

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 24 MARCH 2015.

Present – Councillors John McGinty (Chair), Cathy Muldoon, Frank Anderson, Tony Boyle (substituting for George Paul), Tom Conn, David Dodds (substituting for Danny Logue), Jim Dixon, Lawrence Fitzpatrick, Carl John (substituting for Peter Johnston), Dave King, Anne McMillan and Angela Moohan

Apologies – Councillors Peter Johnston, Danny Logue and George Paul

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The Council Executive confirmed the Minute of its meeting held on 10 March 2014. The Minute was thereafter signed by the Chair.

3. COURT OF THE DEACONS OF THE ANCIENT AND ROYAL BURGH OF LINLITHGOW (TUES 16TH JUNE 2015) - NOMINATION OF COUNCILLORS TO ATTEND LINLITHGOW MARCHES

The Council Executive considered the terms of a letter received from the Clerk to the Court of Deacons of the Ancient and Royal Burgh of Linlithgow

The letter invited the council to nominate up to five Elected Members to attend the 2014 Riding of the Marches.

Decision

1. Agreed to accept the invitation from the Court of Deans of the Ancient and Royal Burgh of Linlithgow; and
2. Agreed to delegate to the Chief Executive in consultation with the Leader of the Council and the Provost to nominate the three Administration and two Opposition councillors to attend the Riding of the Marches taking place on 16 June 2015.

4. SCHEME OF ELECTED MEMBERS REMUNERATION, ALLOWANCES AND REIMBURSEMENT OF EXPENSES

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval of the revised Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses for 2015-16, a copy of which was attached to the report at Appendix 1.

The Head of Corporate Services advised that the council's Code of Corporate Governance required the Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses (the Scheme) to be reviewed annually by committee.

The Scheme was based on the Local Government (Scotland) Act 2004 (Remuneration) Regulations and Amendment Regulations 2008 and the Local Government (Allowances and Expenses) (Scotland) Regulations 2007 and Amendment Regulations 2010, 2011, 2013 and 2015.

With regards to 2014-15 pay levels these were set by the Scottish Government and in accordance with the Local Government (Scotland) Act 2004 (Remuneration) Amendment Regulations 2015 which would come into force on 1 April 2015 and these included provision of a 1% increase to basic pay levels effective from that date.

The Head of Corporate Services continued to explain that the Finance Bill which was currently going through the Parliamentary process, contained HMRC clauses and explanatory notes on councillors home to work travel which would also apply from 1 April 2015. As a result mileage claims for Elected Members who lived more than 20 miles outside the council's boundary would be subject to taxation. Section 4 of the Scheme had been updated to reflect this position.

The Council Executive was asked to adopt the revised Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses for 2015-16 as set out in the report and its appendices.

#### Decision

To approve the terms of the report.

#### 5. CONSIDERATION OF THE COUNCIL'S UNAUDITED ACCOUNTS, ANNUAL GOVERNANCE STATEMENT AND AUDITED ACCOUNTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates advising of the provisions of the Local Authority Accounts (Scotland) Regulations 2014 and to seek approval for the proposed arrangements for the consideration of the unaudited accounts, annual governance statement and audited accounts and to make the required changes to the council's Scheme of Administration.

The Head of Finance and Estates advised that the Local Authority Accounts (Scotland) Regulations were laid before the Scottish Parliament on 7 July 2014 and came into force from the financial year 2014-15. The regulations included a number of provisions in relation to the consideration of the unaudited accounts, annual governance statement and the audited accounts.

The annual accounts must be submitted to the auditor no later than 30 June immediately following the financial year to which they related. This

was current practice and would remain unchanged.

The council or committee whose remit included audit or governance must meet to consider the unaudited accounts. The statutory date for this was 31 August however best practice was to do this by 30 June. Additionally the council or committee whose remit included audit or governance were required to approve the annual governance statement. As this formed part of the accounts it was therefore sensible for it to be approved at the same meeting that considered the unaudited accounts.

With regards to the audited annual accounts these required approval by 30 September immediately following the financial year to which they related. Current practice was for the Council to consider and note the signed audited accounts along with the Auditors Annual Report and this practice would remain unchanged.

It was proposed that the unaudited accounts would be considered by the Audit and Governance Committee by 30 June each year and that the Audit and Governance Committee would also be asked to approve the annual governance statement. The audited annual accounts would continue to be approved by Council by 30 September each year.

In accordance with the requirements of the regulations the proposed arrangements would commence for the 2014-15 annual accounts. Additionally changes would be required to the council's Scheme of Administration and these were summarised in the report.

It was recommended that the Council Executive :-

1. Approve the proposed arrangements as set out in the report; and
2. Approved the required changes to the council's Scheme of Administration as set out in the report.

### Decision

To approve the terms of the report.

## 6. PROCUREMENT ARRANGEMENTS - LINLITHGOW PARTNERSHIP CENTRE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval to commence tendering procedures for the procurement of a contractor to complete the works for the Linlithgow Partnership Centre project, employing the evaluation methodology and criteria detailed in the report.

The Head of Finance and Estates explained that it was proposed to create a new Partnership Centre to continue the council's strong track record in this area and would reinvigorate the buildings whilst delivering a modern service in Linlithgow which would enhance the town centre and act as a hub for local residents and groups.

The project budget of £3.9m was approved by the Council Executive on 27 January 2015. Given the proximity of the budget to the threshold for works contracts at £4,322,012, as defined by the EU Procurement Directives, it was proposed that the tender be conducted in accordance with the Restricted Procedure for tenders over the threshold.

In line with the council's Best Value Framework the project would be tendered to appoint an external contractor. Part of the design team had been resourced in-house with a previous procurement exercise procuring engineering and cost disciplines.

The requirements would be advertised in accordance with the European Union Procurement Directives and it was proposed that the Restricted Procedure was used whereby suppliers expressing an interest in the contract would be reduced through a Pre-Qualification Questionnaire with six being invited to tender.

An award criterion of 70% for Price and 30% for Quality would be applied at the tender stage.

Sustainability considerations and budget implications were also summarised in the report.

It was recommended that the Council Executive approve :-

1. The use of the Restricted Procedure for procurement of a contractor to complete the works for the Linlithgow Partnership Centre whereby suppliers expressing an interest in the contract would be reduced through a Pre-Qualification Questionnaire with six being invited to tender; and
2. The award criteria as set out in the report.

### Decision

To approve the terms of the report.

## 7. WEST LOTHIAN VILLAGES IMPROVEMENT FUND

The Council Executive considered a report (copies of which had been circulated) by the Armadale and Blackridge Local Area Committee Lead Officer seeking approval of funding for two applications made to the Villages Improvement Fund for the Armadale and Blackridge Ward.

The Council Executive was advised that Armadale and Blackridge Local Area Committee had considered two applications to the Villages Improvement Fund at its meeting on 6 March 2015. The applications consisted of one from Blackridge Community Council who were seeking £4,059 for station landscaping and the other from Craig Inn Management Committee, Blackridge who were seeking £2,056 for the upgrade of a meeting room.

The two members present agreed with the report which recommended that both applications be supported however due to being only two in number could not approve the proposal. In such cases it fell upon the Lead Officer to present a report to the Council Executive for approval taking into consideration the views of the Local Area Committee.

Therefore it was recommended that the Council Executive approve the release of funds from the Village Improvement Fund for the Armadale and Blackridge Ward.

#### Decision

To approve the terms of the report

### 8. WEST LOTHIAN VILLAGES IMPROVEMENT FUND

The Council Executive considered a report (copies of which had been circulated) by the Fauldhouse and Breich Valley Local Area Committee Lead Officer seeking approval of funding for two applications made to the Villages Improvement Fund for the Fauldhouse and Breich Valley Ward.

The Council Executive was advised that Fauldhouse and Breich Valley Local Area Committee had considered an application to the Villages Improvement Fund at its meeting on 17 February 2015. The application had been received from Harburn Village Hall Association for £20,000, which was the full allocation for the village, to help fund the refurbishment of the village hall and assist with environmental improvements

The two members present agreed with the report which recommended that the application be supported however due to being only two in number could not approve the proposal. In such cases it fell upon the Lead Officer to present a report to the Council Executive for approval taking into consideration the views of the Local Area Committee.

Therefore it was recommended that the Council Executive approve the release of funds from the Village Improvement Fund for the Fauldhouse and Breich Valley Ward.

#### Decision

To approve the terms of the report.

### 9. PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014 - DRAFT INTEGRATION SCHEME

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive, Community Health and Care Partnership providing details of the draft West Lothian Integration Scheme produced by West Lothian Council and NHS Lothian for the establishment of a Health and Care Partnership in line with the requirements of the Public Bodies (Joint Working) (Scotland) Act 2014.

The Depute Chief Executive recalled that the Council Executive agreed to issue the draft West Lothian Integration Scheme for consultation and that the consultation period commenced on 15 January 2015 and concluded on 20 February 2015. Consultation responses were received from 10 individuals and 9 organisations. All responses were reviewed and it was considered that no changes were required to the draft scheme.

The draft scheme was also considered and approved by NHS Lothian at its Board meeting on 4 March 2015.

Following its meeting on 10 March 2015 when the revised draft scheme was considered for approval, Council Executive was minded to agree to the scheme subject to an agreed change to the Chairperson's term of office that would ensure that the council would hold the Chair for the initial two years of the Integrated Joint Board in order to facilitate a smooth transition from the Community Health and Care Partnership to the Integrated Joint Board. The revised wording had since been agreed with NHS Lothian.

Therefore Council Executive was asked to note the revised wording agreed with NHS Lothian following Council Executive's decision on 10 March 2015 and approve the revised draft Integration Scheme for submission to Scottish Ministers by 31 March 2015.

#### Decision

To approve the terms of the report.