACCESS SCHEME

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services setting out a proposal to expand the qualification for the existing joint West Lothian Council and West Lothian Leisure Concessionary Access Scheme.

The report provided details of the current concession scheme and explained the council's duty in relation to the Disability Discrimination Act (amended 2005).

It was proposed that the existing Concessionary Access Scheme be extended to include West Lothian residents who were in receipt of the following disability benefits:-

Attendance Allowance
 Disability Living Allowance
 Incapacity Benefit
 Armed Forces Compensation Scheme (AFCS) and/or
 War Disablement Pension (WDP).

To enable a period of monitoring and evaluation, including cost benefit analysis, the scheme should be introduced on an initial 12-month pilot basis.

The report provided two appendices:-

Appendix 1 - Equality Impact Assessment (which had been completed in conjunction with the Council's Equality Officer, a representative of Disability West Lothian and the Council's Sports Development Officer (people with a Disability)).

Appendix 2 - Concessionary Access Scheme Application Form/Rules of the Scheme.

The Council Executive was asked to agree:-

- that West Lothian Council work with West Lothian Leisure to expand the criteria of the existing Concessionary Access Scheme to include West Lothian residents, who were in receipt of the following disability benefits: Attendance Allowance, Disability Living Allowance, Incapacity Benefit (including Employment and Support Allowance), Armed Forces Compensation Scheme (AFCS) or War Disablement Pension (WDP).
- that the expanded scheme be introduced as an initial 12-month pilot to enable an evaluation of the proposed new arrangements. Consideration would be given to the impact on people with disabilities and also any financial implications for West Lothian Leisure.

Decision

To approve the terms of the report.

4. TWINNING LINKS WITH GRAPEVINE, TEXAS

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services providing an update on the progress with the Twinning link with Grapevine Texas and seeking approval to invite a small delegation from Grapevine Council/Community to visit West Lothian in summer/early autumn 2010.

Over the period 2009/10, a number of links had been developed primarily through Education and these were outlined within the report. In relation to these developments, the Head of Area Services highlighted the following amendment to the report:- Page 2 first paragraph, bullet point 3, "September 2009" should read "September 2010".

In accordance with the Hochsauerland twinning link, the formal Council invite to Grapevine was on a four year cycle and 2010 was the opportunity

for the Council and its partner twinning association to invite a small delegation from the City and Community of Grapevine to visit West Lothian. It was anticipated that the majority of this would be undertaken on a home hosted basis.

The Council Executive was asked to:-

1. note the work of the West Lothian Grapevine Twinning Association and its members in developing the links between West Lothian and
2. agree to formally invite a small delegation from Grapevine Council/Community to visit West Lothian in summer/early autumn 2010.

Decision

To approve the terms of the report.

5. LINLITHGOW AND LINLITHGOW BRIDGE TOWN MANAGEMENT GROUP

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services informing members of the proposed establishment of a constituted Linlithgow and Linlithgow Bridge Town Management Group (LLBTMG), and seeking endorsement of a decision taken at the Linlithgow Local Area Committee concerning monies allocated to Linlithgow through the council's town centre management budget.

The report provided a copy of the proposed constitution that would enable the Linlithgow and Linlithgow Bridge Town Management Group to formalise its existing informal structure.

The report also provided a guidance note on the Capital Expenditure Programme for Town Centre improvements.

The Council Executive was asked to agree that Council town centre monies allocated to Linlithgow for the period 2010/11, 2011/12 and 2012/13 be released directly to the Group based on the criteria detailed within the report. For 2010/11, it was anticipated that the majority of the £38,928 would be required for the completion of the Peel Bridge project.

In response to questions raised by elected members, the Head of Area Services advised that a Service Level Agreement would be drawn up before any monies were drawn down by the Group. In relation to Dissolution and Winding Up (paragraph 9.2 of the Constitution), the Chair suggested that the Service Level Agreement should make provision for the Regeneration Money to come back to the Council in the event of the LLBTMG being wound up or otherwise dissolved.

Decision

1. To agree:-
 - that a Service Level Agreement be drawn up and circulated to members of the Council Executive.
 - that the Service Level Agreement should make provision for the Regeneration Money to come back to the Council in the event of LLBTMG being would up or otherwise dissolved.
2. To approve the proposals outlined within the report, subject to the Service Level Agreement being acceptable to members of the Council Executive.

6. BATHGATE LOCAL AREA COMMITTEE - NAMING OF FORMER LINDSAY HOUSE

The Council Executive considered a report (copies of which had been circulated) by the Lead Officer, Bathgate Local Area Committee seeking ratification of a resolution made by an inquorate meeting of the Bathgate Local Area Committee which had been held on 31st May 2010.

The Council Executive was asked to consider the recommendation of the Bathgate Local Area Committee in order that officers could take the necessary actions to implement them. The recommendation was to name the former Lindsay House building as undernoted:-

Bathgate Partnership Centre,
New Lindsay House,
South Bridge Street,
Bathgate.

Decision

1. To note that the Council Executive was minded to approve the proposal to name the former Lindsay House building:-

Bathgate Partnership Centre,
New Lindsay House, South Bridge Street,
Bathgate.
2. To agree that the matter be referred back to the Bathgate Local Area Committee for further consideration and for a report to come back to the Council Executive thereafter.

7. ALCOHOL DIVERSIONARY REPORT

A report had been circulated by the Lead Officer, Bathgate Local Area Committee advising that, at its meeting held on 31st May 2010, the Bathgate Local Area Committee had agreed spending and activity plans

for the Alcohol Diversionary programme 2010/11. However, as the meeting had been inquorate, the Council Executive was now asked to approve spending and activity plans for the project.

The report explained that it was proposed to employ two dedicated street workers to serve Bathgate. Details of the key responsibilities and objectives of the street workers were set out in the report. The report went on to provide details of a planned party event in Kirkton park to attract youths where partners would give out specific alcohol/drug/employment advice. The total spend for the two projects was £9,500. The remaining balance of £11,000 was not proposed to be allocated until there was evidence and recommendations from Street Workers, Police and partners on where funds should be targeted. Information would be available for the next meeting of the Local Area Committee that would allow for spending decisions to be made.

The Council Executive was asked to ratify the actions recommended by the Bathgate Local Area Committee at its meeting held on 31st May 2010.

Decision

1. To approve the planned Alcohol Diversionary budget proposals for 2010/11 as recommended by the Bathgate Local Area Committee.
 2. To note advice by the Head of Area Services that an evaluation of all projects across West Lothian had been undertaken and recommendations for future spend would be submitted by officers through the Policy Development and Scrutiny Panel process.
8. PROPOSED WAITING RESTRICTIONS, ALMONDVALE PARKWAY, LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to initiate the statutory procedures to introduce waiting restrictions on Almondvale Parkway, Livingston.

The Head of Operational Services advised that members of the public and local businesses had raised concerns about indiscriminate parking within Almondvale Parkway. At some locations on-street parking inhibited access to businesses and to Livingston Leisure Centre/Bubbles Swimming Pool and reduced visibility for drivers.

It was proposed to introduce “No waiting at any time” restrictions on Almondvale Parkway. However, the north-eastern section of Almondvale Parkway would still be available for parking. A location plan was attached to the report.

Lothian and Border Police and local ward members had been consulted and comments received were noted in the report.

Subject to Council Executive approval of the recommendation, the traffic order would be advertised and objections invited. Any unresolved objections would then be report back to the Council Executive for determination before the order could be confirmed.

To ensure good access to business properties and to maintain road safety for drivers and pedestrians, it was recommended that a permanent traffic order be promoted to introduce “no waiting at any time” restrictions on Almondvale Parkway, Livingston.

Decision

To approve the terms of the report and to note that the traffic order would be advertised and objections invited.

9. PROPOSED STOPPING UP ORDER – ACCESS ROAD WITHIN STARLAW BUSINESS PARK LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to initiate the statutory procedures to stop up a short section of public road and footway within Starlaw Business Park to facilitate the development of an industrial unit with associated offices, car parking and landscaping.

The development site was located to the north of the A779 Starlaw Road just west of Tailend Roundabout. A location plan was attached to the report.

It was proposed to stop-up part of the existing access road made redundant by the proposed development. At the entrance to the development, a new road layout would be constructed. Consequently part of the existing carriageway and footway now required to be stopped-up.

Lothian and Borders Police and local ward members had been consulted and had made no adverse comments on the proposal.

It was recommended that statutory procedures be undertaken to stop up a short section of public road and footway within Starlaw Business Park.

Decision

To approve the terms of the report.

10. 2698 SQM OF LAND, MAIN STREET, DEANS, LIVINGSTON: DEANS BOWLING CLUB – PROPOSED LEASE RENEWAL

The Council Executive considered a report (copies of which had been circulated) by the Head of Property Services seeking approval for a new

lease in respect of 2698 sqm, Main Street, Deans to Deans Bowling Club.

The Head of Property Services advised that the lease was due to expire on 28th May 2010 and in order for the club to secure their future, the club was seeking a new lease. The terms and conditions of the lease were outlined in the report.

It was considered to be in the council's best interest to lease the ground for a further 30 years in favour of Deans Bowling Club on the terms and conditions outlined in the report.

The Council Executive was asked to approve a new lease in respect of 2698 sqm, Main Street Deans, Livingston to Deans Bowling Club for a period of 30 years at an initial rental of £2,700.00 per annum.

Decision

To approve the terms of the report.

11. BATHGATE SWIMMING POOL, MID STREET, BATHGATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Property Services seeking approval for the demolition of Bathgate Swimming Pool, Mid Street, and to declare the vacant site surplus to requirements.

The Head of Property Services advised that in April 2010 the pool was closed to the public and replaced by a new modern facility at Balbardie Sports Centre. West Lothian Leisure who leased the old pool had decommissioned the facility and transferred it back to the council.

The report went on to explain that the site was situated within a predominantly residential area and future redevelopment would be guided by a planning brief. From a commercial perspective, the age and unique nature of the building made alternative uses or conversion economically unviable.

The Head of Property Services considered that the most appropriate course of action was to demolish the building and clear the site. The estimated demolition cost was £50,000, which would be offset against the future sale of the site.

The Council Executive was asked to approve demolition of the building and declare the site surplus to requirements.

Decision

To approve the terms of the report.

12. 1B BROWN STREET, ARMADALE: LEASE TO MRS SENAL MUBARIK

The Council Executive considered a report (copies of which had been circulated) by the Head of Property Services seeking approval to grant a 30 year lease of 1B Brown Street, Armadale plus additional land to accommodate small extension for the property Mrs Senal Mubarik.

The Council Executive was informed that Mrs Mubarik had taken entry to the property in January 2008 on a five year lease with a rent review after year three. She now had a requirement of additional storage space and had requested permission to build an extension on the eastern elevation of the property to re-arrange the shop and accommodate a larger stock room. The cost of the extension was approximately £40,000, which would be funded entirely by Mrs Mubarik. To give some security in view of this expenditure Mrs Mubarik was seeking to extend her current lease until 2040.

The report provided a site plan showing the existing property lease area and the proposed ground lease area. The report also provided details of the current rental and the new lease rental.

Subject to Council Executive approval, provisional terms had been agreed with Mrs Mubarik for the extension subject to a number of terms and conditions, and these were outlined in the report.

The Council Executive was recommended to approve the lease of 1B Brown Street, Armadale, to Mrs Senal Mubarik for a terms of 30 years, at in initial rental of £2,600 per annum.

Councillor Cochrane asked whether it was appropriate for Property Services to consult with the Licensing Team when a lease of this type was initially drawn up. In response, officers undertook to consider building this into the process.

Decision

1. To approve the terms of the report.
2. To agree that there was a need for a joined up approach in relation to the granting of initial lets. Such an approach would involve Property Services consulting with Planning Officers and the Licensing Team to ensure that proposals focussed on the Council's overall aims and objectives.