

Agenda



West Dunbartonshire Council

Date: Wednesday, 19 June 2024

Time: 16:00

Format: Hybrid meeting

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Dear Member

Please attend a meeting of **West Dunbartonshire Council** as detailed above.

Members will have the option to attend the meeting remotely or in person at the Civic Space, 16 Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:-

Provost Douglas McAllister
Councillor James Bollan
Councillor Ian Dickson
Councillor Diane Docherty
Councillor Gurpreet Singh Johal
Councillor Daniel Lennie
Councillor David McBride
Councillor Jonathan McColl
Councillor James McElhill
Councillor Michelle McGinty
Councillor June McKay

Councillor John Millar
Councillor Karen Murray Conaghan
Councillor Lawrence O'Neill
Councillor Lauren Oxley
Councillor Chris Pollock
Councillor Martin Rooney
Councillor Gordon Scanlan
Councillor Hazel Sorrell
Councillor Clare Steel
Councillor Sophie Traynor

Chief Executive
Chief Officers

Date of issue: 6 June 2024

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WEST DUNBARTONSHIRE COUNCIL

WEDNESDAY, 19 JUNE 2024

AGENDA

1 STATEMENT BY CHAIR – AUDIO STREAMING

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on the agenda and the reasons for such declarations.

4 RECORDING OF VOTES

The Council is asked to agree that all votes taken during the meeting will be carried out by roll call vote to ensure an accurate record.

5 MINUTES OF PREVIOUS MEETING

7 – 33

Submit for approval, as correct record, the Minutes of Meeting of West Dunbartonshire Council held on 24 April 2024.

6 OPEN FORUM

The Council is asked to note that no open forum questions have been submitted by members of the public.

7 CLYDEBANK CENTRAL WARD BY-ELECTION RESULT

Officers will provide a verbal update on the result of the Council by-election being held on 13 June 2024 in the Clydebank Central Ward (Ward 5).

8 REVIEW OF INTEGRATION SCHEME

35 – 90

Submit report by the Chief Officer, Health & Social Care Partnership seeking the Council's approval for the Integration Scheme between West Dunbartonshire Council and NHS Greater Glasgow and Clyde.

- 9 FINANCIAL UPDATE 91 – 100**
- Submit report by the Chief Officer – Resources providing an update on the financial challenges facing the Council and the estimated 2025/26 to 2029/30 revenue budget gaps.
- 10 EXTERNAL AUDIT PROGRESS REPORT 101 – 111**
- Submit report by the Chief Officer – Resources presenting a progress report from the Council’s external auditors, Forvis Mazars.
- 11 UNAUDITED 2023/24 ANNUAL ACCOUNTS To Follow**
- Submit report by the Chief Officer – Resources providing a copy of the unaudited 2023/24 Annual Accounts and information regarding the 2023/24 outturn as set out in the draft accounts.
- 12 NOTICE OF MOTIONS**
- (a) Motion by Councillor Chris Pollock – Dumbarton Football Club**
- Council recognises and congratulates Dumbarton Football Club, the players, fans, staff and management on gaining promotion to Scotland's League One of football. Moving through the playoffs undefeated the sons clinched victory against Spartans in Edinburgh, on May 17th with a 4-3 aggregate win.
- Founded in 1872 Dumbarton is one of Scotland's oldest football clubs. The club is well supported and popular with locals. The location of the stadium beneath Dumbarton Rock has been described as one of the world's most iconic football grounds.
- Gaining promotion is an excellent achievement for the area's biggest and most successful club. Council wishes the club and the fans all the best for next season.
- (b) Motion by Councillor Gordon Scanlan – Early Years Physical Activity Programme**
- Council recognises the unique importance of developing physical literacy alongside traditional literacy within our early learning centres.
- The leisure trust’s early years physical activity programme has been operating for the last 2 years from covid recovery funding which has come to an end and this will stop the programme from running at the end of this school term.

Unless action is taken to fill this gap, this programme will cease to run and no physical activity provision will be delivered from the leisure trust.

Council will provide £50,000 from free reserves to run this programme for a further year and give the service time to find further funding so that the service does not simply cease to operate.

WEST DUNBARTONSHIRE COUNCIL

At a Hybrid Meeting of West Dunbartonshire Council held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 24 April 2024 at 4.05 p.m.

Present: Provost Douglas McAllister and Councillors Jim Bollan, Ian Dickson, Diane Docherty*, Gurpreet Singh Johal, Daniel Lennie, David McBride, Jonathan McColl, Michelle McGinty, June McKay, John Millar, James McElhill, Karen Murray Conaghan, Lawrence O'Neill, Lauren Oxley, Chris Pollock, Martin Rooney, Gordon Scanlan, Hazel Sorrell, Clare Steel and Sophie Traynor.

*Arrived later in the meeting.

Attending: Peter Hessett, Chief Executive; Alan Douglas, Chief Officer – Regulatory and Regeneration (Legal Officer); Laurence Slavin, Chief Officer – Resources, and Section 95 Officer; Peter Barry, Chief Officer – Housing and Employability; Amanda Graham, Chief Officer – Citizen, Culture and Facilities; Gail Macfarlane, Chief Officer – Roads and Neighbourhood; Laura Mason, Chief Officer – Education; Beth Culshaw, Chief Officer – Health & Social Care Partnership; Michelle Lynn, Assets Co-ordinator; Pamela Clifford, Planning, Building Standards and Environmental Health Manager; George Hawthorn, Manager of Democratic and Registration Services; and Carol-Ann Burns, Senior Democratic Services Officer.

Provost Douglas McAllister in the Chair

STATEMENT BY CHAIR

Provost McAllister advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

Councillor Sorrell declared an interest in the item of business 'Erection and operation of a mixed-use tourism and Leisure Development land at Pier Road, Ben Lomond Way and Old Luss Road known as West Riverside and Woodbank House (Lomond Banks), Balloch (2022/0157/PPP)', being a member of the Loch Lomond and The Trossachs National Park Authority Planning Committee who will be making a decision at their meeting, advised that she would leave the meeting and not participate in consideration of this item.

RECORDING OF VOTES

The Council agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

MINUTE OF PREVIOUS MEETING

The Minutes of Meeting of West Dunbartonshire Council held on 27 March 2024 were submitted and approved as a correct record.

OPEN FORUM

The Council noted that no open forum questions had been submitted by members of the public.

DECLARATION OF INTEREST – COUNCILLOR HAZEL SORRELL

Having earlier declared an interest in the following items of business, Councillor Sorrell left the meeting at this point.

REQUEST FOR DEPUTATIONS – ERECTION AND OPERATION OF A MIXED-USE TOURISM AND LEISURE DEVELOPMENT LAND.

The Provost advised that late requests had received request for deputations from an objector from Balloch and Haldane Community Council and the applicants of the development in relation to the item 'Erection and operation of a mixed-use tourism and Leisure Development land at Pier Road, Ben Lomond Way and Old Luss Road known as West Riverside and Woodbank House (Lomond Banks), Balloch (2022/0157/PPP)'. The Council agreed to suspend Standing Order 8 in order to allow the deputations to be heard.

The Provost first invited forward the applicants, namely Fiona Robertson, Street UK, and Steve Callan, Stantec Planning to join the meeting and Ms Robertson and Mr Callan were each heard in relation to the item. Thereafter, the Provost invited Lynne Somerville, Balloch and Haldane Community Council to address the Council and she was heard in relation to her concerns regarding the development.

The Provost thanked the representatives from their contributions.

Councillor Docherty entered the meeting during consideration of this item.

ERECTION AND OPERATION OF A MIXED-USE TOURISM AND LEISURE DEVELOPMENT LAND AT PIER ROAD, BEN LOMOND WAY AND OLD LUSS ROAD KNOWN AS WEST RIVERSIDE AND WOODBANK HOUSE (LOMOND BANKS), BALLOCH (2022/0157/PPP)

A report was submitted by the Planning, Building Standards and Environmental Health Manager seeking approval of the Council's response to a consultation received from the Loch Lomond and the Trossachs National Park Planning Authority regarding a planning application for tourism led development at West Riverside and Woodbank House, Balloch.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation and in answer to Members' questions, Councillor McColl moved:-

While the developer has taken a number of positive steps to improve upon their previous application, there remain several issues that cause concern.

With that in mind, Council agrees to oppose and formally object to the planning application on the following grounds:

The application is not in keeping with the Park Authority's primary and overriding policy objective of 'Conserving and Enhancing the natural and cultural heritage of the area.'

This development will bring significant economic risk for the local area and local businesses. While it might be considered that the permanent and seasonal jobs being created would be a real boost to the West Dunbartonshire economy, given the type of development being proposed, it is more likely that the site will be in direct competition with local accommodation, hospitality and leisure facilities, including the Council's own Vale of Leven facility. The risk to local jobs and businesses is unacceptable.

The proposed development site is embedded within an established road and access network and will be principally accessed by the A82 and A811 and locally by Balloch Road, Old Luss Road, Pier Road and Ben Lomond Way.

While it is recognised that users of the facilities will be encouraged to use public transport, it is accepted that the majority of people will come by car thus having a significant impact on the local road network. The Council's Roads Authority's formal response to the planning application opens by saying, "Whilst the applicant is promoting and enhancing more sustainable modes of transport, it is acknowledged the development will be a significant travel generator".

The applicant has accepted at several meetings since 2018 that they will be adding to an existing problem of congestion and most recently were unable to provide sufficient comfort to the public, Councillors or Community Councillors at recent meetings of Balloch and Haldane Community Council.

Given the scale of the existing roads capacity problem during peak visitor times, standard mitigation measures such as an Access and Parking Management Strategy and enhanced Signage and Variable Message Signage (VMS) installed at key approaches to the site will do little to assist in reducing the impact of the development on the road network.

The promise to work with Transport Scotland to mitigate the issues is extremely vague and given nothing has been done in the last 30+ years to resolve existing issues, it is unlikely that anything will change for the better as a result of this promise.

Council believes that the scale of the problem is such that the development being proposed would cause unacceptable disruption, not only to local people, but also to commuters and visitors travelling north on the A82, who already suffer serious delays at these peak times.

Councillor Bollan asked Councillor McColl if he would accept the following addendum to his motion:-

Council agrees not to support this Flamingo Land application which would be on the last piece of publicly owned land on the West side of the River Leven in Balloch. There is massive public opposition to this over development in Balloch Village with over 84,000 signatories, the most ever for any planning application in Scotland, on a public petition opposing this project and we as a Council should listen and reflect on the public's view.

There are no guarantees, only "promises" that limited works to the road structure might be implemented with no detailed commitment, timing, or costs available from any party.

This development will create two "Ballochs" and affect the viability of many small local businesses in the Village whilst destroying the southernmost tip of the world famous Loch Lomond reducing the million visitors who currently visit to soak up the natural beauty of the Loch.

There are still no firm written guarantees from the developer that there will be no Zero Hour Contracts allowed onsite which is extremely worrying as these contracts are exploitative in the extreme.

Council supports the principle of community ownership of the site and will support and work with local groups to consider this as a positive alternative to this huge, unwanted over development in the heart of Balloch Village.

This application is opposed by B&HCC and B&DCC and we should support these local decisions being made by local Constituents.

The public currently have unfettered access to the publicly owned site and this would be lost if Flamingo Land is given consent for this gated development.

Councillor McColl confirmed his acceptance of the addendum with the change to the wording of the last paragraph from 'would be lost' to 'could be lost'. Councillor Bollan accepted this change.

Councillor McColl's motion, with addendum, was seconded by Councillor Bollan.

As an amendment, Councillor Rooney, seconded by Councillor McGinty, moved:-

Council agrees the recommendation at paragraph 2.1 of the report that the Appendix 2 to the report (shown as Appendix 1 to these Minutes) be the Council's formal response to the application with the following amendment to paragraph 1 of Appendix 2:-

Erection and Operation of a Mixed-Use Tourism and Leisure Development Land at Pier Road, Ben Lomond Way and Old Luss Road, Known as West Riverside and Woodbank House (Lomond Banks), Balloch (2022/0157/PPP):

Remove Para 1 and replace with:

West Dunbartonshire Council notes the above Planning Application which will be dealt with by the Loch Lomond & Trossachs National Park (LL&TNP) Planning Committee and we would ask them to consider that the recommended works to the Ballochloan Roundabout are conditioned and undertaken. Further, West Dunbartonshire Council offers the comments in the following paragraphs. The Council reserve the right to add to this response due to new and additional information as a result of further notification.

On a roll call vote being taken 12 Members voted for the amendment, namely Provost McAllister and Councillors Dickson, Johal, Lennie, McBride, McGinty, McKay, Millar, Murray Conaghan, O'Neill, Rooney and Steel and 8 Members voted for the motion, namely Councillors Bollan, Docherty, McColl, McEhill, Oxley, Pollock, Scanlan and Traynor. The amendment was accordingly declared carried.

ADJOURNMENT

The Provost adjourned the meeting for a short recess. The meeting reconvened at 5.53 p.m. with all those listed in the sederunt in attendance, including Councillor Sorrell who re-entered the meeting at this point.

DC23/211/PPP: PROPOSED CONSTRUCTION OF MARINE TECHNOLOGY PARK COMPRISING INDUSTRIAL UNITS FOR MARINE ENGINEERING, FABRICATION, RESEARCH AND DEVELOPMENT, AND ASSOCIATED USES; ALONG WITH SITE ACCESS AND ASSOCIATED INFRASTRUCTURE; (IN PRINCIPLE) AT SITE OF FORMER CARLESS OIL TERMINAL, ERSKINE FERRY ROAD, OLD KILPATRICK

A report was submitted by the Planning, Building Standards and Environmental Health Manager seeking determination of planning application DC23/211/PPP for the proposed construction of a Marine Technology Park at the site of the former Carless Oil Terminal, Erskine Ferry Road, Old Kilpatrick.

After discussion and having heard the Planning, Building Standards and Environmental Health Manager in further explanation and in answer to Members' questions, the Council approved the planning permission in principle subject to the conditions set out in Section 9 to Appendix 1 of the report (shown as Appendix 2 to these Minutes).

Councillor Bollan requested that his abstention be recorded in respect of this item.

VALEDICTORY - PAMELA CLIFFORD, PLANNING, BUILDING STANDARDS AND ENVIRONMENTAL HEALTH MANAGER

The Provost advised that this was the last meeting of West Dunbartonshire Council that Pamela Clifford would be attending as she would be taking up a new position at East Ayrshire Council, and along with Elected Members he thanked her for her outstanding service to Elected Members and West Dunbartonshire Council. The Council concurred.

In response, Ms Clifford thanked Elected Members and West Dunbartonshire Council for their kind words.

EDUCATIONAL SERVICES COMMITTEE TIMETABLE

A report was submitted by the Chief Officer – Resources advising on the proposed timetable for reporting Budgetary Control Reports to the Educational Services Committee and seeking approval of a change to the schedule of the Committee to align it better to the Budgetary Control Reports timetable in order to make the information reported more up to date.

After discussion and in answer to Members' questions, the Council agreed the schedule of the Educational Services Committee from September 2024 (shown as Appendix 3 to these Minutes).

NOTICE OF MOTION

(a) Motion by Councillor Lauren Oxley – Additional Support Needs Learn to Swim Programme.

Councillor Oxley moved a motion in relation to the above but failed to find a seconder:-

Thereafter, Councillor McGinty moved:-

Council notes that Social Work Services had previously provide approximately £7,000 a year for the one-to-one swimming lessons for young people with additional needs. However, the funding was withdrawn and West Dunbartonshire Leisure Trust Swim Development Service was able to deliver a reduced service for a further two years. Unfortunately, no longer-term funds were available to support the costs of the Swimming Programme and there was no swimming programme between 2020 and 2022.

In 2023 the Leisure Trust restarted Swimming Classes which were made more inclusive so that ASN children could be part of the group lessons. The focus was on addressing the backlog but no provision was available for children with Complex Care needs.

This Council agrees that a Swimming Programme for Children and Young People with Complex Care needs should be re-established as a priority with the current year and next year's programme focusing on addressing the unmet need and the increased demand that has built up since 2019.

Council therefore agrees that the Cost of Living Fund should use some of its available funding to cover the costs of ASN Learn to Swim Programme for the current year and to fully fund the programme in 2025/26 to help reduce the unmet need.

This funding should include the West Dunbartonshire Swimming Development Service submitting an application to the Youth Success Fund established by Council as part of agreeing the 2024/25 budget which is being overseen by the Cost of Living Working Group.

The West Dunbartonshire Swimming Development Service should work up a proposal for the ASN Swimming Programme for 2026/27 onwards. This is to be funded by the Council on an ongoing basis and a report, which will include a recommendation on the extent and source of such ongoing funding should be brought to the relevant committee for consideration.

Councillor Oxley withdrew her motion and expressed her wish to support the amendment. Councillor McGinty's amendment then became the motion and was seconded by Councillor Oxley.

The motion was unanimously agreed by the Council.

The meeting closed at 6.25 p.m.

APPENDIX 1

Planning application: Erection and operation of a mixed-use tourism and leisure development Land at Pier Road, Ben Lomond Way and Old Luss Road Known as West Riverside and Woodbank House (Lomond Banks) Balloch

West Dunbartonshire Council has no objections to the above planning application as a neighbouring Planning Authority subject to the recommended works to the Ballochloan Roundabout being conditioned and undertaken. If these works are not conditioned the Council would object to the development. Further, West Dunbartonshire Council offers the comments in the following paragraphs. The Council reserve the right to add to this response due to new and additional information as a result of further notification.

Context

West Dunbartonshire Council is not the planning authority for the National Park area and therefore not the planning authority for the Lomond Banks development. However, the proposed development is within the West Dunbartonshire Council area and will impact on many matters that the Council does have a responsibility for as well as being of significant interest to communities, businesses, and organisations within the West Dunbartonshire Council area.

The adopted Loch Lomond & the Trossachs National Park Local Development Plan (LLTNP)2017- 2021, and National Planning Framework (NPF) 4 forms the statutory development plan.

The LLTNP sets out a vision and spatial strategy for the National Park area focused a place to Live, Invest, Visit and Experience. The Local Development Plan's Strategy which identifies Balloch as a Strategic Tourism Opportunity, recognising its potential for enhancing its role as a premium visitor destination and gateway to the National Park. West Riverside and Woodbank House are allocated for visitor experience uses and the Old Station is allocated for mixed use of visitor experience and transport. West Riverside, Woodbank and Station Square make up the proposed Lomond Banks development area. The Local Development Plan promotes specific sites where tourism development can be accommodated to meet tourism market demands while conserving and enhancing the natural environment. LIVE in Balloch outlines a strategy for future development based upon the 2016 Balloch Charrette which focused on initiatives located with the proposed site.

The assessment of the proposals including cross-boundary issues within West Dunbartonshire Council Planning Authority Area, should be assessed against the policies within the Loch Lomond & the Trossachs National Park Local Development Plan 2017-2021.

The Council has identified the following matters of relevance and make reference to these with regard to the policies set out in NPF4:

Climate mitigation and adaption

In line with Policy 2 of NPF4 the proposed development should be sited and designed to minimise lifecycle greenhouse gas emissions and to adapt to current and future risks from climate change. This would help West Dunbartonshire meet its ambitions for reaching Net Zero set out in its Climate Change Strategy and associated Action Plan. There are good opportunities for innovative projects on the site in relation to Net Zero in conjunction with the National Park Authority.

Biodiversity and natural places

Policy 3(a) of NPF4 requires development proposals to contribute to the enhancement of biodiversity and integrate nature-based solutions, where possible. Policy 3(b) requires major development to demonstrate that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. Policy 4 protects sites designated for nature conservation and protected species and Policy 6 Forestry, woodland and trees aims to protect and expand forests, woodland and trees.

The Council's Biodiversity Officer offers the following comments which should be taken into account when assessing the proposals against these policies:

The woodland loss of both ancient woodland and native/nearly native woodland remains at a high level. There is no evidence of compensatory planting plan proposal but this would be required. The retention of the Long Established Plantation Origin (LEPO) woodland would provide a much more mature and biodiverse habitat than the new planting proposal to the north of the existing plantation. Whilst in time, new native woodland would provide a biodiversity benefit; this will take many decades or longer to provide the same quality of habitat that is being proposed for removal to accommodate the dwellings in the Woodbank house field. If the number of dwellings in this location were reduced or reconfigured then potentially more of the LEPO woodland could be saved. There is also the additional factor of the impact of wildlife on all of the woodland plots as they become more populated with people that the additional disturbance and noise could reduce the biodiversity of these areas regardless.

The loss of the succession woodland at the pier head to accommodate the building is extensive. This is also a very well used visitor area as are both the beaches in front of the proposed hotel area.

In the EIAR v3 Non technical summary there is clarification of no further works in Drumkinnon woods which is welcomed.

In the EIAR v3 Non technical summary 5.2.7 – proposes a Landscape and biodiversity management plan for the ancient woodland area. It is requested a visualisation of this area in terms of tree loss and retention.

In the EIAR v3 Non technical summary, there is a proposal for the management of INNS which is welcomed as well as the removal of other non native species such as Harebell.

In the EIAR v3 Non technical summary, 5.2.13 provides impacts on red squirrel and as indicated previously there should be engagement around a grey squirrel management strategy prior to any construction phase should this development proceed.

In the EIAR v3 Non technical summary, 5.2.16 refers to bird box installation. These will need to be maintained and a record of the responsible person for this should be mentioned.

It is welcomed that the development no longer impacts on Drumkinnon Wood.

Zero waste

West Dunbartonshire Council may have responsibility for collecting waste from the proposed development. The Council therefore requests that the proposal is assessed against Policy 12 of NPF4 with regard to:

- the reduction, reuse and recycling of materials (criteria a)
- the provision of information relating to how much waste the proposals is expected to generate and how it will be managed (criteria c)

If approved, the Council would request that a condition(s) should be applied requiring the above information to be submitted, and that this information is shared with the Council for comment.

Sustainable transport

The Council notes that the site is potentially accessible via a range of transport, including walking, wheeling and public transport. In line with Policy 13, the Council expects the development to be designed and to include infrastructure and facilities, to encourage the use of sustainable transport to reach the site. An important connection is the proposed route through the site connecting Balloch as a whole with the development at Lomond Shores to encourage public access and reduce the use of the car, bringing more opportunities for the residents of Balloch and the surrounding area. The proposed monorail between Station Square and Pierhead enhances the connectivity between Balloch and Lomond Shores. This will assist in supporting an evening/winter economy together with the proposed tourism and commercial developments in the area. We are pleased that there are improvements proposed to the riverside walkway and its accessibility. We understand that discussions are underway with Scotrail to improve the rail service at Balloch to encourage users of the facilities to use more sustainable transport modes. Bike hire, available at Station Square will encourage more movements by bike and will be a welcome addition to the facilities proposed at this location.

Key walking and cycling routes such as NCN Route 7, the John Muir Way and West Loch Lomond Cycle Way will be enhanced and widened to Sustrans standards. The

enhancements to these shared walking and cycle routes will also bring benefits to the wider community and this is a welcome addition.

The “Lomond Promise” was submitted to LLTNPA and it binds the applicant to vows made to the community at pre-application stage, and included providing sustainable transport measures such as:

- Green Travel Plan.
- Summer Traffic Survey to be carried out once operational.
- Provision of an electric hopper bus to serve the development.
- Investigate integrated bus/rail tickets options.
- Cyclescheme initiative for employees.
- Provision of electric buggies for customers within the site.
- Provision of signage and facilities for walkers and cyclists.

It is understood that this came in response to issues raised by the community throughout the planning application process and it is aimed to reassure the local community that the applicant is committed to having a positive long-term impact on the area by being an active and responsible participant of the Balloch community. This commitment to the community and the measures to support sustainable modes of transport is welcomed by West Dunbartonshire Council.

Other measures being proposed such as the Travel Noticeboards could provide links to existing information on pedestrian facilities in the wider Balloch area including the Core Paths as well as distances and associated walking journey times. Provision of adequate warning signs throughout the development site alerting drivers to the main pedestrian routes through the site and discounted or free travel for employees on the proposed monorail, would assist with completing the last leg by foot.

Bus services currently operate on Ben Lomond Way within the main Loch Lomond Shores site as well as a more frequent level of service on Balloch and Drymen Road.

The proposed monorail is a particular attraction of the development and it will enhance connectivity from Balloch village main to the heart of the development (adjacent to Loch Lomond Shores retail crescent and Pierhead). Discounted or free travel for employees on the proposed monorail, would assist with encouraging access to the wider public transport services and would be of benefit to employees who are residents of West Dunbartonshire area.

To maximise uptake of public transport by employees, residents and visitors the site the development will be supported by the introduction of the provision of Travel Noticeboards within staff areas/ facilities showing the locations of local bus stops (& stance) and rail/ monorail station locations, including indicative walking and cycling journey times together with bus and rail and monorail timetable information and Local public transport operator contact details.

All these proposals are welcomed to reduce the impact on the development on the local community and the area whilst providing greater access to existing and new facilities.

Liveable places

Consideration should be given to the impact of the proposed development on the amenity of the surrounding area in line with Policy 14, having particular regard to the amenity of existing residential areas in proximity to the proposed development site in terms of noise, dust, smell, traffic, parking and other general amenity issues.

Local living

The Council notes the significant amount of holiday accommodation being proposed within the development, as well as staff and day visitors, and notes the mutual benefits that would be achieved for users and employees of the development, and existing facilities and businesses by the provision of good connections between the development site and Balloch and the wider area West Dunbartonshire area. The enhancement and promotion of the use of sustainable transport modes will help to reduce impact on the local area but also facilitate greater access for the wider community.

Infrastructure first

In line with Policy 18, the impacts of the development on infrastructure should be mitigated:

Traffic impact

Whilst the applicant is promoting and enhancing more sustainable transport modes of transport, it is acknowledged the development is a significant travel generating use, and a transport assessment and travel plan accompanies the proposals. This is acceptable to the Council's Roads and Transportation Service subject to certain conditions.

The proposal has the potential for traffic impacts on the adjacent roads - A82, A811, Balloch Road, Old Luss Road, Pier Road and Ben Lomond Way. The potential effects on these road networks and any impact on the wider area in terms of capacity, congestion and delay are considered in the submitted Transport Assessment. The Transport Assessment has been independently assessed by consultants for the Council's Roads Service and is based on 2017 Traffic Survey information together with the traffic movement at peak times and the network capacity with the additional trips from the development.

It is widely known that the summer season, good weather weekends and local events can increase traffic significantly on the A82, A811 and the local roads, all to the detriment of the local area. Survey data was gathered in August 2017 (W/C Thursday 10th August 2017 to Wednesday 16th August 2017 inclusive) during the summer holiday period. This was to provide traffic data for a sensitivity assessment, should it be required at key pinch points on the network subject to a neutral month assessment. Normally mitigation would not be provided for a summer season

assessment given the industry standard premise that is generally not appropriate to design and build for a non-neutral assessment scenario. However following discussion with the Council's Roads Service additional surveys were undertaken by the applicant's agent on two junctions in November 2021 to check the validity of the extensive 2017 surveys. The assessment of the two surveys found that the 2017 survey flows were higher than the 2021 flows in both the morning and evening peak period. The report at that time showed both junctions worked with adequate reserve capacity with no material traffic impact from the proposed development on the operation of the existing Stoneymollan Roundabout Junction and Ballochloan Roundabout. There were some occasional spikes mainly due to queuing from the adjacent MacDonalds food outlet and seasonal traffic. The report indicates that this issue will not be exacerbated by the proposed development at Lomond Banks.

It is understood that the applicants have agreed to make a financial contribution to Transport Scotland through Section 48 Agreement of the Road Act towards Transport Scotland's plans to improve the Stoneymollan Roundabout. The improvement and finance agreed will cover new signalisation at the Stoneymollan roundabout and realignment of the Roundabout. This together with other planned alterations work undertaken by Transport Scotland on Stoneymollan Roundabout will help manage the flow of traffic more efficiently in the area.

This agreement between the applicant and Transport Scotland is separate from the Planning Process however West Dunbartonshire Council support the mitigation measures to be undertaken to the Stoneymollan Roundabout.

Following extensive discussions between the applicant's agent and the Council's Roads Service, our Road service requested a further summer traffic assessment to provide confirmation of the previous conclusions from the Summer Assessment of 2017. Additional traffic surveys were carried out in August 2023. The Council's Road Service then carried out a further review of the traffic data which shows that the 2023 data is higher in the PM peak, but lower in the AM and Saturday compared to the 2017 traffic flows. The model has been calibrated correctly in relation to geometries and input traffic flow scenarios. A review of the traffic flows showed that on a number of approaches unequal lane usage was present. This would result in an over estimation of capacity.

As a result, the Council's Roads Service commissioned consultants to model the Ballochloan Roundabout applying survey data captured to better understand the operational performance of the junction with the inclusion of the additional development. High level consideration of the Lomond Shores model noted that there was unequal lane usage and a number of traffic flows showed that on a number of approaches unequal lane usage present. This would result in an overestimation of capacity. A review of geometry of the approaches noted some minor changes to the geometry inputs from the model submitted as part of the Transport Assessment. Therefore, the model shows capacity issues on A811 W approach in the PM peak in 2023 Base Scenario. A review of the roundabout suggests a widening of A811 W approach to allow a left slip lane will mitigate against the issue and add further capacity in times of high usage.

Therefore, the Council recommends that the above works to Ballochloan Roundabout is undertaken and is conditioned to any grant of planning permission.

Parking provision

The parking provision should provide additional parking for the development and will supplement existing parking already provided in the local area and help to avoid on street parking. There is a recognition that while parking demand must be catered for, overprovision is equally unacceptable in the overarching effort to encourage uptake of sustainable travel modes over private car. Parking provision has been calculated on individual uses proposed. Exact parking quantum will be appropriately considered in line with West Dunbartonshire Council's parking standards for the hotel, water leisure and lodges at the detailed application stage. A Parking and Signage Strategy sets out how parking across the site will be managed to ensure guests of Lomond Banks will park appropriately and not have a detrimental impacting on adjacent streets and residential areas.

Heat and cooling

The Council has recently approved a draft Local Heat and Energy Efficiency Strategy which identifies a Heat Network Strategic Zone in Alexandria. In line with Policy 19, consideration should be given to the opportunity of the proposed development site benefitting from or contributing to a sustainable heat network. There would be good opportunities to take forward innovative projects in terms of heat and energy.

Blue and green infrastructure

In line with Policy 20, the Council expects the development to avoid fragmentation and net loss of existing blue and green infrastructure across the site. In particular, the development should seek to enhance and not lead to a reduction in the provision of public access to and across the site, and to the river where appropriate. Existing public access routes and connections should be retained and enhanced where possible.

Play, recreation and sport

The Council notes the inclusion of play and sport facilities in the proposal and the potential support offered for this through Policy 21. The proposed development should ensure there is no net loss of publicly accessible formal and informal play opportunities and the new facilities are available to the wider Balloch and Vale of Leven area.

Flood risk and water management

When assessing the proposals against Policy 22, the Council requires that any assessment of flood risk and proposals for managing flood risk and water management have regard to possible impact on locations outwith the development site. Policy 22 promotes a precautionary approach to flooding by avoiding development in flood risk areas. The Majority of Zone B –Riverside and part of Zone

A –Station Square is in the flood risk area and SEPA have ask these are modified to remove development from the flood risk area.

SEPA are presently objecting to the development under policy 22 of NPF4 and it will be for the National Park Planning Authority to resolve this objection and to ensure that the proposal can meet the criteria in terms of Policy 22 of NPF4 and that any agreed measures do not have an adverse impact on the adjacent area.

Health and safety

In line with Policy 23, the Council notes that the proposed development includes facilities that will offer the opportunity for health improvement e.g. health facilities, paths etc.

The impact of construction and operational noise on local residential areas should be assessed and mitigated.

Community wealth building

In line with Policy 25, the Council expects the development to contribute to community wealth building through the provision of community and economic benefits. These may include, but not be limited to, the creation of jobs for local people, the use of local supply chains, and the provision of access and facilities on the site that will benefit the health and wellbeing of local people. The “Lomond Promise” involves the applicant committing to work in partnership with local businesses and the Community Councils and support collaborative marketing campaigns to promote Local Communities and their business. There is significant potential for the development to benefit the local economy.

City, town, local and commercial centres

The Council notes that some of the uses proposed are referenced in Policy 27 as uses that would generate significant footfall and could be located within town, local or commercial centres. The Council requests that the impact of these uses on existing centres such as Balloch, Alexandria and Dumbarton be assessed as part of the development and any adverse impacts mitigated.

Retail

The Council notes that the proposed development includes retail facilities with limited information available on the scale and nature of these. Assessment against Policy 28 of NPF4 will therefore be required, and the Council requests that this assessment has regard to impact on existing retail businesses and premises in Balloch centre and Alexandria town centre, with conditions applied restricting the scale and nature of retail operations to ensure no significant adverse impact on these centres.

Tourism

The Council notes that the proposed development site is zoned for tourism uses in the relevant local plan, and that there is therefore support in principle for tourism development on the site offered by Policy 30.

The economic benefits of the proposal with regard to new jobs created within the development, and increased local expenditure from visitors to the site are recognised which would benefit local businesses and traders and specifically would assist the ongoing viability of Lomond Shores. The proposal would help to establish Balloch as a gateway to Loch Lomond and increase its attractiveness as a tourist destination. The new development is likely to stimulate further improvements in Balloch e.g. Station Square, Duncan Mill Slipway improvements or active travel links linking to the National Cycle Network. Increased number of visitors staying in the area could help unlock redevelopment potential of Balloch Castle and help other local attractions e.g. Maid of the Loch.

The development proposals would be positive in terms of increase in local employment opportunities and increase in tourism numbers to the local area which could also benefit local businesses and traders, and specifically would assist the ongoing viability of Lomond Shores through the “Lomond Promise” which is detailed above.

The Council considers the key consideration of the assessment of this proposal is set out in criteria b) ii. of Policy 30, which is ensuring that the proposed development is compatible with the surrounding area in terms of the nature and scale of the development and the impacts of increased visitors.

Culture and creativity

In line with Policy 31, opportunities for public art should be explored as part of the assessment of the application which will benefit the development proposal but the wider area.

APPENDIX 2

DC23/211/PPP: PROPOSED CONSTRUCTION OF MARINE TECHNOLOGY PARK COMPRISING INDUSTRIAL UNITS FOR MARINE ENGINEERING, FABRICATION, RESEARCH AND DEVELOPMENT, AND ASSOCIATED USES; ALONG WITH SITE ACCESS AND ASSOCIATED INFRASTRUCTURE; (IN PRINCIPLE) AT SITE OF FORMER CARLESS OIL TERMINAL, ERSKINE FERRY ROAD, OLD KILPATRICK

GRANT full planning permission subject to the following conditions:-

1. Prior to the commencement of works associated with any part of the development (apart from remediation works approved under DC18/245) and unless otherwise agree in writing by the Planning Authority, applications for the approval of matters specified in conditions shall be accompanied by:-
 - (a) All proposed development platform(s);
 - (b) Full site layout details showing the position of all buildings, roads, access arrangements, parking areas, footpaths, green corridors, open space, boundary treatments (inclusive of any walls, fences and gates) and drainage infrastructure;
 - (c) Notwithstanding (b) above, full details of the upgrade to Erskine Ferry Road within the application site boundary;
 - (d) Block and layout plans showing existing, proposed and finished floor levels and elevations of each building, showing dimensions, and palettes of external materials;
 - (e) Details of existing and proposed site levels;
 - (f) Any submissions that include proposals for buildings will provide details of all parking provision associated with them inclusive of electric vehicle charging points, cycle parking, shelter and storage provision, shower, changing and drying facilities and any other facilities and measures which promote and support active and sustainable travel;
 - (g) Landscape and streetscape plans showing the locations and species of all proposed trees, shrubs, hedges, palettes of hard landscaping materials and street furniture;
 - (h) Details of the management and maintenance of all landscaping and planting identified in (g) above;
 - (i) Details of all existing trees or hedging to be retained;
 - (j) Surface Water Drainage arrangements and Sustainable Drainage arrangements;

- (k) Details of the disposal of sewerage;
 - (l) Full details showing the connection of all proposed buildings to fibre optic networks; and
 - (m) Sustainability Implementation Plan.
2. Prior to the submission of the first application for the approval of matters specified in condition submitted under Condition 1 above, a design guide to establish the principles for the design and locations of buildings/structures, street furniture, railings, bollards, signage, bins, substations, generators and cycle parking shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, each application for approval of matters specified in conditions submitted under Condition 1 above shall demonstrate adherence to this design guide. For the avoidance of doubt, this shall include adherence to the design principles of the approved Design and Access Statement dated June 2023.
 3. All applications for the approval of matters specified in condition details submitted under Condition 1 above shall follow the approach of the masterplan and phasing plan approved under this permission unless otherwise agreed by the Planning Authority.

Notwithstanding condition 3 above, all applications for matters specified by condition submitted under Condition 1 above shall include an up-to-date phasing plan for the entire application site showing the relevant phases and anticipated timescales for the development of each phase, and the inter-relationship of the phases.

4. The uses hereby permitted within the application site are Use Class 4 (business and light industry and Use Class 5 (general industry), together with ancillary Use Class 3 (Food and Drink) and Use Class 10 (restricted to an interpretation centre and a nursery/creche only). For the absolute avoidance of doubt, the approved uses within Use Classes 4 and 5 of the Town and Country (Use Classes) Scotland Order 1997 (as amended) and as may be subsequently amended or superseded, relate solely to marine engineering and marine renewables fabrication, research and development, and associated uses (water compatible or essential infrastructure) and are as specified in Section 3.3.1 of the submitted Planning Statement dated October 2023. Any changes in the approved use within the specific Use Class Order or to other classes of the Use Classes Order will require the submission of a further application for planning permission.
5. In terms of Conditions 1 and 5 above, the appropriate minimum finished floor levels shall be as outlined in the submitted Flood Risk Assessment (FRA) (dated October 2023) for the proposed uses unless otherwise agreed by the Planning Authority. The proposed uses which are assessed as water compatible or essential infrastructure shall be at a lower elevation – likely to be 5.27m AOD. The appropriate finished floor level which are assessed as non-water compatible or essential infrastructure uses and equates to the

1:200 plus climate change plus freeboard level of 6.17m AOD. Safe access/egress shall be provided for any elements of development on site that is not assessed as 'water compatible' or 'essential infrastructure' i.e. the interpretation centre, nursery/creche and café and any other use within Class 3 and 10 of Use Classes (Scotland) Order 1997 shall be provided at an elevation of >5.33m AOD.

6. As part of any application for the approval of matters specified in conditions, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Planning Authority. This Plan shall include works to enhance the Local Nature Reserve and the timing of works to negate the impact on amphibians. The approved Landscape and Ecological Management Plan including any measures which shall be implemented on site and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for this approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
7. Unless otherwise agreed in writing by the Planning Authority, as part of any applications for approval of matters specified in conditions, and with regard to the requirements of condition 1 above, a supporting report which evidences how the relevant development proposals complies with and delivers the requirements and aims of the 'Landscape and Ecological Management Plan' section of the Design Guide, approved under Condition 2 above.
8. As part of any application of the approval of matters specified in condition, unless otherwise agreed with the Planning Authority, a Construction and Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include measures aimed at ensuring that the areas of Special Protection Area adjacent to the application site boundary are not adversely affected by pollution, run-off both during and after the construction phase of the development. The CEMP shall also set out details of the schedule of works, including how it will be sought to schedule all work, and especially those elements of construction with the highest potential for noise and vibrational disturbance eg piling to the least sensitive summer period from 16 March to 15 September. The timetable shall set out how the construction works will be programmed to minimise noise and vibration generation during the months of September to March inclusive and associated disturbance on wintering redshank and other qualifying features of the Inner Clyde Special Protection Area. The agreed mitigation measures of CEMP shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the duration of the construction phase of the full re-development of the site. Any modifications or updates required for the approved CEMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
9. No development shall be undertaken on site between the months of September to March inclusive until an acoustic/visual screen barrier has been installed along the boundary between the Inner Clyde Special Protection Area (SPA) and the area proposed for development works within the application

site. Prior to its erection, details of the proposed screen barrier including its location, extent, design and level of obscurity shall be submitted to, and approved in writing by the Planning Authority. The approved screening barrier shall thereafter be implemented as approved in a timescale agreed in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, the approved screening barrier shall remain in place and maintained for when construction works are taking place within the part of the site impacting the SPA. For the avoidance of doubt, these barriers shall be sufficient to ensure that site operatives working on site are fully screened from any wader species feeding within the SPA boundary out to a distance of 150 metres from the works.

10. Notwithstanding the terms of Conditions 9 and 10 above, where work is unavoidably during the sensitive wintering period of the months of September to March inclusive and it is not practical or possible to pre-install acoustic and visual screen barriers between the works and SPA then a suitability qualified independent Ecological Clerk of Works shall be appointed by the developer/applicant to oversee, monitor and ensure the effectiveness of all ecological mitigation measures to protect the integrity of the Inner Clyde Special Protection Area and other ecological designations. The Planning Authority shall be notified in writing once this person has been appointed. Thereafter, the ECoW shall remain in place for the duration of the construction works associated with that part of the development and shall be kept adequately informed of scheduling proposals and will be invested with sufficient authority to halt or postpone any and all relevant works until such times as they have confirmed no Redshank or other wildfowl are feeding on the SPA out to a distance of 150 metres of the works concerned, unless otherwise agreed with the Planning Authority.
11. Prior to the submission of the first application for the approval of matters specified in conditions submitted under Condition 1 above, a Lighting Strategy shall be submitted to and approved in writing by the Planning Authority. Thereafter, all application for the approval of matters specified in conditions submitted under Condition 1 above shall demonstrate compliance with the approved Lighting Strategy. The Lighting Strategy shall provide specific confirmation that night lighting will be avoided during the months of September to March inclusive where such lighting would illuminate areas of inter-tidal habitat of the Inner Clyde Special Protection Area (SPA) to levels in excess of 1 Lux (i.e. the maximum natural nighttime background light level). It shall take into account all of the lighting needs associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the sky and to avoid dazzle or distract drivers on nearby roads. The approved strategies and lighting scheme, including any mitigation measures shall be implemented on site and shall remain in place for the duration of the construction and operational phase of the full re-development of the site, and unless otherwise agreed in writing by the Planning Authority. Any modifications or updates required for these approved strategies shall first be

subject to the written approval of the Planning Authority and implemented thereafter as approved.

12. No development or construction activity including the temporary use of plant or storage of materials shall take place within the application site boundary which overlaps with the SPA or at any location within the SPA designation.
13. As part of any applications for approval of matters specified in conditions submitted under Condition 1 above, and with regard to the requirements of condition 1 above, up-to-date ecology surveys inclusive of all protected species insofar as required in relation to the area of proposed development and associated ecological features shall accompany development proposals within the site. These surveys shall be carried out by a suitable qualified ecologist at the appropriate time of year and will be provided to update the baseline information provided through the Environmental Statement and ecological surveys provided as part of this application. Furthermore, should the results of such surveys show them to be necessary, any such applications shall also be accompanied by the relevant species protection plans to identify any license requirements.
14. As part of the submission of any application for approval of matters specified in condition under Condition 1 above, it shall be demonstrated that the areas where otter are identified to lie-up are maintained in the detailed design of the development.
15. Unless otherwise agreed in writing by the Planning Authority, as part of the submission of any application for approval of matters specified in condition under Condition 1 above an Otter Protection Plan shall be submitted to and approved by the Planning Authority and any mitigation measures arising from the Plan shall be implemented as approved.
16. Prior to the commencement of any piling on site, a method statement setting out how a 'soft start' piling methodology will be implemented on site in order to ensure that marine mammals, particularly harbour porpoises, are not impacted by 'full impact strikes'.
17. No removal of trees and vegetation shall take place during the bird nesting season March to September inclusive unless first agreed in writing by the Planning Authority, and a nesting bird survey shall be undertaken not more than 48 hours prior to the commencement of site clearance works, the findings of which shall be submitted and agreed by the Planning Authority.
18. As part of the first application for the approval of matters specified in conditions under Condition 1 above, an Energy Strategy for the site shall be submitted for the approval of the Planning Authority. The Energy Strategy shall include details for the delivery and implementation of on-site low carbon and renewable energy solutions, building specific technologies and features alongside any other measures aimed at increasing energy efficiency on the site. The approved strategy including any agreed measures shall be implemented on site and unless otherwise agreed in writing by the Planning

Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved strategy shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved. All subsequent applications for matters specified by condition under Condition 1 above shall demonstrate adherence to the agreed approach.

19. As part of any application of the approval of matters specified in condition 1 above, unless otherwise agreed with the Planning Authority a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Authority. The approved CTMP including any mitigation measures shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the duration of the construction phase of the full re-development of the site. Any modifications or updates required for the approved CTMP shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
20. Prior to the occupation of any part of the site, a site wide Travel Plan including measures to minimise the impact of traffic and to promote sustainable and active travel choices for staff and visitors shall be submitted to and approved in writing by the Planning Authority. The approved Travel Plan including any agreed measures shall be implemented on site and unless otherwise agreed in writing by the Planning Authority and shall remain in place for the lifetime of the development. Any modifications or updates required for the approved Travel Plan shall first be subject to the written approval of the Planning Authority and implemented thereafter as approved.
21. Prior to the occupation of any part of Phase 2C on the approved phasing plan, the works associated with the upgrading and widening of the existing private section of Erskine Ferry Road to facilitate two-way traffic with a 2 metre continuous shared footpath/cycleway on one side of the new road shall be fully completed. An emergency access shall also be formed along southern east boundary of the site with the Dalmuir bonded warehouses and fully completed to the satisfaction of the Planning Authority prior to the occupation of any part of Phase 2C.
22. Prior to submission of any application for the approval of matters specified in conditions a detailed report on the nature and extent of any contamination for that phase shall be submitted to and approved in writing by the Planning Authority. The report shall be prepared by a suitably qualified person and shall include the following:
 - a) A detailed site investigation identifying the extent, scale and nature of contamination on the site (irrespective of whether this contamination originates on the site)
 - b) An assessment of the potential risks (where applicable) to:
 - human health

- property (existing and proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
 - groundwater and surface waters
 - ecological systems
 - archaeological sites and ancient monuments
- c) An appraisal of remedial options, including a detailed remediation strategy based on the preferred option.
23. That unless otherwise first agreed in writing by the Planning Authority, no development (other than investigative works) shall commence on any phase until such time as a detailed Remediation Scheme for that phase has been submitted to and approved in writing by the Planning Authority. The scheme shall be prepared by a suitably qualified person and shall detail the measures necessary to bring the site to a condition suitable for its intended use. The scheme shall include method statements with details of all works to be undertaken, the remediation objectives and criteria, a timetable of works and/or details of the phasing of works relative to the rest of the development, and site management procedures. The completion of the remediation works shall mitigate the risks that resulted in the site being identified as contaminated land under Environmental Protection Act 1990 Part IIA in relation to the intended use of the land after remediation.
24. The approved Remediation Scheme shall be carried out in accordance with its terms prior to the commencement of any development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works not less than 14 days before these works commence on site. Upon completion of the remediation works, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the Local Planning Authority.
25. Prior to development of each phase an updated Remediation Statement, as defined in Section 78H(7) of Part IIA of the EPA 1990, shall be submitted and approved by Planning Authority and by SEPA as the Enforcing Authority of the Special Site. This statement will confirm that the remediation proposed under DC18/245 has been completed and will also detail the remediation actions that are being, have been, or are expected to be, done across the remainder of site as well as the time periods within which these things were/are being/will be done.
26. If the Remediation Plan requires it then a monitoring and maintenance scheme (including the monitoring of the long-term effectiveness of the proposed remediation) shall be submitted to and approved in writing by the Planning Authority. Any actions/measures ongoing shall be implemented within an agreed timescale with the Planning Authority in consultation with Environmental Health. Following completion of the actions/measures identified in the approved remediation scheme a further report which demonstrates the effectiveness of the monitoring and maintenance measures shall be submitted to and approved by the Planning Authority.

27. The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken, and an amended Remediation Scheme shall be submitted to and approved by the Planning Authority prior to the recommencement of works in the affected area. The approved details shall be implemented as approved.
28. If there is a requirement to either re-use site won material or to import material, then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being re-used or imported. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm within landscaped areas shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a validation report containing details of the source of the material and associated test results to demonstrate its suitability for use.
29. Unless otherwise agreed by the Planning Authority, no works shall take place on site until such time as a noise / vibration impact assessment has been submitted to and approved in writing by the Planning Authority. This assessment shall include an assessment of the potential for the proposed use to cause noise / vibration nuisance affecting nearby properties. Where potential disturbance is identified, proposals for the attenuation of that noise / vibration shall be submitted to and approved in writing by the Planning Authority. Any such approved attenuation scheme shall be implemented prior to the works commencing and shall thereafter be retained in accordance with the approved scheme. Should the approved attenuation scheme impose restrictions upon the way in which operations on the site are carried out, the site shall be operated in this manner unless otherwise approved in writing by the Planning Authority. The assessment and any recommendations in respect of attenuation measures shall be prepared by a suitably qualified person.
30. Unless otherwise agreed by the Planning Authority. No development shall commence on site until such time as a noise control method statement for the construction period has been submitted to and approved in writing by the Planning Authority, This statement shall identify likely sources of noise (including specific noisy operations and items of plant/machinery), the anticipated duration of any particularly noisy phases of the construction works, and details of the proposed means of limiting the impact of these noise sources upon nearby residential properties and other noise-sensitive properties. The construction works shall thereafter be carried out in accordance with the approved method statement unless otherwise approved in writing by the Planning Authority.

31. During works and any ancillary operations (including piling) which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:

Mondays to Fridays:	0800-1800
Saturdays:	0800-1300
Sundays and public holidays:	No working

32. No piling works shall be carried out until a method statement has been submitted to and approved in writing by the Planning Authority. This statement shall include an assessment of the impact of the piling on surrounding properties, taking into account the guidance contained in BS 6472: 'Evaluation of Human Response to Vibration in Buildings'. It shall detail any procedures which are proposed to minimise the impact of noise and vibration on the occupants of surrounding properties. This statement shall be prepared by a suitably qualified person, and the piling works shall thereafter be carried out in accordance with the approved method statement.
33. Unless otherwise approved in writing by the Planning Authority, no development shall commence on site until such time as a scheme for the control and mitigation of dust has been submitted to and approved in writing by the Planning Authority. The scheme shall identify likely sources of dust arising from the development or its construction and shall identify measures to prevent or limit the occurrence and impact of such dust. The approved scheme shall thereafter be implemented fully prior to any of the identified dust generating activities commencing on site and shall be maintained thereafter, unless otherwise approved by the Planning Authority.
34. Unless otherwise agreed by the Planning Authority, and prior to the commencement of development on site an air quality impact assessment in accordance with the Environmental Protection UK guidance document "Development Control: Planning for Air Quality 2017" shall be submitted to and approved by the Planning Authority. The findings of the assessment shall be implemented prior to the development commencing on site or within a timescale agreed by the Planning Authority.
35. Prior to the commencement on any development on site, details of measures to protect retained trees and areas of woodland on the site during construction shall be submitted to and approved in writing by the Planning Authority. The details shall include specific details for the establishment of buffer zones for the protection of trees and area of woodland along and within the site boundary. Thereafter, unless otherwise agreed in writing by the Planning Authority, the approved measures shall be implemented and shall remain in place for the duration when construction works are taking place on site.
36. Any application for matters specified by condition submitted under Condition 1 above that proposes buildings or structures exceeding 15 metres in height shall specifically identify full details of the location, height, layout, form and materials of any such buildings and structures exceeding 15 metres above

ground level to allow a full assessment of these details in consultation with Glasgow Airport.

37. As part of any application of the approval of matters specified in condition 1, unless otherwise agreed with the Planning Authority a Bird Hazard Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The submitted plan shall include details of: management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’ The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport.
38. No development shall take place in any phase until full details of soft and water landscaping works shall be submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 ‘Potential Bird Hazards from Amenity Landscaping & Building Design’ (available at www.aoa.org.uk/publications/safeguardingasp). These details shall include:
- The species, number and spacing of trees and shrubs.
 - Drainage details including SUDS – Such schemes must comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at www.aoa.org.uk/publications/safeguarding.asp).
- No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority in consultation with Glasgow Airport. The scheme shall be implemented as approved.
39. No buildings shall be constructed within the Health and Safety Executive consultation zone associated with the adjacent Dalmuir bonded warehouses.

APPENDIX 3

Exhibit 2: Educational Services Committee dates and proposed changes

Educational Services Committee – proposed dates							
BCR	P3	P5	P7	P10	P3	P5	P7
Current Date / Time	18/09/24 10:00	04/12/24 10:00	19/03/25 14:00	11/06/25 10:00	17/09/25 10:00	10/12/25 10:00	18/03/26 10:00
Proposed Date / Time	18/09/24 10:00 (Note 1)	27/11/24 10:00	19/03/25 10:00	28/05/25 10:00	17/09/25 10:00 (Note 1)	26/11/25 10:00	18/03/26 10:00
Summary	No Change	Week Earlier	Change in Time	Fortnight Earlier	No Change	Fortnight Earlier	No Change

Educational Services Committee – proposed dates					
BCR	P10	P3	P5	P7	
Current Date / Time	10/06/26 10:00	16/09/26 10:00	09/12/26 10:00	17/03/27 14:00	
Proposed Date / Time	06/05/26 10:00	16/09/26 10:00 (Note 1)	09/12/26 10:00 (Note 2)	10/03/27 10:00	
Summary	Month Earlier	No Change	No Change	Week Earlier & Time Change	

Note 1 – No proposal to change September meetings to avoid papers being issued during the school holidays.

Note 2 – It was not possible to find alternative dates for these committees which could be accommodated.

WEST DUNBARTONSHIRE COUNCIL

Report by: Beth Culshaw, Chief Officer West Dunbartonshire Health and Social Care Partnership (HSCP)

Council Meeting of 19 June 2024

Subject: Review of Integration Scheme

1. Purpose

- 1.1** The purpose of this report is to seek West Dunbartonshire Council approval for the Integration Scheme between West Dunbartonshire Council and NHS Greater Glasgow and Clyde.

2. Recommendations

It is recommended that West Dunbartonshire Council:

- 2.1** Approve the Integration Scheme between West Dunbartonshire Council and NHS Greater Glasgow and Clyde (Appendix I)

3. Background

- 3.1** Integration Schemes (based on a model integration scheme developed by the Scottish Government) were published by all Integration Joint Boards within the NHS Greater Glasgow and Clyde Health Board area as part of the implementation of the Integration Joint Boards (known locally as the HSCP Partnership Board). The Schemes set out the key arrangements for how Health and Social Care Integration is to be planned, delivered and monitored within their local area.
- 3.2** Integration Schemes are required by statute to be reviewed within a “relevant period” of five years from initial publication. The Schemes for Integration Joint Boards across the NHS Greater Glasgow and Clyde Health Board area received parliamentary approval at different times and are therefore subject to different review schedules. In order to ensure consistency, where possible, across the six Integration Joint Boards and to reduce duplication of effort, in 2019 it was agreed to carry out simultaneous reviews to enable revised Schemes to be approved at the same time.
- 3.3** West Dunbartonshire Integration Scheme was the first to go live and at that time was reaching the end of its relevant period in June 2020.
- 3.4** On the 26 February 2020, West Dunbartonshire Council considered a report from the Chief Officer, West Dunbartonshire Health and Social Care Partnership on this matter and agreed to note the content of the report and to approve the draft revised Integration Scheme for consultation.
- 3.5** On the 25 February 2020, Greater Glasgow and Clyde Health Board considered a similar paper. The extract of the minute of that meetings

shows that “due to time constraints, Prof Brown proposed that this item also be deferred to the Board Seminar Session, which would take place in March [2020], to ensure sufficient time for consideration and approval. Members were content to accept this approach.”

- 3.6** Given the timing of this initial phase of work Members will be unsurprised to learn that due to the global pandemic the NHS Board Seminar Session referenced in paragraph 3.5 did not go ahead and this work fell into abeyance as dealing with Covid-19 became the focus of collective endeavors.
- 3.7** This afforded officers a period of further review and reflection and in 2022 the work was reinvigorated with a pan Glasgow HSCP working group re-established to consider the content of the Integration Scheme. This group have considered how all six Integration Schemes can be more effectively aligned in terms of language and format with the aim of developing revised Integration Schemes for approval by all six local authorities, the Health Board and ultimately the Cabinet Secretary.
- 3.8** On the 25 October 2023 West Dunbartonshire Council considered a report submitted by the Chief Officer, Health and Social Care Partnership providing an update on work ongoing to review the Integration Scheme between West Dunbartonshire Council and NHS Greater Glasgow and Clyde, and presenting a draft revised Integration Scheme for comment and approval to go out for consultation. West Dunbartonshire Council agreed to instruct officers to consult prescribed consultees in line with the Public Bodies (Joint Working) (Scotland) Act 2014.
- 3.9** The Greater Glasgow and Clyde Health Board Finance, Planning and Performance Committee considered a similar paper on 3 October 2023 and granted their approval to start consultation on the Integration Schemes.
- 3.10** As a result of the two aforementioned approvals a period of formal consultation was launched from the 1 December 2023 to the 31 January 2024. Only one response was received, this was from West Dunbartonshire Council and can be found at Appendix II of this report.

4. Main Issues

- 4.1** A review of the Integration Schemes has taken place both locally and by the pan Glasgow working group and has identified a series of required edits.
- 4.2** This group also considered areas that are consistent across all pan Glasgow Integration Schemes and present for consideration updates and standardisation of content to achieve a higher level of consistency across Integration Schemes and to reflect the position within Integration Joint Boards for each area of the Integration Scheme that may have changed since Integration Schemes were originally published.
- 4.3** The core content and structure of the draft revised Integration Scheme

remains consistent with the current Integration Scheme, and therefore retains its close alignment with the model Integration Scheme approved by the Scottish Government and the requirements laid out within the Public Bodies Joint Working Integration Scheme Scotland Regulations 2014.

- 4.4** Key areas of the Scheme that required review and revision to the text included the sections on Finance, Risk Management, Complaints and Information and Data Handling to reflect legislative changes and actual operational delivery.
- 4.5** The key substantive change proposed is in relation to Section 3 (Local Governance Arrangements) where it is proposed that the term of the Chair/Vice Chair of the Integration Joint Board is reduced from three years to two years. This brings the term in West Dunbartonshire into line with that of the other Integration Joint Boards in the Greater Glasgow area.
- 4.6** Content in relation to Section 12 of the Integration Scheme (Finance) was reviewed by the HSCP Chief Finance Officers Group, who developed revised text and presented this to the pan Glasgow working group with the recommendation that this be adopted by all Integration Joint Boards within the Greater Glasgow area with some minor local variations.
- 4.7** The section on Local Operational Delivery Arrangements has been revised in how the arrangements for Hosted Services are described. Previous iterations of all Schemes contained an annex that listed the services subject to hosting arrangements and which HSCP area was responsible for those services across the Board territory. This has now been removed not only to futureproof the Schemes from any subsequent changes but to emphasise that the Scottish Government approves the Schemes but not specific hosting arrangements which are agreed locally. The Schemes instead now simply describe how hosting arrangements are to be implemented.
- 4.8** The pan Glasgow group has been in regular contact with the Scottish Government on processes and timescales to obtain Cabinet Secretary approval for revised Schemes. Advice and guidance was also sought on any areas within Schemes that the Scottish Government has knowledge of from their experience nationally which generally required improvement.
- 4.9** The draft revised Integration Scheme was shared with colleagues in West Dunbartonshire Council Legal Services to gain a legal perspective on whether the Integration Scheme meets the statutory requirements surrounding review and development of Integration Schemes laid out in the Act. Appendix II details the feedback received from West Dunbartonshire Council during the formal period of statutory consultation, the required amendment can be found in the Integration Scheme (Appendix I) paragraph 9.5.
- 4.10** It is anticipated that NHS Greater Glasgow and Clyde will consider all six Integration Schemes for approval on the 25 June 2024. If approved by both West Dunbartonshire Council and NHS Greater Glasgow and Clyde

the Scheme will be presented to the Integration Joint Board for noting and subsequently submitted to the Cabinet Secretary for Ministerial approval.

5. Options Appraisal

- 5.1** An options appraisal is not required in respect of the recommendations within this report.

6. People Implications

There are no people implications in respect of the recommendations within this report.

7. Financial and Procurement Implications

- 7.1** There are no financial and procurement implications in respect of the recommendations within this report.

8. Risk Analysis

- 8.1** There is no direct link with West Dunbartonshire Councils Strategic Risk Register. Should West Dunbartonshire Council not approve the recommendations in this report the operational risk is minimal as an approved Integration Scheme remains in place. However, there is a reputational risk should this work not progress in line with Scottish Government requirements.

9. Equalities Impact Assessment (EIA)

- 9.1** An Equalities Impact Assessment is not required as the recommendations within this report do not directly impact on those with protected characteristics. (EQIA screening reference 1063).

10. Environmental Sustainability

- 10.1** A Strategic Environmental Assessment (SEA) is not required in respect of the recommendations within this report.

11. Consultation

- 11.1** Relevant Council Officers have been consulted in the preparation of this covering report and their comments incorporated appropriately.

12. Strategic Assessment

- 12.1** The delivery of West Dunbartonshire Councils Strategic Plan 2022 – 2027 is dependent on a wide range of services with good governance an enduring theme throughout the plan.
- 12.2** Consideration and ultimately approval of the Integration Scheme ensures: that resources are directed in accordance with agreed policy and according to priorities; that there is clear and inclusive decision making,

and provides clarity in respect of the accountability for the use of those resources and functions delegated to the Integration Joint Board.

Beth Culshaw

Chief Officer West Dunbartonshire Health and Social Care Partnership

23 May 2024

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Chief Officer West Dunbartonshire Health and Social
Care Partnership

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Appendices: Appendix I: Revised Integration Scheme
Appendix II: Consultation Response West
Dunbartonshire Council

Wards Affected: All Wards

INTEGRATION SCHEME

BETWEEN

WEST DUNBARTONSHIRE COUNCIL

AND

**NHS GREATER GLASGOW AND
CLYDE**

June 2024

This integration scheme is to be used in conjunction with the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014). These regulations can be found at www.legislation.gov.uk

1 The Parties

- 1.1 WEST DUNBARTONSHIRE COUNCIL**, established under the Local Government etc. (Scotland) Act 1994 and having its principal offices at Church Street Dumbarton G82 1QL, (the Council); and
- 1.2 GREATER GLASGOW AND CLYDE HEALTH BOARD**, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as NHS Greater Glasgow and Clyde) and having its principal offices at J B Russell House, Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow, G12 0XH (referred to as the Health Board) (together referred to as the Parties).

2 Definitions and Interpretation

- 2.1** “The Act” means the Public Bodies (Joint Working) (Scotland) Act 2014.
- 2.2** “Acute Services “ means the services of the Health Board delivered within the acute hospitals for which the Health Board has operational management responsibility, namely accident and emergency, general medicine, geriatric medicine, rehabilitation medicine, respiratory medicine and palliative care. These are the services in scope for the delegated acute functions and associated Set Aside Budget.
- 2.3** “Care Inspectorate” means the body established by the Public Services Reform (Scotland) Act 2010 and responsible for regulation of care services.
- 2.4** “Chief Executive of the Council” means the individual appointed by the Council as its most senior official responsible for discharging the Council’s strategy and statutory responsibilities.
- 2.5** “Chief Executive of the Health Board” means the individual appointed by the Health Board as its most senior official responsible for discharging the Health Board’s strategy and statutory responsibilities.
- 2.6** “Chief Officer” means the individual appointed by the Integration Joint Board under section 10 of the Act.
- 2.7** “Chief Financial Officer” means the officer responsible for the administration of the Integration Joint Board’s financial affairs.
- 2.8** “Chief Social Work Officer” means the individual appointed by the Council under Section 3 of the Social Work (Scotland) Act 1968.
- 2.9** “Chief Operating Officer for Acute Services” means the individual appointed by the Health Board with lead responsibility for the operational delivery of Acute Service.

- 2.10** “Directions” means the mechanism to action the strategic plan as laid out under sections 26 to 28 of The Public Bodies (Joint Working) (Scotland) Act 2014.
- 2.11** “Hosted Services” means those services of the Parties which, subject to agreement by the Integration Joint Board, the Parties agree will be managed and delivered by a single Integration Joint Board within the Greater Glasgow and Clyde area.
- 2.12** “Integration Joint Board” means the Integration Joint Board established by Order under section 9 of the Act.
- 2.13** “Integration Joint Board Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014.
- 2.14** “Outcomes” means the outcomes set out in the Public Bodies (Joint Working) (National Health and Wellbeing Outcomes) (Scotland) Regulations 2014.
- 2.15** “Scheme” means this Integration Scheme.
- 2.16** “Set Aside Budget” means the financial amounts to be made available for planning purposes by the Health Board to the Integration Joint Board in respect of Acute Services.
- 2.17** “Strategic Plan” means the document which the Integration Joint Board is required to prepare and implement in relation to the delegated provision of integrated health and social care services in accordance with section 29 of the Act.
- 2.18** “Strategic Planning Group” means the group established under section 32 of the Act.
- 2.19** “The Integration Scheme Regulations” means the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014.

3 Purpose and Principles

- 3.1** This scheme involves West Dunbartonshire Council and NHS Greater Glasgow and Clyde and sets out the arrangements for the integration of certain health and social care services. An Integration Joint Board (IJB) is established for the purposes of these agreements
- 3.2** The Integration Joint Board will be established by Order for the area of West Dunbartonshire Council, covering a population of around 88,000 people. The main population centres included are Clydebank, Dumbarton and Alexandria.

4 Integration Model

- 4.1** In accordance with section 2(3) of the Act, the Parties have agreed that the integration model set out in sections 1(4) (a) of the Act will be put in place for the Integration Joint Board, namely the delegation of functions by the Parties to a body corporate that is to be established by Order under section 9 of the Act.
- 4.2** This Scheme came into effect on 1st July 2015 when the IJB was established by Parliamentary Order. The Scheme was reviewed and revised in accordance with section 44(2) of the Act and these changes will be applied on the date the revised Scheme receives approval through delegation by the Cabinet Secretary.

5 Local Governance Arrangements

- 5.1** The Parties understand that the Integration Joint Board has the formal status for strategic planning for West Dunbartonshire within both the Council and the Health Board. The Integration Joint Board and the Parties will have to communicate with each other and interact in order to contribute to the overall delivery of the outcomes for West Dunbartonshire.
- 5.2** The Parties understand that the Integration Joint Board has a legal personality distinct from the Council and Health Board; and the consequent autonomy to manage itself. There is no role for either Party to independently sanction or veto decisions of the Integration Joint Board.
- 5.3** In exercising its functions, the Integration Joint Board takes account of the Parties' requirement to meet their respective statutory obligations. Apart from those functions delegated by virtue of this Scheme, the Parties retain their distinct statutory responsibilities; and therefore also retain their formal decision-making roles for those functions not delegated.
- 5.4** The remit and constitution of the Integration Joint Board is established through the legislation, with the Parties having agreed that:
- 5.4.1** The Council will formally identify three representatives to be voting members on the Integration Joint Board, to serve for a period of three years. The Council retains the discretion to replace its nominated members on the Integration Joint Board.
- 5.4.2** The Health Board will formally identify three representatives to be voting members on the Integration Joint Board, to serve for a period of three years. The Health Board retains the discretion to replace its nominated members on the Integration Joint Board.
- 5.4.3** The term of office of the chair and vice chair will be two years. As required by the Integration Joint Board Order, the parties will alternate nominating the chair and vice-chair. The first chair of the Integration Joint

Board was nominated by the Council; and the first vice-chair was nominated by the Health Board.

- 5.5 The Parties acknowledge that the Integration Joint Board will include additional non-voting members as specified by the Integration Joint Board Order, the individuals to be formally determined by the Integration Joint Board's voting members, to include representatives from communities, the Third and the Independent sectors.
- 5.6 The Integration Joint Board will make, and may subsequently amend, standing orders for the regulation of its procedure and business.

6 Delegation of Functions

- 6.1 The functions that are to be delegated by the Health Board to the Integration Joint Board are set out in Part 1 of Annex 1, and only to the extent that they relate to the services described in Part 2 of Annex 1.
- 6.2 The functions that are to be delegated by the Council to the Integration Joint Board are set out in Part 1 of Annex 2, and only to the extent that they relate to the services described in Part 2 of Annex 2.
- 6.3 Services set out at **Annexes 1 (Part 2) and 2 (Part 2)** may by agreement be hosted by the Integration Joint Board on behalf of one or more Integration Joint Board, or one or both of the Parties, or vice versa, where permitted by statute. These arrangements will be subject to review and may change from time to time.

7 Local Operational Delivery Arrangements

- 7.1 The local operational arrangements agreed by the Parties are:
 - 7.1.1 The Integration Joint Board has responsibility for the planning of services via the Strategic Plan.
 - 7.1.2 The Integration Joint Board will be responsible for monitoring and reporting on performance on the delivery of those services covered by the strategic plan.
 - 7.1.3 The Integration Joint Board will be responsible for operational oversight of integrated services and, through the Chief Officer, will be responsible for management of integrated services, except Acute services on which the Chief Officer will work closely with the Chief Operating Officer for Acute Services.
 - 7.1.4 The Chief Officer will have day to day operational responsibility to monitor delivery of integrated services with oversight from the Integration Joint Board. These arrangements will apply other than for Acute Hospital Services for which the Chief Officer will work closely with the Chief Operating Officer for Acute Services and for which the Health Board will have oversight of operational management arrangements. These arrangements will operate within a framework established by the Parties for their respective functions,

ensuring the Parties can continue to discharge their governance responsibilities.

- 7.1.5** The Integration Joint Board will issue directions to the Parties taking account of the information on performance to ensure performance is maintained and improved.
- 7.1.6** The Integration Joint Board along with the other five Integration Joint Boards in the Greater Glasgow and Clyde Health Board area will contribute to the strategic planning of Acute Hospital Services alongside the Health Board and the Health Board will be responsible for the management of Acute Hospital Services. The Health Board will provide information on a regular basis to the Chief Officer and IJB on the operational delivery of, and the set-aside budget for, these Services.
- 7.1.7** The Health Board and the six Integration Joint Boards will ensure that the overarching Strategic Plan for Acute Services incorporates relevant sections of the six Integration Joint Boards' Strategic Plans.
- 7.1.8** The Health Board will consult with the six Integration Joint Boards to ensure that the overarching Strategic Plan for Acute Services and any plan setting out the capacity and resource levels required for the Set Aside budget for such acute services is appropriately coordinated with the delivery of services across the Greater Glasgow and Clyde area.
- 7.1.9** The Parties shall ensure that a group including the Chief Operating Officer for Acute Services and Chief Officers of the six Integration Joint Boards will meet regularly to discuss such respective responsibilities for Acute Services.
- 7.1.10** Both the Health Board and the Council will undertake to provide the necessary activity and financial data for services, facilities or resources that relate to the planned use of services within other Local Authority areas by people who live within the area of the Integration Joint Board.
- 7.1.11** The Integration Joint Board will provide assurance that systems, procedures and resources are in place to monitor, manage and deliver the functions and services delegated to it. This assurance will be based on regular performance reporting including the annual performance report which will be provided to the Parties, and through the strategic planning process.
- 7.1.12** Where the Integration Joint Board is the Host in relation to a Service set out at Annexes 1 (Part 2) and 2 (Part 2) the Parties will recommend that:
- a) It is responsible for the operational oversight of such Service(s);
 - b) Through its Chief Officer will be responsible for the operational management on behalf of all the Integration Joint Boards within Greater Glasgow and Clyde area;
and
 - c) It is be responsible for the strategic planning and operational budget of the Hosted Service.

7.1.13 Where a Service set out at **Annexes 1 (Part 2) and 2 (Part 2)** is hosted on its behalf by another Integration Joint Board, the West Dunbartonshire Integration Joint Board shall retain oversight for any services delivered to the people of West Dunbartonshire and shall engage with the host Integration Joint Board and the relevant Chief Officer on any concerns and issues arising in relation to these services.

8 Corporate Support Services

8.1 There is agreement and a commitment to provide Corporate Support Services to the IJB. The Parties have identified the Corporate Support Services that they provide for the purposes of preparing the Strategic Plan and carrying out integration functions and identified the staff resource involved in providing these services.

8.2 The arrangements for providing these services will be subject to review aligned to the requirements of each Strategic Planning cycle, to ensure that undertakings within each Strategic Plan can be achieved, as part of the planning processes for the IJB and the Parties.

8.3 The Parties will provide the IJB with the corporate support services it requires to fully discharge its duties under the Act. The Parties will ensure that the Chief Officer is effectively supported and empowered to act on behalf of the IJB. This will include the Parties providing staff and resources to provide such support. In all circumstances, the direction of these corporate support services will be aligned to the governance and accountability arrangements of the functions being supported, as set out in this Scheme.

9 Support for the Strategic Plan

9.1 The Health Board will share with the IJB necessary activity and financial data for services, facilities and resources that relate to the planned use of services by service users within the Health Board area for its service and for those provided by other Health Boards. Regional Services are explicitly excluded.

9.2 The Council will share with the IJB necessary activity and financial data for services, facilities and resources that relate to the planned use of services by service users within West Dunbartonshire for its services and for those provided by other councils.

9.3 The Parties agree to use all reasonable endeavours to ensure that the other Health Board area IJBs and any other relevant Integration Authority will share the necessary activity and financial data for services, facilities and resources that relate to the planned use by service users within the area of their Integration Authority.

9.4 The parties shall ensure that their Officers acting jointly will consider the Strategic Plans of the other Health Board area IJBs to ensure that they do not prevent the Parties and the IJB from carrying out their functions appropriately

and in accordance with the Integration Planning and Delivery Principles, and to ensure they contribute to achieving the National Health and Wellbeing Outcomes.

- 9.5** The Parties shall advise the IJB where they intend to change service provision of non-integrated services that will have a resultant impact on the Strategic Plan.

10 Performance Targets, Improvement Measures and Reporting Arrangements

- 10.1** The IJB will develop and maintain a Performance Management Framework in agreement with the Parties, which consists of a range of indicators and targets relating to those functions and services which have been delegated to the IJB. These will be consistent with national and local objectives and targets in order to support measurement of:
- a) the achievement of the National Health and Wellbeing Outcomes;
 - b) the Core Suite of National Integration Indicators;
 - c) the quality and performance of services delivered by the parties through direction by the IJB;
 - d) the overall vision of the partnership area and local priorities as set out within the Strategic Plan;
 - e) the corporate reporting requirements of both parties; and
 - f) any other performance indicators and measures developed by the Scottish Government relating to delegated functions and services.
- 10.2** The Parties will provide the IJB with performance and statistical support resources, access to relevant data sources and will share all information required on services to permit analysis and reporting in line with the prescribed content as set out in regulations. The Council, Health Board and IJB will work together to establish a system of corporate accountability where the responsibility for performance targets are shared.
- 10.3** The Parties will provide support to the IJB, including the effective monitoring of targets and measures, in line with these arrangements and in support of the Performance Management Framework.
- 10.4** The Strategic Plan will be reviewed and monitored by the IJB in relation to these targets and measures. Where either of the Parties has targets, measures or arrangements for functions which are not delegated to the Integration Joint Board, but which are related to any functions that are delegated to the Integration Joint Board, these targets, measures and arrangements will be taken into account in the development, monitoring and review of the Strategic Plan.
- 10.5** The Performance Management Framework and associated reporting arrangements for the IJB will continue to be developed and reviewed regularly by the IJB and the Parties, consistent with all national targets and reflective of all relevant statute and guidance.

10.6 The IJB will consider service quality, performance and impact routinely at its meetings and each year through its annual performance report, with associated reports also provided to the Parties

10.7 The Parties and the Integration Joint Board are jointly responsible for the establishment of arrangements to:

- a) Create an organisational culture that promotes human rights and social justice; values partnership working through example; affirms the contribution of staff through the application of best practice including learning and development; and is transparent and open to innovation, continuous learning and improvement.
- b) Ensure that integrated clinical and care governance policies are developed and regularly monitor their effective implementation.
- c) Ensure that the rights, experience, expertise, interests and concerns of service users, carers and communities are central to the planning, governance and decision-making that informs quality of care.
- d) Ensure that transparency and candour are demonstrated in policy, procedure and practice.
- e) Deliver assurance that effective arrangements are in place to enable relevant health and social care professionals to be accountable for standards of care including services provided by the Third and Independent sector.
- f) Ensure that there is effective engagement with all communities and partners to ensure that local needs and expectations for health and care services and improved health and wellbeing outcomes are being met.
- g) Ensure that clear robust, accurate and timely information on the quality of service performance is effectively scrutinised and that this informs improvement priorities. This should include consideration of how partnership with the Third and Independent sector supports continuous improvement in the quality of health and social care service planning and delivery.
- h) Provide assurance on effective systems that demonstrate clear learning and improvements in care processes and outcomes.
- i) Provide assurance that staff are supported when they raise concerns in relation to practice that endangers the safety of service users and other wrong doing in line with local policies for whistleblowing and regulatory requirements.
- j) Establish clear lines of communication and professional accountability from point of care to officers accountable for clinical and care governance. It is expected that this will include articulation of the mechanisms for taking account of professional advice, including validation of the quality of training and the training environment for all health and social care professionals' training, in order to be compliant with all professional regulatory requirements.
- k) Embed a positive, sharing and open organisational culture that creates an environment where partnership working, openness and communication are valued, staff supported and innovation promoted.

- l) Provide a clear link between organisational and operational priorities; objectives and personal learning and development plans, ensuring that staff have access to the necessary support and education.
- m) Implement quality monitoring and governance arrangements that include compliance with professional codes, legislation, standards, guidance and that these are regularly open to scrutiny. This must include details of how the needs of the most vulnerable people in communities are being met.
- n) Implement systems and processes to ensure a workforce with the appropriate knowledge and skills to meet the needs of the local population.
- o) Implement effective internal systems that provide and publish clear, robust, accurate and timely information on the quality of service performance.
- p) Develop systems to support the structured, systematic monitoring, assessment and management of risk.
- q) Implement a coordinated risk management, complaints, feedback and adverse events/incident system, ensuring that this focuses on learning, assurance and improvement.
- r) Lead improvement and learning in areas of challenge or risk that are identified through local governance mechanisms and external scrutiny.
- s) Develop mechanisms that encourage effective and open engagement with staff on the design, delivery, monitoring and improvement of the quality of care and services.
- t) Promote planned and strategic approaches to learning, improvement, innovation and development, supporting an effective organisational learning culture.

11 Clinical and Care Governance

- 11.1** Clinical and care governance is a system that assures that care, quality and outcomes are of a high standard for users of services and that there is evidence to back this up. It includes formal structures to review clinical and care services on a multidisciplinary basis and defines, drives and provides oversight of the culture, conditions, processes, accountabilities and authority to act, of organisations and individuals delivering care.
- 11.2** As detailed in this Scheme, all strategic, planning and operational responsibility for Services is delegated from the Parties to the Integration Joint Board and its Chief Officer.
- 11.3** The Parties and the Integration Joint Board are accountable for ensuring appropriate clinical and care governance arrangements for services provided in pursuance of integration functions in terms of the Act. The Parties and the Integration Joint Board are accountable for ensuring appropriate clinical and care governance arrangements for their duties under the Act. The Parties will have regard to the principles of the Scottish Government's Clinical and Care Governance Framework including the focus on localities and service user and carer feedback.
- 11.4** The Parties will be responsible through commissioning and procurement arrangements for the quality and safety of services procured from the Third

and Independent Sectors and to ensure that such Services are delivered in accordance with the Strategic Plan.

- 11.5** The quality of service delivery will be measured through performance targets, improvement measures and reporting arrangements designed to address organisational and individual care risks, promote continuous improvement and ensure that all professional and clinical standards, legislation and guidance are met. Performance monitoring arrangements will be included in commissioning or procurement from the Third and Independent Sectors.
- 11.6** The Parties will ensure that staff working in integrated services have the appropriate skills and knowledge to provide the appropriate standard of care. Managers will manage teams of Health Board staff, Council staff or a combination of both and will promote best practice, cohesive working and provide guidance and development to the team. This will include effective staff supervision and implementation of staff support policies.
- 11.7** Where groups of staff require professional leadership, this will be provided by the relevant Health Lead or Chief Social Work Officer as appropriate.
- 11.8** The West Dunbartonshire HSCP Learning and Development Plan will identify training requirements that will be put in place to support improvements in services and outcomes.
- 11.9** The members of the Integration Joint Board will actively promote an organisational culture that supports human rights and social justice; values partnership working through example; affirms the contribution of staff through the application of best practice, including learning and development; and is transparent and open to innovation, continuous learning and improvement.
- 11.10** The Chief Social Work Officer reports to the Council on the delivery of safe, effective and innovative social work services and the promotion of values and standards of practice. The Council confirms that its Chief Social Work Officer will provide appropriate professional advice to the Chief Officer and the Integration Joint Board in relation to statutory social work duties and make certain decisions in terms of the Social Work (Scotland) Act 1968. The Chief Social Work Officer will provide an annual report on care governance to the Integration Joint Board, including responding to scrutiny and improvement reports by external bodies such as the Care Inspectorate.
- 11.11** The Chief Officer has delegated responsibilities, through the Parties' Chief Executives, for the Professional standards of staff working in Integrated Services. The Chief Officer, relevant Health Leads and Chief Social Work Officer will work together to ensure appropriate professional standards and leadership. Where groups of staff require professional leadership, this will be provided by the relevant Health Lead or Chief Social Work Officer as appropriate.
- 11.12** The Parties will put in place structures and processes to support clinical and care governance, thus providing assurance on the quality of health and

social care. The Clinical and Care Governance Group will be chaired by or on behalf of the Chief Officer and will report through the Chief Officer to the Integration Joint Board. It will contain representatives from the Parties and others including:

- a) the Senior Management Team of the Partnership;
- b) the Clinical Director;
- c) the Lead Nurse;
- d) the Lead from the Allied Health Professions;
- e) Chief Social Work Officer.

11.13 The Parties note that the Clinical and Care Governance Group may wish to invite appropriately qualified individuals from other sectors to join its membership as it determines, or as is required given the matter under consideration. This may include Health Board professional committees, managed care networks and Adult and Child Protection Committees.

11.14 The role of the Clinical and Care Governance Group will be to consider matters relating to Strategic Plan development, governance, risk management, service user feedback and complaints, standards, education, learning, continuous improvement and inspection activity. When clinical and care governance issues relating to Lead Partnership Services are being considered, the Clinical and Care Governance Group will link with governance structures in other partnership areas.

11.15 The Clinical and Care Governance Group will provide advice to the strategic planning group, and locality groups. The strategic planning and locality groups may seek relevant advice directly from the Clinical and Care Governance Group.

11.16 The Integration Joint Board may seek advice on clinical and care governance directly from the Clinical and Care Governance Group. In addition, the Integration Joint Board may directly take into consideration the professional views of the registered health professionals and the Chief Social Work Officer. The relationship between professional leads and the Strategic Planning Groups, localities, the Chief Officer and the governance arrangements of the Parties is outlined at Annex 4.

11.17 Further assurance is provided through:

- a) the responsibility of the Chief Social Work Officer to report directly to the Council, and the responsibility of the Health Leads to relate directly to the Medical Director and Nurse Director who in return report to the Health Board on professional matters; and
- b) the role of the Clinical Governance Committee of the Health Board which is to oversee health care governance arrangements and ensure that matters which have implications beyond the Integration Joint Board in relation to health, will be shared across the health care system. The Clinical Governance Forum will also provide professional guidance, as required.

- 11.18** The Chief Officer will take into consideration any decisions of the Council or Health Board which arise from (a) or (b) above.
- 11.19** The Health Board Clinical Governance Forum, the Medical Director and Nurse Director may raise issues directly with the Integration Joint Board in writing and the Integration Joint Board will respond in writing to any issues so raised.
- 11.20** As set out in Section 16 the Parties have information sharing protocols in place.

12 Chief Officer

- 12.1** The Chief Officer will be accountable directly to the Integration Joint Board for the preparation, implementation and reporting on the Strategic Plan.
- 12.2** The Chief Officer's formal contract of employment will be with one of the Parties, and then be seconded to the Integration Joint Board by that Party. The Chief Officer will hold an honorary contract with the other Party.
- 12.3** The Chief Officer will be jointly line managed by the Council's Chief Executive and the Health Board's Chief Executive. Where there is to be a prolonged period where the Chief Officer is absent or otherwise unable to carry out their responsibilities, the Council's Chief Executive and Health Board's Chief Executive will jointly propose – at the request of the Integration Joint Board - an appropriate interim arrangement for approval by the Integration Joint Board's Chair and Vice-Chair.
- 12.4** The totality of the Chief Officer's objectives will be set annually and performance appraised by the Council's Chief Executive, the Health Board's Chief Executive in consultation with Integration Joint Board's Chair and Vice-Chair.
- 12.5** The Chief Officer role will be as follows, in accordance with (but not limited to) the Act and associated Regulations:
- a) to be accountable for the effective delivery and development of services provided in the exercise of functions delegated to the IJB and improved outcomes for the population of West Dunbartonshire;
 - b) to develop, deliver and annually review a Strategic Plan and associated policies for delegated functions on behalf of the IJB and for the effective operational implementation of these strategies on behalf of the Council and Health Board, in line with the Strategic Plan;
 - c) to be responsible for a supporting Financial Plan that allocates budgets to meet the objectives as agreed by the IJB, ensuring that financial targets are achieved within the resources available;
 - d) to develop and set standards for the joint delivery of services, ensuring a robust performance management framework is in place to measure service delivery and ensure continuous improvement;

- e) to ensure that all statutory clinical and non-clinical governance and professional standards are adhered to and that associated systems are in place;
- f) to be responsible for preparing an Annual Performance Report and to report strategic and operational performance to the IJB and on behalf of the constituent bodies, as required;
- g) to be responsible for ensuring the IJB is highly effective at engaging with its stakeholders and the wider community;
- h) to be responsible for ensuring an integrated management team is established and effective across the full scope of delegated functions and services; and
- i) to be responsible, as a member of both the Council's Corporate Management Team and Health Board's Corporate Management Team, for contributing to the overall strategic objectives and priorities as set out in the Local Outcome Improvement Plan (LOIP), the Council's Strategic Planning and Performance Framework and the Health Board's Local Delivery Plan.

12.6 The Chief Officer will routinely liaise with their counterparts of the other Integration Authorities within the Health Board area in accordance with sub-section 30(3) of the Act.

12.7 The Parties agree that the Council's Chief Social Work Officer and the Health Board's Medical Director, Director of Nursing, and professional leads will routinely liaise with the Chief Officer with respect to the arrangements and support for clinical and care governance.

13 Workforce

13.1 The employment status of staff does not change as a result of this scheme. Employees of the Parties will remain employed by their respective organisations and will therefore be subject to the normal conditions of service as contained within their contracts of employment.

13.2 Apart from the Chief Officer post, all other appointments/staff will report to a single line manager who will be responsible for all aspects of supervision and management of these post holders.

13.3 Members of the management team may be employed by either the Health Board or the Council, and senior managers may be given honorary contracts from the party who is not their direct employer. These will allow delegated responsibility for both discipline and grievance with the Health Board and the Council employee groups.

13.4 Managers will promote best practice, integrated working and provide guidance and development equitably, regardless of whether they are managing a team of Health Board staff, Council staff or a combination of both.

13.5 Where groups of staff require professional supervision and leadership, this will be provided by the relevant professional lead.

- 13.6** Staff employed in services whose functions have been delegated to the Integration Joint Board will retain their current employment status with either the Council or the Health Board and continue with the terms and conditions of their current employer. The Partnership will report on HR and wider Workforce Governance matters to the Parties through their appropriate Governance and Management Structures, including in relation to the Equality Act.
- 13.7** The Parties will develop, put in place and keep under review a joint Workforce and Development Plan by providing a group of Human Resources and Organisational Development professionals who will work with the Chief Officer, staff, trade unions and stakeholders to develop the Plan. Learning and development of staff will be addressed in the Plan.
- 13.8** The Parties will develop, put in place and keep under review an Organisational Development Strategy by providing a group of Human Resources and Organisational Development professionals who will work with the Chief Officer, managers and teams delivering integrated services, trade unions and stakeholders to develop the Strategy. The Strategy will address staff engagement and governance.
- 13.9** Staff governance is a system of corporate accountability for the fair and effective management of all staff.
- 13.10** Staff Governance in the Integration Joint Board will ensure that staff are:
- a) Well informed
 - b) Appropriately training and developed
 - c) Involved in decisions
 - d) Treated fairly and consistently with dignity and respect in an environment where diversity is valued
 - e) Provided with a continually improving and safe working environment promoting the health and wellbeing of staff, patients/clients and the wider community.
- 13.11** A Joint Staff Forum will act as a formal consultative body for the workforce. The Forum is founded on the principle that staff and staff organisations will be involved at an early stage in decisions affecting them, including in relation to service change and development. Investment in and recognition of staff is a core value of the Parties and is key to supporting the development of integrated working. These Partnership arrangements will meet the required national standards and link to the NHS GGC Area Partnership Forum and West Dunbartonshire Council Joint Consultative Forum.

14 Finance

- 14.1** This section sets out the arrangements in relation to the determination of the amounts to be paid, or set aside, and their variation, to the Integration Joint Board from the Council and Health Board.

- 14.2** The Chief Financial Officer will be the Accountable Officer for financial management, governance and administration of the Integration Joint Board. This includes accountability to the Integration Joint Board for the planning, development and delivery of the Integration Joint Board's financial strategy and responsibility for the provision of strategic financial advice and support to the Integration Joint Board and Chief Officer.

Budgets

- 14.3** Delegated baseline budgets were the subject of due diligence in the first part year of operation of the Integration Joint Board. These were based on a review of recent past performance and existing and future financial forecasts for the Health Board and the Council for the functions which were delegated. Where there are any subsequent additional functions to be delegated to the Integration Joint Board then these services will also be the subject of due diligence, based on a review of recent past performance and existing and future financial forecasts for the Board and the Council for those functions to be delegated. This is required to gain assurance that the associated delegated budgets will be sufficient for the Integration Joint Board to fund these additional delegated functions.

- 14.4** The Chief Financial Officer will develop a draft proposal for the Integrated Budget based on the Strategic Plan and forecast pressures, and present it to the Parties for consideration as part of their respective annual budget setting process.

The draft proposal, including impact assessment, will incorporate assumptions on the following:

- a) Activity changes
 - b) Cost inflation
 - c) Efficiencies and savings
 - d) Performance against outcomes
 - e) Legal requirements
 - f) Transfer to or from the amounts set aside by the Health Board
- 14.5** This will allow the Parties to determine the final funding contribution for the Integration Joint Board. This should be formally advised in writing by the respective Directors of Finance for the Parties to the Integration Joint Board by 1 March each year.
- 14.6** The draft budget should be evidence based with full transparency on its assumptions which should include:
- a) Pay Awards
 - b) Contractual uplift
 - c) Prescribing
 - d) Resource transfer

- e) Ring fenced funds
- f) Reserve Balances

- 14.7** In the case of demographic shifts and volume, each Party will have a shared responsibility for funding in respect of the service which each Partner has delegated to the Integration Joint Board. In these circumstances an agreed percentage contribution based on the net budget of each Party, by individual client group, excluding ring fenced funds (for example: Family Health Services, General Medical Services, Alcohol and Drug funding) may apply in that financial year
- 14.8** Any material in-year budget changes proposed by either Party must be agreed by the Integration Joint Board. Parties may increase the payment in year to the Integration Joint Board for supplementary allocations in relation to the delegated services agreed for the Integration Joint Board, which could not have been reasonably foreseen at the time the Integration Joint Board budget for the year was agreed.
- 14.9** The Integration Joint Board will approve a budget and provide direction to the Parties by 31 March each year regarding the functions that are being delivered, how they are to be delivered and the resources to be used in delivery.
- 14.10** The IJB has strategic planning responsibility along with the Health Board for Set Aside. The method for determining the amount set aside for hospital services will follow the initial guidance issued by the Integrated Resources Advisory Group and be based on the notional direct costs for the relevant populations use of in scope hospital services as provided by the Public Health Scotland. The NHS Board Director of Finance and Integration Joint Board Chief Financial Officer will keep under review developments in national data sets or local systems that might allow more timely or more locally responsive information, and if enhancements can be made, propose this to the Integration Joint Board. A joint strategic commissioning plan will be developed and will be used to determine the flow of funds as activity changes:
- a) Planned changes in activity and case mix due to interventions in the Joint Strategic Commissioning Plan;
 - b) Projected activity and case mix changes due to changes in population need;
 - c) Analysis of the impact on the affected hospital budget, taking into account cost-behaviour i.e. the lag between capacity and resource.
- 14.11** The process for making adjustments to the set aside resource to reflect variances in performance against plan will be agreed by the Integration Joint Board and the Health Board. Changes will not be made in year in relation to set aside and any changes will be made by annual adjustments to the Notional Budget of the Integration Joint Board.

Budget Management

- 14.12** The Integration Joint Board will direct the resources it receives from the Parties in line with the Strategic Plan, and in so doing will seek to ensure that the planned activity can reasonably be met from the available resources viewed as a whole, and achieve a year- end break-even position.

Budget Variance

- 14.13** The Chief Officer will deliver the outcomes within the total delegated resources and where there is a forecast overspend against an element of the operational budget, the Chief Officer should take immediate and appropriate remedial action to endeavour to prevent the overspend and to instruct an action plan. If this does not resolve the overspend position, then the Chief Officer, the Chief Financial Officer of the Integration Joint Board and the appropriate finance officers of the Parties must agree a recovery plan to balance the overspending budget, which recovery plan shall be subject to the approval of the Integration Joint Board.
- 14.14** In the event that the recovery plan is unsuccessful and an overspend is realised at the year-end, uncommitted general reserves held by the Integration Joint Board, in line with the Reserves Strategy, would firstly be used to address any overspend. If after application of reserves an overspend remains, the Parties may consider making additional funds available, on a basis to be agreed, by the Parties, taking into account the nature and circumstances of the overspend. Having regard to the circumstances it may be appropriate to consider the repayment of any additional funds in future years on the basis of a clearly defined repayment and revised recovery plan agreed by the Parties and the Integration Joint Board at the point the additional funds are accepted. If the revised plan cannot be agreed by the Parties or is not approved by the Integration Joint Board, mediation will require to take place in line with the dispute resolution arrangements set out in this Scheme.
- 14.15** Where an underspend is realised against the agreed budget, with the exception of ring fenced budgets this will be retained by the Integration Joint Board to either fund additional capacity in-year in line with its Strategic Plan or be carried forward to fund capacity in subsequent years of the Strategic Plan subject to the terms of the Integration Joint Board's Reserves Strategy.

Unplanned Costs

- 14.16** Neither of the Parties may reduce the payment in-year to the Integration Joint Board to meet exceptional unplanned costs within either Party without the express consent of the Integration Joint Board and the other Party.

Accounting Arrangements and Annual Accounts

- 14.17** Recording of all financial information in respect of the Integration Joint Board will be in the financial ledger of the Council.

- 14.18** Any transaction specific to the Integration Joint Board (e.g. expenses); will be processed via the Council ledger, with specific funding being allocated by the Integration Joint Board to the Council for this.
- 14.19** The transactions relating to operational delivery will continue to be reflected in the financial ledgers of the Parties with the information from both sources being consolidated for the purposes of reporting financial performance to the Integration Joint Board.
- 14.20** The Chief Officer and Chief Financial Officer will be responsible for the preparation of the annual accounts and financial statement in line with proper accounting practice, and financial elements of the Strategic Plan and such other reports that the Integration Joint Board might require. The Integration Joint Board Chief Financial Officer will provide reports to the Chief Officer on the financial resources used for operational delivery and strategic planning. In order to agree the in-year transactions and year-end balances between the Parties and Integration Joint Board, the Chief Financial Officer will engage with the Directors of Finance of the Parties to agree an appropriate process.
- 14.21** Monthly financial monitoring reports will be issued to the Chief Officer by the Chief Financial Officer in line with timescales agreed by the Parties. Financial reports will include subjective and objective analysis of budgets and actual/projected outturn including in year movement on reserves, and other such financial monitoring reports as the Integration Joint Board might require.
- 14.22** The Integration Joint Board will receive a minimum of four financial reports during each financial year. This will include reporting on the Acute activity and estimated cost against Set Aside budgets.

Payments between Council and Health Board

- 14.23** The schedule of payments to be made in settlement of the payment due to the Integration Joint Board will be:
- a. Resource Transfer, virement between Parties and the net difference between payments made to the Integration Joint Board and resources delegated by the Integration Joint Board will be transferred between agencies initially in line with existing arrangements, with a final adjustment on closure of the Annual Accounts. Future arrangements may be changed by agreement.

Capital Assets and Capital Planning

- 14.24** Capital and assets and the associated running costs will continue to sit with the Council and Health Board. The Integration Joint Board will be required to develop a business case for any planned investment or change in use of

assets for consideration by the Parties. Funding model agreed and approved by all Parties.

Hosted Services

- 14.25** Some of the functions that are delegated by NHS Greater Glasgow and Clyde to all six Integration Joint Boards may be provided as part of a single Greater Glasgow and Clyde-wide service, referred to as a Hosted Service.
- 14.26** The Integration Joint Board has operational responsibilities for any services which it Hosts on behalf of other Integration Joint Boards. In delivering a Hosted Service the Integration Joint Board has primary responsibilities for the provision of the services and bears the risk and rewards associated with service delivery in terms of the demand and finance and resource required.
- 14.27** If the Integration Joint Board plans to make significant changes to a Service which it Hosts which increases or decreases the level of service available in specific localities or service wide, it will consult with NHS Greater Glasgow and Clyde and the other Integration Joint Boards affected prior to implementing any significant changes.
- 14.28** Integration Joint Boards are collectively required to account for the activity and associated costs for all hosted services across their population using a methodology agreed by all partner Integration Joint Boards.
- 14.29** Delegated hosted budgets were the subject of due diligence in the first part year of operation of the Integration Joint Board. This was based on a review of recent past performance and existing and future financial forecasts for the Health Board the functions which were delegated. Where there are any subsequent additional functions to be delegated to the Integration Joint Board then these services will also be the subject of due diligence, based on a review of recent past performance and existing and future financial forecasts for the Health Board for those functions to be delegated. This is required to gain assurance that the associated delegated budgets will be sufficient for the Integration Joint Board to fund these additional delegated functions.

15 Participation and Engagement

- 15.1** A full consultation exercise will be carried out for the revised Integration Scheme. The consultation will follow the practice and principles set out in West Dunbartonshire's Engagement Strategy.

16 Information Sharing and Data Handling

- 16.1** The Parties have revised their existing Information Sharing Protocol (ISP) as a tri-partite agreement between the Health Board, Council and Integration Joint Board, updated in compliance with the European Union General Data Protection Regulations and the Data Protection Act 2018. The ISP is also compliant with the Data Sharing Framework set by the Information

Commissioner's Office and subsumes data sharing arrangements within Health and Social Care Partnerships.

- 16.2** The Parties further agree that it will be the responsibility of the Integration Joint Board itself, within a further nine months of signing the revised Information Sharing Protocol, to determine, in consultation with the Data Protection Officers for the parties, whether any more specific protocols, procedures and guidance require to be developed around operational processes of information sharing involving the Integration Joint Board and to set a timescale for implementation of such protocols, procedures or guidance.
- 16.3** The Information Sharing Protocol itself will be thereafter be reviewed jointly by the Parties at least annually or in the circumstances set out in section eight of the Information Sharing Protocol.

17 Complaints

- 17.1** With respect to the functions delegated to the Integration Joint Board, both of the Parties will use an integrated complaints procedure. The Parties will work together continuously with the Chief Officer to ensure the arrangements for complaints are clear and integrated from the perspective of the service user. In the event that complaints are received by the Integration Joint Board or the Chief Officer, the Parties will work together to achieve where possible a joint response.
- 17.2** The Parties agree that as far as possible complaints will be dealt with by front line staff. Thereafter the Parties will provide a formal process for resolving complaints at Stage Two. The final stage will be the consideration of complaints by the Scottish Public Sector Ombudsman.
- 17.3** The means through which a complaint should formally be made regarding integrated services and the appropriate member of staff within the Health and Social Care Partnership to whom a complaint should be made will be detailed on the Parties' websites and made available in paper copies within premises.
- 17.4** Details of the complaints procedures will be provided on-line, in printed literature and on posters. Clear and agreed timescales for responding to complaints will be provided. If a service user is unable, or unwilling to make a complaint directly, complaints will be accepted from a representative who can be a friend, relative or an advocate. The service user will require to complete a mandate to allow their representative to receive information pertaining to them.
- 17.5** The Parties will ensure that complaints performance will be reported on in accordance with national and corporate reporting arrangements. The Parties will produce a joint report on a six monthly basis for consideration by the Integration Joint Board.

18 Claims Handling, Liability and Indemnity

- 18.1** The Parties understand that the Integration Joint Board, while having legal personality in its own right, has neither replaced nor assumed the rights or responsibilities of either the Health Board or the Council as the employers of the staff delivering integrated services; or for the operation of buildings or services under the operational remit of those staff.
- 18.2** The Parties will continue to indemnify, insure and accept responsibility for the staff that they each employ; their particular capital assets that integrated services are delivered from or with; and the respective services themselves that each Party has delegated to the Integration Joint Board.
- 18.3** Liabilities arising from decisions taken by the Integration Joint Board will be equally shared between the Parties.

19 Risk Management

- 19.1** The Parties along with the other local authorities in the Health Board area have developed a model risk management policy and strategy to support integrated service delivery (except for NHS acute hospital services). The Integration Joint Board will be consulted in any reviews of the Policy and Strategy.
- 19.2** The IJB will have in place a risk management policy and strategy that will demonstrate a considered, practical and systemic approach to identifying risks, forecasting the likelihood and impact of these risks to service delivery and taking action to mitigate them. This particularly includes those related to the IJB's delivery of the Strategic Plan.
- 19.3** The Chief Officer will be responsible for ensuring that suitable and effective arrangements are in place to manage the risks relating to the integrated services within the scope of the Integration Joint Board. The Parties will provide the Chief Officer and the Integration Joint Board with relevant specialist advice and support (including internal audit, clinical and non-clinical risk managers, and health and safety advisers).
- 19.4** The Chief Officer will work with the Parties to jointly prepare an annual strategic risk register that will identify, assess and prioritise risks related to the preparation and delivery of the Strategic Plan; and identify and describe processes for mitigating those risks. This process will also take due cognisance of the overall corporate risk registers of both Parties.
- 19.5** Strategic risk registers will be presented to the Integration Joint Board for approval every six months. The Parties agree that the Health Board's Director of Finance and the Council's Section 95 Officer will ensure that the Integration Joint Board is provided with the necessary technical and corporate support to develop, maintain and scrutinise strategic risk registers.

19.6 The Chief Officer is responsible for drawing to the attention of the Integration Joint Board and the Parties any substantive developments in-year that lead to a substantial change to the strategic risk register in-year. The Chief Officer will formally review the risk register on a six monthly basis.

19.7 The Chief Officer will ensure that the approved strategic risk register is provided to both of the Parties to enable them to take account of its content as part of their overall risk management arrangements. Both Parties agree to share their corporate risk registers with the Integration Joint Board on an annual basis.

20 Dispute Resolution Mechanism

20.1 The Parties aim to continue to adopt a collaborative approach to the integration of health and social care.

20.2 The Parties will use their best endeavours to quickly resolve any areas of disagreement. Where any disputes do arise that require escalation to the Chief Executives of the respective organisations, those officers will attempt to resolve matters in an amicable fashion and in the spirit of mutual cooperation.

20.3 In the unlikely event that the Parties do not reach agreement, then:

- a) The Chief Executives of the Parties will meet to resolve the issue;
- b) If unresolved, the Parties will each agree to prepare a written note of their position on the issue and exchange it with the others for their consideration within 10 working days of the date of the decision to proceed to written submissions.
- c) In the event that the issue remains unresolved following consideration of written submissions, the Chief Executives of the Parties, the Chair of the Health Board and the Leader of the Council will meet to appoint an independent mediator and the matter will proceed to mediation with a view to resolving the issue.

20.4 Where the issue remains unresolved after following the processes outlined in (a)-(c) above, the Parties agree the following process to notify Scottish Ministers that agreement cannot be reached: the Chief Executives of the Parties, and the Chief Officer will jointly make a written application to Scottish ministers stating the issues in dispute and requesting that the Scottish Ministers give directions.

Annex 1 Part 1 Functions that must be delegated by the Health Board to the Integration Joint Board

Set out below is a list of functions that must be delegated by the Health Board to the Integration Joint Board as prescribed in Regulation 3 of the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014. Further Health Board functions will be delegated to the extent specified in Annex 3. These functions are delegated only to the extent that they relate to the services described in part 2 and the additional services listed in annex 3.

Column A Enactment conferring function	Column B Limitation
The National Health Service (Scotland) Act 1978	
All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978	Except functions conferred by or by virtue of:
	section 2(7) (Health Boards);
	section 2CB (Functions of Health Boards outside Scotland);
	section 9 (local consultative committees);
	section 17A (NHS Contracts);
	section 17C (personal medical or dental services);
	section 17I (use of accommodation);
	section 17J (Health Boards' power to enter into general medical services contracts);
	section 28A (remuneration for Part II services);
	section 38 (care of mothers and young children); (other than in relation to school nursing and health visiting services)
	section 38A (breastfeeding); (other than in relation to school nursing and health visiting services)
	section 39 (medical and dental inspection, supervision and treatment of pupils and young persons); (other than in relation to school nursing and health visiting services)

Column A Enactment conferring function	Column B Limitation
	section 48 (provision of residential and practice accommodation);
	section 55 (hospital accommodation on part payment);
	section 57 (accommodation and services for private patients);
	section 64 (permission for use of facilities in private practice);
	section 75A (remission and repayment of charges and payment of travelling expenses);
	section 75B (reimbursement of the cost of services provided in another EEA state);
	section 75BA (reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);
	section 79 (purchase of land and moveable property);
	section 82 (use and administration of certain endowments and other property held by Health Boards);
	section 83 (power of Health Boards and local health councils to hold property on trust);
	section 84A (power to raise money, etc., by appeals, collections etc.);
	section 86 (accounts of Health Boards and the Agency);
	section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);
	section 98 (charges in respect of non-residents); and paragraphs 4, 5, 11A and 13 of Schedule 1 to the Act (Health Boards);
	and functions conferred by - The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989;

Column A Enactment conferring function	Column B Limitation
	The Health Boards (Membership and Procedure) (Scotland) Regulations 2001/302;
	The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000/54;
	The National Health Services (Primary Medical Services Performers Lists) (Scotland) Regulations 2004/114;
	The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004;
	The National Health Service (Discipline Committees) Regulations 2006/330;
	The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006/135;

Column A Enactment conferring function	Column B Limitation
	The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009/183;
	The National Health Service (General Dental Services) (Scotland) Regulations 2010/205;
	The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011/55.
Disabled Persons (Services, Consultation and Representation) Act 1986	
Section 7 (Persons discharged from hospital)	
Community Care and Health (Scotland) Act 2002	
All functions of Health Boards conferred by, or by virtue of, the Community Care and health (Scotland) Act 2002	
Mental Health (Care and Treatment) (Scotland) Act 2003	
All functions of Health Boards conferred by, or by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.	Except functions conferred by –
	section 22 (approved medical practitioners);
	section 34 (inquiries under section 33: cooperation);
	section 38 (duties on hospital managers: examination notification etc.);
	section 46 (hospital managers' duties: notification);
	section 124 (transfer to other hospital);

Column A Enactment conferring function	Column B Limitation
	Section 228 (request for assessment of needs: duty on local authorities and Health Boards);
	Section 230 (appointment of patient's responsible medical officer);
	Section 264 (detention in conditions of excessive security: state hospitals);

	Section 267 (orders under sections 264 to 266: recall);
	Section 281 (correspondence of certain persons detained in hospital);
	And functions conferred by -
	The Mental Health (Safety and Security) (Scotland) Regulations 2005;
	The Mental Health (Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005;
	The Mental Health (Use of Telephones) (Scotland) Regulations 2005; and
	The Mental Health (England and Wales Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2008.
Education (Additional Support for Learning) (Scotland) Act 2004	
Section 23 (other agencies etc. to help in exercise of functions under this Act)	

Column A Enactment conferring function	Column B Limitation
Public Services Reform (Scotland) Act 2010	
All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010	Except functions conferred by – Section 31 (public functions: duties to provide information on certain expenditure etc.); and
	Section 32 (Public functions: duty to provide information on exercise of functions).
Patient Rights (Scotland) Act 2011	
All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011	Except functions conferred by The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36

Part 2: Services delegated by the Health Board to the Integration Joint Board

- Accident and Emergency services provided in a hospital.
- Inpatient hospital services relating to the following branches of medicine:
 - General medicine.
 - Geriatric medicine.
 - Rehabilitation medicine.
 - Respiratory medicine.
 - Psychiatry of learning disability.
- Palliative care services provided in a hospital.
- Services provided in a hospital in relation to an addiction or dependence on any substance.
- Mental health services provided in a hospital, except secure forensic mental health services.
- Services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital.
- Health Visiting Services.
- School Nursing
- Speech and Language Therapy.
- Specialist Health Improvement.
- Community Children's Services.
- Child and Adolescent Mental Health Services
- District Nursing Services.
- The Public Dental Service.
- Primary care services provided under a general medical services contract.
- General Dental Services.
- Ophthalmic Services.
- Pharmaceutical Services.
- Services providing primary medical services to patients during the out-of-hours period.
- Services provided outwith a hospital in relation to geriatric medicine.
- Palliative Care Services provided outwith a hospital.
- Community Learning Disability Services.
- Rehabilitative Services provided in the community.

- Mental Health Services provided outwith a hospital.
- Continence Services provided outwith a hospital.
- Kidney Dialysis Services provided outwith a hospital.
- Services provided by health professionals that aim to promote public health.
- Sexual Health Services
- Prison and Police Custody Healthcare

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Annex 2 Part 1 Functions delegated by the Council to the Integration Joint Board

Set out below is the list of functions that must be delegated by the Council to the Integration Joint Board as required by the Public Bodies (Joint Working) (Prescribed Council Functions etc) (Scotland) Regulations 2014. Further Council functions will be delegated to the extent specified in Annex 3.

Functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) **Act 2014**.

Column A Enactment conferring function	Column B Limitation
Schedule 1 – Functions which must be delegated National Assistance Act 1948	
Section 48 (duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
The Disabled Persons (Employment) Act 1958 Section 3 (provision of sheltered employment by local authorities)	
The Social Work (Scotland) Act 1968	
Section 1 (local authorities for the administration of the Act)	So far as it is exercisable in relation to another integration function.
Section 4 (provisions relating to performance of functions by local authorities)	So far as it is exercisable in relation to another integration function.
Section 10 (financial and other assistance to voluntary organisations etc. for social work)	So far as it is exercisable in relation to another integration function.
Section 12 (general social welfare services of local authorities) Section 12A (local authorities to assess needs)	So far as it is exercisable in relation to another integration function.

<p>Section 12AZA (assessments under section 12A – assistance)</p>	<p>Except insofar as it is exercisable in relation to the provision of housing support services So far as it is exercisable in relation to another integration function.</p>
<p>Section 13 (power of local authorities to assist persons in need in disposal of produce of their work)</p>	<p>So far as it is exercisable in relation to another integration function.</p>
<p>Section 13ZA (provision of services to incapable adults) Section 13A (residential accommodation with nursing) Section 13B (provision of care or aftercare) Section 14 (home help and laundry facilities) Section 28 (burial or cremation of the dead)</p>	<p>So far as it is exercisable in relation to another integration function.</p>
<p>Section 29 (power of local authority to defray expenses of parent etc, visiting persons or attending funerals) Section 59 (provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision)</p>	<p>So far as it is exercisable in relation to persons cared for or assisted under another integration function.</p>
<p>The Local Government and Planning (Scotland) Act 1982 Section 24(1) (The provision of gardening assistance for the disabled and the elderly) Disabled Persons (Service, Consultation and Representation) Act 1986 Section 2 (Rights of authorised representatives of disabled persons) Section 3 (Assessment by local authorities of needs of disabled persons)</p>	<p>So far as it is exercisable in relation to another integration function.</p>
<p>Section 7 (Persons discharged from hospital)</p>	
<p>Section 8 (Duty of local authority to take into account abilities of carer)</p>	<p>In respect of the assessment of need for any services provided under functions contained welfare enactments within the meaning of section 16 and which have been delegated In respect of the assessment of need for any</p>

	services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions
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The Adults with Incapacity (Scotland) Act 2000 Section 10 (Functions of local authorities)

Section 12 (Investigations)	
Section 37 (Residents whose affairs may be managed)	Only in relation to residents of establishments which are managed under integration functions
Section 39 (Matters which may be managed)	Only in relation to residents of establishments which are managed under integration functions
Section 41 (Duties and functions of managers of authorized establishment)	Only in relation to residents of establishments which are managed under integration functions
Section 42 (Authorisation of named manager to withdraw from resident's account)	Only in relation to residents of establishments which are managed under integration functions
Section 43 (Statement of resident's affairs)	Only in relation to residents of establishments which are managed under integration functions
Section 44 (Resident ceasing to be resident of authorised establishment)	Only in relation to residents of establishments which are managed under integration functions
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions
The Housing (Scotland) Act 2001 Section 92 (Assistance to a registered for housing purposes)	Only insofar as it relates to an aid or adaptation
The Community care and Health (Scotland) Act 2002 Section 5 (Council arrangements for residential accommodation outwith Scotland)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions)	
The Mental Health (Care and Treatment) Scotland Act 2003 Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission)	

Section 25 (Care and support services etc.)	Except insofar as it is exercisable in relation to the provision of housing support services
Section 26 (Services designed to promote wellbeing and social development)	Except insofar as it is exercisable in relation to the provision of housing support services
Section 27 (Assistance with travel)	Except insofar as it is exercisable in relation to the provision of housing support services
Section 33 (Duty to inquire) Section 34 (Inquiries under section 33: Cooperation) Section 228 (Request for assessment of needs: duty on local authorities and Health Boards) Section 259 (Advocacy) The Housing (Scotland) Act 2007 Section 71(1)(b) (Assistance for housing purposes)	Only insofar as it relates to an aid or adaptation
The Adult Support and Protection (Scotland) Act 2007	
Section 4 (Council's duty to inquire) Section 5 (Co-operation) Section 6 (Duty to consider importance of providing advocacy and other services) Section 11 (Assessment Orders) Section 14 (Removal Orders) Section 18 (Protection of moved persons property) Section 22 (Right to apply for banning order) Section 40 (Urgent cases) Section 42 (Adult Protection Committees) Section 43 (Membership) Social Care (Self-directed Support) (Scotland) 2013 Section 5 (Choice of options: adults) Section 6 (Choice of options under section 5: assistances) Section 7 (Choice of options: adult carers) Section 9 (Provision of information about self-directed support) Section 11 (Council functions) Section 12 (Eligibility for direct payment: review) Section 13 (Further choice of options on material change of circumstances) Section 16 (Misuse of direct payment: recovery) Section 19 (Promotion of options for self-directed support) Carers (Scotland) Act 2016 Section 6 (Duty to prepare adult carer support plan) Section 21 (Duty to set local eligibility) Section 24 (Duty to provide support) Section 25 (provision of support to carers: breaks from caring) Section 31 (Duty to prepare local carer strategy) Section 34 (Information and advice service for carers) Section 35 (Short breaks services statement)	

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
The Community Care and Health (Scotland) Act 2002 Section 4 The functions conferred by Regulation 2 of the Community Care (Additional Payments) (Scotland) Regulations 2002	

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Part 2: Services delegated by the Council to the Integration Joint Board

- Social Work Services for adults and older people.
- Services and support for adults with physical disabilities and learning disabilities.
- Mental Health Services.
- Drug and Alcohol Services.
- Adult Protection and Domestic Abuse.
- Carers Support Services.
- Community Care Assessment Teams.
- Support Services.
- Care Home Services.
- Adult Placement Services.
- Health Improvement Services.
- The legislative minimum delegation of housing support, including aids and adaptations.
- Day Services.
- Local area co-ordination.
- Self-Directed Support.
- Occupational Therapy Services.
- Re-ablement Services, equipment and Telecare.
- Respite provision for adults and young people.
- Social Work Services for children and young people:
 - Child Care Assessment and Care Management.
 - Looked After and Accommodated Children.
 - Child Protection.
 - Adoption and Fostering.
 - Child Care.
 - Special Needs/Additional Support.
 - Early Intervention
 - Throughcare Services
- Social Work Criminal Justice Services, including Youth Justice Services

Annex 3 Part 1 - Additional Functions delegated by the Health Board and the Council to the Integration Joint Board

Health Functions

National Health Services (Scotland) Act 1978 Sections 36 (accommodation and services), 38 (Care of mothers and young children) and 39 (medical and dental inspection, supervision and treatment of pupils and young persons), so far as they relate to school nursing and health visiting services.

Mental Health Care and Treatment (Scotland) Act 2003 Section 24 (provision of services and accommodation for certain mothers with post-natal depression) provision to allow a mother whilst receiving treatment to care for her child in hospital.

Council Social Work Functions

Other Council Social Work Functions to be delegated to the Integration Joint Board are listed below:

1. Functions conferred by the following enactments

<i>Column A</i>	<i>Column B Limitation</i>
<p><i>Enactment conferring function</i> National Assistance Act 1948 Section 45 (Recovery in cases of misrepresentation or non-disclosure)</p>	<p>Section 5 (Local authorities to perform their functions under this Act under the general guidance of the Secretary of State.) Section 6B (Local authority inquiries into matters affecting children)</p>
<p>Matrimonial Proceedings (Children) Act 1958 Section 11 (Reports as to arrangements for future care and upbringing of children).</p>	<p>Section 27 (Supervision and care of persons put on probation or released from prisons etc) Section 27ZA (Advice, guidance and assistance to persons arrested or on whom sentence deferred)</p>
<p>Social Work (Scotland) Act 1968</p>	
<p>Section 78A (Recovery of contributions in respect of children in care etc)</p>	
<p>Section 80 (Enforcement of duty to make contributions in respect of children in care etc)</p>	
<p>Section 81 (Provisions as to decrees for aliment in respect of children in care etc)</p>	

Section 83 (Variation of trusts where a child is by virtue of a compulsory supervision order removed from the care of a person who is entitled under any trust to receive any sum of money in respect of the maintenance of the child)
Children Act 1975
Section 34 (Access and maintenance)
Section 39 (Reports by local authorities and probation officers)
Section 40 (Notice of application to be given to local authority)
Section 50 (LA payments towards maintenance of children)
Health and Social Services and Social Security Adjudications Act 1983
Section 21 (Recovery of sums due to local authority where persons in residential accommodation have disposed of assets)
Section 22 (Arrears of contributions charged on interest in land in England and Wales)
Section 23 (Arrears of contributions secured over interest in land in Scotland)
Foster Children (Scotland) Act 1984
Section 3 (Local authorities duty to ensure well-being of and to visit foster children)
Section 5 (Notification to local authorities by persons maintaining or proposing to maintain foster children)
Section 6 (Notification to local authorities by persons ceasing to maintain foster children)
Section 8 (Control by local authorities of fostering – LA power to inspect premises)
Section 9 (LA power to impose requirements as to the keeping of foster children)
Section 10 (LA power to prohibit the keeping of foster children)
Housing (Scotland) Act 1987
Section 4 (Power of local authority to provide furniture etc)
Section 5(1) (Power of local authority to provide board and laundry facilities)
Section 5A(1) (Power of local authority to provide welfare services)

Part II (sections 24 to 43) – Duties of local authorities with respect to homelessness and threatened homelessness
Children (Scotland) Act 1995
Section 17 (Duty of local authority to child looked after by them)
Section 20 (Publication of information about services for children)
Section 21 (Co-operation between authorities)
Section 22 (Promotion of welfare of children in need)
Section 23 (Children affected by disability)
Section 24 (Assessment of ability of carers to provide care for disabled children)
Section 24A (Duty of local authority to provide information carer of children)
Section 25 (Provision of accommodation for children etc)
Section 26 (Manner of provision of accommodation to child looked after by local authority)
Section 26A (Provision of continuing care: looked after children)
Section 27 (Day care for pre-school and other children)
Section 29 (After-care)
Section 30 (Financial assistance towards expenses of education or training and removal of power to guarantee indentures etc)
Section 31 (Review of case of child looked after by Local Authority)
Section 32 (Removal of child from residential establishment)
Section 36 (Welfare of certain children in hospitals and nursing homes etc)
Section 38 (Short-term refuges for children at risk of harm)
Section 76 (Exclusion orders)
Criminal Procedure (Scotland) Act 1995
Section 51 (Remand and committal of children and young persons)
Section 203 (Pre-sentencing reports)

Section 234B (Drug treatment and testing order)
Section 245B (Restriction of liberty orders)
Housing (Scotland) Act 2001
Section 1 (Homelessness strategies)
Section 2 (Advice on homelessness etc)
Section 5 (Duty of registered social landlord to provide accommodation where requested by the LA)
Section 6 (Appointment of arbiter where RSL fails to comply with the s5 duty)
Community Care and Health (Scotland) Act 2002
Section 6 (Deferred payment of accommodation costs)
Management of Offenders etc. (Scotland) Act 2002 Section 10 (Arrangements for assessing and managing risks posed by certain offenders)
Section 11 (Review of s10 arrangements)
Housing (Scotland) Act 2006
Section 71(1)(a) (LA's power to provide or arrange for the provision of assistance in connection with work on land or in premises)
Adoption and Children (Scotland) Act 2007
Section 1 (Duty of local authority to provide adoption service)
Section 5 (LA must have regard to any guidance given by Scottish Ministers)
Section 6 (Assistance in carrying out functions under s1 and s4)
Section 9 (Assessment of needs for adoption support services)
Section 10 (Provision of services)
Section 11 (Urgent provision)
Section 12 (Power to provide payment to person entitled to adoption support service)
Section 19 (Duties of local authority in receipt of a s18 notice)
Section 26 (Looked after children: adoption not proceeding)

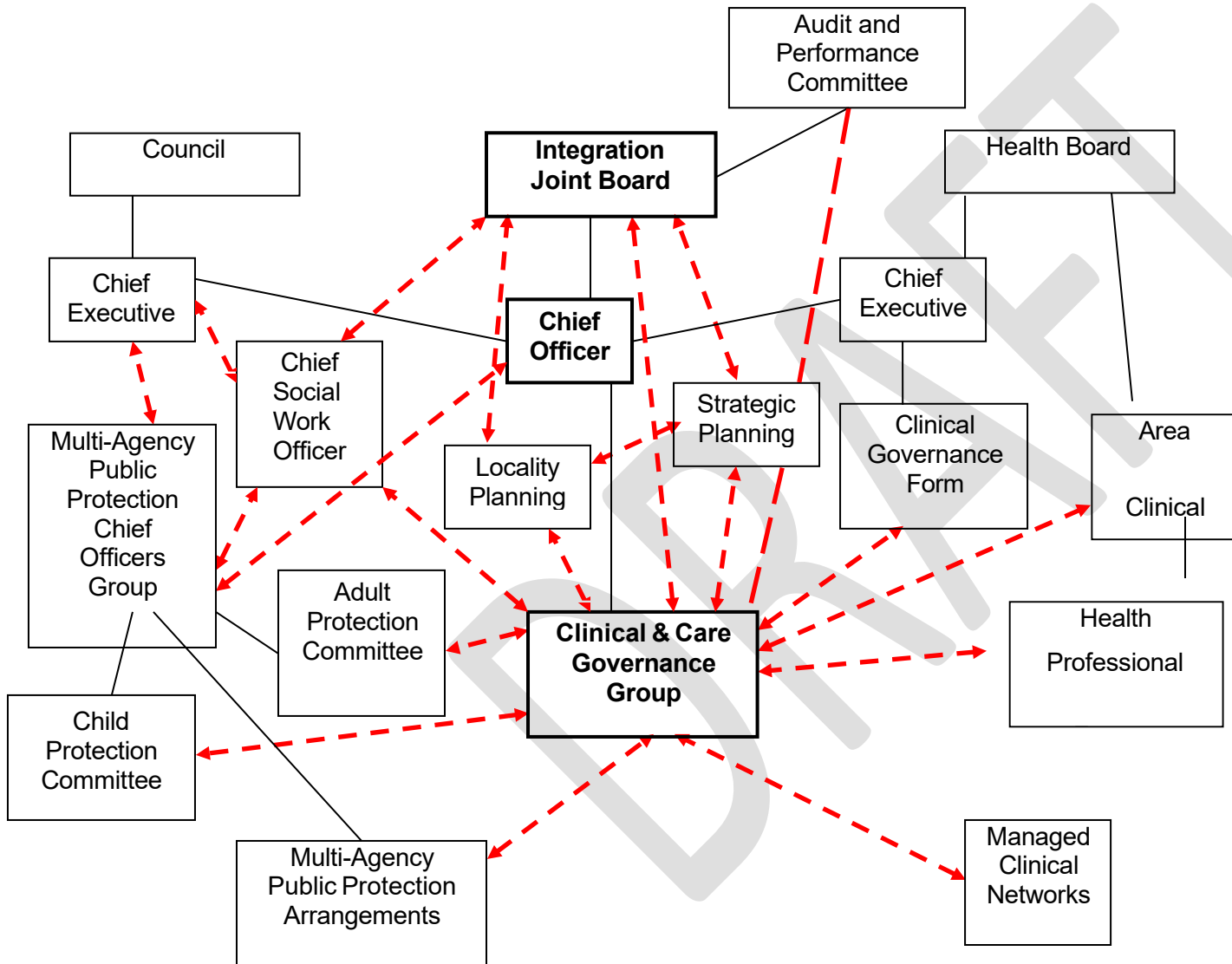
Section 45 (Adoption support plan)
Section 47 (Family member's right to require LA to review adoption support plan)
Section 48 (Other cases where authority under duty to review plan)
Section 49 (Reassessment of needs for adoption support services)
Section 51 (LA duty to have regard to guidance issued by the Scottish Ministers)
Section 71 (Adoption allowances schemes)
Section 80 (Permanence Orders)
Section 90 (Precedence of certain other orders)
Section 99 (Duty of local authority to apply for variation or revocation of permanence order)
Section 101 (Local authority to give notice of certain matters in relation to permanence orders)
Section 105 (Notification of proposed application order)
The Adult Support and Protection (Scotland) Act 2007
Section 7 (Council officer's right of entry)
Section 8 (Council officer's right to interview persons found in places entered under s7)
Section 9 (Right of health professional to medically examine adults at risk)
Section 10 (Council officer's right to obtain and examine records)
Section 16 (Removal Orders – Right to move adult at risk)
Children's Hearings (Scotland) Act 2011
Section 27 (Child protection orders)
Section 35 (Child assessment orders)

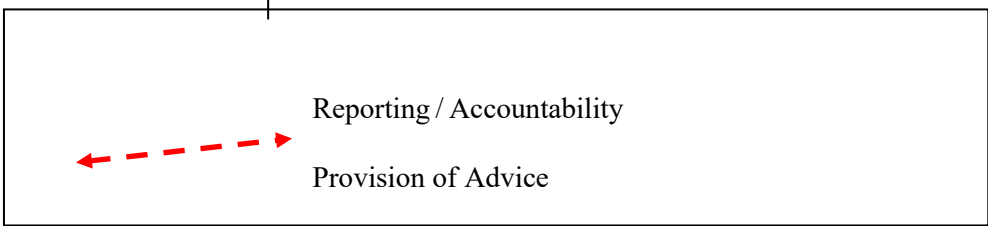
Section 42 (Parental responsibilities and rights directions)
Section 44 (Obligations of local authority)
Section 48 (Application for variation or termination of Child Protection orders)
Section 49 (Notice of application for variation or termination of Child Protection orders)
Section 60 (Local authority's duty to provide information to Principal Reporter)
Section 131 (Duty of implementation authority to require review of compulsory supervision order)
Section 144 (Implementation of compulsory supervision order: general duties of implementation authority)
Section 145 (Duty of implementation authority where order requires child to reside in certain place)
Section 166 (Review of requirement imposed on local authority)
Section 167 (Appeals to sheriff principal regarding which LA is the relevant one for a child)
Section 180 (LA duty to comply with request from the National Convener to information about the implementation of CSOs)
Section 183 (Mutual assistance provisions)
Section 184 (Enforcement of obligations on Health Board under s183)
Social Care (Self-directed Support) (Scotland) Act 2013
Section 8 (Choice of options: children and family members)
Section 10 (Provision of information: children under 16)
Community Care and Health (Scotland) Act 2002
Section 6 (Deferred payment of accommodation costs)
2. Conferred by virtue of the following enactments
Community Care and Health (Scotland) Act 2002
Section 4 (Accommodation more expensive than usually provided – Power of the Scottish Ministers to make regulations)
Children's Hearings (Scotland) Act 2011

Section 153 (Power of Scottish Ministers to make regulations about children placed in secure accommodation)
Person (Scotland) Act 2014
Sections to be confirmed
Carers (Scotland) Act 2016
Section 12 (Duty to prepare young carer statement)
Section 31 (Duty to prepare local carer strategy)

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Annex 4: Clinical and Care Governance – Primary Supports and Relationships





DRAFT

Alan Douglas LLB Dip LP

Chief Officer :Regulatory and Regeneration

Our Ref: IJB- CO-R&R

Your Ref:

Date: 11th January 2024



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Dear Margaret-Jane,

Consultation on Integration Scheme

As per previous correspondence, you are aware that shortly before Council in October 2023 approving the launch of the Consultation process we raised a concern around one of the amendments proposed to the Scheme which it was felt would potentially subvert the Council's democratic processes.

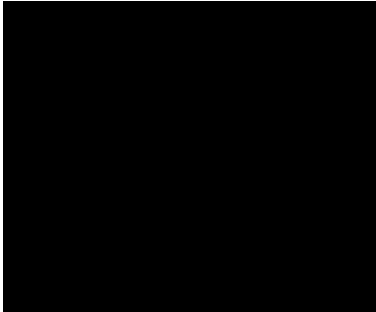
Given the draft had already been approved by the Health Board for consultation it was considered appropriate to Launch with the draft in its then current form but permit the point in question to be raised as a consultation response.

I would therefore ask that you consider this letter as my formal response to the consultation. As the officer with primary responsibility for ensuring the regulatory and democratic processes within the Council and how these are projected into the decision making structures of the Council, I have strong concerns that proposed change to Para 9.5 of the Scheme would have a serious and detrimental impact on the Council's ability to make decisions on matters which are not delegated functions. The proposal that The Health Board and the Council would require to consult on changes to non-delegated matters if they will have a resultant impact on the Strategic Plan effectively subverts the Council's ability to make decisions on a whole range of matters which may materially or non-materially impact on the Strategic Plan.

That would both be contrary to the general principal in local government that the Council should not enter into any agreement that could long term fetter its discretion and practically could render the budget process unworkable as timescales are unlikely to be able to be complied with and amendments on the day / opposition budgets would be precluded. For that reason I would suggest that it is necessary to retain the original wording of the provision i.e. that the IJB would be notified of any such changes.

I'm happy to discuss further if you feel it would be helpful, however trust that this letter and past discussions are sufficiently clear as regards the necessity for retaining the current provision.

Yours Sincerely



Alan Douglas
Chief Officer: Regulatory and Regeneration

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer - Resources****Council: 19 June 2024**

Subject: Financial Update**1. PURPOSE**

- 1.1 To provide an update on the financial challenges facing the Council and the estimated 2025/26 – 2029/30 revenue budget gaps.
- 1.2 This is the first financial update of 2024/25 since the 2024/25 budget was set on 6 March 2024 and rolls forward previous estimates as well as updating some assumptions. The assumptions will continue to be updated and refined as the financial year progresses.
- 1.3 This update has been prepared using three different scenarios, best case, worst case and mid-range. Relatively small variations in assumptions can lead to fairly significant changes in the outcome. Throughout the report the primary focus is on the mid-range, however, where appropriate reference is made to best case and worst case assumptions.

2. RECOMMENDATIONS

- 2.1 Members are asked to:
 - a) Note the updated position regarding projections for the Council's estimated revenue budget gaps in 2025/26-2029/30, in particular the updated mid-range 2025/26 budget gap of £9.235m as summarised at paragraph 4.11.
 - b) Agree the 3 year strategy to replenish the Council's reserves using the additional £1.129m of recurring Revenue Support Grant funding, the increased benefit associated with the reduction in the employers Strathclyde Pension Fund contribution rate and the release of £0.860m of earmarked funding to the general fund.
 - c) Note the preliminary discussions between the S95 Officers of Inverclyde Council, Renfrewshire Council and West Dunbartonshire Council in relation to a potential future delivery model for Internal Audit and Fraud Services and agree these discussions should be further progressed with a report being brought back to Council with options at an appropriate time.

3. BACKGROUND

- 3.1 On 6 March 2024, the Council agreed a balanced 2024/25 revenue budget, a revised capital budget and revenue estimates for 2025/26-2028/29. That

budget report also highlighted estimated future year budget gaps based on a range of assumptions including future Scottish Government funding, inflation and future interest rates. The consequences of the decisions taken by Council on 6 March to agree a balanced 2024/25 budget reduced the cumulative estimated future budget gap in the best case, mid-range and worst case scenarios as set out in Exhibit 1.

Exhibit 1 – Future Year Estimated Cumulative Budget Gaps

Budget Gap	6 March 2024 Budget				Post Budget Setting			
	25/26 £000	26/27 £000	27/28 £000	28/29 £000	25/26 £000	26/27 £000	27/28 £000	28/29 £000
Best Case	9,691	15,136	20,617	31,854	4,398	9,793	15,274	26,511
Mid-Range	15,053	23,260	31,596	45,783	9,760	17,917	26,253	40,440
Worst Case	24,409	37,447	50,726	69,975	19,116	32,104	45,383	64,632

3.2 Appendix 1 provides further detail on how the mid-range estimated budget gap was affected by the decisions made when setting the 2024/25 budget on 6 March 2024.

4. MAIN ISSUES

4.1 Since the budget was agreed on 6 March 2024 I have revisited the key assumptions and cost pressures detailed in the Council Budget Paper. This is summarised in the paragraphs below.

4.2 Scottish Government Finance Settlement

In my report on 6 March 2024, I advised that my assumptions in relation to future year Scottish Government funding were :

- Best Case - Flat Cash
- Mid-Range – Flat Cash
- Worst Case - 1.0% reduction.

After the 2024/25 budget was set additional consequential of £62.7m (our share being £1.129m) was made available by the Scottish Government to support the freezing of Council Tax. This brought the Council's overall 2024/25 funding reduction to around a 0.5% reduction. As such it may be prudent to assume a 0.5% reduction in future years within the mid-range scenario. The Scottish Government was due to publish its medium term financial strategy in May 2024 however this has been delayed until June 2024 due to the change in Scotland's First Minister. Once published this may provide more insight as to future year estimates. Consequently I have not changed my flat cash mid-range assumption at the current time however there may be a need to revisit this prior to the next Financial Update report to Council on 30 October 2024. By means of illustration a 0.5% reduction in funding would increase the budget gap by circa £1.2m.

4.3 Changes to Base Budget

There have been two changes to the Council's base budget since the 6 March

2024 Budget report to Council. These are set out below.

4.4 *Base Budget Adjustment 1 – Adult Social Care Pay Uplift in Commissioned Services*

The Scottish Government is providing £230m to fund the pay uplift to a minimum rate of £12 per hour for workers providing direct adult social care in the third and independent sectors. Our share of the £230m is £3.916m. This funding is passed through to the Health & Social Care Partnership (HSCP). The base budget adjustment is required to reflect the need to increase the HSCP requisition by this amount however as the income is also received there is no impact on the budget gap.

4.5 *Base Budget Adjustment 2 – Criminal Justice Funding*

In previous years, the Council acknowledged receipt of criminal justice funding from the Scottish Government, offset by a criminal justice requisition payment passed through to the HSCP. Since the funding is paid direct to HSCP, a base budget adjustment is required to remove both this cost and income from the General Services budget, this has no impact on the budget gap.

4.6 *Changes to Non-Pay Inflation*

Inflation is included in future year budget estimates where it is considered necessary to ensure budgets are adjusted to reflect expected increases in costs.

In prior years there has been an annual adjustment to the budget to reflect income due from services outwith General Services (e.g. HRA, Capital etc) for corporate support services provided to them. These charges tend to increase annually due to the increase in costs associated with provider services, pay awards, and other inflationary increases such as utilities, NDR, fuel etc). The amount of the budget adjustment was built into historic versions of the Council's Financial Strategy however there was no clarity over how the adjustments were calculated or uplifted. This adjustment has been removed however it does not affect the budget gap until 2026/27 (and beyond) as the amount in the base budget in 2025/26 was not projected to increase from the 2024/25 level. Going forwards these estimated adjustments will be replaced with actual increases as and when they are identified.

Cost Pressures

4.7 Generally services work on the basis of having to contain any cost pressures within current resources, however, there are cost pressures which are unavoidable and need to be factored into future budget processes. There has been one new cost pressure identified since the 6 March 2024 Budget report to Council.

4.8 *Cost Pressure 1 – Additional Support Needs*

In 2024/25 there has been a significant increase in numbers of primary school

children with severe and complex needs who require support, in particular in mainstream schools. The Council is taking measures to enable three schools to manage the needs of these children in a responsive manner consistent with the presumption to mainstream guidance. This has a recurring revenue implication of £0.252m for associated staff costs.

Employee Costs

- 4.9 The Scottish Joint Council (SJC) 2024/25 pay award has still to be agreed and this may have an impact on the base budget if the pay award is greater than the 3% assumption allowed for in the budget. The Teachers pay award has been agreed up to 31 July 2024 as part of a previous 28 month deal and any increase beyond that date has still to be negotiated.
- 4.10 For 2025/26 and beyond I had previously assumed pay awards of 3% in all three scenarios with an expectation that future projected reductions in inflation would take pressure off pay awards and also to reflect what is affordable to Local Government. On 26 April 2024, in relation to the 2024/25 pay award, COSLA Leaders agreed to mandate the relevant spokesperson to enter into negotiations with the Trade Unions with an overall financial envelope for of up to 3.2% including discussions around terms and conditions.

On this basis I have changed my assumptions to:

Scenario	Annual Increase from 2025/26 Onwards
Best Case	3.2%
Mid-Range	3.2%
Worst Case	4.0%

The increase from 3% to 3.2% increases the estimated 2025/26 budget gap by £0.352m.

There remains a risk that the pay award could be higher and this will be monitored and updated throughout the year if more information becomes available. Every 1% over and above what is budgeted would add an additional pressure of circa £1.76m

Revised Mid-Range Estimated Budget Gap

- 4.11 Exhibit 2a sets out the revised cumulative estimated budget gap in the mid-range in between 2025/26 and 2029/30 and Exhibit 2b summarises the total cumulative budget gaps in all three scenarios. Exhibit 2a illustrates that, in the mid-range scenario the Council are faced with a budget gap of £9.235m in 2025/26 rising cumulatively to £50.953m in 2029/30. Exhibit 2b shows that the cumulative 5 year gap ranges from £46.681m in the best case scenario to £74.096m in the worst case.

Exhibit 2a – Revised Mid-Range Estimated Budget Gaps (Cumulative)

	Para Ref	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	2029/30 £000

Budget Gap 6 March	3.1	9,760	17,917	26,253	40,440	48,666
Additional Funding	4.2	(1,129)	(1,129)	(1,129)	(1,129)	(1,129)
Adult Social Care Pay Uplift Funding	4.4	(3,916)	(3,916)	(3,916)	(3,916)	(3,916)
Adult Social Care Pay Uplift Expenditure	4.4	3,916	3,916	3,916	3,916	3,916
Criminal Justice Reducing Funding	4.5	1,697	1,697	1,697	1,697	1,697
Criminal Justice Reducing Expenditure	4.5	(1,697)	(1,697)	(1,697)	(1,697)	(1,697)
Internal income budget adjustment	4.6	0	76	442	808	1,174
ASN Cost Pressure	4.8	252	252	252	252	252
Increase in pay award assumption	4.10	352	726	1,123	1,544	1,990
Revised Estimated Budget Gap		9,235	17,842	26,941	41,915	50,953

Exhibit 2b – Estimated Budget Gaps (Cumulative) – Scenario Analysis

Budget Gap	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	2029/30 £000
Best Case	8,473	16,202	24,424	33,189	46,681
Mid-Range	9,235	17,842	26,941	41,915	50,953
Worst Case	13,787	26,909	40,607	54,940	74,096

2025/26 Budget Process

4.12 Given the scale of the financial challenge facing the Council in 2025/26 and future years, it is important that immediate progress is made to identify saving options with momentum on this maintained between now and setting the budget in March 2024. The Senior Leadership Team held a budget session on 21 May 2024 to commence this process and will continue to meet periodically to develop saving options which will be presented to members for their consideration at an appropriate time.

Other Issues

Rebuilding Reserves

4.13 When setting a balanced 2024/25 revenue budget on 6 March 2024 the Council agreed the use of £3.077 million of temporary reserves and that a report will be brought to Council in June to provide:

- an update on the £62.7m of additional funding to be distributed to local government
- options to replenish the Council's reserves.

4.14 Share of £62.7m

Since the 6 March 2024 budget meeting the Council's share of the £62.7m

has been confirmed as £1.129m (as per paragraph 4.1).

4.15 Revised Strathclyde Pension Fund Benefit

On 20 December 2023 a report to Council presented the financial benefit to the Council as a consequence of the Strathclyde Pension Fund (SPF) Board reducing employer pension contribution rate in the years 2024/25 and 2025/26 (to 6.5%) and revert to a prudent estimate of a sustainable long-term rate in 2026/27 of 17.5%. This generated an estimated saving to the Council of £21.327m over the three year period which Council agreed to smooth over a four year period thus generating £5.332m in savings in the years 2024/25 – 2027/28.

4.16 The December 2024 report stated that these figures were based on the staff establishment in 2023/24 and still need to be uplifted to reflect the estimated 2024/25 salary calculations. Furthermore they need to be uplifted to reflect a revised assumption that pay awards will be 3.2% per annum from 2025/26 onwards (refer to paragraph 4.10)

4.17 These two factors have been built into a financial model and Exhibit 3 summarises the revised benefit

4.18 *Exhibit 3 – Revised benefit from reduction in employer pension contributions*

	2024/25 £000	2025/26 £000	2026/27 £000	Total
December Council Report	9,963	9,963	1,401	21,327
Additional Benefit	1,051	1,381	240	2,672
Revised Benefit	11,014	11,344	1,641	23,999

4.19 In summary this increases the total benefit from the £21.327m reported in December to £23.999m (a total increase over the three years of £2.672m). This three year benefit should be used to rebuild the Council reserves.

4.20 *Release of Matched ESF Funding to General Fund*

The last two European Structural Fund (ESF) Programme ran from 2007-2013 and then from 2015-2023. Each year the Council committed match funding to the programme. Throughout the life of the programmes the Council faced challenges and operated in effect at risk; due to the suspension of the programme by the European Commission and uncertainty around cost model/ claiming process with the Scottish Government. ESF funding was regarded as the funder of last resort so the Council carried unspent matched funding forward to mitigate against the risk of any shortfall between funding provided and expenditure.

4.21 ESF funding has come to an end and in May 2023 the Council submitted a final notification of change to Scottish Government reducing the operational cost and match funding of our final ESF operations. This has been accepted by the Scottish Government. The Council finance team have now completed the final reconciliations of associated income and expenditure and we are now able to release the match funding that was being carried forward. In total

£860,195 can be returned to the general fund.

Rebuilding Reserves Summary

4.22 Exhibit 4 summarises how the Council can rebuild its reserves over a three year period. This illustrates that, in total the Council reserves can be replenished by £4.661m over the three year period. This exceeds the £3.077m of ‘temporary’ reserves used to balance the 2024/25 budget by £1.584m however it is recommended that the full £4.661m is committed to rebuilding the reserves as we are currently anticipating an adverse variance in 2024/25 which will need to be funded from reserves.

4.23 *Exhibit 4 – Strategy to Rebuild Reserves*

	Para	2024/25 £000	2025/26 £000	2026/27 £000	Total
Share of £62.7m	4.14	1,129	0	0	1,129
Increased Pension Benefit	4.18	1,051	1,381	240	2,672
Release of Matched Funding	4.21	860	0	0	860
Total		3,040	1,381	240	4,661

Internal Audit And Fraud Service Provision

4.24 On 23 November 2023 the now discontinued West Dunbartonshire Council (WDC) / Inverclyde Council (IC) Shared Services Committee agreed to note the continuation of shared Internal Audit and Fraud Services between WDC and IC in the short to medium term and note that wider discussions will continue with neighbouring councils on possible options to create a more sustainable delivery model for Internal Audit and Fraud Services over the longer term.

4.25 Since November informal discussions have been held with the Section 95 Officers of IC, WDC and Renfrewshire Council (RC) to explore possible options and review a range of existing models across the other Scottish local authorities.

4.26 Specifically in relation to their Internal Audit and Fraud Service all three councils have concerns regarding recruiting and retaining staff and ensuring sufficient resilience over service delivery. This has been evidenced recently by a period of absence for the WDC/IC Shared Service Manager for Audit & Fraud and the Chief Internal Auditor for RC is retiring imminently.

4.27 It should be noted that no decisions have been made yet with preliminary discussions focused on considering options with the opportunity to provide:

- improved resilience
- better career progression and staff development
- increased satisfaction and retention of key skills
- knowledge sharing to provide better outcomes for the three councils.

4.28 Before any options can be more formally explored, consideration will need to

be given to issues such as (but not limited to):

- responsibilities, liabilities, and costs
- ensuring sufficient capacity to deliver internal audit across multiple councils including associated bodies such as IJBs, Valuation Joint Boards and other small bodies
- alignment of roles, salaries, grades and role descriptions
- any TUPE implications (if applicable).

4.29 In order to develop any options beyond preliminary discussions there is a need to engage with the existing Internal Audit and Fraud teams, and colleagues in Human Resources. Any discussions of this nature can create uncertainty for staff and members are therefore asked to consider whether they wish the three S95 Officers to progress these discussions and bring back a paper setting out options at an appropriate time.

4.30 *Teacher Numbers*

As part of the 2023/24 Finance Settlement the Scottish Government withheld £45.5m on the condition that councils maintained teacher numbers at the 2022 census level. The December 2023 census showed a reduction in teacher numbers of 160 collectively across all Local Authorities. For West Dunbartonshire Council the teacher number dropped by 12 teachers. Ultimately, the Scottish Government released the withheld £45.5m to all councils, regardless of whether they maintained teacher numbers.

For 2024/25 the Scottish Government has removed £145.5m from the General Revenue Grant with this instead issued as a specific grant, conditional on maintaining teacher numbers at the level set out in each Council's grant letter.

For West Dunbartonshire Council the specific grant is £2.6m and there is an expectation the Council will maintain 938 teachers (this being the figure returned in the 2023 census) which is 8 teachers more than in the Council's base budget.

To maintain a figure of 938 teachers would result in a cost pressure of £0.480m.

This situation applies to all Scottish councils. Discussions are continuing between COSLA and the Scottish Government with an agreed approach to the discussions and correspondence. At this stage the additional cost has not been added to the budget gap but there remains a risk that if teacher numbers are not maintained then some or all of the specific grant could be withheld.

4.31 *Health and Social Care Partnership Requisition*

The Council, at the budget meeting on 6 March 2024, agreed an HSCP requisition of £85.029m (subsequently increased to £88.945m to reflect the adjustment detailed at paragraph 4.4). There is a working assumption that the future allocation to the HSCP is on the basis of 'flat cash' plus the appropriate share of the Health & Social Care funding commitments made by the Scottish Government. However this is only an assumption and the HSCP requisition

will be a matter for Council to consider as part of the budget process.

4.32 *Council Tax*

The estimated budget gap makes no assumption over future Council Tax increases as setting Council Tax is subject to a political decision when agreeing the budget in March 2025. However, by means of illustration, a 5% increase would generate approximately £2.0m in revenue.

4.33 *Fees and Charges*

In 2024/25 an increase of 10% was applied to fees and charges. The current assumption built into the estimated future budget gaps is an annual increase of 4% in all three scenarios (best case, mid-range and worst case). Every 1% increase beyond 4% would generate an estimated £0.320m in revenue.

5. PEOPLE IMPLICATIONS

5.1 None directly from this report but there is a strong link between HR and budgets.

6. FINANCIAL AND PROCUREMENT IMPLICATIONS

6.1 Sets out the estimated revenue budget gaps in 2025/26 to 2029/30. There are no direct procurement implications arising from this report.

7. RISK ANALYSIS

7.1 None directly from this report but any proposals to address the estimated budget gap will need to consider risk.

8. EQUALITIES IMPACT ASSESSMENT (EIA)

8.1 None directly from this report but any proposals to address the estimated budget gap will need to consider equality issues.

9. CONSULTATION

9.1 The views of all Chief Officers have been requested on this report and feedback incorporated herein.

10. STRATEGIC ASSESSMENT

10.1 Proper budgetary control and sound financial practice are cornerstones of good governance and support Council and officers to pursue the strategic priorities of the Council's Strategic Plan.

10.2 The General Services revenue budget contributes to all categories by providing funding in specific areas to help the Council achieve and develop these priorities.

Laurence Slavin
Chief Officer - Resources
Date: 22 May 2024

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Appendices

Appendix 1 – Impact of 2024/25 budget decisions on estimated future budget gaps

Background Papers

Finance Update to Council – 20 December 2023

Budget Report to Council - 6 March 2024

Appendix 1 – Impact of 2024/25 budget decisions on estimated future budget gaps

	2025/26	2026/27	2027/28	2028/29
6 March Budget Report Mid-Range Budget Gap	15,053	23,260	31,596	45,783
6 March 2024 Council Decisions				
Management Adjustments	(1,122)	(1,172)	(1,172)	(1,172)
Saving Options	(3,679)	(3,679)	(3,679)	(3,679)
Increase in Fees & Charges	(492)	(492)	(492)	(492)
Updated Mid-Range Budget Gap	9,760	17,917	26,253	40,440

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer - Resources****Council: 19 June 2024**

Subject: External Audit Progress Report**1. PURPOSE**

- 1.1 To present a progress report from the Council's external auditors, Forvis Mazars.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the Council's external auditors progress report on the audit of the Council's 2022/23 annual accounts and planning for the 2023/24 audit.

3. BACKGROUND

- 3.1 Mazars (now called Forvis Mazars) are the Council's appointed external auditors.

4. MAIN ISSUES

- 4.1 The Council's 2022/23 external audit is still in progress and the planning phase of the Council 2023/24 external audit is now running in parallel to this.
- 4.2 The external auditors have prepared a progress report (Appendix 1) which summarises 2022/23 audit progress and the key reasons it has been delayed. It also provides a summary of the status of the planning of the 2023/24 audit.
- 4.3 A representative of the external audit team will be in attendance at Council to speak to the report and answer Elected Member questions.

5. PEOPLE IMPLICATIONS

- 5.1 Providing Council officer time to respond to and resolve audit queries is a normal part of any audit process however it should be noted the delays to the completion of the 2022/23 audit is creating additional pressure on officers due to the need to respond to audit queries well after the timescale that the annual audit of financial statements is traditionally completed in.

6. FINANCIAL AND PROCUREMENT IMPLICATIONS

- 6.1 None arising from this report.

7. RISK ANALYSIS

7.1 None arising from this report.

8. EQUALITIES IMPACT ASSESSMENT (EIA)

8.1 None required for this report.

9. CONSULTATION

9.1 None required for this report

10. STRATEGIC ASSESSMENT

10.1 Good governance supports the Council and officers to pursue the strategic priorities of the Council's Strategic Plan.

Laurence Slavin
Chief Officer - Resources
Date: 04 June 2024

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Appendices

Appendix 1 – Forvis Mazars Progress Report



Progress Report

West Dunbartonshire Council – Year ending 31 March 2024

June 2024

Contents

- 01** Progress of 2022/23 audit
- 02** 2023/24 audit
- 03** Audit Scotland and Accounts Commission publications

This document is to be regarded as confidential to West Dunbartonshire Council. It has been prepared for the sole use of the Council. No responsibility is accepted to any other person in respect of the whole or part of its contents. Our written consent must first be obtained before this document, or any part of it, is disclosed to a third party.

Progress of 2022/23 audit

Progress of 2022/23 audit

Financial statements audit

Our audit work is currently being reviewed by the Engagement Manager, Engagement Lead and Engagement Quality Control Reviewer. This has resulted in additional queries and information requests for council officers. We will share a consolidated list of queries with officers on 14 June and meet with them to discuss these. We are working towards presenting our Annual Audit Report to the first Audit Committee or Council meeting after the summer recess.

The main reasons for the delay in completing the 2022/23 audit include:

- We had significant difficulties in recruiting auditors with relevant skills and experience. Whilst these have been resolved, the delay in recruitment significantly impacted on our ability to deliver the audit on a timely basis.
- Areas of the audit required further attention upon commencement of the fieldwork phase due to complexity/judgement.
- We are required to carry out additional audit procedures on pension fund membership data and assumptions due to the publication of the 2023 triennial valuation of Strathclyde Pension Fund. We are liaising with Strathclyde Pension Fund to obtain the data we require to complete this work.

We also needed to:

- undertake additional work in the first year of the audit to gain assurance over the opening balances in the financial statements and understand the Council;
- address the implementation of International Standard on Auditing (ISA) 315 Revised. This required the audit team to spend additional time on the audit.

Wider scope and Best Value audit

We completed our Best Value thematic work on the Leadership of the development of new local strategic priorities in October 2023 and presented the report to the December 2023 Council meeting. The report has been published on Audit Scotland's [website](#).

We have also completed our wider scope work. We agreed our findings and recommendations with officers in January 2024.

02

2023/24 audit

2023/24 audit

Audit planning

We are holding an audit planning meeting with officers on 19 June. Following this, we will commence our 2023/24 planning and interim work. We propose to present our annual audit plan to the September Audit Committee. Our plan will include the proposed timetable for the 2023/24 audit.

John Cornett, Executive Director of Audit Services, wrote to all Section 95 officers of Local Authorities and Integration Joint Boards on 14 March 2024. This set out the progress being made by Audit Scotland and firms to recover the timeliness of the annual accounts audit and to further improve and return to pre-pandemic timelines. Audit Scotland has set itself the target of returning to delivering 95 per cent of pre-pandemic timelines by the end of the 2026/27 audits - e.g., by Autumn/Winter 2027. We will work with Council officers to return delivery to the pre-pandemic timelines as soon as practicably possible.

Best Value thematic work on Workforce Innovation

Based on proposals from the Controller of Audit, and following consultation with local government auditors, the Accounts Commission has agreed that the focus for Best Value thematic work in 2023/24 should cover how councils are responding to local government and workforce challenges through building capacity, increasing productivity and innovation.

A national thematic report will draw together the findings from each individual thematic council audit. It provides an opportunity for the Commission to comment in detail on how effectively councils are demonstrating this aspect of Best Value and to challenge progress and highlight good practice across councils.

This work should include follow up of any previous Best Value findings relevant to the workforce innovation theme and an assessment of and conclusion on:

- 1. How effectively are the council's workforce plans integrated with its strategic plans and priorities?
- 2. How effectively has digital technology been used to support workforce productivity and improve service quality and outcomes?
- 3. How effectively is the council using hybrid and remote working and other innovative working practice such as a four-day week to achieve service and staff benefits?
- 4. What innovative practice is the council using to develop its future workforce capacity and skills needs and manage staff reductions in line with its priorities?
- 5. What progress has the council made with sharing roles or functions across its services and/or with other councils and partners?
- 6. How effectively is the council measuring the impact of its workforce planning approach?

We met with officers in May to discuss these areas. We are also meeting with Trade Union representatives later this month. We plan to present our findings in a report to the September Audit Committee. The report will also be published on Audit Scotland's website.

Audit Scotland and Accounts Commission publications

Audit Scotland and Accounts Commission Reports

Audit Scotland and the Accounts Commission recently published the following briefings which may be of interest to committee members:

- [Local government in Scotland: Financial bulletin 2022/23](#)

The bulletin highlights the financial pressures which are pushing councils to make difficult decisions about service cuts.

- [How the Accounts Commission hold local government to account](#)

This blog by the Secretary to the Accounts Commission explains how the Commission holds local government to account and helps services to improve.

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Forvis Mazars LLP is the UK firm of Forvis Mazars Global, a leading global professional services network. Forvis Mazars LLP is a limited liability partnership registered in England and Wales with registered number OC308299 and with its registered office at 30 Old Bailey, London, EC4M 7AU. Registered to carry on audit work in the UK by the Institute of Chartered Accountants in England and Wales. Details about our audit registration can be viewed at www.auditregister.org.uk under reference number C001139861. VAT number: GB 839 8356 73

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