

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 14 APRIL 2015.

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

Apologies – Councillor Frank Anderson, Dave King, Angela Moohan

1. DECLARATIONS OF INTEREST

Agenda Item 8 – Procurement Arrangements – Supply of Specialist Care and Housing Support Services for Adults with a Disability, Adults with a Learning Disability and Autism – Councillor Peter Johnston declared a non-financial interest arising from his position as Non-Executive Director NHS Lothian, COSLA Spokesperson (Health and Wellbeing) and a Non-Executive Director, Health Improvement Scotland.

Agenda Item 9 – Procurement Arrangements – Supply of Care at Home Services - Councillor Peter Johnston declared a non-financial interest arising from his position as Non-Executive Director NHS Lothian, COSLA Spokesperson (Health and Wellbeing) and a Non-Executive Director, Health Improvement Scotland.

2. MINUTE

The Council Executive confirmed the Minute of its meeting held on 24 March 2015 as a correct record. The Minute was thereafter signed by the Chair.

3. CYCLEPATH SOUTH OF PARKHEAD PRIMARY SCHOOL, WEST CALDER REDETERMINATION OF FOOTWAY TO A SHARED USE CYCLEPATH

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to redetermine the existing footway adjacent to 55 to 161 Harburn Drive in West Calder and the existing footway adjacent to 74 to 84 Chapelton Drive in Polbeth to a shared use cyclepath.

The Head of Operational Services advised that funding for a scheme to improve the link for cyclists using the West Calder to Polbeth path was approved between Parkhead Primary School in West Calder and Chapelton Drive in Polbeth by the Council Executive at its meeting on 27 May 2014. The path improvement had been identified as a key community link between Polbeth and West Calder.

During the design process it had been identified that the existing footway adjacent to 55 to 161 Harburn Drive in West Calder and the existing footway adjacent to 74 to 84 Chapelton Drive in Polbeth had not been formally redetermined as a shared use cyclepath to connect the cyclepath that was presently being constructed.

Therefore to allow these footways to be shared by pedestrians and cyclists, a traffic regulation order was required to be promoted to redetermine these two footways to cyclepaths. The extent of the footways to be redetermined was detailed on a plan attached to the report at Appendix 1.

If the Council Executive approved the recommendation the traffic order would be advertised and objections invited. Any unresolved objections would then have to be submitted to Scottish Ministers for determination.

Local ward members and the affected householders had been consulted and comments from a local ward member were detailed in the report.

It was recommended that the Council Executive approve the initiation of statutory procedures for the promotion of a traffic regulation order to redetermine the footway from 55 to 161 Harburn Drive in West Calder and 74 to 84 Chapelton Drive in Polbeth to a shared use cyclepath.

#### Decision

To approve the terms of the report

#### 4. PROPOSED STOPPING-UP ORDER

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 section of public carriageway on an unnamed road between Whitestone Place and Inchcross Place, leading from Inchmuir Road and also the eastern side of Whitestone Place.

The Head of Operational Services advised that the council was proposing to convert and redevelop existing properties at Whitehall Industrial Estate between Whitestone Place and Inchcross Place for use as a depot and waste transfer station.

Detailed planning permission had been granted covering the works however it was proposed to stop-up part of the existing footway and parking on the east side of Whitestone Place and the unnamed road through the middle of the development site. The unnamed road would be stopped-up for a length of 132 metre from the back of the footway on Inchmuir Road. An area of 121 metres long by 4.8 metres wide to the east of Whitestone Road would also be stopped-up.

Local ward members had been consulted on the proposal and any comments made were summarised in the report.

It was recommended the Council Executive approve that statutory

procedures be undertaken to stop-up an unnamed street leading from Inchmuir Road between Whitestone Place and Inchcross Place and a section of the east side of Whitestone Place.

#### Decision

To approve the terms of the report

#### 5. PROCUREMENT ARRANGEMENTS – DOMESTIC REMOVAL WITH DELIVERY TO STORAGE

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 one year contract with the option to extend for a further one year for a Domestic Removal service with delivery to storage.

The Head of Finance and Estates explained that there was a service requirement for the uplift of property belonging to council tenants in temporary accommodation and for their property to be stored in suitable accommodation. This requirement would be in addition to and supplementary to the recent contract which started on 1 March 2015 for commercial removals and house to house moves.

It had been intended that Whitehill Service Centre would provide the service however this would not now be possible due to the new service centre not opening until 2016.

The requirement would be advertised in accordance with the European Union Directives in that it was proposed that the Open Procedure would be used whereby all suppliers expressing an interest in the contract would be invited to tender. A criterion of 50% for Price and 50% for Quality would be used. The anticipated start date for the contract was 1 August 2015.

Sustainability and budget implications were also summarised in the report noting that the cost was estimated to be £75,000 per annum and would be funded from the Homelessness Services budget.

It was recommended that the Council Executive approve :-

- a) The use of the Open Procedure whereby all suppliers expressing an interest in the contract would be invited to tender for a one year contract for storage facilities; and
- b) The award criteria as detailed in the report.

#### Decision

To approve the terms of the report

#### 6. PROCUREMENT ARRANGEMENTS – SUPPLY OF SPECIALIST CARE AND HOUSING SUPPORT SERVICES FOR ADULTS WITH A

## DISABILITY, ADULTS WITH A LEARNING DISABILITY AND AUTISM

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 three year with an option for a one year extension, framework agreement for Specialist Care and Housing Support Services for Adults with a Disability, Adults with a Learning Disability and Autism.

The Head of Finance and Estates advised that in order to promote empowerment and independence for adults with a disability, adults with a learning disability and autism the council aimed to provide holistic, accessible, comprehensive and integrated services. The council was also required to provide service users with a safe, flexible and reliable support service which took a person-centred assessment of needs, resulting in a personal plan for individuals enabling access to support appropriate to identified needs.

A number of options appraisal were considered and these were summarised in the report noting that whilst existing providers would be able to continue to provide care to service users if they were successful in their bid to be a framework provider, a clear indication of care package allocation would need to be provided for in the tender specification.

The implementation of the Self Directed Support (Scotland) Act 2014 would further drive the strategic intent to personalise services and to ensure that all services users had more choice and control over how their care was delivered.

Award criteria, sustainability and budget implications were all summarised in the report noting that the proposed hourly rate would be £18.00 for autism and £16.00 for other services. It was also proposed that this would be the target hourly rate for the new contract with an annual increase linked to the Consumer Price Index (CPI) which would mean that the future cost of the contract could be met within budget resources available.

The Head of Finance and Estates advised that discussions between COSLA, the Scottish Government and Care Providers were ongoing and subject to the outcome of these discussions a report would be submitted to the relevant PDSP on the implications for West Lothian Council.

It was recommended that the Council Executive approve :-

- a) The use of the Open Procedure whereby all service providers expressing an interest in the contract would be invited to tender; and
- b) The award criteria as detailed in the report.

### Decision

To approve the terms of the report and to note that a report would be submitted to the relevant PDSP subject to the outcome of discussions with COSLA, the Scottish Government and Care Providers on the implications for West Lothian Council.

7. PROCUREMENT ARRANGEMENTS – SUPPLY OF CARE AT HOME SERVICES

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 three year framework agreement for Care at Home Services, with an anticipated start date of 1 January 2016 and with an option for a one year extension.

The Head of Finance and Estates explained that high quality, flexible and responsive care at home services were essential elements of the overall strategy to shift the balance of care in favour of models which enabled more people to live independently in their own home and communities. Supporting this vision, West Lothian Council's own services had increasingly specialised in short term supports which focused on the prevention of hospital admissions and facilitated early supported discharges.

Commissioning care at home services in the independent sector had been common practice in all local authorities with purchasing arrangements varying over the years as contractual models had developed. The preferred model in West Lothian was a Framework Agreement which was in line with national guidance particularly in relation to the responsibility to stimulate and manage the market in response to the requirement of the provisions of the Self Directed Support (Scotland) Act 2014.

The present contractual arrangement had been in place since 1 January 2012 and was due to expire on 31 December 2015. Therefore the new requirement would be advertised in accordance with the European Union Directive and it was proposed that the Open Procedure would be used whereby all service providers expressing an interest in the contract would be invited to tender.

Award criteria, sustainability and budget implications were all summarised in the report noting that the Financial Management Unit and Social Policy had now undertaken a review of anticipated budget availability and growth in care needs. The hourly rate for externally provided care home on the current framework contract was £14.00 per hour and it was proposed that this would be the target hourly rate for the new contract with an annual increase linked to the Consumer Price Index (CPI)

The Head of Finance and Estates advised that discussions between COSLA, the Scottish Government and Care Providers were ongoing and subject to the outcome of these discussions a report would be submitted to the relevant PDSP on the implications for West Lothian Council.

It was recommended that the Council Executive approve :-

- c) The use of the Open Procedure whereby all service providers expressing an interest in the contract would be invited to tender; and
- d) The award criteria as detailed in the report.

## Decision

To approve the terms of the report and to note that a report would be submitted to the relevant PDSP subject to the outcome of discussions with COSLA, the Scottish Government and Care Providers on the implications for West Lothian Council.

### 8. CHANCELLOR'S BUDGET 2015

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates providing an update in relation to the announcements contained in the Chancellor of the Exchequer's Budget 2015 and to provide an indication of the measures that may have financial implications for the council.

The Chancellor delivered his Budget 2015 to the House of Commons on 18 March 2015. The Chancellor outlined his statement built on measures previously set out in the Autumn Statement 2015 and focused on the UK economy, growth and fairness. The announcement also provided detail on the UK Government's progress in reducing the budget deficit and measures that would be implemented to improve the UK's growth and productivity.

The Government announced its commitment to reducing borrowing, creating full employment and securing national economic recovery. The Chancellor outlined the current government's commitment to setting a fiscally neutral assumption that Total Managed Expenditure would be maintained at current levels in real terms until 2018-19 and would rise in line with GDP in 2019-20. The Chancellor also set out aspirations to find £10 billion of further efficiency savings by 2017-18.

The Head of Finance and Estates then provided details of the overall economic position, which included OBR Projections, General Economic Outlook and Unemployment. The report contained tables setting out details of Revenue Expenditure and Capital Expenditure. Information was also provided on Fuel Duty, Taxes and Allowances, Devolution and Savings.

With regards to the implications for West Lothian Council it was noted that the Scottish Block Budget would be allocated an additional £30 million as a result of the Barnett consequentials. As Local Authorities in Scotland undertook a considerable role in mental health and an element of the additional funding was for mental health spending further discussions would require to be undertaken between the Scottish Government and COSLA regarding distribution of the additional funds. Further details would be reported back to Council Executive in due course.

The Head of Finance and Estates concluded that the economic projections in the Budget 2015 continued to provide a very challenging financial outlook with public finances remaining constrained until 2018-19. If the economy progressed in line with forecasts there would be an easing of

public spending constraints from 2019-20, with growth in line with GDP. There was also a continuing risk regarding stability of the Eurozone which could lead to further pressure on the UK economy.

It was recommended that the Council Executive note the latest economic position outlined in the Budget 2015.

Decision

To note the terms of the report.

9. ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Community Health & Care Partnership, inviting the Council Executive to note the terms of the Minute of the St John's Hospital Stakeholder Group meeting held on 18 February 2015, a copy of which was attached to the report.

Decision

To note the terms of the report