



Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

20 April 2017

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 25 April 2017** at **10:00am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minute of Meeting of Council Executive held on Tuesday 28 March 2017 (herewith).

Public Items for Decision

5. Deputation Request by Edinburgh Airport Watch, Ian Mate, in relation to Edinburgh Airport Phase 2 Consultation on Airspace Change
6. Edinburgh Airport Phase 2 Consultation on Airspace Change - Report by Head of Planning and Economic Development (herewith).

7. Whitehill Industrial Estate and Blackburn Road, Bathgate - Waiting/Loading Restrictions and Redetermination of Footway to Cycleway - Report by Head of Operational Services (herewith).
8. Annual International Twinning Grants - Report by Head of Education (Learning, Policy and Resources) (herewith).
9. Equality Outcomes Report and Equality Mainstreaming Report - Report by Head of Corporate Services (herewith).
10. Scottish Government Consultation - A Severance Policy for Scotland (herewith)
11. Commemoration of Jim Sibbald - Report by Chief Executive (herewith).
12. Naming of Partnership Centre In Linlithgow - Report by Chief Executive (herewith).
13. Museums Service Accreditation - Report by Head of Housing, Customer and Building Services (herewith).
14. 2026 Serving a Changing Scotland - 10 Year Strategy for Policing Consultation - Report by Head of Housing, Customer and Building Services (herewith).
15. Consultation on the Scottish Government's Draft Onshore Wind Policy Statement - Report by Head of Planning, Economic Development & Regeneration (herewith).
16. Revised Supplementary Guidance: Planning and Noise - Report by Head of Planning, Economic Development and Regeneration (herewith).
17. Linlithgow Public Realm Design Guide - Report by Head of Planning, Economic Development and Regeneration (herewith).
18. Scottish Government Consultation: Talking "Fracking" A Consultation on Unconventional Oil and Gas - Report by Head of Planning, Economic Development and Regeneration (herewith).
19. Time Limited Third Sector Ambition Fund - Report by Head of Planning, Economic Development and Regeneration (herewith).
20. Supporting Bowling in West Lothian - Report by Head of Planning, Economic Development and Regeneration (herewith).
21. Budget Process Review Group Consultation - Report by Head of Finance and Property Services (herewith).
22. Industrial Land 0.83 HA (2.05 Acres) Blackburn Road, Bathgate - Proposed Sale to A1 Automotive - Report by Head of Finance and Property Services (herewith).

DATA LABEL: Public

23. Carmondean House, Carmondean Centre South, Livingston - Report by Head of Finance and Property Services (herewith).
24. 0.29 HS (0.79 acres) of Land at Hamilton Square, Murieston - Proposed Sale to Dr Edward Russell-Smith - Report by Head of Finance and Property Services (herewith).
25. B8084 Whitburn to Armadale Cyclepath - Proposed Compulsory Purchase Order - Report by Head of Finance and Property Services (herewith).
26. Linlithgow Partnership Centre - Proposed Lease to Linlithgow Heritage Trust - Report by Head of Finance and Property Services (herewith).

Public Items for Information

27. Independent Inquiry into the Construction of Edinburgh Schools Update - Report by Head of Finance and Property Services (herewith).
28. Note Action Taken in Terms of Standing Order 31 (Urgent Business) to Approve the Submission of an Alternative SEEP Project (herewith).

NOTE **For further information please contact Eileen Rollo on 01506 281621 or email eileen.rollo@westlothian.gov.uk**

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 28 MARCH 2017.

Present – Councillors John McGinty (Chair), Cathy Muldoon, Frank Anderson, Tom Conn, Jim Dixon, David Dodds, Lawrence Fitzpatrick, Peter Johnston, Danny Logue, Anne McMillan, George Paul

Apologies – Councillor Dave King

1. ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 11 that an additional item of business would be considered at the end of the agenda and which concerned an update on Jabil, Livingston.

2. DECLARATIONS OF INTEREST

Councillor John McGinty declared a non-financial interest in the urgent item of business (Update on Jabil, Livingston) in that a family member was employed at Jabil.

Agenda Item 14 (Additional One Off Funding for Social Care/Health Initiatives) – Councillor Danny Logue declared a non-financial interest in that he was an NHS Lothian employee and the Chair of the West Lothian Integration Joint Board.

3. MINUTE

The Council Executive confirmed the Minute of its meeting held on 14 March 2017 as a correct record. The Minute was thereafter signed by the Chair.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising that changes to legislation now enabled the council as licensing authority to make a written determination to accept civic licencing applications, objections, representations and notices from licence holders by electronic means and to approve the determination and addition to the Scheme of Delegation to Officers.

The Council Executive were advised that under the Civic Government (Scotland) Act 1982 the council as licensing authority was responsible for considering and determining applications for a range of civic licences. Since its introduction in 1983, the Act had required applications for grant

and renewal of civic licences to be made in writing and signed by the applicant or their agent.

Through the Air Weapons and Licensing (Scotland) Act 2015 the Scottish Government made a number of changes to the provisions of the 1982 Act, including the changes referred to in the report. The changes were being brought into effect by the Scottish Government in stages.

The report went on to advise that the changes in relation to electronic communications were designed to make it easier for licensing authorities, their advisors and the public to make use of email and online facilities in relation to licensing. They included that, under paragraph 16A of Schedule 1 of the 1982 Act, the council may determine to accept the following applications by electronic means:

- Applications for the grant and renewal of licences made under the 1982 Act;
- Objections and representations regarding applications; and
- Notifications from licence holders of a material change of circumstances affecting them or the activity to which their licence relates.

If online applications and email communications were approved this would assist in streamlining the council's civic licensing processes and making them more efficient. However paper applications and other communications would still be accepted.

The changes would also include that under 16(A) (4) of the 1982 Act, the council may determine to give the notices referred in section 2 of the draft determination which was contained in Appendix 2 by electronic means.

The Licensing Team consulted on the changes with both Police Scotland and the Scottish Fire and Rescue Service and their respective comments were contained within the report

It was recommended that the addition to the Scheme of Delegation to Officers detailed in Appendix 2 be approved to enable the Chief Solicitor to vary the terms of the determination in the following respects:

- In relation to the form of electronic communication by which applications, objections, representations and notifications may be made or given to the council as licensing authority;
- In relation to the electronic address to be used for making or giving such applications, objections, representations and notifications; and
- In relation to any means of authentication that were acceptable, for the purposes of such applications, objections, representations and notifications.

This would allow the Chief Solicitor to vary the terms of the determination

in the future based on changes to technology and IT systems if required, but would not affect the making of, or the terms of the determination.

The report concluded that changes to legislation had enabled the council to determine to accept online applications for the grant and renewal of licences under the 1982 Act and email communications, and to give notice of decisions and other required notices under the 1982 Act by means of electronic communication.

It was recommended that the Council Executive notes the anticipated effect of the changes on the civic licensing process and agrees :-

1. That the council as licensing authority should determine to accept the items referred to in section D2 of the report and give the items referred to in section D3 of the report by electronic means, as detailed in the draft determination attached as Appendix 1 to the report; and
2. That the council's Scheme of Delegation to Officers was amended to allow the Chief Solicitor to vary the terms of the determination based on changes to technology and IT systems in the future, if required.

Decision

To approve the terms of the report.

5. 2018 REVIEW OF UK PARLIAMENT CONSTITUENCIES – SECONDARY CONSULTATION

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive advising that the Boundary Commission for Scotland was undertaking a four week secondary consultation to allow remarks to be made to the Commission concerning comments made during the public consultation on the commission's initial proposals for constituencies.

The report recalled that a review on UK Parliament constituencies was announced in February 2016 and was being carried out simultaneously in each of the four constituent parts of the UK. The Boundary Commission for Scotland (BCS) was carrying out the review in Scotland.

The BCS had developed initial proposals and carried out a public consultation which finished on 11 January 2017. Since then BCS had collated all the responses and were now carrying out a secondary consultation. This would allow remarks to be made to BCS concerning any of the comments received or alternative suggestions made during the public consultation on the initial proposals.

All comments and alternative suggestions received were summarised in Appendix 1 attached to the report. There was a four week period in which remarks could be made on the comments received on the initial proposals.

The next steps in the process would be for the BCS to consider all representations, the proceedings of the public hearing, scrutiny comments and any other relevant information. The BCS would then make any amendments to the initial proposals that they judged necessary. If any particular complex issues were raised then the BCS could ask the Secretary of State to appoint an Assistant Commissioner to assist in their considerations.

If any alterations were made to the initial proposals then the BCS would publish revised proposals for a further 8 weeks consultation. There would be no public hearings in connection with revised proposals nor would representations be published for public scrutiny.

Once the review had been completed BCS would submit recommendations in a report to the Secretary of State for Scotland, who was then responsible for laying them before the UK Parliament.

It was recommended that Council Executive :-

1. Consider the comments made in response to the Initial Proposals for the West Lothian Council Area; and
2. Recommend any further response to the Boundary Commission for Scotland.

Decision

To approve the terms of the report and agree that no additional response was necessary.

6. TAM DAYELL MP

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing an update on proposals to permanently mark Tam Dalyell MP's contribution to West Lothian.

The report recalled that Tam Dalyell served as a Member of Parliament from 1962 to 2005 for Labour during which he represented West Lothian from 1962 to 1983, then Linlithgow from 1983 to 2005.

In 2002 West Lothian Council granted the Freedom of West Lothian to Mr Dalyell to mark the 40th anniversary of his election to Parliament.

Tam Dalyell passed away on 26 January 2017 and on 7 March 2017 West Lothian Council approved a Notice of Motion recalling Mr Dalyell's unique contribution to West Lothian life and his long record of outstanding service to West Lothian's communities and people, his distinguished parliamentary service, including serving as Father of the House of Commons and his contribution as a school teacher, author and journalist.

The Notice of Motion approved by council agreed that a report should be considered by Council Executive with a proposal to permanently mark

Tam Dalyell's contribution to West Lothian.

The following proposals were presented for consideration by Council Executive :-

1. Name a new or refurbished building after Tam Dalyell. There was also a portrait of Mr Dalyell which could be displayed in an appropriate location of the building if this proposal was agreed;
2. Re-name a garden as the "Dalyell Memorial Garden"; and
3. Name a new street in West Lothian after Tam Dalyell

It was recommended that Council Executive agrees a proposal to permanently mark Tam Dalyell's contribution to West Lothian.

Decision

To agree that the first option identified should be pursued and that the new Linlithgow Partnership Centre provided an ideal opportunity to name a council facility after the late Tam Dalyell.

7. ACCESS FUND APPLICATIONS

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services presenting one application to the West Lothian Access Fund.

The report recalled that the West Lothian Access Fund was administered by West Lothian Council and supported by Disability West Lothian and it was available to charitable and voluntary organisations, who wished to improve access to and use of facilities for disabled people at premises in public use.

The West Lothian Access Committee whose membership included elected members, council officers and volunteer members of the public, assessed the eligibility criteria for applications to the Fund and made recommendations to Council Executive for approval of applications as appropriate.

An application had been received from Whitburn Junior Football Club seeking a grant of £1,500 to support erection of a seated sheltered enclosure. The contribution from the Access Fund would support the aim of achieving the total required of £7,095 for the purchase, delivery and erection of the shelter.

If Council Executive approved the application £5,500 would remain in the 2016-17 budget for future applications.

It was recommended that Council Executive approve the recommendation of West Lothian Access Committee and approve the grant of £1,500 to Whitburn Junior Football Club towards the erection of a seated shelter.

Decision

To approve the terms of the report

8. PROCUREMENT ARRANGEMENTS – CC7814 – DESIGN AND SUPPLY OF KITCHEN FURNITURE

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval to commence tendering procedures for the procurement of a three plus two year contract for the design and supply of kitchen furniture employing the evaluation methodology and criteria detailed in the report.

The Head of Corporate Services explained that Building Service currently met its planned and reactive requirements from a framework agreement owned by Eastern Shires Purchasing Organisation (ESPO). The use of the framework relied heavily on Moores Furniture Group, based in Yorkshire.

A number of issues had been experienced through the use of the framework, primarily; lead times, problematic deliveries and limited design resource availability. The framework was due to expire on 31 December 2017.

Therefore the requirement would be advertised in accordance with the European Union Directives and it was proposed that the Open Procedure would be used, whereby all suppliers expressing an interest in the contract would be invited to tender. A criteria of 70% for Price and 30% for Quality would be applied at the tender stage.

As part of the evaluation process, the Tenants Group would be invited to view and score a selection of sample kitchens. The top scoring kitchen would be included within the standard stock range for new kitchen installations.

Budget and sustainability considerations were summarised in the report noting that related contract expenditure over the maximum contract term of five years was anticipated to be approximately £3,000,000.

It was recommended that the Council Executive approves :-

1. The use of the Open Procedure whereby all suppliers expressing an interest in the contract would be invited to tender; and
2. The award criteria as set out in Section D of the report.

Decision

To approve the terms of the report

9. SCHEME OF ELECTED MEMBER REMUNERATION, ALLOWANCES

AND REIMBURSEMENT OF EXPENSES

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking adoption of the Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses 2017-18.

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

The Scheme was based on the Local Government (Scotland) Act 2004 (Remuneration) Regulations 2007 and Amendment Regulations 2008 and the Local Government (Allowances and Expenses) (Scotland) Regulations 2007 and Amendment Regulations 2017.

Elected members remuneration was set by the Scottish Government who had decided that councillor's pay would be increased each year in line with the percentage increase in the median annual earnings of public sector workers in Scotland.

Therefore from 4 May 2017 this meant that councillors would be paid the following in 2017 :-

<u>Post</u>	<u>Salary (£)</u>
Leader of the Council	33,857
Civic Head and Senior Councillors	25,392
Councillors of Joint Board	
• Convenors	21,160
• Vice Convenors	20,103
Councillors	16,927

The report concluded that other than increases to pay levels there were no further amendments to the scheme from 2016-17.

The Council Executive was asked to adopt the revised Scheme of Elected Members Remuneration, Allowances and Reimbursement of Expenses for 2017-18 as set out in Appendix 1 attached to the report.

Decision

To approve the terms of the report

10. PARTICIPATION REQUEST PROCESS

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and

Regeneration setting out proposals to establish a process to manage Participation Requests as a result of new provisions in the Community Empowerment (Scotland) Act 2015.

The Head of Planning, Economic Development and Regeneration explained that the Community Empowerment (Scotland) Act received Royal Assent on 24 July 2015. Part 3 of the Act set out the legal framework for participation requests and were expected to come into force on 1 April 2017.

Participation requests provided a mechanism for community bodies to put forward their ideas for how services could be changed to improve outcomes for their community. However they were not to be viewed as a replacement for engagement and participation processes where they already functioned well, but as an opportunity to establish dialogue where communities found it difficult to be recognised or heard. It was to be seen as an important new feature in the ways in which public bodies would now be expected to work constructively with communities.

The report continued by providing a summary of how the participation request process would work including details of how community bodies would go about making a participation request, advising community bodies of a decision, involving community bodies in the outcome improvement process if one was identified, reporting on the successful conclusion of an improvement process, appeals and reviews.

The Head of Planning, Economic Development and Regeneration concluded by stating that following approval of the key processes and responsibilities as detailed in the report, a Participation Request policy/process document, an application form and a decision notice template would require to be developed. It would also be important to link in with other local public services authorities to ensure consistent and complementary processes across West Lothian.

It would also be necessary to develop a plan for the promotion of participation requests and a plan for how applications would be supported.

Participation requests would have significant implications for the council and other public sector partners in that they provided communities the opportunity to become involved in helping to achieve changes or improvements they wanted to see

It was recommended that Council Executive :-

1. Notes the new rights and duties arising from implementation of Part 3 of the Community Empowerment (Scotland) Act 2015;
2. Agrees the procedures required to ensure the council handled and determined participation requests in accordance with legislation and guidance;
3. Agrees that the Head of Planning, Economic Development and Regeneration should have overall responsibility for managing

participation requests;

4. Agrees that all Head of Service should have roles and responsibilities in relation to participation requests as set out in the report;
5. Considers the involvement of specific services in the participation request process;
6. Agrees the formal procedure as set out in the report and Appendix 1 attached to the report; and
7. Agrees that the process would be reviewed following the first full participation request.

Decision

To approve the terms of the report

11. CONTINUATION OF DEVELOPER CONTRIBUTIONS FOR PUBLIC ART

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval for the continuation of the reduced rate for developer contributions towards public art.

The report recalled that West Lothian Council adopted the West Lothian Local Plan in January 2009. The plan proposed major growth and as a consequence, substantial developer contributions were required to support the development strategy.

The local plan was prepared at a time of strong economic growth, but as a consequence of the recession, the strength of the national and local economy declined significantly. While some indicators identified that parts of the economy had returned to pre-recession levels, the construction sector and particularly housebuilding activity had still to recover to the same level.

The council approved its Housing Recovery Action Plan (2) in February 2013 which included a commitment to consider if there was scope to reduce further the developer contribution burden for housing developments.

The Head of Planning, Economic Development and Regeneration explained that as a response to this, the Development and Transport PDSP considered proposed changes to developer contributions on 14 November 2013 and noted that consultation would be carried out. In April 2014 reduced rates of public art contributions were continued to March 2015, along with the removal of the contribution for affordable housing providers.

The outcome of the consultation was reported to Council Executive on 8 December 2015 and the reduction in public art contributions were

approved for one year until 31 December 2016.

At its meeting on 20 December 2016 Council Executive approved the continuation of a reduced level of public art contributions until 31 March 2017 and also sought further information on the economic gains made as a consequence of the relaxation of developer contributions for public art. This report addressed that request and a summary of the latest position was provided noting that contributions of this type were very much linked to house building and this was something that was very difficult to predict. However economic conditions continued to be challenging for the construction industry and therefore it was being proposed to continue with the reduced developer contribution rates for public art for another two years until 31 December 2018 when they would be reviewed again.

Therefore it was recommended that Council Executive :-

1. Note that the temporary changes previously agreed by Council Executive regarding developer contributions for public art came to an end on 31 December 2016, but were extended to 31 March 2017; and
2. Agree that, subject to public consultation, that the current reduced public art contributions were continued for a two year period until 31 December 2018, when they would be reviewed again.

Motion

To continue the current reduced contributions for a one year period until 31 December 2017 when the position would be reviewed again.

Decision

To unanimously approve the terms of the motion.

12. PROPOSED WEST Lothian Council Response to a Consultation on the Future of the Scottish Planning System

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval of a response to a Scottish Government consultation on the future of the Scottish planning system.

The report recalled that the Scottish Government announced in June 2015 its intention to review the planning system in Scotland. An independent panel was then appointed in September 2015 and an initial consultation took place between October 2015 and December 2015. The council responded to this initial consultation on 9 December 2015.

The independent panel published its response to the initial consultation in May 2016, identifying recommendations under six themed outcomes; strong & flexible development plans; delivery of more high quality homes, an infrastructure first approach to planning & development, efficient &

transparent development management, stronger leadership, smarter resources & sharing of skills; and collaboration rather than conflict.

Thereafter Scottish Ministers issued an initial response to the independent panel's report in July 2016 stating their broad support for the six themed outcomes and identifying ten actions to take forward as immediate priorities with others to be addressed through further consultation on the planning system.

A consultation paper entitled "Places, People and Planning – A Consultation on the Future of the Scottish Planning System, was published in January 2017. The consultation paper set out four key areas of change and twenty proposals for improving the planning system. The four key areas consisted of Making Plans for the Future; People Make the System Work; Building More Homes & Delivering Infrastructure; and Stronger Leadership & Smarter Resourcing. The consultation then set out a series of questions under each of these key areas.

The Head of Planning, Economic Development and Regeneration then provided a narrative on each of these four key areas with the proposed consultation response attached to the report as a series of appendices.

The report concluded that there were a number of key issues that were to be noted from the consultation, the first being that significant changes were proposed to the development plan and these were mainly positive. However there were concerns that the National Planning Framework and Scottish Planning Policy were to be given a greater weight which would take control away from local authorities. And finally it was disappointing and of concern that the Scottish Government was not putting in place proposals to tackle the issue of infrastructure funding.

It was recommended that Council Executive :-

1. Notes the terms of the report and the significant changes to the operation of the planning system as set out in the consultation;
2. Agrees the terms of the report as West Lothian Council's formal response to the consultation; and
3. Agrees to submit the response to the Scottish Government

Decision

To approve the terms of the report

13. ADDITIONAL ONE OFF FUNDING FOR SOCIAL CARE/HEALTH INITIATIVES

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy proposing how the time limited social care/health initiatives funding approved by the council on 20 February 2017 should be utilised.

As part of its budget for 2017-18 the council approved one-off resources totalling £296,000 for social care/health initiatives funding. Officers had considered how this funding could best be used in 2017-18 to support West Lothian Integration Joint Board health and social care priorities and two main themes had emerged from these considerations :-

- Additional investment to commissioned addiction services to partially offset reduced specific Scottish Government funding for Alcohol and Drug Partnerships (ADP's); and
- Additional investment to support the Technology Enhanced Care Programme

The report then provided further details of the two themes.

With regards to implementation the activities would come within the remit of the IJB as detailed in terms of the Strategic Plan. Therefore it was proposed that the funding of £296,000 would be made available by the council for the purposes outlined in the report with a view to the IJB giving a Direction to the council to proceed on this basis.

1. To agree the proposed use of the one off funding as follows :-

- £159,959 to provide additional investment to commissioned addiction services for 2017-18 to partially off-set the reduction in Scottish Government funding
- £142,041 to support the Technology Enhanced Care Programme

2. To note that the proposed use of this one-off funding would be incorporated into the council's contribution to 2017-18 West Lothian Integration Joint Board (IJB) delegated resources given it related to IJB delegated functions that were subject to direction from the IJB.

Decision

To approve the terms of the report

14. SOCIAL WORK COMPLAINTS HANDLING PROCEDURE

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the revised Social Work Complaints Handling Procedure.

The report advised that following a Scottish Government review of social work complaints, the office of the Scottish Public Services Ombudsman (SPSO) advised that the system for social work complaints would change from 1 April 2017.

The Scottish Public Service Ombudsman Service had now published a

Social Work Model Complaints Handling Procedure (CHP) which set out how complaints about social work services must be handled from 1 April 2017.

The Head of Social Policy explained that the Social Work Model CHP would apply to all organisations that delivered social work functions including both local authorities and health and social care partnerships. It was developed in partnership with representatives from social work, health and social care, the Scottish Government and third sector organisations together with other key partners from the public sector.

The focus of the new CHP was to ensure that customers had easy access to an efficient, customer focused complaints service which responded to their concerns quickly and as close to the point of service as possible. The extension of this approach to social work services was expected to help local authorities and health and social care partnerships provide a co-ordinated response to complaints that cover more than one service.

The report went on to advise that the new social work CHP required organisations to assess and report their complaints handling performance against the SPSO performance indicators. This would help to facilitate continuous improvement through the benchmarking of performance within and across sectors.

In conclusion the report advised that the SPSO had advised that the system for social work complaints would change from 1 April 2017. Social Policy had drafted a revised procedure for social work complaints in accordance with the requirements of the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016 and the SPSO guidance and which was contained in appendix 1 to the report.

The report recommended that the Council Executive approve the revised Social Work Complaints Handling Procedure developed in accord with the requirements of the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016.

Decision

To approve the terms of the report.

15. SPRING BUDGET 2017

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update in relation to the announcements contained in the Chancellor of Exchequer's Spring Budget 2017 and to provide an indication of the measures that could have financial implications for the council.

The Chancellor delivered his Spring Budget 2017 to the House of Commons on 8 March 2017. The Chancellor outlined that the Spring Budget 2017 was intended to provide a stable platform for negotiations to start on the exit from the European Union focussing on economic stability and to build on measures previously announced by the UK Government in

the Spending Review 2015 and the Autumn Statement 2016. The Budget also included the Officer for Budget Responsibility (OBR) assessment and forecast on borrowing, growth and employment.

The Chancellor confirmed the UK Government's commitment to achieving its fiscal rules, details of which were contained in the report. The OBR forecast confirmed that the Government was on track to meet two of the three rules, with an ageing population and cost pressures on health being attributed to the current forecast that the UK Government would not achieve the target for public finances to be balanced as early as possible in the next Parliament.

The report continued by providing details of the OBR projections noting that the OBR estimate for GDP in 2016 had been slightly weaker than previously anticipated, however they had forecast improved growth in GDP for 2017 with GDP forecast to be 2% up from the 1.4% forecast in November 2016. Further information from the OBR on unemployment and devolved taxes were also detailed in the report.

The Spring Budget 2017 also outlined changes to UK public spending for 2016-17 to 2020-21 compared to the Autumn Statement 2016, details of which were summarised in the report. Other key announcements were also contained in the budget statement including information on City Deals, National Insurance, Tax Free Dividend and Vehicle Excise Duty.

The Head of Finance and Property Services then outlined the main implications for Scotland noting that the Spring Budget 2017 set out the changes to the Departmental Expenditure Limits (DEL) following the policy changes announced, however it was to be noted that the DEL for Scotland had been adjusted to reflect the devolution of taxes as agreed in the Scottish Government's Fiscal Framework.

Furthermore Fiscal Affairs Scotland had recently concluded that the impact of extra resources being applied to the Scottish resource budget had improved the position in 2017-18. However this had had a detrimental impact on financial years 2018-19 and 2019-20 and when this was taken into consideration with the Scottish Government's commitment to protecting NHS and Police Scotland budgets, the outlook for non-protected budgets was forecast, by Fiscal Affairs Scotland, to be a cash reduction of 2.1% in 2018-19 and 0.9% in 2019-20.

The Head of Finance and Property Services concluded that the policy decisions announced in the Spring Budget 2017 would have both a direct and indirect impact on West Lothian and its residents and it would be for the Scottish Government to determine the distribution of revised departmental spending figures and that a further report following any announcements by the Scottish Government would be brought forward to the Council Executive.

The forecast medium term financial assumptions for the Scottish budget would suggest that the West Lothian budget would see further cash reductions over the period 2018-19, 2019-20 and beyond.

It was recommended that Council Executive :-

1. Notes the latest economic position outlined in the Spring Budget 2017, as set out in section D.2 of the report;
2. Notes the revised UK public spending figures for Revenue and Capital, as set out in Section D.3 of the report;
3. Notes the other key announcements, as set out in D.4 of the report;
4. Agrees that the Head of Finance and Property Services should continue to report to Council Executive on relevant UK and Scottish Government funding and spending announcements; and
5. Agrees that the Head of Finance and Property Services should ensure the information in the Spring Budget 2017 was taken into account in developing the council's future financial planning.

Decision

To approve the terms of the report

16. GENERAL SERVICES CAPITAL PROGRAMME UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the capital programme and to seek approval for the allocation of additional funding to capital projects.

The report recalled that the General Services Programme for 2017/18 was agreed on 20 February 2017 and that there was a requirement for capital investment to be kept under review to take account of any evolving issues.

The report set out the proposed projects to be progressed as a result of the additional funding secured for early learning and childcare. Approval was sought for an additional budget allocation for Craigsfarm following further developments regarding the available external funding for that project and revised phasing for the Skolie Burn Bridge project.

In conclusion the report set out proposals for additional capital investment for the General Services capital programme for 2017/18 as a result of further funding of £1.055 million being received for early learning and childcare. The report also sought approval of a budget allocation of £50,000 for Craigsfarm to enable the project to proceed and that the phasing of the expenditure for Skolie Burn Bridge project had been revised.

This ongoing investment would help the council deliver enhanced performance and better outcomes, and would improve the quality of life for communities throughout West Lothian.

The report recommended that Council Executive:-

1. Approve the allocation of the additional funding of £1.055 million received for early learning and childcare, as set out in the report;
2. Approve an additional £50,000 budget allocation to support the proposed redevelopment of Craigsfarm, Craigshill, Livingston.
3. Note the re-phasing of the Skolie Burn Bridge project to take account of latest circumstances.

Motion

Council Executive agrees recommendations 1, 2 and 3 as set out in the report by the Head of Finance and Property Services, and further agrees that the following projects should be added to the capital programme, utilising the slippage set out in the report and with the remaining balance funded by an increase in over-programming:

- Provision of new street lighting on cycle path – Birniehill – Morrison - £65,000
- Replacement of steps at Meadowhead Terrace – Addiewell - £20,000
- Skate Park at West Calder - £60,000
- Provision of footpath Westwood View, (bottom of Cleugh Brae,) West Calder - £60,000
- Provision of additional pedestrian crossing on Main Street, Longridge - £35,000
- Provision of handrail on steps in Boghall - £5,000
- Widening of existing housing estate road at Rashiehill, Breich - £40,000
- Provision of “slow down” LED sign at Greenrigg - £5,000
- Lighted Pedestrian Crossing beside Blackridge PS - £40,000
- Resurface Crosshill Drive, Bathgate - £80,000
- Car Park upgrade (Pumpherston) - £100,000
- Connect missinglink of cycle path (beside Meadowpark Avenue, Bathgate) - £15,000

Total - £525,000

- Moved by Councillor McGinty and seconded by Councillor Muldoon

Decision

To approve the terms of the motion.

17. LAND AT CAWBURN ROAD, DRUMSHORELAND – PROPOSED SERVITUDE RIGHT FOR ACCESS AND SERVICES IN FAVOUR OF PUMPHERSTON ESTATES LIMITED AND DUNDAS ESTATES & DEVELOPMENT COMPANY LIMITED

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the granting of a servitude right of access and a servitude right to lay services over land at Cawburn Road, Drumshoreland Road in favour of Pumpherston Estates Limited as landowner and Dundas Estates & Development Company Limited as developer.

The report recalled that in 2001 the council produced a Planning Brief that identified a multi-owned site of approximate 24.3ha at Drumshoreland as suitable for major residential development subject to the development of a new distributor road, connecting Houston Road to Drumshoreland Road. The brief envisaged that the “lead” developer would develop the distributor road. For various reasons including the financial crises of 2008 the development of the land identified in the brief did not go progress beyond the planning stage.

In 2013 the council recognised that development of the new distributor road was fundamental to the development and took the decision to construct the road with funding coming from the council’s Local Infrastructure Fund. The funding was available on the basis that the money would be recouped by means of charging adjoining landowners for access to the new road and also from the process of the sale of council land made accessible by the new road. The road, now named Cawburn Road, was built over the winter of 2015-16.

The council, through McTaggart Construction, had now commenced the construction of 86 new build council houses on part of the land owned by the council. As part of the construction of the 86 houses, the council was providing basic services infrastructure for the wider development land at Drumshoreland through the housing budget. As with the distributor road, the additional cost involved in providing the services infrastructure for the wider site would be recouped from adjoining developers/landowners and from the proceeds of sale of council land at Drumshoreland.

Apart from the council, the other major landowner at Drumshoreland was Pumpherston Estates Limited, who had reached an agreement with Dundas Estates & Development Company Limited for the sale of their

landholding at Drumshoreland. In turn, Dundas had reached a provisional agreement with the council for the council to grant them a servitude right for road access and access to services to Cawburn Road, thereby enabling their proposed development of 260 houses to go ahead.

Discussions had taken place with Dundas Estates & Development Company Limited on behalf of themselves and Pumpherston Estates and a series of Heads of Terms had been provisionally agreed and these were summarised in the report.

The Head of Finance and Property Services concluded that it was considered to be in the council's best interests to grant a servitude right of access and a servitude right for services at Cawburn Road, Drumshoreland for a consideration of £500,000 in terms of the road and £176,790.92 in terms of the services, in accordance with the terms set out in the report.

It was recommended that Council Executive :-

1. Approves the granting of servitude rights of access and servitude rights to lay services over land at Cawburn Road, Drumshoreland in favour of Pumpherston Estates Limited and Dundas Estates & Development Company Limited for a consideration of £500,000 in respect of the road access and £176,790.92 in respect of the services, all subject to the terms set out in the report; and
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the benefited party in respect of the granting of the servitudes, on the basis that any revised terms and conditions still represented best value for the council.

Decision

To approve the terms of the report

18. DATA CENTRE, CAIRD STREET, HAMILTON – NEW LICENCE FOR USE OF SPACE FOR DISASTER RECOVERY OF IT SERVICES

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval to enter into a new licence agreement with South Lanarkshire Council and to delegate powers to the Head of Finance and Property Services to conclude negotiations in relation to a licence to access space within a shared data centre for the purpose of disaster recovery of IT systems.

It was noted that the council's existing agreement in relation to the use of space for IT disaster recovery services would terminate on 31 March 2017. Therefore it was imperative that a new agreement was in place for 1 April 2017 to ensure continuity in the event of any failure requiring recovery.

The new licence would commence on 1 April 2017 and expire on 31

March 2019

The main terms and conditions of the licence were summarised in the report.

It was recommended that the Council Executive :-

1. Approve the council entering into a licence agreement with South Lanarkshire Council for a period of two years for the purpose outlined in the report, at an initial licence fee of £69,300 per annum (exclusive of VAT); and
2. Grants delegated powers to the Head of Finance and Property Services to conclude negotiations and formalise the licence agreement.

Decision

To approve the terms of the report

19. RECORDING AND BROADCASTING COUNCIL MEETINGS

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive seeking approval for the introduction of the recording and broadcasting of council meetings.

The report recalled that on 22 November 2016 Council Executive instructed officers to investigate the feasibility and cost of broadcasting full council meetings from the start of the new council term in May 2017. Officers were to report back to the March 2017 meeting of the Partnership & Resources Policy Development and Scrutiny Panel; that happened on 17 March 2017.

Meetings of full council always took place in the Council Chambers so investigations were confined to that one location. The shape of the Council Chambers and its seating arrangement also had implications about what could be reasonably achieved and at what cost. Investigations also centred around using or building on the existing sound system where possible.

Attached to the report at Appendix 1 was a summary of five options that could be available for the recording and broadcasting council meetings and a narrative was also provided in the report on each of these options.

The report also provided information on the how such a system would be used by members of the public and how Standing Orders would require to be updated if the recording and/or broadcasting of meetings were to proceed.

Details were also contained within the report with regards to discussions by the Partnership and Resources Policy Development and Scrutiny Panel when it considered the matter at its meeting on 17 March 2017 and included information on the security and integrity of the data after the

meeting had concluded.

It was recommended that Council Executive :-

1. Note the information provided about methods and costs of recording and broadcasting council meetings;
2. Agree that Option 3 in Appendix 1 should be implemented, whereby meetings of full council taking place in the Council Chambers in the Civic Centre were recorded (audio only) and broadcast over the internet using a commercial service;
3. Note that action would be required to procure the service, to ensure that procedures were in place to comply with data protection rules and the council's public sector equality duty and to amend Standing Orders for the Regulation of Meetings; and
4. Instruct officers to proceed with those actions with a view to introduce the service as soon as reasonably practicable after the council elections on 4 May 2017.

Decision

To approve the terms of the report.

20. JABIL LIVINGSTON

The Council Executive considered a report (copies of which were tabled) by the Head of Planning, Economic Development and Regeneration to advise members of the intentions of Jabil to commence a staff consultation on potential redundancies at the plant at Oakbank in Livingston. There was the potential for the plant to close with the loss of 260 jobs.

The report advised that on 23 March 2017 the company initiated the consultation process on its intention to run down manufacturing at the site in Livingston on a phased basis. It was anticipated that manufacturing would cease by the end of the 2017 calendar year.

A meeting took place with Jabil on 27 March 2017 to better understand the drivers for the announcement from the company. The first priority was to ascertain how the council could work with the company in order to retain jobs and manufacturing at the facility in West Lothian.

Officers made contact with the Scottish Government and Scottish Enterprise to gain a joint understanding of the situation and to look at options for support which could be provided to the company and workforce.

In conclusion the report advised that Jabil was a well-established and significant employer in West Lothian. The major objective was to see how the council could assist with safeguarding the future of the plant and officers would work with all stakeholders to deliver a solution which

ensured the continued and sustainable production at the plant and protect local jobs.

The report recommended that the Council Executive agree that:-

1. Officers should work with all necessary stakeholders to explore all options for the future of the plant and its business;
2. Officers should provide support for the workforce;
3. Officers should work to mitigate the possible wider impact of the company's business decision including to supply chain businesses; and
4. In acknowledgement of the dynamic nature of the situation the Chief Executive, in consultation with the Leader of the Council, was delegated to undertake or commission any urgently required work or service, to assist in developing a case for safeguarding the plant and jobs.

Motion

Council Executive notes with grave concern the decision of Jabil to begin a consultation over the proposed closure of their plant in Livingston.

Council Executive notes the contribution made by the plant and the Jabil workforce to the West Lothian economy and communities, and expresses the outright opposition of West Lothian Council to any proposal to close the plant.

Council Executive agrees recommendations 1, 2, 3 and 4 in the paper and instructs Officers to work with Jabil employees, Jabil, UK and Scottish Government, Scottish Enterprise, SDI, community planning partners and any other relevant organisation to ensure that every effort is made to secure a viable future for the Jabil plant and the workforce.

- Moved by Councillor Cathy Muldoon

Decision

To unanimously approve the terms of the motion.



West Lothian
Council

COUNCIL EXECUTIVE

EDINBURGH AIRPORT PHASE 2 CONSULTATION ON AIRSPACE CHANGE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive that a second consultation on airspace change has now been issued by Edinburgh Airport Ltd. which has a response date of 30 April 2017. The report contains observations of the process along with a proposed response and other proposed activities.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the content of the report and the accompanying proposed consultation response,
2. approves the response at Appendix 1 as the council's response to the consultation,
3. approves the proposal that a letter be sent to Edinburgh Airport Ltd., the Civil Aviation Authority, and the Minister for Aviation expressing concern about the bias of the consultation, the inaccuracies of data used, the lack of a status quo option, and negative impact upon West Lothian residents, and
4. approves that, should the airport progress with a proposal to the Civil Aviation Authority (CAA) to change the airspace, and West Lothian are invited to comment, that the engagement of an independent consultant be considered to assist with interpretation of flight path information and the impact on the community wellbeing.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	West Lothian Council has no statutory powers to regulate air traffic routes or noise. Air Traffic Routes are regulated by the Civil Aviation Authority (CAA). Noise from aircraft in Edinburgh Airport is regulated by Edinburgh Airports Ltd.

CAA Airspace Change Process Guidance Document CAP 725, section 2.5 identifies local authorities as a stakeholder who must be consulted. No formal consultation has taken place. This omission, and potential implication, has been raised with the CAA.

The World Health Organisation identifies that aircraft noise and pollution can have a negative health impact upon communities.

III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	<p>Our children have the best start in life and are ready to succeed.</p> <p>We are better educated and have access to increased and better quality learning and employment opportunities.</p> <p>Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>We live longer, healthier lives and have reduced health inequalities.</p> <p>We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI	Resources - (Financial, Staffing and Property)	None at present. However if a consultant is engaged costs will be incurred at that time. These costs will be met from existing budgets.
VII	Consideration at LAC and PDSP	The consultation has been discussed at the Broxburn Uphall and Winchburgh Local Area Committee on 16 Feb; the Environment PDSP on 16 Feb, and the East Calder and East Livingston Local Area Committee on 23 Feb. Comments from these forums are attached as an appendix to this report.
VIII	Other consultations	Development Planning, Economic Development

D. TERMS OF REPORT

D1 Background

The 2011 [Edinburgh Airport Masterplan](#) laid down the development trajectory for the airport and highlighted the potential future increase in airspace capacity to cope with traffic growth by the introduction of new technology

In summer 2015 Edinburgh Airport carried out a trial of an additional new instrument based western departure flight path, known as TUTUR. This took air traffic over Uphall and the Bathgate hills, neither of which had been significantly exposed to air traffic previously. The trial was intended to gather data for a possible further permanent westbound departure flight path from the airport. The airport operator has identified that additional flight paths are required to increase available runway capacity at the airport.

Edinburgh Airport subsequently stated that it viewed the trial to have been successful, but acknowledged there to be noise issues. Subsequently, it alluded to taking a more comprehensive look at all flightpaths.

Simultaneously, there is a move towards Performance Based Navigation (PBN) across European airspace. This uses satellite based navigation rather than ground based beacons and is more precise and permits some ability to route aircraft around sensitive areas. This change is driven by European air traffic standards and improvements in technology. The existing approach and departure routes were developed in the 1970s before this technology was available.

D2 'Let's Go Further' Consultation Process

In June 2016, Edinburgh Airport launched '[Let's Go Further](#)', its airspace change programme. The stated aim was to examine the potential impact of altering flightpaths '*to allow for maximum operational benefits and to minimise community impact*'.

Following these initial activities, the airport embarked on a two phase public engagement and consultation process:

- Phase 1 aimed to gather views from communities involved. The results of this initial consultation would be used to help guide the design and development of potential future flight path options. General indications were provided in illustrative 'envelopes' shown in pages 49-69 of the consultation. These laid out broad areas for 3 departure and 3 arrival routes over West Lothian. The Council's response was submitted following approval by the Council Executive on 30 August 2016.
- Following feedback on local sensitivities gathered during phase 1, phase 2 puts forward specific flightpath proposals for public consultation and explains the rationale for their selection. It asks for feedback on whether the right options have been selected and, where multiple options exist, how and when flightpaths should be used. This second phase of consultation was launched on 30 January, with responses due by 30 April.

It should be noted that the Airport has still not put forward any proposals, it is consulting on options. The results will provide the basis to allow the airport to make the subsequent [CAP725 statutory change process](#) application to the Civil Aviation Authority (CAA) with a view to implementing new flightpaths in 2018. It was considered that WLC would be an official consultee at that stage, however this has now been questioned and confirmation has been sought from the CAA.

D3 Programme Mandates

The programme mandate within phase 1 consultation stated: “We, Edinburgh Airport need to understand the views of stakeholders concerning the presentation of an airspace change proposal to the CAA that complies with the relevant regulatory requirements so that Edinburgh Airport can operate flight paths that maximise operational benefits and minimise community impact by 2018 so as to improve Edinburgh Airport’s national transportation infrastructure to enable the economic, social and cultural growth of Scotland”.

The mandate for phase 2 altered slightly to: “We, Edinburgh Airport need to understand the views of stakeholders concerning viable options for arrival and departure flight paths so we can alter flight paths to maximise operational benefits and minimise community impact by summer 2018 so as to produce an airspace change proposal to the CAA which complies with the relevant regulatory requirements and responds to consultee concerns”

It must be recognised that Edinburgh airport is a commercial operation with the aim of maximising the value of its resource – the airport. An increase in flight options and numbers will increase the potential of the airport, and therefore presumably its’ value.

However, this potential commercial growth will have a negative impact on the health and wellbeing of the communities which they fly over; particularly areas which are not currently subjected to aircraft noise. The consultation is designed to show that Edinburgh Airport Ltd. has taken community concerns in to consideration however the extent to which these have been taken in to consideration will not be apparent until an application is made to the CAA. It may also be the case that the proposals include options which will be willingly conceded to show that they have ‘listened’.

Within section 6.1 of the consultation document, under ‘benefits and Impacts’ the document states *“Given that change to the routes, and consequently their impacts, is inevitable due to future requirements, we are seeking to ensure the change achieves the optimal outcome for Edinburgh and Scotland. We are seeking to redesign the route system and apply new methods of operation that are only possible in a RNAV system, for example, routes that avoid areas with specific noise sensitivity and/or multiple RNAV routes which are designed to share the noise over a wider area.”*

Most of the routes proposed have a negative noise and air pollution impact upon West Lothian. The proposals have less impact on areas within the City of Edinburgh not already subjected to aircraft noise. The City of Edinburgh Council is the planning authority for the airport.

The statement is also indicative that change is a foregone conclusion and it fails to consider that ‘doing nothing’ may be an option. Within the West Lothian response to the first consultation, on-ground efficiencies were proposed; the airport has not responded to these suggestions. The consultation specifically states that anything other than a response to their specific questions will be considered out of scope. This approach is restrictive and will once again be commented upon. A statement from the Airport’s Chief Executive, given in a newspaper article in which he proclaims that the consultation is meaningful is included at Appendix 3.

D4 WLC Response to phase 1 consultation

The council considered the implications of the change and submitted a response to Edinburgh Airport Ltd. A copy of the response submitted is attached as Appendix 4. The proposed response to this second round of consultation will make reference to the phase 1 response, highlighting areas where opinion appears not to have been considered. It is, however, appreciated that the airport received many thousands of responses and it may not be possible to identify individual solutions.

It is noted that the second phase proposals have a change in emphasis therefore additional points have been considered.

D5 Consideration at LAC and PDSP

The consultation has been discussed at the Broxburn Uphall and Winchburgh Local Area Committee on 16 Feb; the Environment PDSP on 16 Feb, and the East Calder and East Livingston Local Area Committee on 23 Feb. At these meetings the proposed response was not available however initial considerations were shared and members given the opportunity to contribute. Public representations were also heard at all of the meetings. The comments within the minutes of the meetings are attached at Appendix 2.

D6 Additional concerns and comments raised during discussions:

The need for change

Edinburgh Airport Ltd., claim that there is a need for change. Flight figures presented for 2015 show an average of 147 departures per day. The main operating times are shown to be 7.00am – 11.00pm i.e. a 16hr day. If spread evenly this would equate to marginally more than 9 flights per hour departing at 6 minute intervals. Projected figures for 2023, presented on page 39 of the consultation, show a daily growth of approximately 30%; the actual numbers however range from 4 to 16 additional flights daily on each route. The need for change is therefore questionable. The airport fails to accept that on ground efficiencies may bring about improvements. The consultation proposes that one minute departures would be desirable, however the statistics would suggest that better on ground scheduling could accommodate more flights and would negate the need for such close departures. The cumulative impact should not be overlooked, if the projections are accurate, it would indicate an annual increase of approximately 17,000 flights.

Peaks in demand will reflect when customers want to fly. In addition, airlines will be keen to maximise aircraft use. It will be desirable to commence early to maximise the number of flights any short/medium haul aircraft can achieve in a working day. Limited on ground aircraft stance/parking capacity means that to accept inbound flights, departing flights need to go out beforehand. These are all issues which could be managed or controlled with on-ground improvements.

Section 12 of the consultation raises concerns about departure delays. It is considered that by better time-tabling on the ground, these could be avoided.

The consultation places great emphasis on introducing more modern 'Area Navigation' (RNAV) methods to improve efficiency and reduce flights over sensitive areas. The consultation fails to recognise that the introduction of RNAV is not dependent upon changed flight paths and the technology could be applied to existing flights to improve efficiency and avoid sensitive buildings such as educational establishments by fine tweaking within existing routes. Flight data show wide variances within existing routes

These anomalies have been raised within the proposed response.

D7 Noise pollution

The airport currently uses three main departure routes – Grice (4% - 5 flights per day), Talla (38% - 53 flights per day, and Gosam (58% - 81 flights per day) These, plus 'Tweed' arrivals (page 81) impact West Lothian to some degree however there are areas which are less impacted than others. The proposals show ten proposed routes (one arrival and 4 departures from each end of the runway). The noise maps indicate wide dispersal of sound, these converge on to each other and have the potential to blight much of West Lothian and make potential development areas less attractive to developers and house buyers. They also fly over areas of current tranquillity including our country park at Almondell. The maximum estimations show noise footprints which stop at Lmax 80dB – they do not seem to accept that noise does not stop at a line on a map and will be heard over a wider area at 70dB, then 60dB etc.

The flight numbers are given as an average which doesn't recognise that the majority of flights may wish to depart early morning, which would mean a very high noise impact at that time. There will also be a seasonal variation with more flights departing in summer – this is not explained within the document.

Concern is expressed that rural tranquillity has not been considered, contrary to the CAA guidance. It was commented that people choosing to live under current flight paths made the choice with the knowledge of what currently exists – those choosing a rural environment did the same, and should not now be subjected to new noise.

The density mapping system used to determine impact is fundamentally flawed in its' consideration of tranquil, less densely populated areas. A rural community may have a hundred residents, a town, 1,000 residents. If all respond negatively, the outcome will show a 10:1 bias in favour of flying over the tranquil area. The noise differential impact is not considered. Those with lowest population will have lowest say. The outcome is a popularity vote as opposed being based on rigorous assessment and identification of need. The population maps used contain significant under estimates of population sizes and take no cognisance of core development areas where community growth has already been planned.

Noise is greatest when aircraft are climbing and turning. Many of the proposed routes show very sharp turns close to take off, which will mean that noise experienced will be louder than at present.

Studies by the World Health Organisation (WHO 1999: Guidelines for Community Noise, WHO 2009: Night Noise Guidelines for Europe) clearly show a correlation between noise and poor mental and physical health. The flight path proposals expose greater areas of West Lothian to unwanted noise. There is no night time noise data provided within the document.

It was suggested at the LAC that noise complaints to the airport had increased significantly and may have risen from 10 per quarter to over 600 per quarter. It was also commented upon that residents were becoming fed up with complaining as nothing appeared to be done.

Noise may also impact wildlife, in particular bird populations, therefore the airport should be asked to take this in to consideration.

It was noted that the current consultation makes reference to sound insulation payments schemes showing an expectation of problems. The criteria for such insulation are extremely strict and not all those impacted will be eligible. The logical solution should be to not allow the problem to happen in the first place. Existing and planned new-build properties under proposed flight paths are not being constructed with increased sound insulation standards.

It was suggested that 71% of those responding to consultation 1 were negative and over 50% raised concerns about noise showing the depth of feeling within the community.

D8 Air pollution

The previous WLC response did not specifically comment upon pollution as the impact was thought to be negligible. However research has identified studies which show the impact may be greater than first thought. Studies by [Massachusetts Institute of Technology published in February 2015](#) show pollution impact within three different location bands. 1km from source, between 1 and 10, greater than 10. Much of West Lothian is within the middle 1 to 10km impact zone.

The airport consultation appears to indicate that proposed routes will reduce fuel use and pollution. At section 21.1 of the consultation document a table is displayed which shows the current pollution contribution and a potentially reduced contribution if the new flight paths are implemented. The summary indicates a CO₂ reduction of 8519Tonnes will be delivered. This figure is based on the current volume of aircraft, not the proposed volume; increased flight numbers will give rise to increased pollution.

At a public meeting the airport's Chief Executive explained although increasing, the industry would still be within its overall E.U. agreed quota for pollution.

Finance

Concerns were raised about the accuracy and completeness of the financial information. The consultation showed the potential benefit of increased flights but failed to give any financial information relating to the finances leaving Scotland due to the availability of flights. It was also suggested that the airport was owned by a series of holding companies, and as such the tax receipts from the airport did not necessarily come to Scotland or the UK.

It was commented upon that the City of Edinburgh Council had the planning controls over the airport and may benefit financially from an increase in planning fees, yet they share little of the potential burden which West Lothian, Falkirk and East Fife would encounter.

Concern was raised about accuracy of job statistics and whether it could be shown that these were in Scotland or elsewhere.

D9 Accuracy of the Consultation

On the phase 1 consultation, the post code search facility and 'design envelope' maps indicated there was no impact on Winchburgh. The stage 2 consultation now includes Winchburgh. The introduction of the village now may have disenfranchised the communities and impacted the number of responses from residents during phase 1. Some, having satisfied themselves that they were not affected during stage 1, may still consider that they are unaffected.

Concern is expressed about population accuracies and how they were calculated. It transpires that the 'most recent' census figures from 2011 were used; these figures are significantly out of date. It is also of concern that planned core development population/housing growth did not appear to have been taken in to consideration in spite of this being specifically highlighted in the councils phase 1 consultation response. No population figure was identified for East Calder, making the proposed route A6 appear to affect a minimal number of residents. Similarly, the consultation fails to appreciate the significant amount of growth which is planned in the Winchburgh & East Broxburn CDA.

CAP 725 allows for the status quo to be maintained – at no stage within the consultation document is this proposed as an option, neither is utilising on ground efficiency measures. As a commercial operation, the airport will be aware of the costs and disruption of implementing runway improvements and also of the desire of aircraft operators, to maximise aircraft use.

Concern was voiced at the LAC about possible conflict of interests within aviation industry and regulators. The objective of business is to increase value of assets for shareholders, not to necessarily protect the on-ground public.

D10 Economic Development

Whilst concerns exist over noise and other environmental impacts, it must also be recognised that the proximity of Edinburgh Airport may provide an economic benefit to West Lothian. The economic benefits associated with Edinburgh Airport include the direct and indirect impacts associated with airport operations. Associated on-site operations, off-site operations, passenger expenditure and freight traffic arriving and departing from the Airport all have a positive financial impact.

The location may make West Lothian an attractive place from which to conduct business. It is claimed that 20% of directly employed airport staff live in West Lothian. It is also claimed that a proportion of the 23,000 wider jobs supported may be held by West Lothian residents. These figures have not been independently verified. The airport brings tourists spending in to Scotland but conversely also takes tourist spending out.

The consultation documents fail to show the balance between money in, and money out, of Scotland. It also fails to show the tax revenue to the UK economy or whether, through business ownership models, the tax revenue is enjoyed elsewhere.

D11 Proposed response

The consultation is accompanied by a survey tool to allow electronic recording of opinion. The survey tool asks a series of questions all designed to give responders the option of selection which route they favour over others. It does not give the opportunity to reject the proposal or route. Within this tight restriction it is proposed that the electronic response included at Appendix 1 be sent to the airport. Where the route change does not impact West Lothian, the response has been left blank.

The survey will be collated electronically therefore in order to ensure that the issues raised at the LAC and PDSP are brought to light, it is also proposed that a written response, incorporating the concerns within this report, be sent to:

- Edinburgh Airport Ltd
- Aviation minister
- Civil Aviation Authority, and
- City of Edinburgh Council as Planning Authority.

E. CONCLUSION

The second phase of the airspace change consultation has now been released with a response deadline of 30 April 2017. The consultation proposes flight path options and asks responders to comment upon these options. Although seen as giving responders the opportunity to influence the final decision, it does create uncertainty about the eventual impact upon West Lothian and fails to recognise that the status quo, with implementation of on ground efficiency measures as proposed in the response to the first consultation, may be an option.

Unwanted and persistent noise and pollution from aircraft has a detrimental impact on health. Noise impact on schools may have a disruptive effect, influencing whether our children have the best start in life and are ready to succeed. The consultation makes no justifiable case to increase the number of aircraft flying over West Lothian, or changing routes to fly over exiting areas of tranquillity, therefore the proposed response reflects this position.

F. BACKGROUND REFERENCES

Edinburgh Airport Lets go Further consultation. Report to Broxburn Uphall and Winchburgh LAC, 16 Feb 2017 and 8 September 2016

Edinburgh Airport Lets go Further consultation. Report to East Calder and East Livingston LAC, 23 Feb 2017.

Edinburgh Airport Lets go Further consultation. Report to Environment PDSP on 16

Feb 2017 and 29 Oct 2016.

Edinburgh Airport Lets go Further consultation. Report to Council Executive on 30 August 2016.

Appendices/Attachments:

Appendix 1 – Response to initial ‘Let’s go further’ consultation

Appendix 2 – comments from LAC and PDSP

Appendix 3 – Quotation from Edinburgh Airport’s Chief Executive

Appendix 4 – response to phase 1 consultation

Appendix 5 – Summary of key proposals

Contact Person: David Brewster, Senior Environmental Health Officer, 01506 282376,
david.brewster@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development & Regeneration

25 April 2017.

Appendix 1 – Proposed survey monkey response to the phase 2 consultation.

Note the response is a web enabled survey – the data has been copied and pasted in to this proposed response.

If agreed, the content will be uploaded to the electronic survey.

Consultation:

We have investigated a number of flight path options and presented our preferred options for each flight path route. We are asking if you agree with our preferred options and why.

1. First name: [Andrew](#)
2. Last name: [Blake](#)
3. Postcode: [EH49 7ED](#)
4. Area : [West Lothian](#)
5. I'm responding as
Individual
[Elected official](#)
(note there is no option to respond 'on behalf of' elected officials)

Organisation (please provide name)
[West Lothian Council](#)

6. I want to keep up to date by email address. If so, provide email:
Andrew.blake@westlothian.gov.uk

7. I want to keep up to date by postal address. If so, provide postal address:
[n/a](#)

8. Flight path A - Runway 24 departures left turn

There are six viable flight path options for flight path A, flight path A7 was investigated but does not meet ICAO design criteria. Our preferred option is flight path A6. To what extent do you agree with our preferred flight path A6?

* 8. Flight path A - Runway 24 departures left turn

There are six viable flight path options for flight path A, flight path A7 was investigated but does not meet ICAO design criteria.

Our preferred option is flight path A6. To what extent do you agree with our preferred flight path A6?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
A6	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* 9. Please rate the other viable flight path A options using the scale below:

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
A1	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A2	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
A4	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A5	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10. Please explain your answers above and provide us with any other comments in the space below

10. Please explain your answers above and provide us with any other comments in the space below

The proposed route exposes West Lothian residents to an increase in noise and air pollution. The vectoring factor allows for significant deviation from the route which would expose West Lothian residents to increased noise and air pollution. Route A6 directly overflies East Calder and the associated Calderwood Core Development Area, identified in the Local Development Plan on which Edinburgh Airport was consulted. No population figures are provided for East Calder, this has resulted in a misleading view of the population overflowed therefore the consultation is flawed. The proposed route directly overflies the planned sites for the new Calderwood Primary and East Calder High Schools. If selected, it should not be used for night time flights due to the population impact.

11. Flight path B - Runway 24 departures straight ahead

There are three viable flight path options for flight path B, flight paths B3, B4 and B6 were investigated but do not meet ICAO design criteria. Our preferred option is flight path B5 with the addition of the B2 offload route. To what extent do you agree with our preferred flight paths B5 and B2?

*** 11. Flight path B - Runway 24 departures straight ahead**

There are three viable flight path options for flight path B, flight paths B3, B4 and B6 were investigated but do not meet ICAO design criteria.

Our preferred option is flight path B5 with the addition of the B2 offload route. To what extent do you agree with our preferred flight paths B5 and B2?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
B2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

*** 12. Please rate the other viable flight path B options using the scale below:**

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
B1	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B6	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13. Please explain your answers above and provide us with any other comments in the space below

13. Please explain your answers above and provide us with any other comments in the space below

The proposed route exposes West Lothian residents to an increase in noise and air pollution. The vectoring factor allows for significant deviation from the route which would expose West Lothian residents to increased noise and air pollution. B1 directly overflies the centre of Broxburn and Ecclesmachan at low altitude and will expose areas of tranquillity to unacceptable new noise. B2 directly replicates the effects of the TUTUR1C trial route and will expose areas of tranquillity to unacceptable new noise. During the trial the community of Uphall raised significant concerns which should be listened to.

B5 and B6 overfly Livingston, but the combination of greater altitude and higher background noise levels lessens the impact on the community and is closer to the existing routes which residents are already accustomed to.

14. Flight path C - Runway 24 departures right turn to north

There are six viable flight path options for flight path C. Our preferred option is flight path C5. To what extent do you agree with our preferred flight path C5?

* 14. Flight path C - Runway 24 departures right turn to north

There are six viable flight path options for flight path C.

Our preferred option is flight path C5. To what extent do you agree with our preferred flight path C5?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
C5	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* 15. Please rate the other viable flight path C options using the scale below:

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
C1	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
C2	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C3	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C3a	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C4	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. Please explain your answers above and provide us with any other comments in the space below

* 16. Please explain your answers above and provide us with any other comments in the space below

C5 directly overflies the east Broxburn and Winchburgh Core Development Areas including Winchburgh Primary School. Edinburgh Airport was consulted on these during development of the Local Development Plan. An unacceptable degree of noise intrusion is foreseeable with low altitude, high power turning manoeuvres taking place. This route is entirely unsuitable for night traffic, particularly as it closely mirrors D0 on its initial stages. No population figures were provided for the expanded Winchburgh or recognising the expanding east Broxburn. This has led to misleading conclusions on population overflow. The phase 1 consultation clearly showed Winchburgh to be out with the design envelopes, yet has been chosen as the preferred route.

C4 would unacceptably expose Uphall and Ecclesmachan to low altitude manoeuvres on high power.

C3 is undesirable due to its direct overflight of Linlithgow; C3a provides a slightly better alternative.

C2 directly overflies Dechmont and the large homes development planned for the former Bangour Hospital site. Flying over allocated housing land will reduce the attractiveness to developers and buyers.

C1 is a general improvement on the status quo.

* 17. Flight path D - Runway 24 departures right turn to south

There are five viable flight path options for flight path D, flight path D2 was investigated but does not meet ICAO design criteria.

Our preferred option is flight path D0. To what extent do you agree with our preferred flight path D0?

* 17. Flight path D - Runway 24 departures right turn to south

There are five viable flight path options for flight path D, flight path D2 was investigated but does not meet ICAO design criteria.

Our preferred option is flight path D0. To what extent do you agree with our preferred flight path D0?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
D0	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* 18. Please rate the other viable flight path D options using the scale below:

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
D1	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
D3	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
D4	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
D5	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

19. Please explain your answers above and provide us with any other comments in the space below

* 19. Please explain your answers above and provide us with any other comments in the space below

D0 directly overflies the east Broxburn and Winchburgh Core Development Areas. Edinburgh Airport was consulted on these during development of the Local Development Plan. An unacceptable degree of noise intrusion is foreseeable with low altitude, high power turning manoeuvres taking place. This route is entirely unsuitable for night traffic, particularly as it closely mirrors C5 on its initial stages. No population figures were provided for the expanded Winchburgh or recognising the expanding east Broxburn. This has led to misleading conclusions on population overflow. The phase 1 consultation clearly showed Winchburgh to be out with the design envelopes, yet has been chosen as the preferred route.

D1 closely mirrors C5 in its initial stages. It would expose both Broxburn and Winchburgh to unacceptable low altitude overflight with associated noise and air pollution.

D2 closely would expose central Broxburn to unacceptable low altitude overflight.

D3 closely mirrors the TUTUR1C trail flightpath, exposing Uphall to low level overflight

D5 overflies Linlithgow and surrounding areas of tranquillity.

* 20. Flight path E - Runway 06 departures left turn west

There are six viable flight path options for flight path E, flight path E1a and E1b were investigated but ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path E6. To what extent do you agree with our preferred flight path E6?

*** 20. Flight path E - Runway 06 departures left turn west**

There are six viable flight path options for flight path E, flight path E1a and E1b were investigated but ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path E6. To what extent do you agree with our preferred flight path E6?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
E6	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*** 21. Please rate the other viable flight path E options using the scale below:**

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
E2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

22. Please explain your answers above and provide us with any other comments in the space below

* 22. Please explain your answers above and provide us with any other comments in the space below

No comments as this does not impact West Lothian residents

*** 23. Flight path F - Runway 06 departures left turn to north**

There are three viable flight path options for flight path F, flight path F1, F4, F5 and F6 were also investigated but they were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path F2a. To what extent do you agree with our preferred flight path F2a?

*** 23. Flight path F - Runway 06 departures left turn to north**

There are three viable flight path options for flight path F, flight path F1, F4, F5 and F6 were also investigated but they were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path F2a. To what extent do you agree with our preferred flight path F2a?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
F2a	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*** 24. Please rate the other viable flight path F options using the scale below:**

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
F2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
F3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

25. Please explain your answers above and provide us with any other comments in the space below

* 25. Please explain your answers above and provide us with any other comments in the space below

No comments as this does not impact West Lothian residents

*** 26. Flight path G - Runway 06 departures left turn to south**

There are two viable flight path options for flight path G, flight paths G1, G2, G3 and G6 were also investigated but were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path G5. To what extent do you agree with our preferred flight path G5?

*** 26. Flight path G - Runway 06 departures left turn to south**

There are two viable flight path options for flight path G, flight paths G1, G2, G3 and G6 were also investigated but were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path G5. To what extent do you agree with our preferred flight path G5?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
G5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*** 27. Please rate the other viable flight path G options using the scale below:**

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
G4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

28. Please explain your answers above and provide us with any other comments in the space below

* 28. Please explain your answers above and provide us with any other comments in the space below

No comments as this does not impact West Lothian residents

* 29. Flight path H - Runway 06 departures right turn to south west

There are two viable flight path options for flight path H, flight path H3 and H4 were also investigated however these were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path H2. To what extent do you agree with our preferred flight path H2?

* 29. Flight path H - Runway 06 departures right turn to south west

There are two viable flight path options for flight path H, flight path H3 and H4 were also investigated however these were ruled out as they do not meet ICAO design criteria.

Our preferred option is flight path H2. To what extent do you agree with our preferred flight path H2?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
H2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* 30. Please rate the other viable flight path H options using the scale below:

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
H1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

31. Please explain your answers above and provide us with any other comments in the space below

* 31. Please explain your answers above and provide us with any other comments in the space below

No comments as this does not impact West Lothian residents

* 32. Runway 24 arrivals

Due to the low number of flights arriving from the north we are not proposing any changes to aircraft arrivals from the north. We are proposing to introduce a flight path for aircraft arriving from the south as shown in Figure 48 on page 122. This will better enable continuous descent approaches which require less fuel and reduce CO2 emissions whilst ensuring safe and orderly control of arriving aircraft.

To what extent do you agree or disagree with our proposals for aircraft arriving onto Runway 24?

* 32. Runway 24 arrivals

Due to the low number of flights arriving from the north we are not proposing any changes to aircraft arrivals from the north. We are proposing to introduce a flight path for aircraft arriving from the south as shown in Figure 48 on page 122. This will better enable continuous descent approaches which require less fuel and reduce CO2 emissions whilst ensuring safe and orderly control of arriving aircraft.

To what extent do you agree or disagree with our proposals for aircraft arriving onto Runway 24?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
Runway 24	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

33. Please explain your answers above and provide us with any other comments in the space below

* 33. Please explain your answers above and provide us with any other comments in the space below

No comments as this does not impact West Lothian residents

* 34. Runway 06 arrivals

Due to the low number of flights arriving from the north we are not proposing any changes to aircraft arrivals from the north. We are proposing to introduce a flight path for aircraft arriving from the south as shown in Figure 53 on page 128. This will better enable continuous descent approaches which require less fuel and reduce CO2 emissions whilst ensuring safe and orderly control of arriving aircraft.

To what extent do you agree or disagree with our proposals for aircraft arriving onto Runway 06?

* 34. Runway 06 arrivals

Due to the low number of flights arriving from the north we are not proposing any changes to aircraft arrivals from the north. We are proposing to introduce a flight path for aircraft arriving from the south as shown in Figure 53 on page 128. This will better enable continuous descent approaches which require less fuel and reduce CO2 emissions whilst ensuring safe and orderly control of arriving aircraft.

To what extent do you agree or disagree with our proposals for aircraft arriving onto Runway 06?

	Strongly disagree	Disagree	Partly agree	Strongly agree	N/A
Runway 06	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

35. Please explain your answers above and provide us with any other comments in the space below

* 35. Please explain your answers above and provide us with any other comments in the space below

This largely mirrors the status quo. Whilst overflying Livingston, it is limited to 20% of flights and aircraft are generally on low power.

By submitting my response, I confirm that I have read and agree to the Airspace Change Programme Consultation Privacy Policy and understand that by responding to the Airspace Change Programme Consultation my personal information will be used and disclosed in the manner set out in the Privacy Policy.

Bottom of Form

Appendix 2

Minutes from Local Area Committees and Policy Development & Scrutiny Panel

The consultation has been discussed at the Broxburn Uphall and Winchburgh Local Area Committee on 16 Feb; the Environment PDSP on 16 Feb, and the East Calder and East Livingston Local Area Committee on 23 Feb. At these meetings the proposed response was not available however initial considerations were shared and members given the opportunity to contribute. Public representations were also heard at all of the meetings. The comments within the minutes of the meetings are as follows:

The Minutes of the Environment PDSP show that:

Members noted the contents of the report.

Members noted comments made by Helena Paul, Ian Mate (Airport Watch) and elected members at PDSP and LAC meetings with regard to aircraft noise and its effects, frequency of flights, carbon footprint reduction claims, new build considerations, complexity of consultation paper and that the status quo should be an option, would be taken into consideration on final report.

The Minutes of the Broxburn, Uphall and Winchburgh LAC show that:

1) Members noted the deputation by Ian Mate and Helena Paul highlighting the concerns raised by Edinburgh Airport Watch as follows;

- a) The financial impact to the Scottish economy caused by Scottish tourists going abroad on holiday;
- b) Airport management on the ground due to the number of flights leaving at the same time in the morning; and
- c) The timetable and number of flights leaving and the fact that aircrafts were bigger and noisier.

Concerns raised included serious health aspects and life changing consequences for residents in West Lothian; information was flawed and missing from the original TUTUR consultation and showed different flight paths; population figures in Winchburgh were miscalculated and the complexity of the consultation paper. (all of these issues have been considered in the proposed response)

Members of Edinburgh Airport Watch believed that Edinburgh Airport had not been open and transparent in their consultation process and recommended that an independent aviation consultant be recruited as an adviser during this process.

2) Members noted the report and the update from the Environmental Health and Trading Standards Manager;

3) Committee noted the concerns from Elected Members which would be taken into consideration when reporting to Council Executive:

- a) residents in Winchburgh had not been involved in the Phase 1 consultation process and therefore not given the opportunity to comment. Information about the population of Winchburgh was also understated as the new homes being built were not taken into account. (Considered in response)
- b) the impact on children's health due to aircraft noise which could lead to children underperforming at school. It was recommended that the Children and Young People's Commissioner be contacted to find out if independent research had been carried out into the attainment levels of children who lived under flight paths with a high level of aircraft noise. (Considered in response)
- c) why West Lothian in particular seemed to be the main participant of new flight paths but the City of Edinburgh did not seem to be impacted in the same way?;
- d) concerns about the high level of pollution in Broxburn Main Street and the impact the additional flights would have on pollution levels; (Considered in response)
- e) suggested that the council considers appointing an expert aviation consultant to provide advice;
- f) suggested that independent monitoring of the noise levels be carried out following the recent consultation, delegated to the Head of Planning, Economic Development and Regeneration, in advance of the final routes being identified to ensure that sufficient data was available;

Elected members requested that officers provide community councils with the advice and support required to assist them to complete Phase 2 consultation response.

The Minutes of the East Calder and East Livingston LAC show that:

- a) Members noted the contents of the officers report;
- b) Members noted the contents of the deputations from Mr. Tony Foster and Ms Helena Paul both of whom were expressing their concerns for the manner and nature in which the Edinburgh Airport consultation was being conducted by the airport; and
- c) Agreed the terms of the report and requested that the Council Executive be asked to forward a copy of the council's consultation response to both the CAA and the UK Minister for Aviation.

Appendix 3

Press Statement by the CEO of Edinburgh Airport Ltd.

Edinburgh Airport's Chief Executive Gordon Dewar, said:

"Our international route network has grown to become the envy of many similar sized European airports. The strong levels of growth we have experienced since 2013 resulted in the airport handling over 11.1 million passengers last year.

"However, this constant growth in passenger numbers presents us with challenges.

"We need to modernise and improve Edinburgh Airport in a way that maximises the benefits across Scotland and minimises the impact on local communities.

"The objective of the first stage of the consultation is to gain responses from the public that will help us inform the design of any potential future flight paths. We want everyone to know they have the opportunity to have their say on the positioning of potential future flight path changes.

"Over the coming days, weeks and months our initial consultation will involve a leaflet drop to over 640,000 doors, will be highlighted via our vast social media reach, targeted through advertising to a TV audience of at least 900,000 as well as an outdoor advertising campaign in arterial routes across Edinburgh and in national and local newspapers adverts. We'll also be engaging with community groups to help us have discussions in local communities.

"We are absolutely committed to undertaking a robust and meaningful consultation process; to give stakeholders even greater confidence we have commissioned the Consultation Institute to conduct a Quality Assurance of our consultation process.

"This time last year we were – justifiably in some cases – we were criticised for not engaging thoroughly enough with our neighbouring communities before running a flight path trial.

"We've learned our lessons and this time round will do all that we reasonably can to ensure that everyone has their say on the future growth of Edinburgh Airport."

Appendix 4

West Lothian Council Response to Phase 1 Consultation - 'Let's Go Further' Airspace Change.

What local factors should be taken into account when determining the position of the route within the design envelope given the potential impacts, and why?

West Lothian Council advocates that the following matters should be taken into account when determining the position of route(s) within the design envelopes:

1. The wishes of the community must be taken in to consideration.

The reason this should be taken in to consideration is because this current phase one consultation appears to make the assumption that airspace use change is the only solution to growth without first demonstrating that all other on ground and airspace management options have been exhausted. As such it is particularly restrictive and has failed to recognise or acknowledge the levels of concern raised during the TUTUR trial by the West Lothian Community.

2. Established routes and the impact of changes on those not currently subjected to aircraft noise.

The reason this should be taken in to consideration is that the airport has failed to demonstrate that they have exhausted all on ground solutions to increasing flight numbers and capacity. Before considering any changes to flight paths over areas not previously overflowed, Edinburgh Airport should exhaust all on-ground options to increase capacity, such as improved runway access and egress, aircraft holding areas and management of the airspace and permitted aircraft types. The Edinburgh Airport Masterplan (2011) identifies that, '*further enhancements to both runways and associated taxiways, could increase the capacity of the runway system as a whole to approximately 55 movements per hour*'. Rapid access and egress taxiways are specifically highlighted.

The TUTUR flightpath trial demonstrated that the routing of aircraft over areas which are not currently affected results in significant levels of complaint and concern to the public. Some of those residents may have chosen to live in an area because it is not affected by overflight. This effect is magnified in rural areas where background noise levels are lower, making overflight noise proportionately more intrusive. Community resistance should be anticipated where new routine overflight is proposed.

3. Cost of on-ground solutions versus negative impact on WL community.

The reason this should be taken in to consideration is the airport has failed to demonstrate that they have considered the cost of alternative solutions versus the negative impact on the community experienced during the TUTUR trial. This consultation appears to imply that change of airspace is the only solution without first demonstrating publically that all other options have been considered and costed.

For example, the runway at Edinburgh, unlike most major airports, only has two exit points, both of which are at 90 degrees to the runway. Other major airports have exits at 45 degrees

to the runway orientation which increases runway capacity by allowing landing aircraft to clear the runway more quickly.

Before considering any changes to flight paths over areas not previously overflowed, Edinburgh Airport should exhaust all on ground options to improve capacity. Improving on-ground traffic flow to occupy or vacate the existing runway more efficiently could include options such as additional exit and egress points or tapered exit and egress points to replace the restrictive two 90° access/egress points at extremities of the existing runway as at present.

4. Overflight Noise impact on general community

The reason this should be taken in to consideration is that the aircraft noise has a detrimental impact upon sleep; a fact confirmed by complaints during the TUTUR trial. The impact on health of excessive or persistent noise or disturbed sleep is well documented. Any proposed changes, if at all required, should not be detrimental to the community. The post TUTUR report, following the trial ending in Oct 2015, identified that noise issues existed however the information relating to these has not been included within this consultation. Flight approach, height, speed and turning requirements affect noise generation. Rate of climb on take-off and landing directly affect noise impact. Initial steep climbs result in higher noise levels near the airport but less over West Lothian, whilst more gradual ones extend noise effects over a longer distance. The use of airspaces should be managed to minimise the impact on West Lothian residents.

Aircraft at 3-4000ft. appear to be most intrusive, as they produce significant peak levels and give rise to more prolonged events due to altitude. Close community overflight in this altitude range should be avoided entirely for this reason.

5. Overflight Noise impact on specific communities/establishments.

The reason this should be taken in to consideration is that excessive aircraft noise can have a negative impact on education due to the disturbing nature of the noise. Flights should avoid overflying educational establishments during the day, particularly whilst at lower altitudes. A map of West Lothian schools is attached for information.

Those already impacted by noise may have a degree of desensitisation and therefore may not notice a change in frequency of flights, however those currently residing in more tranquil locations would experience a greater negative impact of the introduction of over flight in their community. For these reasons over-flight of areas of current tranquillity should be avoided.

Flights should, where possible, avoid overflying hospitals where noise intrusion may impact rest and recuperation of patients.

6. Location of existing settlements/population density

The reason this should be taken in to consideration is that government guidance provides generic objectives for airspace changes, such as the need to overfly the fewest people below 7,000ft above ground level. The current routes directly overfly Pumpherston and Livingston, with a significant combined population. Options for overflight of open space, such as the river Forth, should be considered.

7. Planned location of future settlements

The reason this should be taken in to consideration is that over the next eight years, 19,800 houses are proposed for West Lothian; some of which have already been built. The growth is largely focussed on the Core Development Areas. Planning proposals include significant housing development in Broxburn, Drumshoreland, Bangour and East Calder, and these should be taken into consideration when assessing the population potentially affected. Full details can be found in the [West Lothian Local Development Plan, proposed Plan](#), (LDP) on which Edinburgh Airport was consulted.

The Plan also advises that a number of housing sites will continue to deliver beyond the plan period. Taking these into consideration this provides for a total of 26,073 homes, principally through ongoing development within the core development areas and strategic allocations.

It is essential that residents can sleep and enjoy outdoor activity without unreasonable interference.

8. Times of flights and frequency

The reason this should be taken in to consideration is that aircraft noise disturbs sleep and sleep disturbance can affect sleep patterns and mental health. In our younger population, sleep disturbance may adversely affect educational performance. Direct overflight of communities during evenings, overnight and early morning should be entirely avoided.

30 August 2016

Appendix 5

Summary and Key Proposals

1. A design requirement is to facilitate 1 minute interval departures. (The initial consultation highlighted this for peak times, but phase two doesn't restrict this to peak periods).
2. Routes are to be designed and implemented for Performance Based Navigation using Area Navigation (RNAV). This will result in greater accuracy of track keeping, but will consequently mean a higher proportion of flights being exactly on the flight line.
3. Ten separate flightpaths are proposed:
 - 1 arrivals from the west (wind dependent, in use for approximately 20% of arrival flights)
 - 1 arrivals from the east (wind dependent, in use for approximately 80% of arrival flights)
 - 4 departures to the west (wind dependent, in use for approximately 80% of departing flights)
 - 4 departures to the east (wind dependent, in use for approximately 20% of departing flights)

For each, multiple options were considered and information is provided as to why the favoured option was selected.

The proposed flightpaths relate to arrivals and departures from four major routes or 'hold' patterns:

- GOSAM (west, jets only)
- GRICE (north west, all traffic)
- TALLA (south east, all traffic)
- TWEED (south, all traffic)

There are no proposed changes to the flightpaths for the minor runway, which is seldom used. The Edinburgh Airport Masterplan proposes its abolition.

4. The methodology used to assess routes is explained and shown in tables. Significant weight in the decision making process is placed on overflown population. However, it should be noted that in relation to population overflown:
 - the current overflight of Livingston by 91% of westbound take-offs means that any reduction in Livingston overflight is viewed as beneficial. This can, however, be at the cost of overflight at lower altitude of communities closer to Edinburgh Airport. The greater noise associated with lower altitude overflight of a community is not considered; and
 - the stated size of Winchburgh (2000) greatly underestimates its planned population. The population of East Calder has not been considered. Both of these factors have influenced selected route choice.

Notable Outcomes following Stage 1 Consultation

1. The locations of care and education facilities were taken into account and mapped. A map of WLC education facilities was provided to accompany the council's response to the phase 1 consultation.
2. Known areas of proposed development were said to be taken into account. These were highlighted in the council's response to the phase 1 consultation. However, the proposals

give rise to overflight of some new development areas including north Broxburn, East Calder, and Winchburgh.

Omissions and Inaccuracies

3. In comparing proximity and overflight in the assessment tables, it is unclear what the baseline is and therefore whether a proposed route is indeed an improvement.

Uncertainties

4. Utilisation. Although indicative % use figures for each route are provided, Edinburgh Airport is expecting and intending to grow. Therefore indicative route usage figures cannot be taken to represent patterns at inception or in the future.

Detailed Proposals and Effects on West Lothian Communities

Interactive maps of proposed flightpaths routes are available online at <http://www.letsqofurther.com/flight-paths>.

5. General. Given the tight routings around communities, and the permissible degree of flightpath divergence, some aircraft will overfly communities which the routes are designed to avoid.

Communities will perceive some degree of flightpath non-adherence due to direct vectoring of flights from the proposed flightpaths to the long distance flightpaths once above 4000ft. For a rapidly climbing aircraft, this may occur over communities as close as Broxburn.

6. Route A(6). Non-jet route replacing the existing TALLA standard instrument departure pattern of turning south much further west. This will bring air traffic directly over East Calder, which does not currently experience routine overflight. It appears to be primarily intended to separate south / east bound west departing traffic as soon as possible following takeoff. It does not appear to recognise the existence of East Calder and its planned growth. In particular, it will directly overfly Calderwood, the CDA and proposed secondary school. Vectoring from the route would permit overflight of south Livingston above 4000ft.

Possible Route A7 was ruled out as being too tight a turn, but the tighter D0 and C5 are not. It is not clear what the rationale is for this.

7. Route B (all traffic). Two options are proposed, B2 and B5, which are suggested to be complementary rather than an and / or option. B5 is the existing main departure route over Pumpherston and Livingston. A new westbound take off path (B2) intended to be an alternate to B5 is proposed. Whilst this reduces flights over Livingston in the immediate future, it is at the cost of directly overflying Uphall Golf club, similar to the trial TUTUR route at that point. It will also fly close, but not over the proposed homes at the former Bangour Hospital site before heading north west over the Bathgate hills towards Falkirk. A clear contrast exists between urban or rural overflight.

It is not clear why route B3 and B4 are viewed to be ICAO non-compliant.

8. Route C. Preferred route C5 was selected as it diverges from the main flight path early and overflies the industrial estates of east Broxburn. However, it fails to recognise the major planned home development in north Broxburn and Winchburgh. The sharp right turn may not be suitable for all aircraft and the mapping indicates some potential spread westwards over Broxburn. Where a rapid climb has occurred, vectoring may bring aircraft across any part of Uphall. Although proposed to be used for 7% of departing flights, these will include jets. It is expected to bring the centre of Broxburn within the 70dB and Winchburgh within the 75dB maximum noise level for flights departing on this

route. It cannot be agreed that this option results in a similar noise exposure to existing. It is recommended that this route not be permitted for night time flights. If this option is essential, C3a would appear to be better for noise impact on local communities.

9. Route D

The selected Route D0 is initially identical to selected route C5 resulting in concentrated traffic over north Broxburn and both flightpaths directly affecting new and existing development in Winchburgh. The combined effect of C5 and D0 is not quantified or discussed. It is recommended that this route not be permitted for night time flights.

10. Route E

Routes E1a and E1b (currently routinely used) as described as 'non-compliant' due to 'stabilisation distances' understood to relate to wake turbulence.

Some degree of overflight of communities in north West Lothian is to be expected when vectoring from E6 to long distance flightpaths takes place above 4000ft. However, this will be limited to the 20% of take offs to the east.

The expected degree of use each flightpath would handle (based on current traffic levels) is outlined in Table 12



COUNCIL EXECUTIVE

WHITEHILL INDUSTRIAL ESTATE AND BLACKBURN ROAD, BATHGATE **WAITING/LOADING RESTRICTIONS AND REDETERMINATION OF FOOTWAY TO** **CYCLEWAY**

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to commence the statutory process to install waiting/loading restrictions on the B792 Blackburn Road and in Whitehill Industrial Estate and to redetermine the footway along the B792 Blackburn Road to a shared use footway/cycleway.

B. RECOMMENDATION

It is recommended that the Council Executive approve the initiation of statutory procedures for the promotion of a traffic regulation order to install additional waiting and loading restrictions on the B792 Blackburn Road and Whitehill Industrial Estate and to redetermine the footway on the B792 Blackburn Road to a shared use footway/cycleway.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: None Legal: The installation of waiting/loading restrictions and the redetermination of the footway to a cycleway will require the promotion of a traffic regulation order under the Roads (Scotland) Act 1984.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	The scheme will contribute to single outcome agreement: 9 – “We live our lives free from crime, disorder or danger; and 10 - We live in well-designed, sustainable places

where we are able to access the services we need.

VI Resources - (Financial, Staffing and Property)	The proposed scheme including the promotion of the traffic regulation orders will be funded as part of the new Service Centre project.
VII Consideration at PDSP	None
VIII Other consultations	Statutory consultation will be carried out in accordance with procedures set out in the Roads (Scotland) Act 1984.

D. TERMS OF REPORT

Background

As part of the council's commitment to develop the new Whitehill Service Centre for Operational Services in Whitehill Industrial Estate, an increase in parking in the surrounding area will result in additional on street parking on the main access roads. There will also be new access points into the new service centre which will also require waiting restrictions to prevent access/egress visibility being obscured by parked vehicles.

As part of the new service centre, the existing junction of the B792 Blackburn Road and Inchmuir Road will be re-designed to incorporate a traffic signalised junction. This has been modelled and the junction has been designed to cope with the expected rise in traffic volume, however additional waiting restrictions are required on the approaches of this junction to ensure safety and effective operation.

The existing give way splitter island junction on Inchmuir Road within Whitehill Industrial Estate will also be removed and the junction will be reconstructed to accommodate a roundabout junction. This will aid with the increase in traffic demand associated with the new service centre. Once again, the existing waiting restrictions will need extended to accommodate this roundabout to ensure safety and effective operation.

Installation of waiting restrictions

Minor changes to waiting restrictions will be carried out to the existing waiting restrictions within Whitehill Industrial Estate as shown on drawing numbers TRO-NEW-5 and TRO-NEW-6. These will accommodate existing large vehicle turning manoeuvres and accommodate the junction redesigns.

The new access junctions into the new service centre will have 'no waiting at any time' restrictions installed to prevent parking on the junctions. These proposals are shown on drawing number TRO-NEW-4.

At the new roundabout on Inchmuir Road, the existing restrictions will be extended as shown on drawing number TRO-NEW-1.

On the B792 Blackburn Road/Whitehill Industrial Estate junction 'no waiting at any time' restrictions will be installed from this junction southwards to aid traffic flow from and to Blackburn. These proposals are shown on drawing number TRO-NEW-2.

On the north side of this junction the same restrictions will be introduced, however there will be an additional length of 'No waiting, No loading, Monday to Friday, 07.30am to 9am and 4pm to 6pm' restrictions installed outside the existing car showroom/garage. These restrictions are being introduced to prevent loading and unloading to the garage in the peak periods of the day where the main road traffic is at its busiest. These proposals are shown on drawing number TRO-NEW-3

Redetermination of footway to shared use footway/cycleway

To allow the existing footways on the B792 Blackburn Road to be used by cyclists, a traffic regulation order is required to redetermine the footway to a shared use footway/cycleway. This will allow cyclists to cycle off road providing a safer cycling route and aiding the free flow of traffic on the B792 for cyclists to access Whitehill Industrial Estate. Cyclist manoeuvres will also be accommodated within the new traffic signalised junction.

The extent of the cycleway redetermination order is shown on drawing numbers REDETERMINE-1 and REDETERMINE-2.

Consultation

Police Scotland will be consulted prior to the initiation of the statutory procedures. The local ward members and statutory consultees will be consulted as part of the formal consultation process.

E. CONCLUSION

As part of the council's development of a new service centre in Whitehill Industrial Estate, two major junction redesigns are required. To ensure that these work safely and effectively a number of waiting and loading restrictions are required. In addition some local amendments are required around the service centre.

The redetermination of the footway to a shared use footway/cycleway on the B792 will provide a safe traffic-free route for cyclists in this area to access Whitehill Industrial Estate. This will support the Green Travel Plan for the service centre.

If the Council Executive approves the recommendation, the traffic regulation order and redetermination order will be advertised and objections invited. Any unresolved objections will then have to be remitted to Scottish Ministers for determination.

F. BACKGROUND REFERENCES

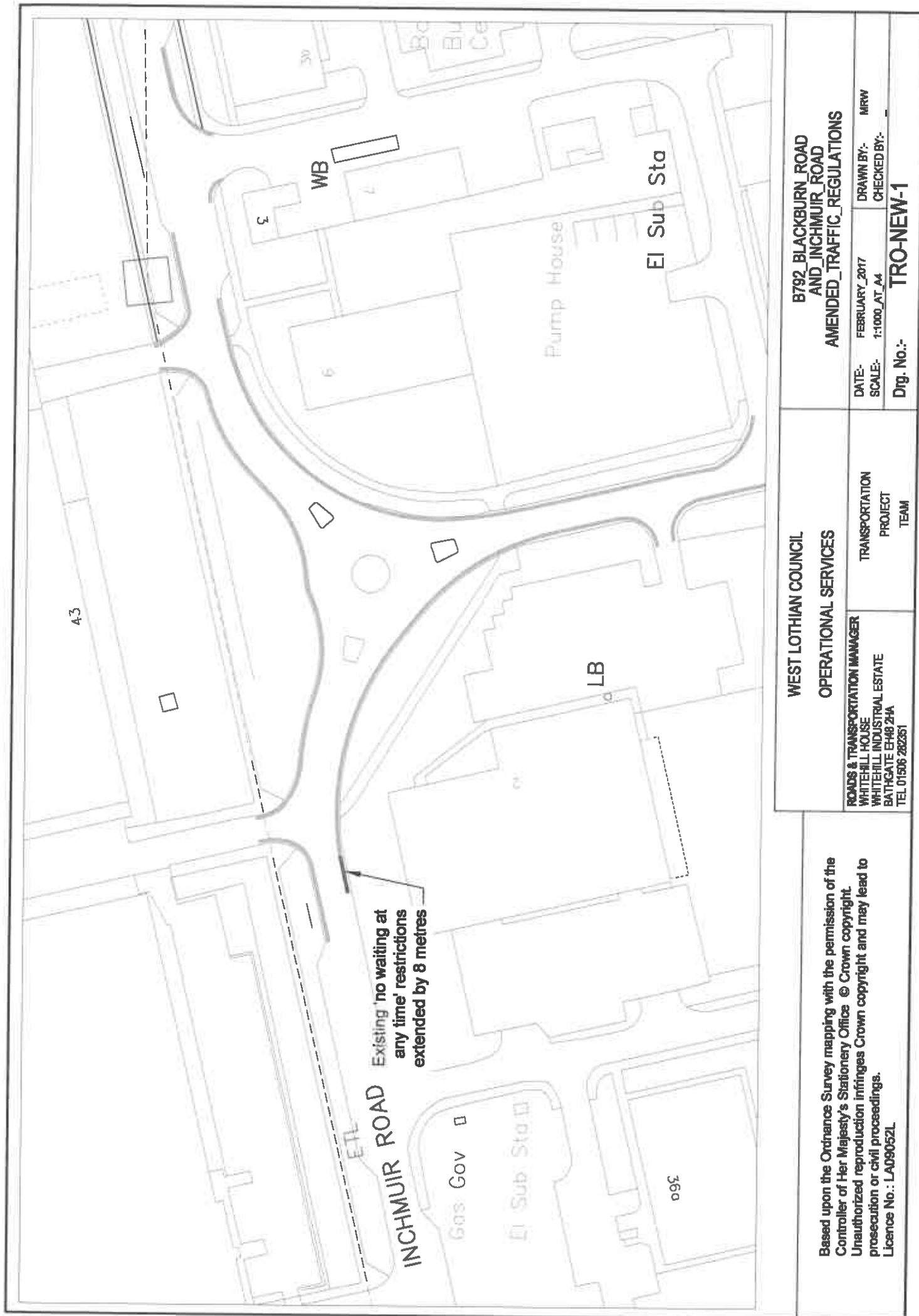
None.

Appendices/Attachments: Drawing numbers TRO-NEW-1, TRO-NEW-2, TRO-NEW-3, TRO-NEW-4, TRO-NEW-5, TRO-NEW-6, REDETERMINE-1 and REDETERMINE-2.

Contact Person: Gordon Brown, Senior Engineer, Road Safety and Traffic Management, Operational Services, Whitehill House, Whitehill Industrial Estate, Bathgate EH48 2HA. Tel: 01506 282340.

Jim Jack, Head of Operational Services, Whitehill House, 7 Whitestone Place, Whitehill Industrial Estate, Bathgate EH48 2HA

Date: 25 April 2017



B792 BLACKBURN ROAD
AND INCHMUIR ROAD
AMENDED TRAFFIC REGULATIONS

DATE: FEBRUARY 2017
SCALE: 1:1000 AT A4
DRAWN BY: MRW
CHECKED BY:

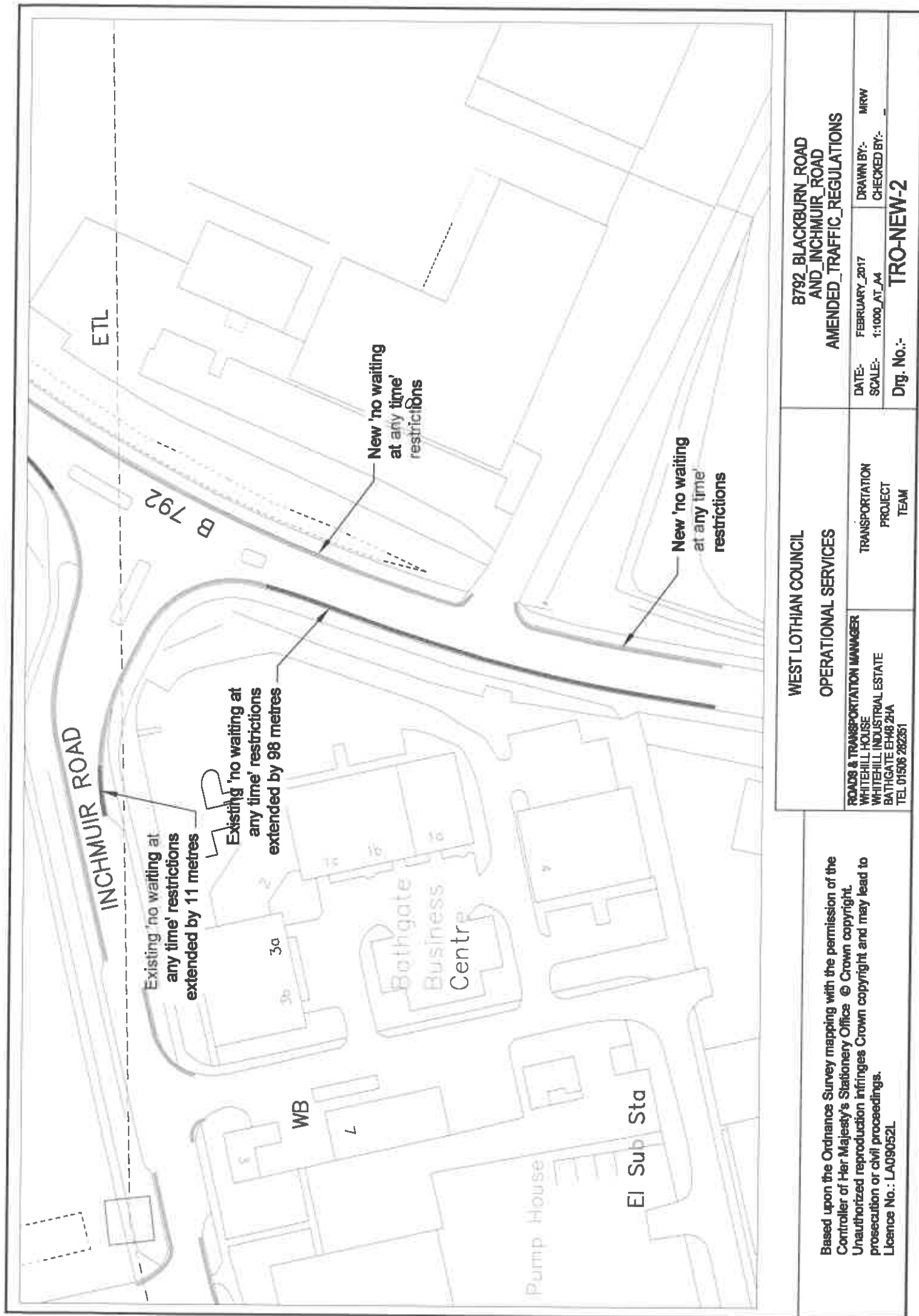
Dwg. No.: TRO-NEW-1

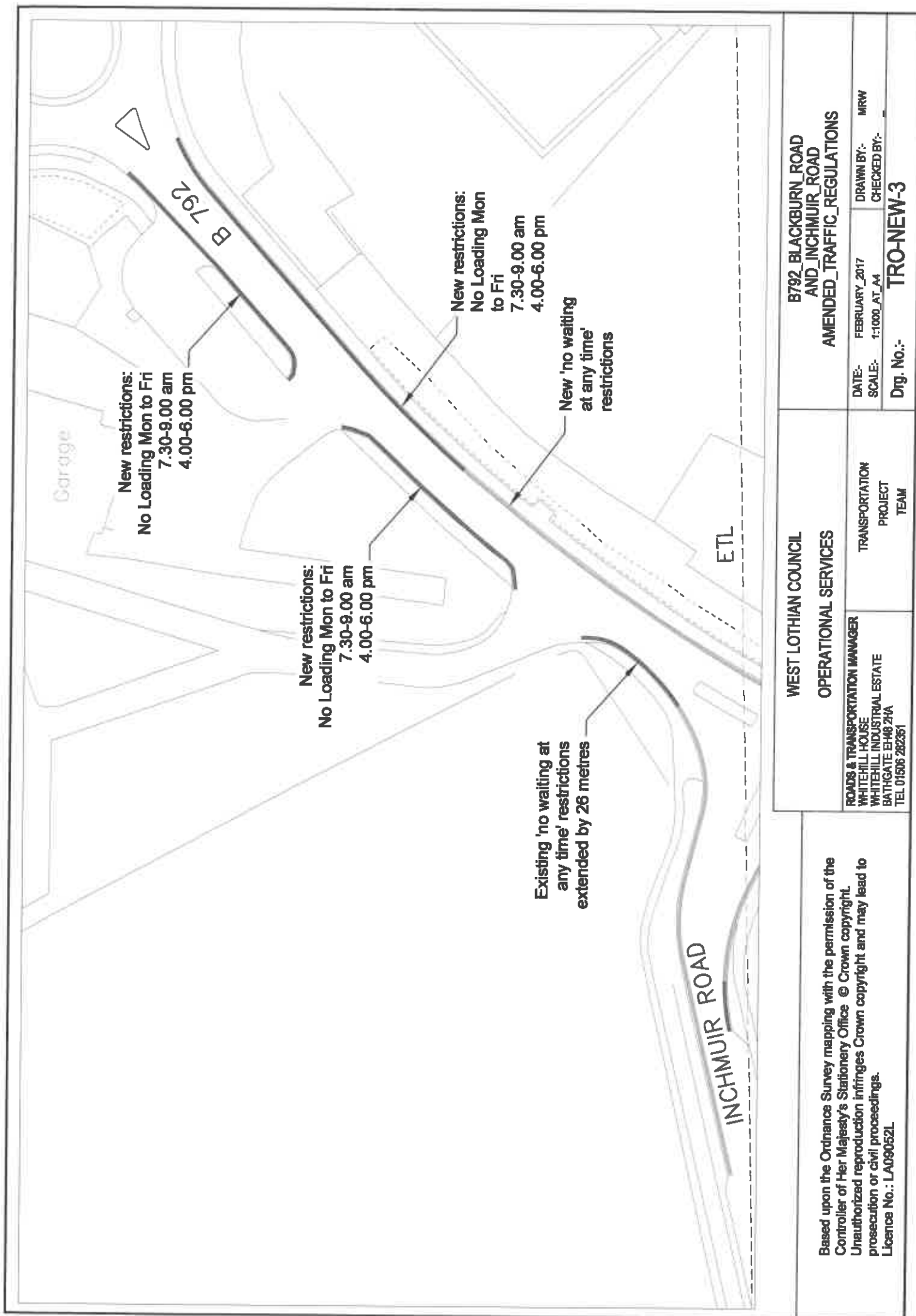
WEST LOTHIAN COUNCIL
OPERATIONAL SERVICES

TRANSPORTATION
PROJECT
TEAM

ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
WHITEHILL INDUSTRIAL ESTATE
BATHGATE EH48 2HA
TEL 01506 282351

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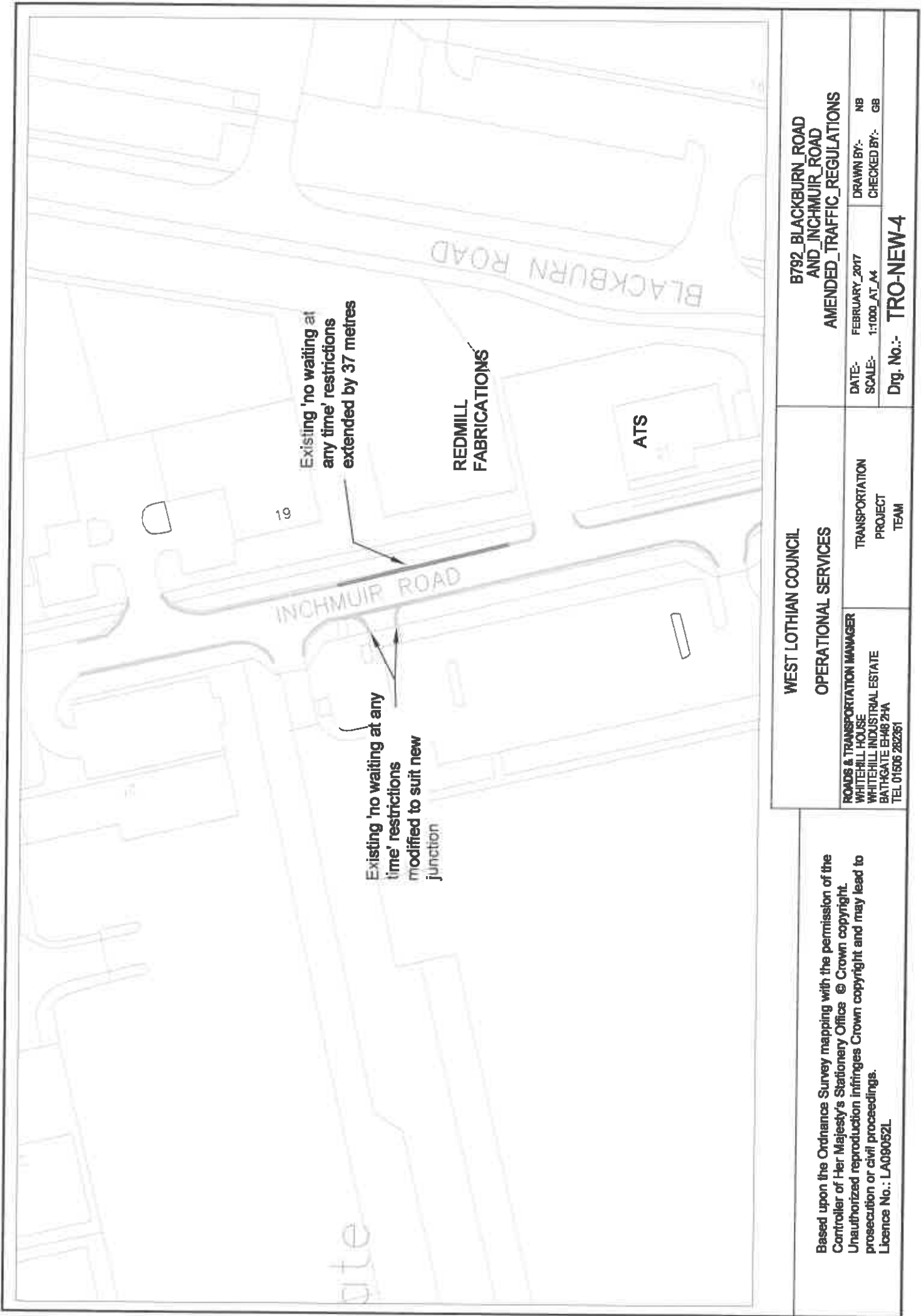
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 WHITEHILL HOUSE
 WHITEHILL INDUSTRIAL ESTATE
 BATHGATE EH46 2HA
 TEL 01506 282351

**TRANSPORTATION
 PROJECT
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**B792 BLACKBURN ROAD
 AND INCHMUIR ROAD
 AMENDED TRAFFIC REGULATIONS**

DATE:- FEBRUARY 2017 **DRAWN BY:-** MRW
SCALE:- 1:1000 AT A4 **CHECKED BY:-**

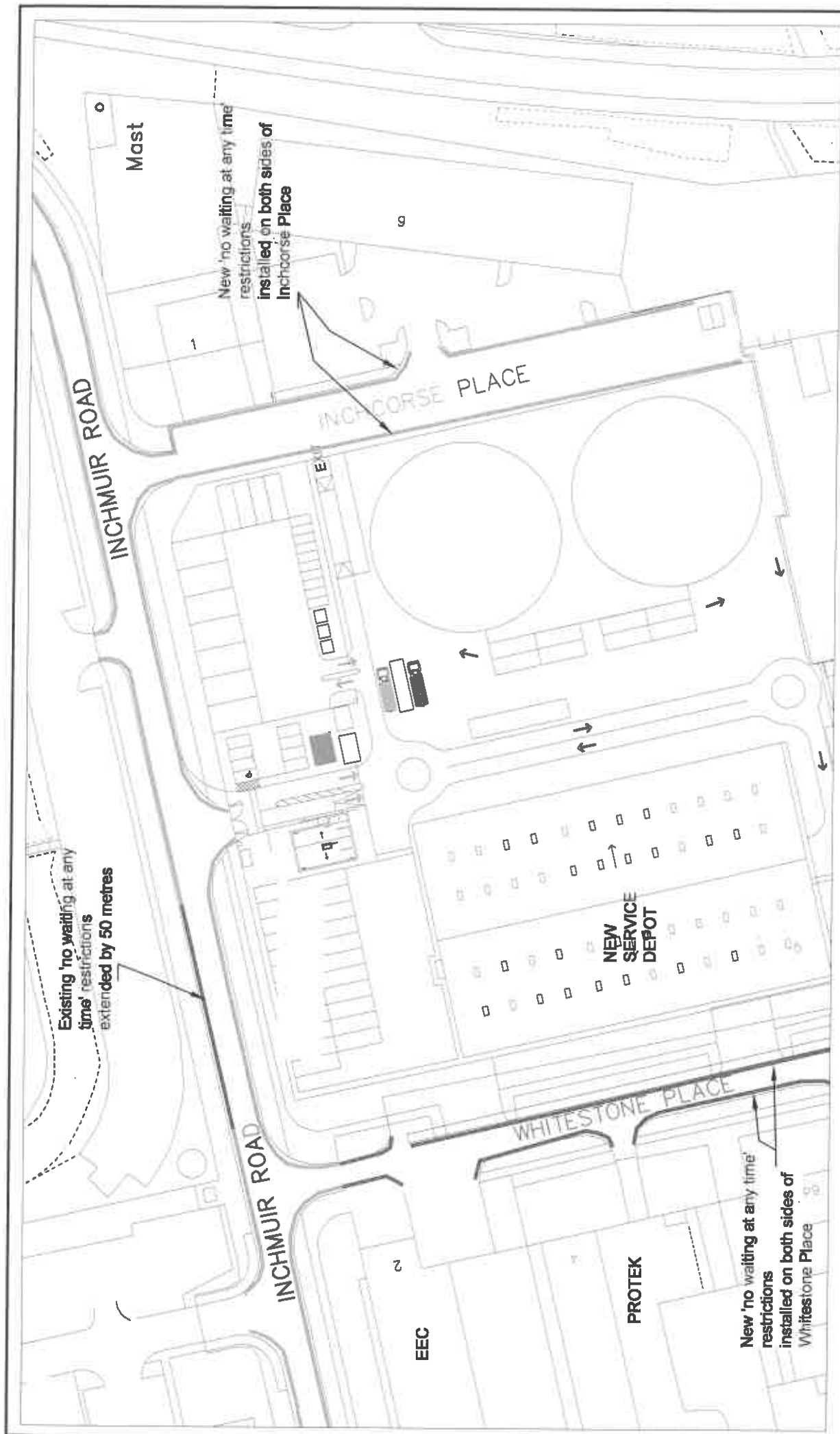
Drg. No.:- TRO-NEW-3



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OPERATIONAL SERVICES	
ROADS & TRANSPORTATION MANAGER WHITEHILL HOUSE WHITEHILL INDUSTRIAL ESTATE BATHGATE EH48 2HA TEL 01506 282361	TRANSPORTATION PROJECT TEAM

B792 BLACKBURN ROAD AND INCHMUIR ROAD AMENDED TRAFFIC REGULATIONS	
DATE:- FEBRUARY 2017	DRAWN BY:- NB
SCALE:- 1:1000 AT A4	CHECKED BY:- GB
Drg. No.:- TRO-NEW-4	



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		ROADS & TRANSPORTATION MANAGER WHITEHILL HOUSE WHITEHILL INDUSTRIAL ESTATE BATHGATE EH48 2HA TEL 01506 282351		TRANSPORTATION PROJECT TEAM	
				DATE:- FEBRUARY_2017 SCALE:- 1:1000_AT_A4	DRAWN BY:- NB CHECKED BY:- GB
		Drg. No.:- TRO-NEW-5			

Existing 'no waiting at
any time' restrictions
extended by 10 metres

Existing 'no waiting at
any time' restrictions
extended by 22 metres

KELTBRAV STRUCTURES

AJM COMMERCIAL
VEHICLES

Tank

Tank

A. JOHNSTONE
HAULAGE

JMJ
IRONMONGERY

BUCKHURST

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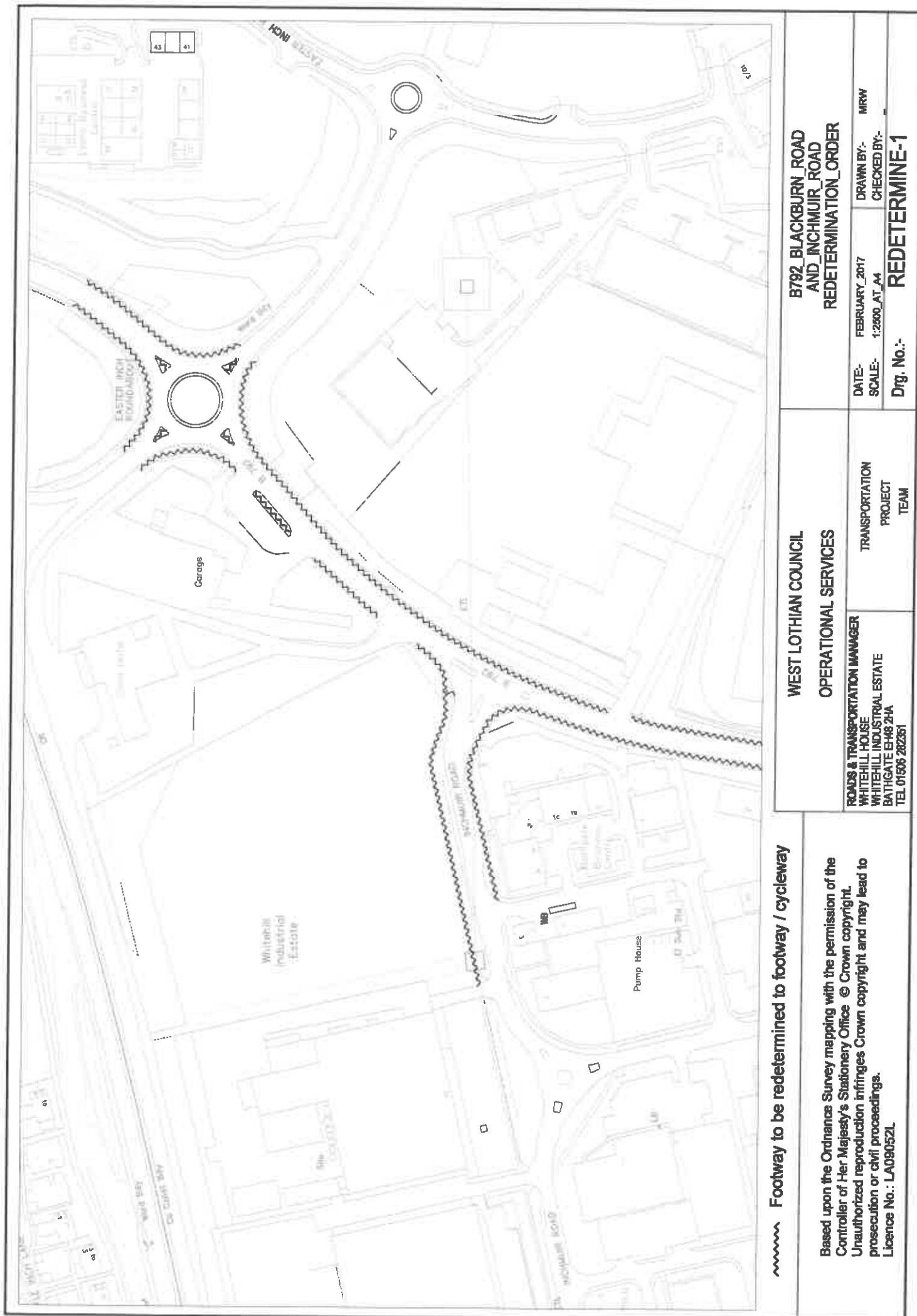
ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
WHITEHILL INDUSTRIAL ESTATE
BATHGATE EH48 2HA
TEL 01506 262261

TRANSPORTATION
PROJECT
TEAM

B792 BLACKBURN ROAD
AND INCHMUIR ROAD
AMENDED TRAFFIC REGULATIONS

DATE:- FEBRUARY 2017
SCALE:- 1:1000 AT A4
DRAWN BY:- NB
CHECKED BY:- GB

Drg. No.:- TRO-NEW-6



**B792 BLACKBURN ROAD
AND INCHMUIR ROAD
REDETERMINATION ORDER**

DATE: FEBRUARY 2017
SCALE: 1:2500 AT A4
DRAWN BY: MRW
CHECKED BY:
Drg. No.: **REDETERMINE-1**

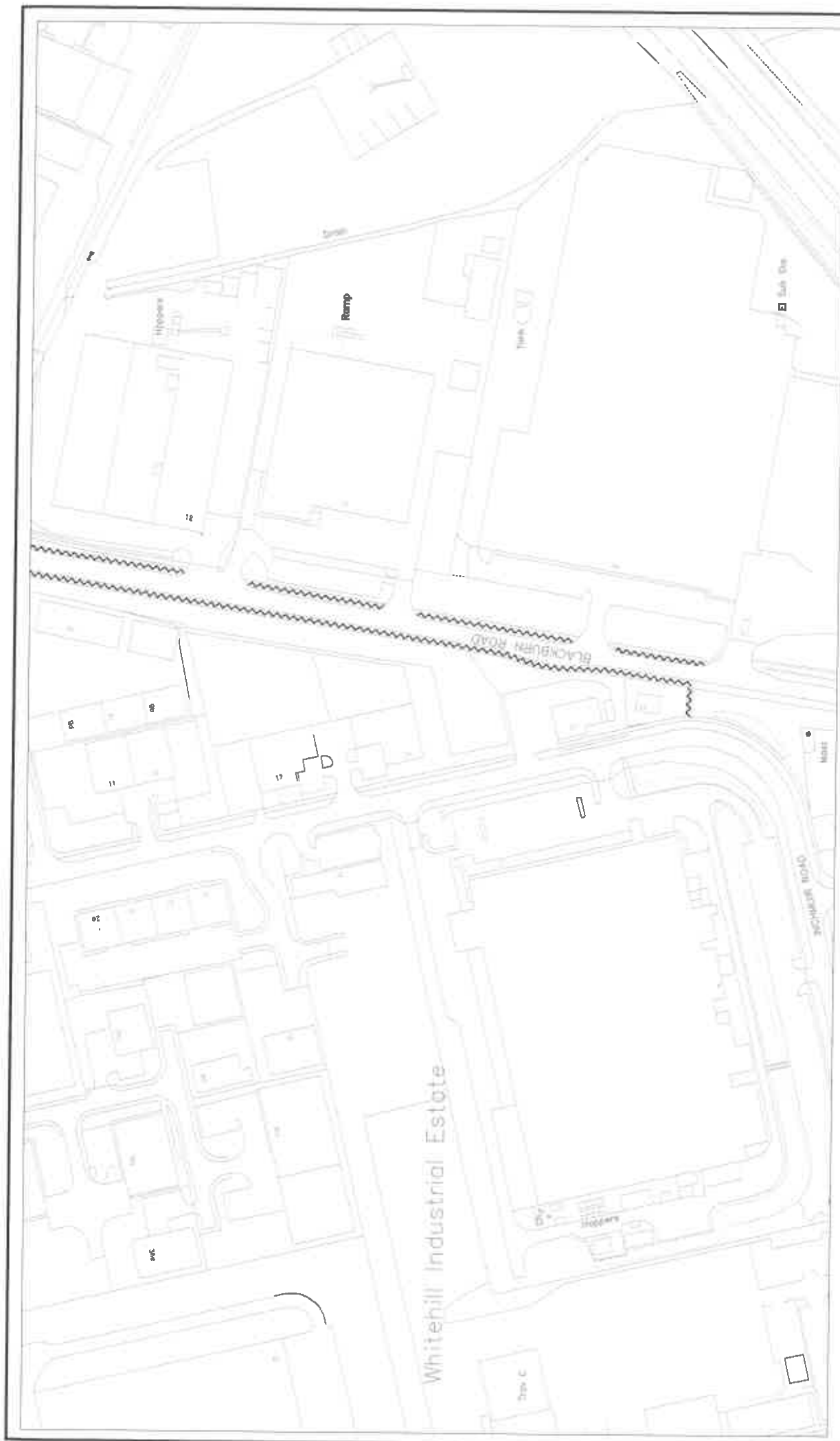
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TRANSPORTATION
PROJECT
TEAM

ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
WHITEHILL INDUSTRIAL ESTATE
BATHGATE EH48 2HA
TEL 01506 282351

Footway to be redetermined to footway / cycleway

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<div>~~~~~ Footway to be redetermined to footway / cycleway</div> <div>Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No.: LA08052L</div>		<div>WEST LOTHIAN COUNCIL OPERATIONAL SERVICES</div> <div>B792_BLACKBURN_ROAD AND_INCHMUIR_ROAD REDETERMINATION_ORDER</div>	
<div>ROADS & TRANSPORTATION MANAGER WHITEHILL HOUSE WHITEHILL INDUSTRIAL ESTATE BATHGATE EH46 2HA TEL 01506 282351</div>		<div>DATE:- FEBRUARY 2017 SCALE:- 1:2500 AT A4</div> <div>DRAWN BY:- MRW CHECKED BY:-</div>	
		<div>Drg. No.:- REDETERMINE-2</div>	



West Lothian
Council

COUNCIL EXECUTIVE

ANNUAL INTERNATIONAL TWINNING GRANTS

REPORT BY HEAD OF EDUCATION (LEARNING, POLICY AND RESOURCES)

A. PURPOSE OF REPORT

The purpose of this report to Council Executive is to progress a proposal for the financial assistance to be provided by the council to support the range of international activity planned between West Lothian and twinning partners in financial year April 2017 to March 2018.

B. RECOMMENDATION

The Council Executive is asked to approve the following:

1. financial assistance be provided to support international activity in West Lothian in 2016/17, as follows:
 - West Lothian / Grapevine USA : £7,317
 - West Lothian / Hochsauerlandkreis Germany : £7,317
 - Linlithgow / Guyancourt, France : £3,250
 - Bathgate / Cran Gevrier, France : £3,250
 - Pumpherston / Mtarfa, Malta : £3,250
 -

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; providing equality of opportunities; making best use of our resources; and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The international partnership work reflected within this report contributes to the International Partnerships Strategy.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Not applicable.
V Relevance to Single Outcome Agreement	SOA 2: We are better educated and have access to increased and better quality learning and employment opportunities.

	SOA 3: Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.
	SOA 4: We live in resilient, cohesive and safe communities.
VI Resources - (Financial, Staffing and Property)	The Twinning Association programmes are supported through £24,384 grant aid from West Lothian Council.
VII Consideration at PDSP	Funding for twinning arrangements is reported to the PDSP annually.
VIII Other consultations	All West Lothian Twinning Committees and Financial Management Unit.

D. TERMS OF REPORT

West Lothian Council supports the following Twinning Associations:

- West Lothian/Grapevine, Texas, USA
- West Lothian/Hochsauerlandkreis, Germany
- Linlithgow/Guyancourt, France
- Bathgate/Cran Gevrier, France
- Pumpherston/Mtarfa, Malta (New in 2017). Previously a British military base, Mtarfa is a small town in the Northern region of Malta with a population of 2,600. It was previously a suburb of Rabat until 2000 when it became a separate local council.

The Grapevine and Hochsauerlandkreis Twinning Associations are the official West Lothian twinning associations and are West Lothian wide organisations. The Linlithgow, Bathgate and Pumpherston associations predominantly address organisations in their geographical area.

The aim of twinning is to promote mutual understanding through educational, cultural, sporting and recreational exchanges. West Lothian Council supports twinning associations and encourages these organisations to promote opportunities for individuals and community groups to participate in reciprocal exchange programmes with their twinning partners.

There have been many projects aimed at young people involving sports, arts, schools and voluntary organisations. One of the key objectives throughout has been the development of exchanges particularly targeting young people and a variety of inclusive programmes involving schools, youth and voluntary groups continue to be supported and developed and reported to Culture and Leisure PDSP.

E. CONCLUSION

Twinning partnerships have proved to be very successful and continue to provide excellent learning opportunities, particularly for young people from communities in West Lothian and abroad to develop mutual understanding and friendship.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: None

Contact Person: Steven Gray, steven.gray@westlothian.gov.uk, Tel 01506 281996

James Cameron
Head of Education (Learning, Policy and Resources)

Date of Meeting: 18 April 2016

COUNCIL EXECUTIVE

EQUALITY OUTCOMES REPORT AND EQUALITY MAINSTREAMING REPORT

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE

To provide the Council Executive with an update on the Council's Equality Mainstreaming commitments, progress made against the Council's Corporate Equality Outcomes for 2013 – 2017 and a revised Equal Pay Statement.

B. RECOMMENDATIONS

It is recommended that the Council Executive approves the terms of the Equality Mainstreaming report, a revised Policy Statement on Equal Pay and Equality Outcome report.

C. SUMMARY OF IMPLICATIONS

I. Council Values

Focusing on our customers' needs
Being honest, open and accountable
Providing equality of opportunities
Developing employees
Making best use of our resources
Working in partnership

II. Policy and Legal

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires public bodies to develop and publish an equality mainstreaming report and Equality Outcomes and to report on progress every two years. In addition the council is required to publish a revised Equal Pay Statement every two years.

III. Implications for Scheme of Delegations to Officers

None

IV. Impact on performance and performance indicators

The Outcomes have been built into the Council's performance management information system.

V. Relevance to Single Outcome Agreement

Indicators have been mainstreamed and aligned with existing activity towards the Council's Corporate Plan, People Strategy and the West Lothian Single Outcome Agreement where appropriate.

VI. Resources (Financial, Staffing and Property)	N/A
VII. Consideration at PDSP/Executive Committee required	Policy and Resources PDSP considered the report on 17 March. The Panel supported the terms of the report.
VIII Details of consultations	All services through representation on the Corporate Working Group for Equality and all Heads of Service have been consulted to identify progress against Equality Outcomes.

D. TERMS OF REPORT

D.1 Background

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 required public bodies to develop and publish an equality mainstreaming report and to report on progress against that report every two years.

The Council's Mainstreaming Equality report was published in April 2013 with a subsequent update published in 2015.

The 2015 -17 progress report must include data related to the specific duties on employment monitoring information including recruitment, development and retention of employees by protected characteristic. In addition the council is required to publish information on the percentage difference, among its employees, between the average hourly pay of men and the average hourly pay of women.

The Council's employment equality information and analysis for the period 1 January 2015 to 31 December 2016 and revised Policy Statement on Equal Pay is provided in Appendix 1.

Another of the key specific duties requires public bodies to develop and publish a set of Equality Outcomes and to report on progress against these Outcomes every two years. The Council developed 10 Corporate Equality Outcomes in 2013 and these are outlined within the Equality Outcomes Progress Report attached in Appendix 2.

D.2 Equality Mainstreaming

The Council is committed to tackling discrimination, advancing equality of opportunity and promoting good relations both within our workforce and the wider community. Mainstreaming equality is the long term approach by which the Council will integrate an equality perspective into the everyday work of the council. This approach involves managers and policy makers across council services, as well as equality specialists and community planning partners.

The Council's Corporate Management Team remain directly involved in decision making regarding the strategic management of equality and diversity within the Council. A member of the Corporate Management Team is both Chair of the Corporate Working Group on Equality (CWGE) and lead diversity champion for the Authority.

CWGE service representatives continue to coordinate service level activity and distribute service wide communications related to equality and diversity policy, initiatives and events. They can assist to resolve equality issues as they arise within individual services and feed into the corporate equality function where necessary.

Significant data, information and research has been sourced and utilised in the development of Council policy and practice related to equality. Work towards the Corporate Equality Outcomes has improved the availability of local data across council services and community planning partners with regard to the impact of equality.

D.4 Equality Outcomes Progress

The Council's Equality Outcomes reflect the commitment to fulfilling both our statutory duties as well as pro-actively meeting the needs of the diverse community that it serves.

Each Outcome has been designated to a responsible Head of Service. The Outcomes are managed through the Council's performance management system (Covalent). This allows performance related to the Equality Outcomes to be managed electronically and mainstreamed within Council management plans. Appendix 2 provides an update on progress against each of the ten Outcomes.

D.5 Consideration at PDSP

The draft Equality Mainstreaming Report and Equality Outcomes Report were considered at the meeting of the Policy and Resources PDSP on 17 March 2017 and the Panel supported the terms of the reports.

E. CONCLUSION

The Council has demonstrated significant progress towards its equality mainstreaming commitments and Corporate Equality Outcomes.

F. BACKGROUND REFERENCES

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
Corporate Equality Outcomes 2013 -17
Corporate Equality Outcomes Progress Report 2015
Equality Mainstreaming Report 2013-17
Equality Mainstreaming Report 2015

Appendices/Attachments: Two

Appendix 1 – Equality Mainstreaming Report 2015 -17 & Policy Statement on Equal Pay

Appendix 2 – Corporate Equality Outcomes Progress Report 2015-17

Contact Person: Maggie Archibald, HR Adviser (Equalities)

email: Maggie.archibald@westlothian.gov.uk

Tel: 01506 281343

Julie Whitelaw

Head of Corporate Services

Date of Meeting : 25 April 2017



**West Lothian
Council**

Equality Mainstreaming Report 2015 - 2017

Corporate Services
April 2017

Contents

Section	Page
1. Foreword	3
2. West Lothian Context	4
3. Legal Context	4 - 5
4. Why Mainstreaming Equality is Important	5 - 6
5. Council Equality Outcomes	6 - 7
6. Progress on Mainstreaming Equality	7 - 12
Appendix 1 – Policy Statement on Equal Pay	
Appendix 2 – Corporate Equality Outcomes Plan 2015 - 2017	

1 Foreword

This document presents West Lothian Council's final report on our equality mainstreaming commitments for the period of 2015 – 2017. Our first mainstreaming report was published in April 2013 with a subsequent update published in 2015 as required by the Public Sector Equality Duty in Scotland.

The council is committed to tackling discrimination, advancing equality of opportunity and promoting good relations both within our workforce and the wider community. Mainstreaming equality is the process by which we will work towards achieving this as an organisation.

Our objective in mainstreaming equality is to integrate an equality perspective into the everyday work of the council, involving managers and policy makers across all council services, as well as equality specialists and community planning partners.

Equality mainstreaming is a long term approach that aims to make sure that policy making within the council is fully sensitive to the diverse needs and experiences of everyone affected. The approach will help to provide better information, transparency and openness in the way we make decisions about our services and resources.

The council recognises that mainstreaming requires leadership and commitment over the long term to the principles and processes of mainstreaming equality, as well as ownership and integration within every service and team across the Authority.

This report outlines the progress we have made in mainstreaming equality over the period of 2015 to 2017.

Councillor John McGinty
Leader of the Council

Graham Hope
Chief Executive

April 2017

2. West Lothian Context

- 2.1** West Lothian is a great place to live, work and do business, West Lothian Council aims to improve the quality of life and opportunities for all citizens. We are a top performing Council with a reputation for innovation, partnership working and customer focus.

West Lothian is the ninth largest local authority in Scotland serving a population of approximately 178,500, accounting for 3.3% of Scotland's population and one of the fastest growing and youngest in the country.

The Council is central to the provision of services that affect people's everyday lives, for example, housing, education, libraries, leisure and benefits. We therefore recognise that all services provided by the Council need to reflect and consider the impact that they may have on equality. We aim to provide improved services that meet the needs and priorities of local communities.

3. Legal Context

3.1 Public Sector Equality Duty

Section 149 of The Equality Act 2010 came into force in April 2011, introducing a new Public Sector Equality duty. The Public Sector Equality Duty (often referred to as the 'general duty') requires public bodies in the exercise of their functions, to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
2. Advance equality of opportunity between those who share a protected characteristic and those who do not; and
3. Foster good relations between those who share a protected characteristic and those who do not

3.2 What are the Protected Characteristics?

Everyone is protected by the Act. Every person has one or more of the protected characteristics, so the Act protects all of us against unfair treatment.

The protected characteristics are:

1. Age
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race – this includes ethnic or national origin, nationality and also includes Gypsy/Travellers.
6. Religion or belief – this includes a lack of belief
7. Sex (gender)

8. Sexual orientation
9. Marriage and civil partnership (but only in respect of the duty to consciously consider the need to eliminate discrimination, harassment, victimisation and other conduct prohibited by The Equality Act 2010).

3.3 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

The Scottish Government has introduced a set of specific equality duties to support the better performance of the general duty by public bodies. These duties include requirements to:

- Develop and publish a mainstreaming report
- Publish equality outcomes and report on progress (at least every two years)
- Assess and review policies and practices
- Gather and use employee information
- Publish gender pay gap information
- Publish statements on equal pay
- Consider award criteria and conditions in relation of public procurement
- Publish in a manner that is accessible

The Councils Equal Pay statement and our employment and gender pay gap information is provided in Appendix 1.

The Councils Equality Outcome plan which details the equality outcomes and the progress made in the past two years (2015-2017) is provided in Appendix 2.

4. Why mainstreaming equality is important

Mainstreaming equality simply means integrating equality and diversity into the day-to-day workings of the council. We aim to do this by taking equality into account as we exercise our functions and deliver our services.

Mainstreaming equality has a number of benefits including:

- It helps ensure that council services are fit for purpose and meet the needs of our community.
- It helps attract and retain a productive workforce, rich in diverse skills and talents.
- It helps the council work toward social inclusion and supports the communities we serve to improve the lives of everyone who lives in West Lothian.
- It helps the Council to continually improve and better perform through growing knowledge and understanding of the benefits of an inclusive organisation.

- 4.1** The Council as an Education Authority must also meet the requirements of the Equality Act 2010 and the (Specific Duties) (Scotland) Regulations 2012. The Council also administers the Licensing Board and must meet the requirements

of the Act and Regulations when undertaking its duties in this regard. Accordingly, at relevant points within this report reference will be made to all three bodies.

5. Council Equality Outcomes

Under the Equality Act in Scotland, the council has a specific duty to produce a set of equality outcomes which are informed by engagement with different equality groups and stakeholders. The outcomes are designed to help the council achieve its vision and meet the general duty to eliminate discrimination and harassment; promote equality of opportunity and promote good relations.

5.1 What is an Equality Outcome?

An equality outcome is defined by the Equality and Human Rights Commission as a change that provides results for individuals or communities as a consequence of the action the council has taken.

Outcomes include short-term benefits such as changes in awareness, knowledge, skills and attitudes, and longer-term benefits such as changes in behaviours, decision-making, or social and environmental conditions.

5.2 Corporate Equality Outcomes

The Council's Corporate Equality Outcomes have been developed through evidence gathering and engagement work. The Council's Corporate Equality Outcomes are:

- 1 Employability and skills opportunities are accessible and accessed proportionately, by people within the relevant protected characteristics in West Lothian
- 2 The council has a reduced level of gender based occupational segregation
- 3 Improved awareness of violence against women, improved protection against violence within services
- 4 People within the relevant characteristics in West Lothian understand the definition of hate crime and are knowledgeable and feel confident about reporting hate incidents
- 5 People with disabilities experience greater independence in their lives
- 6 People with the relevant protected characteristics in West Lothian feel involved in the processes by which the council makes decisions that affect them, and that they have appropriate information and resources to understand and influence those decisions
- 7 West Lothian Council is recognised internally and externally as an equal opportunities employer

- 8 Children and young people within the relevant protected characteristics in West Lothian's schools feel safe, supported and able to be themselves
- 9 Carers in West Lothian recognise an improved awareness of caring related issues amongst council employees when accessing and engaging with council services
- 10 People within the relevant protected characteristics in West Lothian have an improved awareness of, and access proportionately, income maintenance and maximisation opportunities

5.3 Corporate Plan 2013/2017

In setting the Equality Outcomes, the council have been mindful of the issues of proportionality, scale, severity and concern. Furthermore to maintain a consistent approach, our equality outcomes were developed to address the priorities of the Corporate Plan, these are as follows:-

- Delivering positive outcomes and early interventions for early years
- Improving the employment position in West Lothian
- Improving attainment and positive destinations for school children
- Improving the quality of life for older people
- Minimising poverty, the cycle of deprivation and promoting equality
- Reducing crime and improving community safety
- Delivering positive outcomes on health
- Protecting the built and natural environment

6. Progress on Mainstreaming Equality

- 6.1** The Council's Executive and Corporate Management Teams continue to be directly involved in decision making regarding equality and diversity. The Council's Corporate Working Group for Equality has taken forward responsibility for the monitoring and implementation of measures and actions to work towards the Equality Outcomes.

The Chair of the Corporate Working Group for Equality who is a member of the Corporate Management Team and Head of Corporate Services regularly updates the Human Resources Programme Board regarding our progress towards achieving our Equality Outcomes.

The Council has made good progress in mainstreaming equality since the publication of our update report in 2015. A summary of activities undertaken by the Council is set out in this section under the key headings of Consultation and Engagement, the Council as an Employer, Learning and Development and Partnership Working.

6.2 Consultation and Engagement

6.2.1 Corporate Activity

The Council has identified communication and engagement as a key activity in

promoting and mainstreaming equalities in West Lothian. The Council has communicated and engaged with a wide range of services, partners and organisations to raise awareness share experiences and explore the challenges people face on a day to day basis.

In particular, the Council has worked with the following organisations:-

- Stonewall Scotland who provide expertise to help the council support its lesbian, gay, bisexual and transgender employees. The council are ranked 1st out of all Scottish Local Authorities who submitted to the Stonewall Workplace Equality index and work with Stonewall to identify opportunities to increase awareness of LGBT issues in the workplace and to increase engagement and inclusion by members of staff who identify as LGBT.
- LGBT Youth Scotland who provide expertise to help the council support lesbian, gay, bisexual and transgender young people in the community of West Lothian who access our services.
- The West Lothian Access Committee, a sub group of Disability West Lothian. Disability West Lothian works across the private, public and third sector to remove physical and attitudinal barriers to equality and to promote all aspects of independent living within the West Lothian community. The council continues to consult with this group regarding disability access issues particularly in relation to new build council housing and refurbishments and the facilitation of the West Lothian Access Fund. This fund is available to charitable and voluntary organisations to improve access to and use of facilities or premises.
- The Race Forum acts as a consultation forum on race equality and issues around culture and religion in the development of policies and services.
- The Faith Group acts as a consultation forum on religion and belief based equality issues to inform policy and service development.
- The Council's Community, Learning and Development services support the LGBT Youth Group Glitter Cannons to work collectively to support other young people in the West Lothian Community, raise awareness of LGBT issues and promote equality, diversity and inclusion.

In April 2016 the council held its fifth Let's Talk Equalities event. This event brought together members from the community equality forums, partners and other groups and individuals operating in West Lothian with an interest in equalities such as Guide Dogs, Carers of West Lothian and Mental Health Service Users Forum. The focus of this event was to raise awareness, share experiences and explore the challenges people face on a day to day basis.

A wide range of services, partners and organisations working in areas relevant to our equality outcomes, covering the following sectors – independent living, carers, crime prevention, education, housing, health and social care and employability took part in the event. Feedback was extremely positive with all participants agreeing that the structure and content of the event was appropriate, that the presentations were informative and made them think about how they can become more involved in advancing equalities in West Lothian.

6.2.2 Service Activity

Engagement on service specific activity takes place across the council to bring about agreement on and solutions to local issues in a number of ways, examples of which are:-

- The Licensing Team changed their customer survey form to include a question relating to whether customers felt that they were treated fairly in terms of their protected characteristic.
- Consultation with the Access Committee has resulted in a review of the Hire Car Conditions to improve the specification relating to Hearing Loops in taxis.
- Extensive engagement activity with local communities, equality forums and employees where new partnership centres are proposed, including consultation around the changes to frontline service delivery and accessibility.
- Social Policy continues to consult with Looked After Children about their views for their planned meetings, reviews and Children's Hearings.
- Consultation regarding building access and the introduction of gender neutral changing and toilet facilities at the New Service centre at Whitehill House has been undertaken at design stage with the Access Committee and the LGBT Youth Group Glitter Cannons. This will allow our employees to move freely around the building and enable them to make positive choices when accessing facilities and spaces that meet their needs and ensure members of the community can access services located at Whitehill House.
- Continued support of Library User Groups, which enable library users to have a say on how libraries are run.
- Housing launched a Tenant Participation Facebook page to allow us to engage with more tenants and increase the communication channels available to tenants.
- The Alcohol and Drug Partnership developed a Community Rehabilitation Programme in response to requests to provide a more intensive programme of intervention for those who might not wish to use residential rehabilitation out of the area.

6.3 The Council as an Employer

- 6.3.1** The Council's People Strategy 2013 – 2017 acknowledges the critical role that a motivated, skilled and capable workforce plays in every aspect of service delivery and continuous improvement and sets out a plan for the key activities and actions which will support and drive the development and effective leadership of our employees.

Underpinning the People Strategy is a commitment to promote and celebrate diversity throughout the council by consulting, engaging and acting on the views and concerns of employees and embedding these issues into service delivery, policy development and employment practice.

Outcome 4 of the People Strategy – Ensuring Equality for All – confirms the Council's commitment to providing equality of opportunity both as a service provider and an employer.

The council recognises the benefits of a diverse workforce and is committed to the goal of eliminating discrimination and promoting equality and diversity across the organisation. Underpinning the People Strategy is a commitment to promote and celebrate diversity throughout the council by consulting, engaging and acting on the views and concerns of employees and embedding these issues into service delivery, policy development and employment practice.

6.3.2 Employee Health and Wellbeing Framework

The Council implemented an Employee Health and Wellbeing Framework that provides for a proactive and structured approach to supporting employee wellbeing.

The council has retained a Healthy Working Lives Gold accreditation since 2009. The criteria for retaining this includes a specific focus on health inequalities.

6.3.3 Stonewall Diversity Champion

The council has been a Stonewall Diversity Champion for a number of years enjoying a supportive partnership with the organisation. Champion status provides access to training, information and benchmarking opportunities and ensures we offer an inclusive environment for LGBT people. We continue to work very closely with Stonewall Scotland and submit to the Stonewall Workplace Equality Index to ensure we maintain our status as the top performing Local Authority in Scotland. For example we have changed a number of our HR policies to ensure they are more inclusive of gender identity as evidenced in our Equality Outcome Plan 2015-2017.

6.3.4 Disability Symbol Scheme

The council continues to be accredited as a "Positive about Disabled People" employer. We recently successfully applied to be a disability level 2 Employer in the newly introduced Disability Confident Scheme which maintains our commitment to demonstrating that we take positive action to attract, recruit and retain disabled people.

6.3.5 Flexible Working Hours Scheme

The Council's Flexible Working Hours scheme continues to provide flexibility in the patterns of working hours to support employees in the workplace. The scheme is supplemented by the:

- Reduced Working Hours Policy
- Job Sharing Scheme
- Right to Request Flexible Working Policy

6.3.6 Corporate Working Group for Equality

Service representatives on the Corporate Working Group for Equality continue to take lead responsibility for coordinating service level activity. Service representatives regularly attend service senior management team meetings and distribute service wide communication in relation to equality and diversity policy, initiatives and events. Service representatives also act as a direct link to the decision making process where specific issues related to equality may arise within individual services. They can assist to resolve issues and concerns as they arise and feed in to the corporate equality function as necessary.

6.4 Learning and Development

6.4.1 The council is committed to continuous improvement in service delivery and recognises that the continuing ability, skills and commitment of our employees is at the heart of what we do. During 2015 – 2016 the council has invested in a variety of ways to train and raise awareness of issues relating to equality and diversity including:

- Displaying of 'many hands, many stories' posters to raise awareness of domestic abuse
- Revision of the equality and diversity section of the corporate induction
- Various e-learning and face to face courses for employees and managers regarding mental health
- Displaying of Stonewall posters in staff areas to raise awareness of LGBT people in the workplace
- Roll out to all council employees of the corporate equality and diversity training

6.5 Partnership Working

6.5.1 The council has a strong history of partnership working in all of its service areas.

Listed below are some examples of those partnerships and initiatives that promote equality:-

- West Lothian Working Together Partnership is a collaboration between the Council, Jobcentre Plus, Skills Development Scotland and the West Lothian Chamber of commerce to develop the young workforce by developing links

between education and industry, helping to transform how education and industry collaborate and encouraging businesses to employ young people

- Work in partnership with Stonewall Scotland to ensure our policies, procedures and working practice are inclusive of LGBT people
- Work in partnership with Police Scotland to raise awareness of hate crime and encourage reporting
- Work in partnership with Capability Scotland to provide, an information and advice service to people with a disability
- Continue to have a strong partnership with West Lothian Citizens Panel to ensure they can comment on the satisfaction of services
- Work in partnership with Tenants Information Service, Scotland's Housing Network and Scottish Housing Regulator to ensure all tenants can be involved



West Lothian
Council

Policy Statement on Equal Pay

Human Resources
April 2017

WEST LoTHIAN COUNCIL

POLICY STATEMENT ON EQUAL PAY

1. Statement of Intent

- 1.1 The council's Policy on Equality - Employment and Service Provision sets out the organisation's commitment to eliminate discrimination, advance equality of opportunity and promote good relations between different groups.
- 1.2 A key consideration in meeting that commitment is the need to ensure that the council's pay, grading and benefit arrangements are transparent, based on objective criteria and free from unfair bias related to the protected characteristics covered by the Equality Act 2010. To achieve this objective the council will continuously monitor the application of its pay and grading systems with a view to identifying and eliminating any inequitable or unlawful pay practices.
- 1.3 The council will also monitor the application of other relevant employment policies and practices to ensure that they do not adversely impact on equality in respect of access to pay, benefits or career development.
- 1.4 By tackling the potential sources of pay discrimination and removing barriers to equality, the council believes it sends a positive message to both its workforce and customers alike.

2. Implementation

- 2.1 With appropriate resources, the policy will be implemented through the application of sound and legally robust pay and reward practices supported and complemented by the initiatives and measures set out in the council's Corporate Equality Outcomes and Equality Mainstreaming Report.
- 2.2 Any proposed changes to pay and other associated employment practices will be subject to consultation with the recognised trade unions and other relevant stakeholders.
- 2.3 Following the implementation of Single Status across the Authority in 2007, the council operates measures to continue to monitor issues related to equal pay within the organisation.

3. Scope

- 3.1 This policy statement covers the four discrete employee groups comprising the council's workforce. Pay and conditions of service for each of those groups derive from separate Schemes of Pay and Conditions of Service negotiated nationally and supplemented where appropriate by local collective agreements.

The national negotiating bodies are:

- Scottish Joint Council for Local Government Employees;
- Scottish Joint Council for Craft Operatives;
- Scottish Negotiating Committee for Teachers; and
- Joint Negotiating Committee for Chief Officials of Local Authorities (Scotland).

4. Specific Actions

4.1 In addition to addressing the priorities set out within the wider Corporate Equality Outcomes, the council is committed to implementing a number of other specific actions in relation to equal pay. Those actions are to:

- In consultation with relevant trade unions, conduct regular equal pay reviews within the council and thereby:
 - identify and understand the reasons for any differences in pay within and between employee groups;
 - eliminate pay gaps/ differences that cannot satisfactorily be explained on grounds other than sex, race or disability;
- Provide appropriate training and guidance on equal pay for those involved in determining pay and grading matters in terms of job evaluation, new appointments, progression, grievances and providing advice;
- Gather evidence of the impact of caring responsibilities on the workforce, to identify whether career continuity and pay progression is being adversely affected, and set appropriate objectives for remedial action; and
- Gather evidence on the extent of occupational segregation within the council and set appropriate objectives for remedial action as necessary.

5. Monitoring and Reporting

5.1 In accordance with the requirement under the Public Sector Equality Duty, to publish data on the gender pay gap every two years, data on gender pay and gender occupational segregation in the council will be addressed in the biennial review of this policy. Information on the recruitment, development and retention of employees will also be published every two years as part of the council's Equality Mainstreaming Report.

5.2 Details of actions taken to implement the outcome of equality impact assessments will also be posted on the council's website and as part of the council's Equality Mainstreaming Report.

6. Review and Accountability

6.1 This policy will be reviewed every two years through involvement with all relevant stakeholders and reported to the Council's Executive Committee.

6.2 The Head of Corporate Services, on behalf of the council's Corporate Management Team, has overall responsibility for implementation of the commitments outlined within this policy.

7. Gender Pay Gap

7.1 The council's equal pay gap as at February 2017 is set out below:

Gender	Number of Staff	Combined Hourly Rate	Average Hourly Rate
Female	5671	85,358	15.05
Male	2419	35,959	14.87
Total	8090	121,318	29.92
Mean Gender Pay Gap for All Employees			-1.21 %

Standard Calculation

Male average salary – Female average salary = paygap (monetary)

$$14.87 - 15.05 = -0.18$$

Paygap (monetary) / male average salary x 100 = paygap (%)

$$-0.18 / 14.87 \times 100 = -1.21$$

West Lothian Council Gender Pay Gap = -1.21%

7.2 The council's gender pay gap for all employees has moved by 0.72% since last reported in the 2015 Equal Pay Statement and is at present 6.19% lower than the average rate for Scottish Local Authorities (4.98%) as reported in the 2015/16 Local Government Benchmarking Framework.

8. Occupational Segregation

- 8.1 The council recognises that occupational segregation is one of the key barriers which prevents women and men from fulfilling their potential, and consequently contributes to the gender pay gap.
- 8.2 At the same time it can have a damaging impact due to the segmentation of men and women into different types of employment; segmentation that can fail to make the most efficient use of the potential workforce, can contribute to skills deficits and can hold back productivity.
- 8.3 The challenge for the council is therefore to address the inherent issues relating to horizontal segregation in the service areas currently dominated by either female or male employees.
- 8.4 Occupational segregation has been identified within the council's Corporate Equality Outcomes 2013-17 as one of ten significant priorities for focus over the period.
- 8.5 The tables below outline the council's data on gender based occupational segregation. In addition, in line with the reporting requirements, information is provided on occupational segregation in relation to ethnicity and disability.

WEST Lothian Council Occupational Segregation by Gender as at February 2017

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Chief Exec, Finance and Property	Advice Shop	F						10			14		6	4			1								35
		M						3			6		4	1											14
	Audit & Risk Mngt	F											1			1									2
		M											1	1	1				1						4
	Chief Exec. – Mngt & Supp.	F		1							2			1	2										6
		M																							0
	Const. Services	F									1		2	5					1						9
		M				1					1		20	8	6		1								37
	Estates	F	1																						1
		M	1								1			1											3
	Financial Mngt	F					8				6		3	7	3	1	4								32
		M	1	1			3	1			3		2	3	1	2			1	1					19
	Mngt Team – Chief Exec.	F													1										1
		M																	1						1
	Mngt Team – Finance	F																							0
		M																			1				1
	Property Mngt & Dev.	F				1		5						3											9
		M				4	1						1	2	4				1						13

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Revenues & Benefits	F	2			4		56			11		2	5		1									81
		M				1		16			12		2	2				1							34
Corporate Mgmt Team	Mngt Team	F																			1				1
		M																			2				2
Corporate Services	Civic Centre Support	F				18	4	5						1											28
		M				1	1																		2
	Corporate Comms.	F		1			1				3					1									6
		M									2				2			1							5
	HR Services	F				1	16	13			4		3	4	5	1	1			1					49
		M									1		2	4	1		1								9
	Information Technology	F					1	2			4			5	4	1		1		1					19
		M						3			15			14	2	2		1							37
	Legal Services	F				2		3			1		8	5		3				1					23
		M						1						3	1										5
	Mngt Team – Corporate	F																			1				1
		M																							0
	Perf. Improvement.	F					1	3					1	3				1							9
		M				2								3	2										7
	Procurement	F											4	2	2										8
		M					3								2										5

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Education Services	Active Schools	F											9	2											11
		M											7	1	1									1	10
	Adult Basic Education	F					1						2	1											4
		M	1																						1
	Adult Learning	F					1						11	1		1									14
		M											3	3		1									7
	Community Arts	F				2	4	1					4	1		1									13
		M					6	3					1												10
	Community High Schools	F				11	1	6			2			1											21
		M				5	2									1									8
	Comm. Youth Services	F				8	19	2			8		6	3	1		1							1	49
		M				5	14	1			3		3	2											28
	Customer Care & Comm	F						1						1											2
		M																							0
	Education Development	F											1						1				3	9	14
		M												1									2	4	7
	Ed. Resources Team	F									1														1
		M												1											1
	Instrumental Music	F																						16	16
		M																						13	13

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Management & Support	F						1			1								1					5	8
		M																							0
	Management Team CMT	F																							0
		M																	1						1
	Mngt Team Ed. Services	F																			1				1
		M																			2				2
	Nursery Schools	F				12	3	73			6													8	102
		M																							0
	PPP	F					1																		1
		M												1											1
	Primary Schools	F		62		373	97	137			14													1057	1740
		M		3		7																		98	108
	Psychological Services	F					1	1														11			13
		M																				2			2
	Pupil Placement	F					6				1														7
		M												1											1
	Secondary Schools	F		2		152	19	13			22			6	8									596	818
		M				8	7	14			12			2	3									317	363
	Special Education	F						5			2													2	9
		M																							0

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Special Schools	F				5	150	8			3													87	253
		M					6	3			1				1									23	34
	Sport & Outdoor Ed.	F		8		7	1				1		1												18
		M		1		2	1						7	1	1										13
	Support for Learning	F					1	1																	2
		M																							0
	Support Services	F						1							1									4	6
		M									1				3										4
Housing Customer & Building	Building Services	F	2				10	5	1	1	4		1												24
		M	63			27	36	3	163	29	1	74	29	9	1	1			1						437
	Cust & Comm Services	F	1	2		30	68	7					13	1	2				1						125
		M	1			6	31	3			1		2		2										46
	Customer Service	F	1				30	23					9		1										64
		M					6	6																	12
	Housing Need	F					1	2			30		1	3	2					1					40
		M				1					8		2	2											13
	Housing Operations	F				2		1			21		32	5				1							62
		M				1					8		7	2											18
	Housing Strat. & Supp.	F				1					1		1		3										6
		M									1		6	1	1	1		1		1					12

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Management Team	F																							0
		M																			1				1
	Performance & Change	F									1		7		1			1							10
		M											2		2		1								5
Operational Services	Facilities Management	F		525	48	37	64	4						2											680
		M		52	2	3	92				5			3					1						158
	Fleet & Comm Transport	F	1			21	5																		27
		M	1			2	30	1		14	1	4	1	1				1							56
	Imprint	F																							0
		M				2																			2
	Management Team	F					1	1																	2
		M																			1				1
	NETs Land & Countryside	F				11	2	4					2	1		1									21
		M	7		23	45	51	73		3	16	1	12	2	3	1				1					238
	Public Transport	F				1					1							1							3
		M						1																	1
	Roads and Transportation	F	1			4	1	1			2		3	1											13
		M	9			3	2	72		7	21		16	15	7	1	3			1					157
	Support Services	F					3	4			2		2												11
		M				1					3			2											6
	Waste Services	F			2	3	2				2			2											11
		M				88	40	50			4		7		1		1		1						192

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Planning, Econ. Dev. & Regen.	Community Planning	F											2				1								3
		M																							0
	Community Regeneration	F	8					1			8		2	2		1									22
		M	7	1							3			3					1						15
	Economic Development	F	1				2	2					9	3					1						18
		M											3	5	2										10
	Env. Health & Trading Stand.	F					1				5		1	5											12
		M						4			3		2	5	3		2			1					20
	Management Team	F																							0
		M																			1				1
	Planning	F		1			2						1	3		1		1							9
		M									2		5	7	3	4		1							22
	Support Services	F					1																		1
		M																							0
	Tech. Support Service	F				5	2	1			1		1												10
		M									1		1												2

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Social Policy	Adult Assess. and Care	F				1	5	5			1		1	16	4										33
		M						1						2	1		2								6
	Adults Day Service	F		4		5		21			27		7	1	2										67
		M				3	1	7			8		1		2										22
	Adults Residential	F		1		1		2			13		1	2	1										21
		M						1			1														2
	Care Homes	F		47		74	5	63			8		1	3	1										202
		M		3		5	2	7						1	3										21
	Child Care & Protection	F				1	1				21		2	50	12										87
		M									2			6											8
	CMT CHCP	F																			1				1
		M																							0
	Criminal & Youth Justice	F					5	1			9			18	5		1								39
		M						6			10		2	9	5										32
	Early Interven. Programme	F		1			3				7			2	1										14
		M									3					1									4
	Early Interven. and LAC	F		3		9	6	1			64		21	25	6	1	3								139
		M				1					7		16	9	1	1									35
	Health Improvement	F					1						9		1										11
		M											1												1

Service Area	Functional Area	Gender	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Housing with Care	F		12		28	4	57			1		1	6											109
		M				5		3						1			1								10
	Mental Health	F						1					1	7											9
		M											1	2	1										4
	Occupational Therapy	F				5	1	5					1	18	3		1								34
		M				5	1	1						2											9
	Old People Assess & Care	F					1	7			20			16	3		1								48
		M									3			2	4										9
	Protection & Emergency	F				1	6	3			2			7	8										27
		M					1				1			1			1								4
	Management & Support	F															1			2					3
		M																		2					2
	Support	F		1		26	5	2			7		2	3	7										53
		M				4	1				2				2	1									10
	Support at Home	F				109		24			11			3											147
		M				2								1											3
	SWAT	F					1						6	2	1										10
		M																							0
All Services		F	18	671	50	971	575	595	1	1	376	0	204	268	91	15	15	6	5	6	4	11	3	1785	5671
		M	91	61	25	240	338	284	163	53	173	79	169	148	75	17	13	6	9	7	8	2	2	456	2419
Grand Total			109	732	75	1211	913	879	164	54	549	79	373	416	166	32	28	12	14	13	12	13	5	2241	8090

WEST Lothian Council Occupational Segregation by Ethnicity as at February 2017

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Chief Exec, Finance and Property	Advice Shop	BME						1			1			1											3
		Other						12			19		10	4			1								46
	Audit & Risk Mngt	BME																							0
		Other											2	1	1	1			1						6
	Chief Exec. – Mngt & Supp.	BME																							0
		Other		1							2			1	2										6
	Const. Services	BME																							0
		Other				1					2		22	13	6		1		1						46
	Estates	BME																							0
		Other	2								1			1											4
	Financial Mngt	BME																							0
		Other	1	1			11	1			9		5	10	4	3	4		1	1					51
	Mngt Team – Chief Exec.	BME																							0
		Other													1				1						2
	Mngt Team – Finance	BME																							0
		Other																			1				1
	Property Mngt & Dev.	BME																							0
		Other				5	1	5					1	5	4				1						22

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Revenues & Benefits	BME						1																	1
		Other	2			5		71			23		4	7		1		1							114
Corporate Mgmt Team	Mngt Team	BME																							0
		Other																			3				3
Corporate Services	Civic Centre Support	BME																							0
		Other				19	5	5						1											30
	Corporate Comms.	BME																							0
		Other		1			1				5				2	1		1							11
	HR Services	BME					1						1												2
		Other				1	15	13			5		4	8	6	1	2			1					56
	Information Technology	BME																							0
		Other					1	5			19			19	6	3		2		1					56
	Legal Services	BME																							0
		Other				2		4			1		8	8	1	3				1					28
	Mngt Team – Corporate	BME																							0
		Other																			1				1
	Perf. Improvement.	BME																							0
		Other				2	1	3					1	6	2			1							16
	Procurement	BME																							0
		Other					3						4	2	4										13

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Education Services	Active Schools	BME												1											1
		Other											16	2	1									1	20
	Adult Basic Education	BME																							0
		Other	1				1						2	1											5
	Adult Learning	BME																							0
		Other					1						14	4		2									21
	Community Arts	BME											1												1
		Other				2	10	4					4	1		1									22
	Community High Schools	BME																							0
		Other				16	3	6			2			1		1									29
	Comm. Youth Services	BME																							0
		Other				13	33	3			11		9	5	1		1							1	77
	Customer Care & Comm	BME																							0
		Other						1						1											2
	Education Development	BME																							0
		Other											1	1					1				5	13	21
	Ed. Resources Team	BME																							0
		Other									1			1											2
	Instrumental Music	BME																							0
		Other																						29	29

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Management & Support	BME									1														1
		Other						1											1					5	7
	Management Team CMT	BME																							0
		Other																	1						1
	Mngt Team Ed. Services	BME																							0
		Other																			3				3
	Nursery Schools	BME																							0
		Other				12	3	73			6													8	102
	PPP	BME																							0
		Other					1							1											2
	Primary Schools	BME				4		1																15	20
		Other		65		376	97	136			14													1140	1828
	Psychological Services	BME																							0
		Other					1	1														13			15
	Pupil Placement	BME																							0
		Other					6				1			1											8
	Secondary Schools	BME				1																		24	25
		Other		2		159	26	27			34			8	11									889	1156
	Special Education	BME																							0
		Other						5			2													2	9

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Special Schools	BME					5																	1	6
		Other				5	151	11			4				1									109	281
	Sport & Outdoor Ed.	BME																							0
		Other		9		9	2				1		8	1	1										31
	Support for Learning	BME																							0
		Other					1	1																	2
	Support Services	BME																							0
		Other						1			1				4									4	10
Housing Customer & Building	Building Services	BME											1												1
		Other	65			27	46	8	164	30	5	74	29	9	1	1			1						460
	Cust & Comm Services	BME					1																		1
		Other	2	2		36	98	10			1		15	1	4				1						170
	Customer Service	BME					1																		1
		Other	1				35	29					9		1										75
	Housing Need	BME						1			1														2
		Other				1	1	1			37		6	5	2					1					51
	Housing Operations	BME											3												3
		Other				3		1			29		36	7				1							77
	Housing Strat. & Supp.	BME																							0
		Other				1					2		7	1	4	1		1		1					18

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Management Team	BME																							0
		Other																			1				1
	Performance & Change	BME																							0
		Other									1		9		3		1	1							15
Operational Services	Facilities Management	BME		5	2																				7
		Other		572	48	40	156	4			5			5					1						831
	Fleet & Comm Transport	BME																							0
		Other	2			23	35	1		14	1	4	1	1				1							83
	Imprint	BME																							0
		Other				2																			2
	Management Team	BME																							0
		Other					1	1													1				3
	NETs Land & Countryside	BME			1																				1
		Other	7		22	56	53	77		3	16	1	14	3	3	2				1					258
	Public Transport	BME																							0
		Other				1		1			1							1							4
	Roads and Transportation	BME																							0
		Other	10			7	3	73		7	23		19	16	7	1	3			1					170
	Support Services	BME																							0
		Other				1	3	4			5		2	2											17
	Waste Services	BME				1		1																	2
		Other			2	90	42	49			6		7	2	1		1		1						201

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Planning, Econ. Dev. & Regen.	Community Planning	BME																							0
		Other											2				1								3
	Community Regeneration	BME												1											1
		Other	15	1				1			11		2	4		1			1						36
	Economic Development	BME																							0
		Other	1				2	2					12	8	2				1						28
	Env. Health & Trading Stand.	BME																							0
		Other					1	4			8		3	10	3		2			1					32
	Management Team	BME																							0
		Other																			1				1
	Planning	BME											1												1
		Other		1			2				2		5	10	3	5		2							30
	Support Services	BME																							0
		Other					1																		1
	Tech. Support Service	BME																							0
		Other				5	2	1			2		2												12

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Social Policy	Adult Assess. and Care	BME																							0
		Other				1	5	6			1		1	18	5		2								39
	Adults Day Service	BME				1																			1
		Other		4		7	1	28			35		8	1	4										88
	Adults Residential	BME																							0
		Other		1		1		3			14		1	2	1										23
	Care Homes	BME		1		3		1						1											6
		Other		49		76	7	69			8		1	3	4										217
	Child Care & Protection	BME												2	1										3
		Other				1	1				23		2	54	11										92
	CMT CHCP	BME																							0
		Other																			1				1
	Criminal & Youth Justice	BME															1								1
		Other					5	7			19		2	27	10										70
	Early Interven. Programme	BME																							0
		Other		1			3				10			2	1	1									18
	Early Interven. and LAC	BME												1	1										2
		Other		3		10	6	1			71		37	33	6	2	3								172
	Health Improvement	BME																							0
		Other					1						10		1										12

Service Area	Functional Area	Ethnicity	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
	Housing with Care	BME				1																			1
		Other		12		32	4	60			1		1	7			1								118
	Mental Health	BME																							0
		Other						1					2	9	1										13
	Occupational Therapy	BME																							0
		Other				10	2	6					1	20	3		1								43
	Old People Assess & Care	BME												1	1										2
		Other					1	7			23			17	6		1								55
	Protection & Emergency	BME																							0
		Other				1	7	3			3			8	8		1								31
	Management & Support	BME																							0
		Other															1			4					5
	Support	BME																							0
		Other		1		30	6	2			9		2	3	9	1									63
	Support at Home	BME						1																	1
		Other				111		23			11			4											149
	SWAT	BME												1											1
		Other					1						6	1	1										9
All Services		BME	0	6	3	11	8	7	0	0	3	0	7	9	3	0	1	0	0	0	0	0	0	40	98
		Other	109	726	72	1200	905	872	164	54	546	79	366	407	163	32	27	12	14	13	12	13	5	2201	7992
Grand Total			109	732	75	1211	913	879	164	54	549	79	373	416	166	32	28	12	14	13	12	13	5	2241	8090

WEST Lothian Council Occupational Segregation by Disability as at February 2017

Service Area	App/ Graduate	A	B	C	D	E	E1	E2	F	F2	G	H	I	J	K	L	M	N	Chief Officer	Psych	QI Scale	Teacher	Grand Total
Chief Executive, Finance and Property					1	3			1		2			1									8
Corporate Management Team																							0
Corporate Services				1								2	1										4
Education Services				3	1	2			2				1	1						1		11	22
Housing Customer & Building Services				1	4	1			2	1	5		1										15
Operational Services		4	2	1	8	3		1	1														20
Planning, Economic Development & Regeneration		1							1														2
Social Policy				5	1	5			6		2	3	3		1								11
All Services	0	5	2	11	15	14	0	1	13	1	9	5	6	2	1	0	0	0	0	1	0	11	97

EMPLOYMENT MONITORING DATA AND ANALYSIS

The council has a statutory duty, as a public sector employer, to publish employment monitoring statistics in relation to the composition of our workforce and the recruitment, development and retention of our employees.

Information on our employees has been gathered and reported on according protected characteristics and is provided in the tables below for the period 1 January 2015 to 31 December 2016.

Sources of Information

The council's HR Management Information System has been used to gather and report on the following:

- Staff currently in post
- Employees applying for and receiving training
- Employees involved in grievance, disciplinary or bullying and harassment cases
- Employees leaving the council

The National Recruitment Portal has been used to gather and report on the following:

- Applicants for employment and promotion
- Candidates selected for interview
- Candidates successfully appointed

Monitoring Process Developments

In previous years the council has aimed to fill gaps in equality monitoring information held on employees by carrying out Diversity Surveys. The information gathered by means of the Diversity Surveys was anonymous and provided valuable information at the point in time, however it did not provide the council with an ongoing record of the composition of the council.

Therefore, to further improve the quality of the equality monitoring information held on council employees the HR Management Information System was developed in late 2016 to allow employees to use the self-service area of the system (HR21) to add to or amend the equality monitoring information held on them by the council.

This development will allow all employees, new and existing, to provide information not currently held by the council or to update equality monitoring information where individual circumstances change. The self-service mechanism removes the need for form filing or data input by a third party, therefore minimising error and ensuring confidentiality.

A campaign to advertise the new self-service mechanism for equality monitoring information was carried out in autumn 2016. The desired improvement in equality monitoring information held by the council is yet to be fully realised however and further awareness-raising and ongoing training in the use of the self-service mechanism will be required.

Data Analysis and Highlights

Gender

The proportion of men and women working in the council has remained largely unchanged over the 10 years of monitoring with the workforce continuing to be split approximately 70% female, 30% male.

The recruitment statistics for 2015 and 2016 report approximately 60% of applicants and successful candidates as female. During the same period approximately 60% of those leaving the council were female, therefore there was no impact on the overall gender split of the organisation.

Despite the 70/30 gender split of the council's employees, the split of employees applying for and receiving corporate training was approximately 50/50 in 2015 and 60/40 in 2016.

Similarly, the proportion of women and men involved in Grievance, Disciplinary and Bullying and Harassment cases often does not follow the 70/30 split of the organisation. However, this is not significant due to the small number of cases.

Ethnicity

The information held on HR21 indicates that approximately 65% of the council's workforce is White-Scottish. The 2014 Diversity Survey however indicated that 85% of the workforce was White-Scottish. This difference may be accounted for by the 26% of employees whose ethnicity is not known on the HR21 system.

Current information indicates that 1.2% of our workforce is from Black and Minority Ethnic (BME) backgrounds. The 2011 census reported that 2.5% of the West Lothian Community is from BME backgrounds.

In both 2015 and 2016 the percentage of applicants to the council from the BME community is not reflected in the percentage of successful candidates appointed. In 2015, there was a drop from 4.0% BME applicants to 1.9% BME successful candidates and similarly in 2016, there was a drop from 4.2% BME applicants to 1.9% BME successful candidates.

The percentage of leavers from the BME community was representative of the overall workforce at 1.3% and 1.5% in 2015 and 2016 respectively.

Disability

The difference between the information held on HR21 for the percentage of employees with a disability (1.2%) and that reported in the 2014 diversity survey (7.5%) suggests there is much work to be done to fill the gaps in the HR21 system.

The most significant disability type reported by applicants and successful candidates during both 2015 and 2016 is Learning Disability (over 30%). However this is not reflected in the information we have on current employees which reports the number of employees with a learning disability as only 3.1%.

The new HR21 self-service mechanism will be particularly useful in filling these gaps and keeping this information up-to-date going forward as employees will be able to update their information if they become disabled while working for the council.

The recruitment information indicates that the Guaranteed Job Interview Scheme for applicants with a disability is continuing to work appropriately, with a higher percentage of interview candidates having a disability than the percentage of initial applicants.

Age

The information held on the age profile of the council is considered to be accurate with employee date of birth gathered at the time of appointment.

The age demographic of the council has remained relatively unchanged over the 10 years of equality monitoring despite the higher percentages of applicants from the lower age ranges.

A third of all corporate training is applied for and received by employees aged 51-60.

Sexual Orientation

The information held on the HR21 system on sexual orientation continues to have significant gaps with the sexual orientation of 74% of employees unknown. In contrast, the sexual orientation of applicants to the council is only unknown in approximately 6% of cases.

It is hoped that the work being done to encourage employees to complete their equality monitoring information on HR21 will improve the information the council holds on the sexual orientation of its employees going forward.

Religion or Belief

The information held on the HR21 system on religion or belief continues to have significant gaps with the religion or belief of 90% of employees unknown. In contrast, the religion or belief of applicants to the council is only unknown in approximately 12% of cases.

It is hoped that the work being done to encourage employees to complete their equality monitoring information on HR21 will improve the information the council holds on the religion or belief of its employees going forward.

Caring Responsibilities

While information on caring responsibilities was captured during the 2014 diversity survey, this is the first time that information on caring responsibilities has been captured on the HR21 system via the self-service mechanism. To date 472 employees have provided information on their caring responsibilities. We would seek to improve this information going forward.

It is evident that no discrimination on the grounds of caring responsibilities is taking place in the recruitment of employees as the percentage of applicants with caring responsibilities remains relatively static throughout the process.

Gender Identity

While information on gender identity was captured during the 2014 diversity survey, this is the first time that information on gender identity has been captured on the HR21 system via the self-service mechanism. To date 484 employees have provided information on their gender identity. We would seek to improve this information going forward.

EMPLOYMENT MONITORING STATISTICS
(1 January 2015 – 31 December 2016)

1. STAFF IN POST

The following tables contain equality monitoring information obtained from the councils HR Management Information System.

1.1 Employees in Post by Gender as at 31 December 2016

Gender	Number	Percentage
Female	5671	70.1
Male	2419	29.9
Prefer not to say	0	0
Unknown	0	0
Total	8090	100

1.2 Employees in Post by Ethnicity as at 31 December 2016

Ethnicity	Number	Percentage
White – Scottish	5229	64.6
White - Other British	330	4.1
White – Irish	87	1.1
White - Gypsy/ Traveller	0	0
White - Eastern European (e.g. Polish)	3	0.0
White - Other ethnic group	209	2.6
Any mixed or multiple ethnic group	12	0.1
Pakistani, Pakistani Scottish or Pakistani British	19	0.2
Indian, Indian Scottish or Indian British	18	0.2
Bangladeshi, Bangladeshi Scottish or Bangladeshi British	1	0.0
Chinese, Chinese Scottish or Chinese British	2	0.0
Other Asian	5	0.1
African, African Scottish or African British	11	0.1
Other African	0	0
Caribbean, Caribbean Scottish or Caribbean British	18	0.2
Black, Black Scottish or Black British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish or Arab British	0	0
Other Arab	0	0
Other	12	0.1
Prefer not to say	2134	26.4
Unknown	0	0
Total	8090	100

1.3 Employees in post by Disability as at 31 December 2016

Disability	Number	Percentage
Yes	97	1.2
No	505	6.2
Prefer not to say	19	0.2
Unknown	7469	92.3
Total	8090	100

1.4 Employees in post by Disability Type as at 31 December 2016

Disability Type	Number	Percentage
A learning disability	3	3.1
A longstanding illness or other health condition	14	14.4
A mental health condition	9	9.3
A physical impairment	5	5.2
Sensory impairment	7	7.2
Other condition	4	4.1
Prefer not to say	1	1.0
Unknown	54	55.7
Total	97	100

1.5 Employees in Post by Age as at 31 December 2016

Age	Number	Percentage
Under 21	106	1.3
21-30	1147	14.2
31-40	1636	20.2
41-50	2241	27.7
51-60	2378	29.4
61 Plus	582	7.2
Unknown	0	0
Total	8090	100

1.6 Employees in post by Sexual Orientation as at 31 December 2016

Sexual Orientation	Number	Percentage
Bisexual	11	0.1
Gay	27	0.3
Lesbian	18	0.2
Heterosexual/ straight	2015	24.9
Other	0	0
Prefer not to say	65	0.8
Unknown	5954	73.6
Total	8090	100

1.7 Employees in post by Religion or Belief as at 31 December 2016

Religion or Belief	Number	Percentage
None	344	4.3
Church of Scotland	205	2.5
Roman Catholic	133	1.6
Other Christian	53	0.7
Muslim	3	0.0
Buddhist	3	0.0
Sikh	2	0.0
Jewish	1	0.0
Hindu	0	0
Humanist	3	0.0
Pagan	3	0.0
Other religion or belief	6	0.1
Prefer not to say	49	0.6
Unknown	7285	90.0
Total	8090	100

1.8 Employee in post by Caring Responsibility as at 31 December 2016

Caring Responsibilities	Number	Percentage
Yes (children under 18)	227	2.8
Yes other	39	0.5
No	206	2.5
Prefer not to say	22	0.3
Unknown	7596	93.9
Total	8090	100

1.9 Employees in post by Gender Identity as at 31 December 2016

The statistics in the table below are provided in response to the following question: Have you ever identified as a transgender person or as undergoing any part of the gender reassignment process?

Gender Identity	Number	Percentage
Yes	1	0.0
No	483	6.0
Prefer not to say	11	0.1
Unknown	7595	93.9
Total	8090	100

2. APPLICANTS FOR EMPLOYMENT

The following statistics are taken from the National Recruitment Portal.

2.1 GENDER

2.1.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Gender

GENDER	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Female	5755	56.8	2011	63.0	497	59.9
Male	4065	40.2	1042	32.7	287	34.6
Prefer not to say	22	0.2	9	0.2	2	0.2
Unknown	285	2.8	128	4.1	44	5.3
Total	10127	100	3189	100	830	100

2.1.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Gender

GENDER	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Female	8758	64.7	2401	62.5	649	60.3
Male	4440	32.8	1306	34.0	358	33.2
Prefer not to say	35	0.3	12	0.3	3	0.3
Unknown	301	2.2	121	3.2	67	6.2
Total	13534	100	3840	100	1077	100

2.2 ETHNICITY

2.2.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Ethnicity

ETHNICITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
White – Scottish	7988	78.9	2533	79.4	654	78.8
White - Other British	727	7.2	239	7.5	67	8.1
White – Irish	133	1.3	50	1.6	13	1.6
White - Gypsy/ Traveller	4	0.1	2	0.1	0	0
White - Eastern European (e.g. Polish)	146	1.4	24	0.7	6	0.7
White - Other ethnic group	266	2.6	63	1.9	15	1.8
Any mixed or multiple ethnic group	53	0.5	11	0.3	1	0.1
Pakistani, Pakistani Scottish/British	93	0.9	19	0.6	5	0.6
Indian, Indian Scottish/British	41	0.4	14	0.4	1	0.1
Bangladeshi, Bangladeshi Scottish/British	5	0.1	1	0.1	1	0.1
Chinese, Chinese Scottish/British	21	0.2	2	0.1	1	0.1
Other Asian	20	0.2	6	0.2	1	0.1
African, African Scottish/British	35	0.3	9	0.3	1	0.1
Other African	90	0.9	24	0.7	2	0.3
Caribbean, Caribbean Scottish/British	4	0.1	1	0.1	0	0
Black, Black Scottish/British	29	0.3	9	0.3	1	0.1
Other Caribbean or Black	2	0.1	0	0	0	0
Arab, Arab Scottish/British	16	0.1	4	0.1	2	0.3
Other Arab	0	0	0	0	0	0
Other	0	0	0	0	0	0
Prefer not to say	78	0.8	25	0.8	5	0.6
Unknown	379	3.7	153	4.8	54	6.5
Total	10127	100	3189	100	830	100

2.2.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Ethnicity

ETHNICITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
White – Scottish	10515	77.7	3049	79.4	833	77.3
White - Other British	1056	7.8	308	8.0	89	8.3
White – Irish	181	1.3	69	1.8	17	1.6
White - Gypsy/ Traveller	3	0.0	2	0.1	0	0
White - Eastern European (e.g. Polish)	269	2.0	50	1.3	14	1.3
White - Other ethnic group	447	3.3	83	2.2	25	2.3
Any mixed or multiple ethnic group	75	0.6	23	0.6	3	0.3
Pakistani, Pakistani Scottish/British	102	0.8	16	0.4	4	0.4
Indian, Indian Scottish/British	86	0.6	11	0.3	4	0.4
Bangladeshi, Bangladeshi Scottish/British	4	0.0	0	0	0	0
Chinese, Chinese Scottish/British	30	0.2	3	0.1	0	0
Other Asian	56	0.4	12	0.3	1	0.1
African, African Scottish/British	37	0.3	7	0.2	4	0.4
Other African	98	0.7	18	0.5	4	0.4
Caribbean, Caribbean Scottish/British	2	0.0	4	0.1	0	0
Black, Black Scottish/British	48	0.4	8	0.2	1	0.1
Other Caribbean or Black	11	0.1	0	0	0	0
Arab, Arab Scottish/British	0	0	0	0	0	0
Other Arab	17	0.1	2	0.1	0	0
Other	0	0	0	0	0	0
Prefer not to say	86	0.6	26	0.7	5	0.5
Unknown	411	3.0	149	3.9	73	6.8
Total	13534	100	3840	100	1077	100

2.3 DISABILITY

2.3.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Disability

DISABILITY	Applicants for Employment (10127)		Selected for Interview (3189)		Successful Appointments (830)	
	No.	%	No.	%	No.	%
Disabled	345	3.4	136	4.3	21	2.5

2.3.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Disability

DISABILITY	Applicants for Employment (13534)		Selected for Interview (3840)		Successful Appointments (1077)	
	No.	%	No.	%	No.	%
Disabled	494	3.6	187	4.9	30	2.9

2.3.3 Applicants for Employment 1 January 2015 – 31 December 2015 by Disability Type

DISABILITY TYPE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Learning Disability	125	36.3	44	32.4	9	42.8
Longstanding Illness	56	16.2	33	24.3	5	23.8
Mental Health Condition	59	17.1	20	14.7	2	9.5
Physical Impairment	56	16.2	21	15.5	1	4.8
Sensory Impairment	16	4.6	9	6.6	3	14.3
Other	11	3.2	1	0.7	0	0
Prefer Not to Say	9	2.6	4	2.9	0	0
Unknown	13	3.8	4	2.9	1	4.8
Total	345	100	136	100	21	100

2.3.4 Applicants for Employment 1 January 2016 – 31 December 2016 by Disability Type

DISABILITY TYPE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Learning Disability	190	38.5	70	37.4	11	36.7
Longstanding Illness	93	18.8	48	25.7	9	30.0
Mental Health Condition	34	6.9	12	6.4	2	6.7
Physical Impairment	80	16.2	25	13.4	3	10.0
Sensory Impairment	27	5.5	11	5.9	1	3.3
Other	14	2.8	3	1.6	1	3.3
Prefer Not to Say	13	2.6	3	1.6	0	0
Unknown	43	8.7	15	8.0	3	10.0
Total	494	100	187	100	30	100

2.4 AGE

2.4.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Age

AGE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Under 21	821	8.1	158	5.0	40	4.8
21-30	3202	31.6	788	24.7	203	24.5
31-40	2317	22.9	860	27.0	206	24.8
41-50	1896	18.7	691	21.7	184	22.2
51-60	1210	11.9	432	13.5	110	13.2
61 plus	239	2.4	91	2.8	33	4.0
Not Known	442	4.4	169	5.3	54	6.5
Total	10127	100	3189	100	830	100

2.4.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Age

AGE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Under 21	962	7.1	223	5.8	67	6.2
21-30	3970	29.3	961	25.0	288	26.7
31-40	3427	25.3	970	25.3	262	24.3
41-50	2787	20.6	889	23.2	224	20.8
51-60	1663	12.3	538	14.0	131	12.2
61 plus	263	1.9	89	2.3	26	2.4
Not Known	462	3.4	170	4.4	79	7.3
Total	13534	100	3840	100	1077	100

2.5 SEXUAL ORIENTATION

2.5.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Sexual Orientation

SEXUAL ORIENTATION	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Bisexual	71	0.7	25	0.8	5	0.6
Gay	95	0.9	42	1.3	9	1.1
Heterosexual/Straight	9192	90.8	2833	88.8	735	88.5
Lesbian	58	0.6	20	0.6	3	0.4
Unknown	327	3.2	150	4.7	48	5.8
Prefer not to say	364	3.6	110	3.5	29	3.5
Other	20	0.2	9	0.3	1	0.1
Totals	10127	100	3189	100	830	100

2.5.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Sexual Orientation

SEXUAL ORIENTATION	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Bisexual	81	0.6	20	0.5	3	0.3
Gay	185	1.4	56	1.5	11	1.0
Heterosexual/Straight	12279	90.7	3436	89.5	962	89.3
Lesbian	96	0.7	27	0.7	5	0.5
Unknown	383	2.8	150	3.9	75	7.0
Prefer not to say	480	3.5	143	3.7	21	1.9
Other	30	0.2	8	0.2	0	0
Totals	13534	100	3840	100	1077	100

2.6 RELIGION OR BELIEF

2.6.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Religion or Belief

RELIGION OR BELIEF	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Buddhist	13	0.1	1	0.1	1	0.1
Church of Scotland	1830	18.1	654	20.5	175	21.1
Hindu	17	0.2	5	0.1	1	0.1
Humanist	50	0.5	14	0.4	4	0.5
Jewish	4	0.1	2	0.1	0	0
Muslim	127	1.2	30	0.9	8	1.0
None	4635	45.7	1332	41.8	342	41.2
Other Christian	710	7.0	222	7.0	52	6.3
Other Religion/Belief	91	0.9	26	0.8	6	0.7
Pagan	3	0.1	1	0.1	0	0
Roman Catholic	1465	14.4	469	14.7	116	14.0
Sikh	5	0.1	1	0.1	0	0
Prefer Not to Say	652	6.4	219	6.7	56	6.7
Unknown	525	5.2	213	6.7	69	8.3
Total	10127	100	3189	100	830	100

2.6.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Religion or Belief

RELIGION OR BELIEF	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Buddhist	34	0.3	11	0.3	5	0.5
Church of Scotland	2455	18.1	803	20.9	230	21.4
Hindu	47	0.3	3	0.1	2	0.2
Humanist	146	1.1	47	1.2	17	1.6
Jewish	3	0.0	0	0	0	0
Muslim	145	1.1	18	0.5	4	0.4
None	6212	45.9	1570	40.9	417	38.7
Other Christian	1070	7.9	286	7.4	74	6.9
Other Religion/Belief	85	0.6	20	0.5	4	0.4
Pagan	9	0.1	3	0.1	1	0.1
Roman Catholic	1958	14.5	628	16.4	174	16.2
Sikh	18	0.1	4	0.1	1	0.1
Prefer Not to Say	772	5.7	245	6.4	53	4.9
Unknown	580	4.3	202	5.3	95	8.8
Total	13534	100	3840	100	1077	100

2.7 CARING RESPONSIBILITIES

2.7.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Caring Responsibilities

CARING RESPONSIBILITIES	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes (Children under 18)	3105	30.7	1054	33.1	286	34.4
Yes (Other)	230	2.3	75	2.3	20	2.4
No	6376	62.9	1892	59.3	472	56.9
Prefer Not to Say	64	0.6	22	0.7	4	0.5
Unknown	352	3.5	146	4.6	48	5.8
Total	10127	100	3189	100	830	100

2.7.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Caring Responsibilities

CARING RESPONSIBILITIES	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes (Children under 18)	4880	36.1	1340	34.9	385	35.7
Yes (Other)	307	2.3	104	2.7	19	1.8
No	7892	58.3	2232	58.1	598	55.5
Prefer Not to Say	99	0.7	30	0.8	4	0.4
Unknown	356	2.6	134	3.5	71	6.6
Total	13534	100	3840	100	1077	100

2.8 GENDER IDENTITY

2.8.1 Applicants for Employment 1 January 2015 – 31 December 2015 by Gender Identity

The statistics in the table below are provided in response to the following question: Have you ever identified as a transgender person or as undergoing any part of the gender reassignment process?

GENDER IDENTITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes	8	0.1	2	0.1	2	0.2
No	9713	95.9	3020	94.7	776	93.5
Prefer Not to Say	65	0.6	22	0.7	3	0.4
Unknown	341	3.4	145	4.5	49	5.9
Total	10127	100	3189	100	830	100

2.8.2 Applicants for Employment 1 January 2016 – 31 December 2016 by Gender Identity

The statistics in the table below are provided in response to the following question: Have you ever identified as a transgender person or as undergoing any part of the gender reassignment process?

GENDER IDENTITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes	30	0.2	4	0.1	0	0
No	13047	96.4	3657	95.2	998	92.7
Prefer Not to Say	112	0.8	46	1.2	9	0.8
Unknown	345	2.5	133	3.5	70	6.5
Total	13534	100	3840	100	1077	100

3. APPLICANTS FOR PROMOTION

The following figures are taken from the National Recruitment Portal and are based on a candidate's own determination as to whether the post they are applying for constitutes a promotion.

3.1 GENDER

3.1.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Gender

GENDER	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Female	582	64.9	290	67.4	73	64.0
Male	314	35	140	32.6	41	36.0
Prefer not to say	0	0	0	0	0	0
Unknown	1	0.1	0	0	0	0
Total	897	100	430	100	114	100

3.1.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Gender

GENDER	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Female	819	73.2	356	72.7	96	70.6
Male	297	26.5	132	26.9	40	29.4
Unknown	3	0.3	2	0.4	0	0
Prefer not to say	0	0	0	0	0	0
Total	1119	100	490	100	136	100

3.2 ETHNICITY

3.2.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Ethnicity

ETHNICITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
White – Scottish	779	86.8	373	86.8	99	86.8
White - Other British	50	5.6	28	6.5	8	7.0
White – Irish	22	2.5	11	2.6	1	0.9
White - Gypsy/ Traveller	0	0	0	0	0	0
White - Eastern European (e.g. Polish)	14	1.6	4	0.9	1	0.9
White - Other ethnic group	7	0.8	1	0.2	0	0
Any mixed or multiple ethnic group	3	0.3	1	0.2	0	0
Pakistani, Pakistani Scottish/British	2	0.2	0	0	0	0
Indian, Indian Scottish/British	0	0	0	0	0	0
Bangladeshi, Bangladeshi Scottish/British	2	0.2	1	0.2	1	0.9
Chinese, Chinese Scottish/British	0	0	0	0	0	0
Other Asian	1	0.1	1	0.2	0	0
African, African Scottish/British	0	0	0	0	0	0
Other African	2	0.2	2	0.5	0	0
Caribbean, Caribbean Scottish/British	1	0.1	1	0.2	0	0
Black, Black Scottish/British	0	0	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0
Arab, Arab Scottish/British	0	0	0	0	0	0
Other Arab	0	0	0	0	0	0
Other	0	0	0	0	0	0
Prefer not to say	1	0.1	0	0	0	0
Unknown	13	1.4	7	1.6	4	3.5
Total	897	100	430	100	114	100

3.2.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Ethnicity

ETHNICITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
White – Scottish	916	81.9	425	86.7	118	86.8
White - Other British	100	8.9	40	8.2	13	9.6
White – Irish	8	0.7	6	1.2	1	0.7
White - Gypsy/ Traveller	0	0	0	0	0	0
White - Eastern European (e.g. Polish)	19	1.7	3	0.6	0	0
White - Other ethnic group	33	2.9	4	0.8	3	2.2
Any mixed or multiple ethnic group	1	0.1	1	0.2	0	0
Pakistani, Pakistani Scottish/British	4	0.4	1	0.2	0	0
Indian, Indian Scottish/British	2	0.2	0	0	0	0
Bangladeshi, Bangladeshi Scottish/British	0	0	0	0	0	0
Chinese, Chinese Scottish/British	3	0.3	0	0	0	0
Other Asian	1	0.1	0	0	0	0
African, African Scottish/British	5	0.4	0	0	0	0
Other African	3	0.3	0	0	0	0
Caribbean, Caribbean Scottish/British	0	0	0	0	0	0
Black, Black Scottish/British	2	0.2	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0
Arab, Arab Scottish/British	0	0	0	0	0	0
Other Arab	2	0.2	0	0	0	0
Other	0	0	0	0	0	0
Prefer not to say	14	1.3	7	1.4	0	0
Unknown	6	0.5	3	0.6	1	0.7
Total	1119	100	490	100	136	100

3.3 DISABILITY

3.3.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Disability

DISABILITY	Applicants for Employment (897)		Selected for Interview (430)		Successful Appointments (114)	
	No.	%	No.	%	No.	%
Disabled	14	1.6	7	1.6	2	1.8

3.3.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Disability

DISABILITY	Applicants for Employment (1119)		Selected for Interview (490)		Successful Appointments (136)	
	No.	%	No.	%	No.	%
Disabled	21	1.9	15	3.1	0	0

3.3.3 Applicants for Promotion 1 January 2015 – 31 December 2015 by Disability Type

DISABILITY TYPE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Learning Disability	4	28.6	1	14.3	0	0
Longstanding Illness	2	14.3	1	14.3	0	0
Mental Health Condition	0	0	0	0	0	0
Physical Impairment	1	7.1	0	0	0	0
Sensory Impairment	1	7.1	1	14.3	1	50
Other	1	7.1	1	14.3	0	0
Prefer Not to Say	2	14.2	1	14.3	0	0
Unknown	3	21.4	2	28.5	1	50
Total	14	100	7	100	2	100

3.3.4 Applicants for Promotion 1 January 2016 – 31 December 2016 by Disability Type

DISABILITY TYPE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Learning Disability	2	9.5	1	6.7	0	0
Longstanding Illness	11	52.4	9	60.0	0	0
Mental Health Condition	0	0	0	0	0	0
Physical Impairment	3	14.3	3	20.0	0	0
Sensory Impairment	3	14.3	1	6.7	0	0
Other	0	0	0	0	0	0
Prefer Not to Say	1	4.8	0	0	0	0
Unknown	1	4.8	1	6.7	0	0
Total	21	100	15	100	0	0

3.4 AGE

3.4.1 Age Profile of Applicants for Promotion 1 January 2015 – 31 December 2015

AGE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Under 21	31	3.5	15	3.5	1	0.9
21-30	150	16.7	52	12.1	16	14.0
31-40	294	32.8	152	35.3	34	29.8
41-50	252	28.1	120	27.9	41	36.0
51-60	149	16.6	79	18.4	17	14.9
61 plus	17	1.9	9	2.1	4	3.5
Not known	4	0.4	3	0.7	1	0.9
Total	897	100	430	100	114	100

3.4.2 Age Profile of Applicants for Promotion 1 January 2016 – 31 December 2016

AGE	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Under 21	42	3.8	9	1.8	3	2.2
21-30	183	16.4	79	16.1	30	22.1
31-40	373	33.3	141	28.8	36	26.5
41-50	344	30.7	175	35.7	43	31.6
51-60	145	13.0	73	14.9	19	14.0
61 plus	14	1.3	7	1.4	3	2.2
Not known	18	1.6	6	1.2	2	1.5
Total	1119	100	490	100	136	100

3.5 SEXUAL ORIENTATION

3.5.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Sexual Orientation

SEXUAL ORIENTATION	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Bisexual	2	0.2	1	0.2	0	0
Gay	9	1.0	5	1.2	2	1.8
Heterosexual/Straight	835	93.1	404	93.9	105	92.1
Lesbian	2	0.2	2	0.5	0	0
Unknown	9	1.0	3	0.7	2	1.8
Prefer Not to Say	28	3.1	13	3.0	5	4.3
Other	12	1.4	2	0.5	0	0
Totals	897	100	430	100	114	100

3.5.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Sexual Orientation

SEXUAL ORIENTATION	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Bisexual	0	0	0	0	0	0
Gay	25	2.2	15	3.1	0	0
Heterosexual/Straight	1006	89.9	439	89.6	131	96.3
Lesbian	5	0.4	4	0.8	1	0.7
Unknown	9	0.8	3	0.6	0	0
Prefer Not to Say	65	5.8	24	4.9	4	2.9
Other	9	0.8	5	1.0	0	0
Totals	1119	100	490	100	136	100

3.6 RELIGION OR BELIEF

3.6.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Religion or Belief

RELIGION OR BELIEF	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Buddhist	0	0	0	0	0	0
Church of Scotland	264	29.4	123	28.6	30	26.3
Hindu	0	0	0	0	0	0
Humanist	2	0.2	1	0.2	1	0.9
Jewish	0	0	0	0	0	0
Muslim	8	0.9	3	0.7	1	0.9
None	297	33.1	149	34.7	42	36.8
Other Christian	57	6.4	29	6.7	2	1.7
Other Religion/Belief	3	0.3	2	0.5	1	0.9
Pagan	1	0.1	0	0	0	0
Roman Catholic	202	22.5	93	21.6	27	23.7
Sikh	0	0	0	0	0	0
Prefer Not to Say	44	4.9	19	4.4	5	4.4
Unknown	19	2.1	11	2.6	5	4.4
Total	897	100	430	100	114	100

3.6.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Religion or Belief

RELIGION OR BELIEF	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Buddhist	4	0.4	1	0.2	1	0.7
Church of Scotland	298	26.6	141	28.8	37	27.2
Hindu	1	0.1	0	0	0	0
Humanist	4	0.4	2	0.4	1	0.7
Jewish	0	0	0	0	0	0
Muslim	5	0.4	0	0	0	0
None	430	38.4	179	36.5	47	34.6
Other Christian	100	8.9	34	6.9	11	8.1
Other Religion/Belief	10	0.9	1	0.2	0	0
Pagan	0	0	0	0	0	0
Roman Catholic	204	18.2	95	19.4	31	22.8
Sikh	1	0.1	0	0	0	0
Prefer Not to Say	52	4.6	32	6.5	8	5.9
Unknown	10	0.9	5	1.0	0	0
Total	1119	100	490	100	136	100

3.7 CARING RESPONSIBILITIES

3.7.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Caring Responsibilities

CARING RESPONSIBILITIES	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes (Children under 18)	379	42.3	188	43.7	46	40.4
Yes (Other)	15	1.7	5	1.2	3	2.6
No	491	54.7	231	53.7	61	53.5
Prefer Not to Say	5	0.5	2	0.5	1	0.9
Unknown	7	0.8	4	0.9	3	2.6
Total	897	100	430	100	114	100

3.7.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Caring Responsibilities

CARING RESPONSIBILITIES	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes (Children under 18)	541	48.3	234	47.8	71	52.2
Yes (Other)	40	3.6	23	4.7	6	4.4
No	523	46.7	225	45.9	57	41.9
Prefer Not to Say	11	1.0	6	1.2	0	0
Unknown	4	0.4	2	0.4	2	1.5
Total	1119	100	490	100	136	100

3.8 GENDER IDENTITY

3.8.1 Applicants for Promotion 1 January 2015 – 31 December 2015 by Gender Identity

The statistics in the table below are provided in response to the following question: Have you ever identified as a transgender person or as undergoing any part of the gender reassignment process?

GENDER IDENTITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes	1	0.1	0	0	0	0
No	892	99.5	428	99.5	114	100
Prefer Not to Say	0	0	0	0	0	0
Unknown	4	0.4	2	0.5	0	0
Total	897	100	430	100	114	100

3.8.2 Applicants for Promotion 1 January 2016 – 31 December 2016 by Gender Identity

The statistics in the table below are provided in response to the following question: Have you ever identified as a transgender person or as undergoing any part of the gender reassignment process?

GENDER IDENTITY	Applicants for Employment		Selected for Interview		Successful Appointments	
	No.	%	No.	%	No.	%
Yes	0	0	0	0	0	0
No	1097	98.0	481	98.2	135	99.3
Prefer Not to Say	17	1.5	8	1.6	1	0.7
Unknown	5	0.4	1	0.2	0	0
Total	1119	100	490	100	136	100

4. EMPLOYEES APPLYING FOR AND RECEIVING TRAINING

The table below contains information on employees who have received training centrally. The majority of training carried out centrally is mandatory. Therefore, there have not been any employees who have applied for training centrally who have not received the training or are currently awaiting the training.

4.1 Employees who applied for and received training during period 1 January 2015 – 31 December 2015

ETHNICITY	Number	Proportion (%)
White – Scottish	1560	65.3
White - Other British	85	3.6
White – Irish	19	0.8
White - Gypsy/ Traveller	0	0
White - Eastern European (e.g. Polish)	0	0
White - Other ethnic group	55	2.3
Any mixed or multiple ethnic group	2	0.1
Pakistani, Pakistani Scottish/British	2	0.1
Indian, Indian Scottish/British	0	0
Bangladeshi, Bangladeshi Scottish/British	0	0
Chinese, Chinese Scottish/British	0	0
Other Asian	1	0.0
African, African Scottish/British	2	0.1
Other African	0	0
Caribbean, Caribbean Scottish/British	4	0.2
Black, Black Scottish/British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish/British	0	0
Other Arab	0	0
Other	6	0.3
Prefer not to say	652	27.3
Unknown	0	0
	2388	100
GENDER	Number	Proportion (%)
Female	1152	48.2
Male	1236	51.8
Unknown	0	0
	2388	100
DISABILITY	Number	Proportion (%)
Number of Disabled Employees	27	1.1
	27	1.1
AGE	Number	Proportion (%)
Under 21	40	1.7
21 - 30	323	13.5
31 - 40	372	15.6
41 - 50	645	27.0
51 - 60	822	34.4
61 plus	186	7.8
Unknown	0	0
	2388	100
SEXUAL ORIENTATION	Number	Proportion (%)
Bisexual	3	0.1
Gay	8	0.3
Heterosexual/Straight	537	22.5
Lesbian	3	0.1
Prefer Not to Say	13	0.5
Unknown	1824	76.4
	2388	100

RELIGION OR BELIEF	Number	Proportion (%)
Buddhist	1	0.0
Church of Scotland	41	1.7
Hindu	0	0
Humanist	2	0.1
Jewish	0	0
Muslim	0	0
None	59	2.5
Other Christian	9	0.4
Other Religion/Belief	2	0.1
Pagan	2	0.1
Roman Catholic	26	1.1
Sikh	0	0
Prefer Not to Say	8	0.3
Unknown	2238	93.7
	2388	100
CARING RESPONSIBILITY	Number	Proportion (%)
No	56	2.3
Yes (children under 18)	70	2.9
Yes (other)	17	0.7
Prefer Not to Say	8	0.3
Unknown	2237	93.7
	2388	100
GENDER IDENTITY	Number	Proportion (%)
Yes	1	0.0
No	133	5.6
Prefer Not to Say	4	0.2
Unknown	2250	97.2

4.2 Employees who applied for and received training during period 1 January 2016 – 31 December 2016

ETHNICITY	Number	Proportion (%)
White – Scottish	2587	66.7
White - Other British	143	3.7
White – Irish	24	0.6
White - Gypsy/ Traveller	0	0
White - Eastern European (e.g. Polish)	0	0
White - Other ethnic group	85	2.2
Any mixed or multiple ethnic group	5	0.1
Pakistani, Pakistani Scottish/British	6	0.2
Indian, Indian Scottish/British	0	0
Bangladeshi, Bangladeshi Scottish/British	0	0
Chinese, Chinese Scottish/British	2	0.1
Other Asian	5	0.1
African, African Scottish/British	4	0.1
Other African	0	0
Caribbean, Caribbean Scottish/British	10	0.3
Black, Black Scottish/British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish/British	0	0
Other Arab	0	0
Other	7	0.2
Prefer not to say	1001	25.8
Unknown	0	0
	3879	100
GENDER	Number	Proportion (%)
Female	2281	58.8
Male	1598	41.2
Unknown	0	0
	3879	100
DISABILITY	Number	Proportion (%)
Number of Disabled Employees	56	1.4
	56	1.4
AGE	Number	Proportion (%)
Under 21	83	2.1
21 - 30	462	11.9
31 - 40	600	15.5
41 - 50	1128	29.1
51 - 60	1289	33.2
61 plus	317	8.2
Unknown	0	0
	3879	100
SEXUAL ORIENTATION	Number	Proportion (%)
Bisexual	7	0.2
Gay	10	0.3
Heterosexual/Straight	874	22.5
Lesbian	6	0.2
Prefer Not to Say	32	0.8
Unknown	2950	76.1
	3879	100

RELIGION OR BELIEF	Number	Proportion (%)
Buddhist	0	0
Church of Scotland	91	2.3
Hindu	0	0
Humanist	3	0.1
Jewish	1	0.0
Muslim	1	0.0
None	132	3.4
Other Christian	17	0.4
Other Religion/Belief	4	0.1
Pagan	2	0.1
Roman Catholic	55	1.4
Sikh	0	0
Prefer Not to Say	25	0.6
Unknown	3548	91.5
	3879	100
CARING RESPONSIBILITY	Number	Proportion (%)
No	101	2.6
Yes (children under 18)	122	3.1
Yes (other)	27	0.1
Prefer Not to Say	13	0.3
Unknown	3616	93.2
	3879	100
GENDER IDENTITY	Number	Proportion (%)
Yes	0	0
No	236	6.1
Prefer Not to Say	7	0.2
Unknown	3636	93.7
	3879	100

5. GRIEVANCE, DISCIPLINE AND BULLYING & HARASSMENT

The total number of employees involved in grievance procedures, who were the subject of disciplinary procedures or who raised Bullying & Harassment at work complaints was as follows:

5.1 Grievance Procedures, Disciplinary Procedures and Bullying & Harassment Complaints for period 1 January 2015 – 31 December 2015

	Grievance		Disciplinary		Bullying & Harassment	
ETHNICITY	No.	%	No.	%	No.	%
White – Scottish	0	0	27	58.7	7	0
White - Other British	0	0	1	2.2	2	0
White – Irish	0	0	0	0	0	0
White - Gypsy/ Traveller	0	0	0	0	0	0
White - Eastern European (e.g. Polish)	0	0	0	0	0	0
White - Other ethnic group	11	52.4	2	4.3	1	0
Any mixed or multiple ethnic group	0	0	0	0	0	0
Pakistani, Pakistani Scottish/British	0	0	1	2.2	0	0
Indian, Indian Scottish/British	0	0	0	0	0	0
Bangladeshi, Bangladeshi Scottish/British	0	0	0	0	0	0
Chinese, Chinese Scottish/British	0	0	0	0	0	0
Other Asian	0	0	0	0	0	0
African, African Scottish/British	0	0	0	0	0	0
Other African	0	0	0	0	0	0
Caribbean, Caribbean Scottish/British	0	0	1	2.2	0	0
Black, Black Scottish/British	0	0	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0
Arab, Arab Scottish/British	0	0	0	0	0	0
Other Arab	0	0	0	0	0	0
Other	0	0	0	0	0	0
Prefer not to say	10	47.6	14	30.4	5	0
Unknown	0	0	0	0	0	0
	21	100	46	100	15	100
GENDER	No.	%	No.	%	No.	%
Female	9	42.9	15	32.6	11	73.3
Male	12	57.1	31	67.4	4	26.7
	21	100	46	100	15	100
DISABILITY	No.	%	No.	%	No.	%
Number of Disabled Employees	0	0	1	2.2	0	0
	0	0	1	2.2	0	0
AGE	No.	%	No.	%	No.	%
Under 21	0	0	0	0	0	0
21 – 30	3	14.3	11	23.9	0	0
31 – 40	3	14.3	8	17.4	2	13.3
41 – 50	5	23.8	14	30.4	5	33.3
51 – 60	9	42.9	10	21.7	7	46.7
61 plus	1	4.8	3	6.5	1	6.7
	21	100	46	100	15	100
SEXUAL ORIENTATION	No.	%	No.	%	No.	%
Bisexual	0	0	0	0	0	0
Gay	0	0	0	0	0	0
Heterosexual/Straight	4	19.0	9	19.6	0	0
Lesbian	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	17	81.0	37	80.4	15	100
	21	100	46	100	15	100

RELIGION OR BELIEF	No.	%	No.	%	No.	%
Buddhist	0	0	0	0	0	0
Church of Scotland	0	0	3	6.5	0	0
Hindu	0	0	0	0	0	0
Humanist	0	0	0	0	0	0
Jewish	0	0	0	0	0	0
Muslim	0	0	0	0	0	0
None	0	0	0	0	0	0
Other Christian	0	0	0	0	0	0
Other Religion/Belief	0	0	0	0	0	0
Pagan	0	0	0	0	0	0
Roman Catholic	1	4.8	0	0	0	0
Sikh	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	20	95.2	43	93.5	15	100
	21	100	16	100	15	100
CARING RESPONSIBILITY	0	0	0	0	0	0
No	0	0	1	2.2	0	0
Yes (children under 18)	1	4.8	1	2.2	0	0
Yes (other)	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	20	95.2	44	95.7	15	100
	21	100	46	100	15	100
GENDER IDENTITY	0	0	0	0	0	0
Yes	0	0	0	0	0	0
No	1	4.8	2	4.3	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	20	95.2	44	95.7	15	100
	21	100	46	100	15	100

5.2 Grievance Procedures, Disciplinary Procedures and Bullying & Harassment Complaints for period 1 January 2016 – 31 December 2016

	Grievance		Disciplinary		Bullying & Harassment	
ETHNICITY	No.	%	No.	%	No.	%
White – Scottish	7	70	18	58.1	4	66.7
White - Other British	0	0	0	0	0	0
White – Irish	0	0	1	3.2	0	0
White - Gypsy/ Traveller	0	0	0	0	0	0
White - Eastern European (e.g. Polish)	0	0	0	0	0	0
White - Other ethnic group	1	10	0	0	0	0
Any mixed or multiple ethnic group	0	0	1	3.2	0	0
Pakistani, Pakistani Scottish/British	0	0	0	0	0	0
Indian, Indian Scottish/British	0	0	0	0	0	0
Bangladeshi, Bangladeshi Scottish/British	0	0	0	0	0	0
Chinese, Chinese Scottish/British	0	0	0	0	0	0
Other Asian	0	0	1	3.2	0	0
African, African Scottish/British	0	0	0	0	0	0
Other African	0	0	0	0	0	0
Caribbean, Caribbean Scottish/British	0	0	2	6.5	0	0
Black, Black Scottish/British	0	0	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0
Arab, Arab Scottish/British	0	0	0	0	0	0
Other Arab	0	0	0	0	0	0
Other	0	0	0	0	0	0
Prefer not to say	2	20.0	8	25.8	2	33.3
Unknown	0	0	0	0	0	0
	10	100	31	100	6	100
GENDER	No.	%	No.	%	No.	%
Female	2	20.0	11	35.5	3	50.0
Male	8	80.0	20	64.5	3	50.0
	10	100	31	100	6	100
DISABILITY	No.	%	No.	%	No.	%
Number of Disabled Employees	0	0	0	0	1	16.7
	0	0	0	0	1	16.7
AGE	No.	%	No.	%	No.	%
Under 21	0	0	0	0	0	0
21 – 30	0	0	12	38.7	0	0
31 – 40	3	30.0	3	9.7	2	33.3
41 – 50	4	40.0	3	9.7	3	50.0
51 – 60	2	20.0	11	35.5	1	16.7
61 plus	1	10.0	2	6.5	0	0
	10	100	31	100	6	100
SEXUAL ORIENTATION	No.	%	No.	%	No.	%
Bisexual	0	0	0	0	0	0
Gay	0	0	0	0	0	0
Heterosexual/Straight	2	20.0	5	16.1	0	0
Lesbian	0	0	1	3.2	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	8	80.0	25	80.6	6	100
	10	100	31	100	6	100

RELIGION OR BELIEF	No.	%	No.	%	No.	%
Buddhist	0	0	0	0	0	0
Church of Scotland	0	0	0	0	0	0
Hindu	0	0	0	0	0	0
Humanist	0	0	0	0	0	0
Jewish	0	0	0	0	0	0
Muslim	0	0	0	0	0	0
None	0	0	1	3.2	0	0
Other Christian	0	0	0	0	0	0
Other Religion/Belief	0	0	0	0	0	0
Pagan	0	0	0	0	0	0
Roman Catholic	0	0	0	0	0	0
Sikh	0	0	0	0	0	0
Prefer Not to Say	1	10.0	0	0	0	0
Unknown	9	90.0	30	96.8	6	100
	10	100	31	100	6	100
CARING RESPONSIBILITY	0	0	0	0	0	0
No	0	0	0	0	0	0
Yes (children under 18)	1	10.0	0	0	0	0
Yes (other)	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	9	90.0	31	100	6	100
	10	100	31	100	6	100
GENDER IDENTITY	0	0	0	0	0	0
Yes	0	0	0	0	0	0
No	1	10.0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0
Unknown	9	90.0	31	100	6	100
	10	100	31	100	6	100

6. EMPLOYEES LEAVING EMPLOYMENT

6.1 Employees leaving employment during period 1 January 2015 – 31 December 2015

ETHNICITY	Number	Proportion (%)
White – Scottish	492	64.9
White - Other British	35	4.6
White – Irish	15	2.0
White - Gypsy/ Traveller	0	0
White - Eastern European (e.g. Polish)	0	0
White - Other ethnic group	17	2.2
Any mixed or multiple ethnic group	2	0.3
Pakistani, Pakistani Scottish/British	3	0.4
Indian, Indian Scottish/British	1	0.1
Bangladeshi, Bangladeshi Scottish/British	0	0
Chinese, Chinese Scottish/British	2	0.3
Other Asian	0	0
African, African Scottish/British	2	0.3
Other African	0	0
Caribbean, Caribbean Scottish/British	0	0
Black, Black Scottish/British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish/British	0	0
Other Arab	0	0
Other	2	0.3
Prefer not to say	187	24.7
Unknown	0	0
	758	100
GENDER	Number	Proportion (%)
Female	472	62.3
Male	286	37.7
	758	100
DISABILITY	Number	Proportion (%)
Number of Disabled Employees	5	0.7
	5	0.7
AGE	Number	Proportion (%)
Under 21	26	3.4
21 – 30	160	21.1
31 – 40	132	17.4
41 – 50	127	16.8
51 – 60	128	16.9
61 plus	185	24.4
	758	100
SEXUAL ORIENTATION	Number	Proportion (%)
Bisexual	0	0
Gay	0	0
Heterosexual	203	26.8
Lesbian	0	0
Unknown	551	72.7
Prefer Not to Say	4	0.5
Other	0	0
	758	100

RELIGION OR BELIEF	Number	Proportion (%)
Buddhist	0	0
Church of Scotland	0	0
Hindu	0	0
Humanist	0	0
Jewish	0	0
Muslim	0	0
None	0	0
Other Christian	0	0
Other Religion/Belief	0	0
Pagan	0	0
Roman Catholic	0	0
Sikh	0	0
Prefer Not to Say	0	0
Unknown	758	100
	758	100
CARING RESPONSIBILITY	Number	Proportion (%)
No	0	0
Yes (children under 18)	0	0
Yes (other)	0	0
Prefer Not to Say	0	0
Unknown	758	100
	758	100
GENDER IDENTITY	Number	Proportion (%)
Yes	0	0
No	0	0
Prefer Not to Say	0	0
Unknown	758	100
	758	100

6.2 Employees leaving employment during period 1 January 2016 – 31 December 2016

ETHNICITY	Number	Proportion (%)
White – Scottish	512	63.4
White - Other British	41	5.1
White – Irish	12	1.5
White - Gypsy/ Traveller	0	0
White - Eastern European (e.g. Polish)	0	0
White - Other ethnic group	39	4.8
Any mixed or multiple ethnic group	1	0.1
Pakistani, Pakistani Scottish/British	0	0
Indian, Indian Scottish/British	1	0.1
Bangladeshi, Bangladeshi Scottish/British	0	0
Chinese, Chinese Scottish/British	1	0.1
Other Asian	1	0.1
African, African Scottish/British	2	0.2
Other African	0	0
Caribbean, Caribbean Scottish/British	5	0.6
Black, Black Scottish/British	0	0
Other Caribbean or Black	0	0
Arab, Arab Scottish/British	0	0
Other Arab	0	0
Other	0	0
Prefer not to say	193	23.9
Unknown	0	0
	808	100
GENDER	Number	Proportion (%)
Female	508	62.9
Male	300	37.1
	808	100
DISABILITY	Number	Proportion (%)
Number of Disabled Employees	6	0.7
	6	0.7
AGE	Number	Proportion (%)
Under 21	33	4.1
21 – 30	172	21.3
31 – 40	137	17.0
41 – 50	138	17.1
51 – 60	175	21.7
61 plus	153	18.9
	808	100
SEXUAL ORIENTATION	Number	Proportion (%)
Bisexual	2	0.2
Gay	1	0.1
Heterosexual	215	26.6
Lesbian	3	0.4
Unknown	583	72.2
Prefer Not to Say	4	0.5
Other	0	0
	808	100

RELIGION OR BELIEF	Number	Proportion (%)
Buddhist	0	0
Church of Scotland	6	0.7
Hindu	0	0
Humanist	0	0
Jewish	0	0
Muslim	0	0
None	10	1.2
Other Christian	1	0.1
Other Religion/Belief	0	0
Pagan	1	0.1
Roman Catholic	1	0.1
Sikh	0	0
Prefer Not to Say	0	0
Unknown	789	97.6
	808	100
CARING RESPONSIBILITY	Number	Proportion (%)
No	3	0.4
Yes (children under 18)	2	0.2
Yes (other)	0	0
Prefer Not to Say	0	0
Unknown	803	99.4
	808	100
GENDER IDENTITY	Number	Proportion (%)
Yes	0	0
No	4	0.5
Prefer Not to Say	0	0
Unknown	804	99.5
	808	100

6.3 Reasons for leaving during period 1 January 2015 – 31 December 2015

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
ETHNICITY													
White Scottish	84	8	10	15	22	19	5	138	44	29	100	18	492
White Other British	5	1	0	1	3	1	2	11	2	3	5	1	35
White Irish	0	0	0	0	0	0	3	10	0	0	0	2	15
White Gypsy/Traveller	0	0	0	0	0	0	0	0	0	0	0	0	0
White Eastern European	0	0	0	0	0	0	0	0	0	0	0	0	0
White Other Ethnic Group	4	0	0	0	0	0	0	9	2	1	0	1	17
Any Mixed or Multiple ethnic group	0	0	0	0	0	0	0	2	0	0	0	0	2
Pakistani, Pakistani Scottish/British	1	0	1	0	0	0	0	1	0	0	0	0	3
Indian, Indian Scottish/British	0	0	0	0	0	0	0	1	0	0	0	0	1
Bangladeshi, Bangladeshi Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Chinese, Chinese Scottish/British	0	0	0	0	0	0	1	1	0	0	0	0	2
Other Asian	0	0	0	0	0	0	0	0	0	0	0	0	0
African, African Scottish/British	0	0	0	0	0	0	0	1	0	1	0	0	2
Other African	0	0	0	0	0	0	0	0	0	0	0	0	0
Caribbean, Caribbean Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Black, Black Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0	0	0	0	0	0	0	0
Arab, Arab Scottish or Arab British	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Arab	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	1	1	0	0	0	2
Prefer not to say	31	1	2	10	2	7	5	76	24	10	14	5	187
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0
	125	10	13	26	27	27	16	251	73	44	119	27	758

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
GENDER													
Female	42	6	12	19	21	22	12	166	52	31	81	19	472
Male	83	4	12	7	6	5	4	85	21	13	38	8	286
	125	10	13	26	27	27	16	251	73	44	119	27	758
DISABILITY													
Number of Disabled Employees	0	0	0	0	0	0	0	1	1	0	2	1	5
	0	0	0	0	0	0	0	1	1	0	2	1	5
AGE													
Under 21	18	0	0	0	0	0	0	5	2	1	0	0	26
21 – 30	47	1	7	0	0	0	10	85	4	6	0	0	160
31 – 40	24	1	1	2	0	2	2	71	17	7	0	2	132
41 – 50	12	2	2	4	0	7	1	67	18	13	0	1	127
51 – 60	13	3	2	11	19	6	2	19	21	14	6	12	128
61 plus	8	3	1	9	8	12	1	4	11	3	113	12	185
	125	10	13	26	27	27	16	251	73	44	119	27	758
SEXUAL ORIENTATION													
Bisexual	0	0	0	0	0	0	0	0	0	0	0	0	0
Gay	0	0	0	0	0	0	0	0	0	0	0	0	0
Heterosexual/Straight	74	3	5	3	0	0	3	89	11	13	1	1	203
Lesbian	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer not to say	1	0	0	0	0	0	0	2	0	1	0	0	4
Unknown	50	7	8	23	27	27	13	160	62	30	118	26	551
	125	10	13	26	27	27	16	251	73	44	119	27	758
RELIGION/BELIEF													
Buddhist	0	0	0	0	0	0	0	0	0	0	0	0	0
Church of Scotland	0	0	0	0	0	0	0	0	0	0	0	0	0
Hindu	0	0	0	0	0	0	0	0	0	0	0	0	0
Humanist	0	0	0	0	0	0	0	0	0	0	0	0	0
Jewish	0	0	0	0	0	0	0	0	0	0	0	0	0
Muslim	0	0	0	0	0	0	0	0	0	0	0	0	0
None	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Christian	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Religion/Belief	0	0	0	0	0	0	0	0	0	0	0	0	0
Pagan	0	0	0	0	0	0	0	0	0	0	0	0	0
Roman Catholic	0	0	0	0	0	0	0	0	0	0	0	0	0
Sikh	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	125	10	13	26	27	27	16	251	73	44	119	27	758
	125	10	13	26	27	27	16	251	73	44	119	27	758

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
CARING RESPONSIBILITY													
No	0	0	0	0	0	0	0	0	0	0	0	0	0
Yes (children under 18)	0	0	0	0	0	0	0	0	0	0	0	0	0
Yes (other)	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	125	10	13	26	27	27	16	251	73	44	119	27	758
	125	10	13	26	27	27	16	251	73	44	119	27	758
GENDER IDENTITY													
Yes	0	0	0	0	0	0	0	0	0	0	0	0	0
No	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	125	10	13	26	27	27	16	251	73	44	119	27	758
	125	10	13	26	27	27	16	251	73	44	119	27	758

6.4 Reasons for leaving during period 1 January 2016 – 31 December 2016

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
ETHNICITY													
White Scottish	56	7	2	13	19	14	10	179	35	42	97	38	512
White Other British	3	0	0	1	0	1	3	19	5	2	7	0	41
White Irish	0	0	0	0	0	0	0	0	0	0	0	0	0
White Gypsy/Traveller	0	0	0	0	0	0	0	0	0	0	0	0	0
White Eastern European	0	0	0	0	0	0	0	0	0	0	0	0	0
White Other Ethnic Group	10	0	1	0	0	0	2	19	4	1	2	0	39
Any Mixed or Multiple ethnic group	0	0	1	0	0	0	0	0	0	0	0	0	1
Pakistani, Pakistani Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Indian, Indian Scottish/British	0	0	0	0	0	0	0	1	0	0	0	0	1
Bangladeshi, Bangladeshi Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Chinese, Chinese Scottish/British	0	0	0	0	0	0	0	1	0	0	0	0	1
Other Asian	0	0	1	0	0	0	0	0	0	0	0	0	1
African, African Scottish/British	1	0	0	1	0	0	0	0	0	0	0	0	2
Other African	0	0	0	0	0	0	0	0	0	0	0	0	0
Caribbean, Caribbean Scottish/British	0	0	1	0	0	0	0	2	2	0	0	0	5
Black, Black Scottish/British	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Caribbean or Black	0	0	0	0	0	0	0	0	0	0	0	0	0
Arab, Arab Scottish or Arab British	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Arab	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	1	1	7	1	0	1	1	12
Prefer not to say	17	3	5	6	2	5	9	80	14	21	19	12	193
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	87	10	11	21	21	21	25	308	61	66	126	51	808
GENDER													
Female	39	6	2	15	12	12	21	207	40	39	74	41	508
Male	48	4	9	6	9	9	4	101	21	27	52	10	300
	87	10	11	21	21	21	25	308	61	66	126	51	808

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
DISABILITY													
Number of Disabled Employees	0	0	0	0	0	2	1	1	0	0	2	0	6
	0	0	0	0	0	2	1	1	0	0	2	0	6
AGE													
Under 21	17	0	0	0	0	0	0	13	1	2	0	0	33
21 – 30	34	0	3	3	0	0	10	100	12	10	0	0	172
31 – 40	14	0	3	1	0	1	2	89	17	8	0	2	137
41 – 50	7	1	3	4	0	3	6	74	14	19	0	7	138
51 – 60	10	5	2	2	16	13	7	32	13	20	31	24	175
61 plus	5	4	0	11	5	4	0	7	4	0	95	18	153
	87	10	11	21	21	21	25	308	61	66	126	51	808
SEXUAL ORIENTATION													
Bisexual	1	0	0	0	0	0	0	0	0	0	1	0	2
Gay	0	0	0	0	0	0	0	1	0	0	0	0	1
Heterosexual/ Straight	48	2	3	1	0	0	9	119	19	11	2	1	215
Lesbian	1	0	0	0	0	0	0	1	1	0	0	0	3
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer not to say	1	0	0	0	0	1	0	1	1	0	0	0	4
Unknown	36	8	8	20	21	20	16	186	40	55	123	50	583
	87	10	11	21	21	21	25	308	61	66	126	51	808
RELIGION/BELIEF													
Buddhist	0	0	0	0	0	0	0	0	0	0	0	0	0
Church of Scotland	1	0	0	0	0	0	0	2	2	0	0	1	6
Hindu	0	0	0	0	0	0	0	0	0	0	0	0	0
Humanist	0	0	0	0	0	0	0	0	0	0	0	0	0
Jewish	0	0	0	0	0	0	0	0	0	0	0	0	0
Muslim	0	0	0	0	0	0	0	0	0	0	0	0	0
None	0	0	1	0	0	0	1	4	3	1	0	0	10
Other Christian	1	0	0	0	0	0	0	0	0	0	0	0	1
Other Religion/Belief	0	0	0	0	0	0	0	0	0	0	0	0	0
Pagan	1	0	0	0	0	0	0	0	0	0	0	0	1
Roman Catholic	0	0	0	0	0	0	0	0	1	0	0	0	1
Sikh	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	84	10	10	21	21	21	24	302	55	65	126	50	789
	87	10	11	21	21	21	25	308	61	66	126	51	808

	Contract Expired	Deceased	Dismissed	Dismissed – capability	Early Retiral	Ill Health Retiral	Leaving Area	Other Employment	Personal reasons	Reason not disclosed	Retirement	Voluntary Severance	Totals
CARING RESPONSIBILITY													
No	0	0	0	0	0	0	0	1	1	0	0	1	3
Yes (children under 18)	0	0	0	0	0	0	0	2	0	0	0	0	2
Yes (other)	0	0	0	0	0	0	0	0	0	0	0	0	0
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	87	10	11	21	21	21	25	305	60	66	126	50	803
	87	10	11	21	21	21	25	308	61	66	126	51	808
GENDER IDENTITY													
Yes	0	0	0	0	0	0	0	0	0	0	0	0	0
No	0	0	0	0	0	0	0	2	1	0	0	1	4
Prefer Not to Say	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	87	10	11	21	21	21	25	306	60	66	126	50	804
	87	10	11	21	21	21	25	308	61	66	126	51	808



**West Lothian
Council**

Corporate Equality Outcomes Plan 2015 – 2017

DRAFT

Corporate Services
April 2017

Contents

Section	Page
1. Foreword	3
2. Legal Context	4
3. Monitoring and Scrutiny	4
4. Outcome Progress	5

Appendix 2 – Corporate Equality Outcomes Plan 2015 - 2017

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2 Foreword

This document presents the final progress report on West Lothian Council's Equality Outcomes for the period of 2015 – 2017. Our Outcomes reflect our commitment to fulfilling both our statutory duties as well as pro-actively meeting the needs of the diverse community that we serve.

The Outcomes set in 2013 were designed as the Council's plan for breaking down barriers to services and employment opportunities and to improving outcomes for everyone who lives, works or does business in West Lothian.

The Council is committed to focusing our efforts on tackling some of the most persistent challenges of inequality in our society. Our Corporate Equality Outcomes focus on the issues identified by evidence, and those affected by inequality, as priorities for West Lothian.

Through developing closer links with our partners, involving our community and workforce and continuing to improve the way in which we monitor and review our progress, we hope to have achieved the outcomes set out in our plan and ensure that equality becomes part of everything we do.

Councillor John McGinty
Leader of the Council

Graham Hope
Chief Executive

April 2017

2. Legal Context

2.1 Public Sector Equality Duty

Section 149 of The Equality Act 2010 came into force in April 2011, introducing a new Public Sector Equality duty that became law across Scotland. The Public Sector Equality Duty (often referred to as the 'general duty') requires public bodies in the exercise of their functions, to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimization and other prohibited conduct.
2. Advance equality of opportunity between those who share a protected characteristic and those who do not and
3. Foster good relations between those who share a protected characteristic and those who do not.

2.2 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

The Scottish Government has introduced a set of specific equality duties to support the better performance of the general duty by public bodies. These duties include requirements to:

- Develop and publish a mainstreaming report
- Publish equality outcomes and report on progress (at least every two years)
- Assess and review policies and practices
- Gather and use employee information
- Publish gender pay gap information
- Publish statements on equal pay
- Consider award criteria and conditions in relation of public procurement
- Publish in a manner that is accessible

3. Monitoring and Scrutiny

As previously reported in our 2015 progress report, the Council's Executive and Corporate Management Teams remain directly involved in decision making regarding the strategic management of equality and diversity in the council. The Chair of the Council's Corporate Working Group for Equality is a member of the Corporate Management Team and the Diversity Champion for the Authority.

The Corporate Working Group for Equality continues to take forward responsibility for the monitoring and implementation of measures and actions relating to our Equality Outcomes.

A set of performance indicators have been developed to support progress against each Equality Outcome. A selection of performance indicators and progress being made against each of the Outcomes is set out in this progress report.

4. Outcome Progress

Since the introduction of our Equality Outcomes, the Council has undertaken considerable amounts of work to help move closer to achieving them.

(Appendix 2) sets out the equality outcomes and provides details of the Equality Outcomes and the progress we have made in working towards achieving the Outcomes.

It should be noted that each Outcome is not relevant to or monitored by all protected characteristics. The full information on which protected characteristics are deemed relevant to each Outcome can be viewed within the original Equality Outcomes report, which can be accessed by following the link below.

<https://www.westlothian.gov.uk/media/4270/Corporate-Equality-Outcomes-2013-17/pdf/corporateequalityoutcomes2013-17.pdf>

If you have any queries on the content of our equality outcomes progress, or wish to discuss any of the issues further, please contact the councils Equality and Diversity Advisor via the details below:

Equality and Diversity Advisor
West Lothian Council
Ground Floor (North), Civic Centre
Howden South Road
Livingston
EH54 6FF
T: 01506 281343
E: Maggie.Archibald@westlothian.gov.uk

Outcome 1: Employability and skills opportunities are accessible and accessed proportionately, by people within the relevant protected characteristics in West Lothian

Context

Unemployment, particularly amongst young people, is a key priority for the Council. Statistics highlight the disproportionate number of young people not in employment, education or training in West Lothian compared against the total population. The ongoing economic situation is also having a disproportionate impact on other groups, specifically women, people with disabilities and people from black and ethnic minority backgrounds. Given the economic growth projections, this issue is likely to remain a key mainstream and equalities priority over the four year period of the equality outcome cycle.

A selection of performance indicators have been developed to support the delivery of Outcome 1.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
✓	Percentage of council internal work placements taken by applicants aged 16-24	2015/16	40%	34%
✓	Percentage of West Lothian residents supported by West Lothian Council employability services who are Female	2015/16	48%	50%
✓	Percentage of West Lothian residents supported by West Lothian Council employability services who are from an Ethnic Minority	2015/16	7%	5%
✓	Percentage of West Lothian residents supported by West Lothian Council employability services that progress into a positive destination (employment, training or education) who are Female	2015/16	47%	49%
✓	Percentage of West Lothian residents supported by West Lothian Council employability services that progress into a positive destination (employment, training or education) who are from an Ethnic Minority	2015/16	6%	5%

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Development of our Modern Apprenticeship programme to increase equality of opportunity.

Worked in partnership with Capability Scotland to provide work experience within the Ability Centre and with external placement providers to remove barriers to gaining work and promote inclusion as well as providing pre-employment skill building, help with CV's and advocacy with employers.

Extension of our apprenticeship programme from two to three years to allow apprentices more opportunity to apply for permanent posts.

Provided ESOL classes to migrant communities with low levels of written or spoken English to develop skills, further learning and increase employability.

More Choices More Chances team providing support to young people to allow them to progress into employment, education or training.

Access2Employment provides West Lothian residents with support and information on finding employment, training and education. These support sessions are available at all West Lothian libraries to make employability and skills opportunities as accessible as possible.

Our Community Learning and Development Youth Services have co-produced a Toolkit of resources which will be available to every local authority in Scotland to support young people to develop skills for life learning and work.

The West Lothian Dyslexia Network has supported joint working of local services to better support access for adults with Dyslexia. Training has been delivered to 101 individuals from 25 separate organisations and services including housing providers, employability services, family centres and key staff across libraries and community centres.

Evidence to Support Our Activity

What we've done	The difference this has made
The Schools Vocational Programme includes a mix of both vocational related skills and personal development opportunities to address barriers to employability. The options included a variety of programmes running between 10 and 13 weeks and are targeted at the More Choices More Chances young people. The options available included Motor Vehicle,	Young people have evaluated the programmes very positively with some young people participating in the Hospitality course requesting an extension to the programme. 80% of young people passed the Motor Vehicle course and are guaranteed an interview for courses with West Lothian College

<p>Construction and Hospitality at (West Lothian College); and Construction at Blackburn Local Employment Scheme (BLES).</p>	<p>The impact has been that these young people have achieved in areas which they would not have done without the support of the service and participation has enabled them to move onto a positive destination.</p>
<p>Project Search is a year-long employability programme for young people aged 16 to 24 with a learning disability or autism in West Lothian. The project involves a partnership between West Lothian Council, West Lothian College and Jabil, a manufacturing employer based in Livingston. Young people are immersed in the business with support provided on site from a job coach, lecturer and business mentors.</p> <p>The aim is to develop skills and experience with a view to securing employment at the end of the programme.</p>	<p>Comments from student engaged in the programme indicated that their confidence had improved and they felt more positive about the ability to find work based on the experience they had gained. These include;</p> <ul style="list-style-type: none"> • It has really built my confidence’. • ‘I believe I will be able to get a job because of my experience in Project Search’. • ‘This has given me experience in different work areas’. • ‘It has improved my confidence and given me valuable work experience’. • ‘I have really enjoyed the experience of working with other colleagues, and learning how a large, fast environment works’.
<p>Our Youth Enterprise Adviser engages with pupils with particular needs – those who come from disadvantaged backgrounds, supported learning, looked-after children and some who have been excluded from school.</p> <p>The intention is to provide extra support for vulnerable groups through structured group sessions, one-to-one work, and mock interviews delivered through various programmes designed to equip young people with decision making skills, raise self-esteem, aspirations and self-responsibility.</p>	<p>Positive feedback on the programmes includes:</p> <p>The personality and knowledge of the Youth Enterprise Advisor has been invaluable while working with some of our more challenging pupils which has led to a better understanding of both how business works and how employers decide on the best candidates at interview. The mock interviews have given the pupils the opportunity to learn interview skills and put those into practice. Through the feedback given the pupils have learnt from their mistakes and actioned the areas of development mentioned in the feedback which has built on the pupil’s confidence and therefore ability to achieve a positive destination.”</p> <p>Work with Nurture groups has helped young people with social, emotional and behavioural difficulties who are failing at school. Recently the Youth Enterprise Advisor worked with one individual with autism into college, and another individual with a disadvantaged background and behavioural difficulties with few qualifications into college.</p> <p>“The school benefited from engaging with the Youth Enterprise Adviser. Young people developed their employability and/or enterprise skills and improved in confidence and self-esteem.”</p>





Outcome 2: The council has a reduced level of gender based occupational segregation

Context

Occupational segregation is a significant cause of women and children's poverty. Poverty is a likely outcome of low-paid employment over a lifetime. Women with children also face constraints in finding work that is commensurate to their skills and aspirations as well as flexible in terms childcare and other caring responsibilities. A lack of options can force women into part-time, low paid work, thus affecting the lives, health, and opportunities of their children. Resulting from the impact of the economy, there is growing evidence of a disability and ethnicity pay gap which requires to be monitored.

A selection of performance indicators have been developed to support the delivery of Outcome 2.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
	Percentage of council internal work placement who are female.	2015/16	25%	20%
	Gender balance of posts identified with high levels of female occupancy	2015/16	90%	85%
	Gender balance of posts identified with high levels of male occupancy	2015/16	94%	85%
	Percentage of council employees in top 5% of earners that are women.	2015/16	53%	52%

Good progress has been made towards achieving this outcome.

Performance against the indicator "Percentage change in the gender balance of posts identified with high levels of female occupancy" is currently reporting amber. The council employs 2736 people in posts relating to residential and personal care; facilities management and domestic posts and primary teachers. In this year 89.95% these posts were occupied by female employees. There were 289 new employees recruited in 2015/16 with 252 being women (87.2%) and 31 being men (12.8%).

Performance against the indicator "Percentage change in the gender balance of posts identified with high levels of male occupancy" is currently reporting amber. The council employs 506 people in Construction, and Building Services. In this year 93.87% (475 people) of these posts were

occupied by male employees. There were 60 new employees recruited in 2015/16, 59 men and 1 woman.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Continue to monitor gender balance in segregated posts.

Engaged with long term unemployed women to improve their chances of employment.

Evidence to Support Our Activity

What we've done	The difference this has made
Ongoing work within service areas and partners to encourage girls to apply for jobs in non-traditional roles. Employees from the Modern Apprenticeship team visited all secondary schools and provided information relating to the Modern Apprenticeship Programme. Case studies and promotional materials were used to challenge the stereotypical views that trade apprenticeships are only for males.	We recruited our first female road worker who has reported that she has learned valuable skills which had a direct impact on her desire and ability to secure a Modern Apprenticeship with West Lothian Council.
A Women's Network Group for Roads and Transportation staff has been initiated.	This Network Group is in the early stages of development; however it has created new connections between female staff based in different locations.
In February 2016 Building Services launched a pilot project called "Girls into Construction". This project involved delivering workshops and information sessions on building and construction trades at two high schools, with the aim of encouraging more young women to apply for trade apprenticeships. The pupils took part in various 'have a go' workshops including plastering, electrical, joinery, painting, plumbing and bricklaying.	This project work has seen a positive outcome in the recent recruitment process for trade apprenticeships. With six females making it through to the testing stage (which is up from zero on the previous year), 3 females through to interview and two recruited into the positions of painter and decorator and mechanic.


Outcome 3: Improved awareness of violence against women, improved protection against violence within services

Context

Gender based violence is a function of gender inequality and results in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Violence against women includes: domestic abuse; rape; sexual harassment and intimidation at work and in the public sphere; commercial sexual exploitation, including prostitution and trafficking; child sexual abuse; forced and child marriages; female genital mutilation.

The following is a performance indicator which has been developed to support the delivery of Outcome 3.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
	Percentage of women who report that they feel safer as a result of intervention by the Domestic and Sexual Assault Team	Q3 2016/17	100%	90%

Good progress has been made towards this outcome with 100% of women who engaged with the Domestic and Sexual Abuse team reporting that they felt safer as a result of the team's intervention.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Implemented an alternative means of processing Housing Benefit to protect the identity of those fleeing domestic violence.

Continued commitment to the delivery of a specialist Domestic Abuse and Sexual Assault Team (DASAT).

Ongoing and regular training is delivered to Education and Social Policy employees to maintain high levels of awareness of issues such as forced marriage.

Delivery of the annual '16 days of action' event with the aim of raising awareness of gender based violence to a wider audience and not just those working within Social Policy, Health, Police or Education.

Offering group work through the CEDAR (Children Affected by Domestic Abuse Recovery) Project to women and children to improve their relationships.

Ongoing multi-agency partnerships ensure that those most at risk, those most needing support and any risk to the community is continually reviewed.

Displayed posters and leaflets on the LISA Project (Living in Safe Accommodation) in women only staff areas to heighten awareness and offers opportunities for staff experiencing domestic violence to talk confidentially with the DASAT Team.

All services commissioned by the Alcohol and Drugs Partnership (ADP) are required to complete a VAW (violence against women) checklist with female clients within the first few sessions of engagement with the service. It is essential to use in a substance misuse setting given the high prevalence of violence against women who are also using substances as a coping strategy.

Evidence to Support Our Activity

What we've done	The difference this has made
Implemented the 'Safe and Together' model in relation to domestic abuse, where the emphasis is on partnering with the non-abusive parent.	This has changed the language, understanding and perception of coercive control, enabling women and children to be more appropriately protected.
Implemented Adult Support and Protection training for staff providing an introduction to the Adult Support and Protection (Scotland) Act 2007, related legislation and what to do if you witness, suspect or receive information about abuse or harm involving an adult at risk.	This training equips staff to act appropriately when faced with violent situations, helping to improve service and protection for service users.
Delivered a briefing on violence against women to Customer Information Services staff.	Increased staff awareness of the signs of domestic abuse has allowed those most at risk to be referred to the DASAT team, via the Customer Service Centre, more timeously.
Presentation from the Domestic and Sexual Assault Team (DASAT) at the Let's Talk Equalities event in 2016.	Positive feedback received from the event indicated that the presentations were useful and increased attendees' awareness.

<p>The purpose of the presentation was to increase awareness of the prevalence of domestic abuse in West Lothian and the services available to adults and children.</p>	
<p>Community Arts worked in partnership with Open Secret to create a weekly art group for women who have suffered domestic abuse. Open Secret is a community based organisation that provides confidential support to individuals and families whose lives have been impacted by childhood abuse or trauma.</p>	<p>Art workshops have:</p> <ul style="list-style-type: none"> • Created a network of support • Provided a safe environment for people with shared experience of violence • Allowed participants to learn new skills and build confidence <p>The success of the workshops initiated by Community Arts has led to the group continuing on the work giving a legacy ensuring ongoing benefit to participants.</p>

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Outcome 4: People within the relevant protected characteristics in West Lothian understand the definition of hate crime and are comfortable and feel confident about reporting hate incidents

Context

Evidence shows that victims of non-biased crime can experience a decrease in symptoms such as anxiety, depression and post-traumatic stress within two years. Victims of bias, or hate crime, may need as long as five years to overcome their ordeal. Whilst all crime can increase the fear of being targeted in people other than the victim, fear of hate crime escalates dramatically in those who share with an immediate victim, the same group identity that has made a victim a target. Hate crime therefore has a deep rooted effect in our communities and impacts upon all three elements of the General Equality Duty.

The following is a performance indicator which has been developed to support the delivery of Outcome 4.

Performance Information

Code & Short Name	Last Update	Current Value
Detection rate for hate crime	2015/16	69%

Performance against this indicator is the responsibility of Police Scotland as part of our Single Outcome Agreement. Police Scotland continues to work with our Safer Neighbourhood Teams and our communities to reduce Hate Crime.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Embedded Hate Crime awareness into Personal and Social Education (PSE) and Religious and Moral Education (RME) lessons in secondary schools.

Implemented an anti-sectarian module into the Personal and Social Education lesson programme.

Partnership working with the voluntary sector to provide information to older people (65+) regarding hate crime.

Roll out of Prevent training to all council employees. This training develops knowledge around the risks of radicalisation.

Identified 12 venues within the voluntary sector as remote reporting sites for Hate Crime.

Multi agency work to support asylum seekers, refugees, unaccompanied refuge children and trafficked young people.

Ongoing partnership working between Police Scotland and the LGBT Youth Group Glitter Cannons regarding raising awareness of Hate Crime.

In partnership with Police Scotland, providing a dedicated Hate Crime officer with a portfolio that covers West Lothian to provide further support where required.

Evidence to Support Our Activity

What we've done	The difference this has made
<p>West Lothian Council supports Police Scotland's campaign to promote HOPE which stands for;</p> <ul style="list-style-type: none"> • Hate Crime Awareness • Operational responses to Hate Crime • Preventing Hate Crime, and • Empowering communities to report Hate Crime and access Victim Support services. <p>The Community Safety Unit work closely with Partners to monitor all crimes and incidents on a daily basis to reduce Hate Crime across West Lothian. West Lothian Council Safer Neighbourhood Team Officers investigate antisocial behaviour (including Hate Crime incidents) that is reported to them and liaise with Police Scotland as appropriate.</p> <p>The council provides remote reporting sites which are safe confidential spaces within a non-police environment that allows vulnerable people within our communities to report hate crimes and/or incidents.</p>	<p>In West Lothian, awareness around Hate Crime has been promoted through joint initiatives which have included visits to schools, colleges, prisons, community groups (including Senior Peoples Forums, LGBT groups, Disability groups), gypsy/travellers and further education classes to provide Hate Crime awareness, cyber bullying workshops</p> <p>West Lothian Council has supported national campaigns and continues to promote prevention through these joint initiatives and via the West Lothian Council website and a variety of media releases and social media sites.</p>
<p>Continued partnership working with West Lothian Faith Group and Police Scotland with the aim of reducing hate crime and increasing awareness.</p> <p>Police Scotland has an ongoing presence at the Faith Group</p>	<p>The Faith Group always welcomes input from Police Scotland and as a result has an increased awareness of hate crime, counter-terrorism and crime prevention as a result.</p>

<p>which has been really well received. For example, there have been inputs on crime prevention in churches, counter-terrorism and hate crime reporting. This is part of the community safety unit's general approach to raising awareness of hate crime.</p>	
<p>The Community Safety Unit and local police work with diversity groups in West Lothian, including LGBT Youth Group Glitter Cannons, MILAN (Asian women's group) disability groups and older people groups. At these meetings officers can discuss issues relating to hate crime with members of the public.</p> <p>The Community Safety Unit have recently completed work with Capability Scotland and worked with new officers and inmates at Addiewell Prison to make sure they know the correct procedures relating to hate crime and receive appropriate interventions.</p>	<p>Prison Officers and other colleagues within service provisions across West Lothian have been supported and encouraged to report all Hate Crimes and Incidents to the Police for investigation.</p> <p>Offenders are educated in the effects of Hate Crime on individuals, families and communities and that all Hate Crimes and incidents will not be tolerated.</p>




Outcome 5: People with disabilities experience greater independence in their lives

Context

Evidence shows that providing greater independence for people with disabilities assists to reduce inequality and improve the standard of living for those affected by disability. Suitability of housing, transportation, access to public amenities, accessibility of the built environment, care packages, aids and adaptations and access to education, employment and training all have an impact on the ability of people with disabilities to achieve improvements in living independently. While this outcome is broad, the council will focus on the areas of most relevance and impact within our influence to support people with disabilities.

A selection of performance indicators have been developed to support the delivery of Outcome 5.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
	Percentage of council house properties with needs based equipment and adaptations installed or carried out	2015/16	5%	5%
	Percentage of all operational buildings from which the council delivers services that are fully accessible for disabled persons	2015/16	73%	73%
	Percentage of residents with access to an hourly or more frequent bus service	2015/16	90%	90%

The Council has performed well against this Outcome, with all indicators developed to support the Outcome reporting green.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Worked in partnership with West Lothian Access Committee regarding ongoing improvements to the design of our schools, housing stock and public buildings to ensure they are accessible.

Delivery of Disability Sports Inclusion training in schools to ensure pupils with a disability are able to participate in physical education, physical activity and sport.

Implementation of a Wellbeing and Inclusion Service within Education which is inclusive of Autism Outreach, Hearing and/or Visual Impairment and ADHD specialists to support pupils.

Continue to work in partnership with parent-led organisations to provide youth club opportunities to young people with additional support needs.

Provide Lip-reading classes to adults experiencing isolation due to hearing loss, we have worked with over 60 learners since 2015.

All Ability Cycling was launched this year with funding which has supported the purchase of 25 adapted bikes and the introduction of weekly try-out/activity sessions.

Continued delivery of the Travel Concession Scheme. This scheme is designed to help West Lothian disabled people get around by making travel in West Lothian cheaper to use.

The appointment of a Support Worker who works directly with vulnerable young people particularly those who have experienced mental health issues, substance misuse and deprivation to enable them to get advice, help and support to escape the poverty trap.

Worked with local sports clubs and organisations to provide targeted opportunities for those with additional support needs and provide grant funding to support inclusive clubs.

Commitment to the 'six steps to library services for blind and partially sighted people'. This national initiative aims to improve accessibility of library services for people with sight loss or other print disabilities.

Evidence to Support Our Activity

What we've done	The difference this has made
NETs, Land & Countryside Services participated in a Citizen Led Inspection "Look See" pilot within the 3 Country Parks. This project considered how accessible our parks were for people with disabilities.	<p>An Improvement Plan was devised which has resulted in several improvements being made for example:</p> <ul style="list-style-type: none"> • Relocation of 6 parking bays within Polkemmet Country Park to a more suitable car park surface to encourage wheelchair access. • Installation/replacement of signs at Beecraigs and Almondell Country Parks to improve access for disabled people • Installation of a new picnic bench at the parking area at Almondell Country Park to allow disabled visitors to enjoy the fresh air without the need to travel far

<p>We are in the process of building 1,000 new council houses. 13% of these homes will be bungalows which will give physically disabled and elderly tenants a home that meets their needs and the opportunity to sustain their tenancy and live more independent of support services they may otherwise have relied on.</p>	<p>Housing Strategy and Development consulted with the Access Committee to assess the new build design for people with disabilities. During this consultation wheelchair users visited one of the first bungalows to be built in the programme to assess the functionality of the layout. Following comments made, aspects like the height of gate latches and bathroom layouts were changed for future builds.</p>
<p>We have continued to adapt our current housing stock to make them more accessible to meet the needs of our tenants.</p>	<p>In 2015/16, 703 applications for medical adaptations were approved by the service, of which 673 medical adaptations were completed. This has allowed tenants to continue to live independently in their own homes.</p>
<p>In 2016 we reviewed and then implemented a new Housing Allocations Policy to make our housing more accessible for all residents of West Lothian.</p> <p>The new policy promotes equal opportunities in a variety of ways, for example, housing that is not accessible for disabled people is regarded as being unsatisfactory housing. This recognises the barrier that disabled people experience in relation to the inadequacies of the housing in which they live.</p>	<p>Housing that has been adapted to meet the needs of disabled people is offered to disabled applicants as a priority and based on need.</p>

Outcome 6: People within the relevant protected characteristics in West Lothian feel involved in the processes by which the council makes decisions that affect them, and that they have appropriate information and resources to understand and influence those decisions

Context

As well as being an essential element of the Public Sector Equality Duty in Scotland, effective involvement of people from the equality protected characteristics in the policies and practices of the council that affect them adds significant value to the council, ensuring that we are meeting needs and aspirations of individuals that access our services. Engaging individuals from, or with expertise in, particular areas of equality in our mainstream opportunities for community engagement will assist to widen the responsiveness of our services.

A selection of performance indicators have been developed to support the delivery of Outcome 6.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
✓	Percentage of individuals involved in Community Councils who are women	2014/15*	52%	50%
✓	Percentage of individuals involved in Community Councils who are from an Ethnic Minority	2014/15*	19%	20%
✓	Percentage of individuals involved in Community Councils who class themselves as having a disability	2014/15*	34%	35%
✓	Percentage of individuals involved in Community Councils who consider themselves to be of a certain religion	2014/15*	74%	70%
✓	Percentage of people on the West Lothian Citizens Panel who feel involved in their Community by age	2014/15*	41%	40%
✓	Percentage of the West Lothian Equality Community Forum who feel that the work of the forum has made some or a significant difference in terms of equality	2015/16	87%	80%

*Performance against this Outcome is measured from data taken from the Community Council Survey which is conducted every two years. In 2014/15 the indicators all reported green. 2016/17 data from the Community Council survey will be available to report in April 2017.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Delivered a bespoke film project for Looked after Young People called 'Having Your Say'. This project allowed young people to share their thoughts and experiences of being in the care system with others in similar circumstances in a safe and supportive environment

Translation of an NHS Basic Parenting Book into Arabic for refugee parents arriving with babies and infants

Conducted a review of our Citizens Panel to ensure its representative of the West Lothian Community. Part of the review included extending the equality monitoring questions to include gender identity

Independent strategic needs assessments including extensive service user consultation were undertaken to inform the Learning Disability, Physical Disability, Older People, Mental Health and Alcohol and Drug Partnership's Commissioning Plans

Provided bespoke support to refugee children to enable them to integrate seamlessly into our communities

Implemented a range of engagement programmes including focus groups, 1:2:1 meetings and feedback forms to shape the provision of services provided by Active Schools and Community Sport Service. This has allowed the service to understand and address barriers to participation by certain groups

Commissioning of Advocacy services to continue to support people with a range of protected characteristics to ensure their views are heard

Alcohol and Drugs Partnership (ADP) redesigned their rehabilitation service following consultation with service users

Delivery of one-off focus group meetings to continue to improve on our performance as a landlord, resulting in an increase in tenant engagement with previously disengaged tenants. Evidence suggests that such disengagement may be linked to protected characteristics.

Evidence to Support Our Activity

What we've done	The difference this has made
<p>Bespoke LGBT specific training was delivered by LGBT Youth Scotland to a number of employees within Social Policy, specifically those who work within the Children & Young People Team.</p> <p>This was requested due to the number of young people in schools struggling with gender identity.</p>	<p>This training has improved employee awareness of the challenges LGBT children and young people face and assisted staff in identifying how support might best be offered.</p> <p>Positive feedback from participants included:</p> <ul style="list-style-type: none"> • improved knowledge about language and the issues around LGBT young people • more confidence in supporting and signposting young people to appropriate services • more awareness of young people's feelings.
<p>An Information and Advice Service is commissioned specifically for people with a disability through a contract with Capability Scotland West Lothian Information and Advice Service. This ensures that the information and advice can be given in a more appropriate way to meet the needs of people with a disability and ensure appropriate inclusion in access to this service.</p>	<p>As part of this remit a number of "information" events have been organised, including one specifically focused on people with hearing loss and BSL users. Capability Scotland organise such events bi-monthly based on issues identified by people with a disability, the most recent event was held on the subject of "Accessible Housing".</p>
<p>The Faith Group, a Community Planning Partnership Equality Forum facilitated by the council, is an informal interfaith network for representatives of the different faiths in West Lothian to get together, share ideas and experiences and discuss issues of common concern.</p> <p>The group also provides a mechanism for the council and partners to engage on religion and belief based equality issues to inform policy and service development and gain an understanding of diverse communities to ensure services better meet the needs of our local communities.</p>	<p>Facilitation of the Faith Group supports the council's work towards meeting the general duty of fostering good relations between those who share a protected characteristic and those who do not, as demonstrated by the quote below from a Faith Group member:</p> <p>"The West Lothian Interfaith Group provides a space to share an understanding of how people from different religious faiths put into practise their beliefs, fostering a strong sense of mutual trust, respect and friendship. It also provides opportunities to interact with the wider community through organised events and has the potential for doing good collectively."</p>
<p>The Faith Group developed a 'Faith Handbook' to increase awareness and understanding of different beliefs and practices, aimed at service providers, employers and members of the community. This was intended to enhance engagement between service providers and customers to improve how</p>	<p>The handbook has been used within the council in the following ways:</p> <ul style="list-style-type: none"> • Whitdale Family Centre has used the handbook to increase staff understanding of local multi-cultural needs and cultural routines of families, with the handbook enabling practitioners to reflect on

services are delivered and has been circulated widely across the council and community planning partners.

questions to be asked to new families and on how to support families at crisis point.

- the handbook has been circulated to all **headteachers** as a suggested tool for planning religious education and observance and its use is promoted in school libraries.

The handbook received a bronze award at the 2016 COSLA Excellence Awards. It is the first document of its kind in Scotland and has been recognised as a useful tool by Interfaith Scotland. A version has been circulated to all local faith groups across Scotland for use in their own areas.

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Outcome 7: West Lothian Council is recognised internally and externally as an equal opportunities employer

Context

The council has made significant progress in relation to implementation of structures, processes and employee engagement on equality and diversity in recent years. Further focus on increasing the diversity of our workforce and raising employee and management awareness and capacity to understand the specific needs of customers within the equality protected characteristics is required to ensure that we have a workforce which is confident and in a position to be authentic in the workplace.

A selection of performance indicators have been developed to support the delivery of Outcome 7.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
	Performance on Stonewall Workplace Equality Index	2015/16	67	100
	Percentage of employees who have completed equality and diversity training	2016/17	63%	70%
	Percentage of council employees in top 5% of earners that are women.	2015/16	53%	52%

The indicator relating to our performance on the percentage of employees who have completed equality and diversity training is currently reporting at amber. This training is mandatory for all employees and all Council Services have developed a plan to ensure that all employees receive this training by September 2017.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Implemented an Employee Health and Wellbeing Framework that provides a proactive and structured approach to supporting employee wellbeing. 1670 employees have participated/engaged with health and wellbeing activities and provisions during 2015/2016 including Weigh& Go, Bodychecks, Cycle to Work Day, Physiotherapy and Smoking Cessation.

Successfully retained a Healthy Working Lives Gold Accreditation.

Reviewed our Counselling Service to ensure it is inclusive of Sexual Orientation and Gender Identity.

Improved our computerised self-service system HR21 to enable employees to update at any time the equality monitoring data we hold about them and enabled us to raise awareness amongst our employees in relation to why we hold this data.

Continued to offer a wide range of learning and development opportunities to employees which incorporates the principles of diversity and inclusion and were appropriate have specific content that reinforces the council's commitment to equality and diversity.

Reviewed our Bullying and Harassment Code of Practice and Policy to ensure it is more inclusive of Gender Identity.

Continued to conduct employee surveys, asking employees for their perception on a range of issues including equality and diversity.

Successfully achieved Disability Confident level 2 status in the newly introduced Disability Confident Scheme. This scheme demonstrates our commitment to a continued zero tolerance approach to disability discrimination in our recruitment and selection practices and as such ensures we are committed to demonstrating that we take positive action to attract, recruit and retain disabled people.

Introduction of a revised annual appraisal process Appraisal and Development Review (ADR). The new process is built around a set of core behavioural competencies which apply across all employee groups. These competencies reflect standards expected of managers and employees and some of the competencies relate directly to equality and diversity such as 'Promote the benefits of diversity and challenge prejudice, discrimination and bias.

Evidence to Support Our Activity

What we've done	The difference this has made
<p>The council began rolling out mandatory equality and diversity training to all 8,090 employees in February of 2016. This is to ensure employees have an awareness of equality and diversity issues and provides evidence of the council's compliance with the requirements of the Equality Act 2010.</p> <p>This training was designed internally to ensure it met the needs of all areas of the council and it is delivered face-to-face by a group of 22 trainers from across all council services. The training is largely interactive and explores and challenges employee attitudes and behaviours through a number of specifically designed practical exercises.</p>	<p>Out of the 8090 employees in West Lothian Council 5071 employees have attended the training.</p> <p>Individual service areas continue to roll out the training with future sessions already planned.</p> <p>The evaluation of the training with those attending has been very positive with some of the feedback on what employees found most useful below:</p> <ul style="list-style-type: none"> • "Scenarios demonstrating inherent stereotypes and exercises to challenge assumption and bias". • "Reinforces how to interact with others in a professional capacity".

	<p>Employees attending were also asked how they would put this learning into practice in the workplace, some of the responses are below:</p> <ul style="list-style-type: none"> • “Challenge inappropriate remarks when first heard”. • “By being more aware of other people / issues. To offer more assistance to those who may need it”. • “Always be considerate and aware of everyone's rights”. • “Be aware of my language and understand and respect others”. • “Be more aware of terminology which is acceptable and when to intervene in situations”.
Learning and Development Advisers attended train the trainer courses on achieving a Mentally Healthy Workplace in October 2014. This training has been rolled out to 121 managers since 2015 and has been targeted at services with the highest levels of mental and behavioural absence. In 2016 the training materials were further adapted with 18 managers attending to date.	<p>Mental health absences are being monitored in services where the managers have received this training to measure whether this training has made a difference in terms of reducing mental and behavioural absences. The feedback from participants has been very positive with comments such as:</p> <ul style="list-style-type: none"> • “I am looking at what I can now implement in the workplace”. • “It has opened up discussions about changes that could be made to improve morale, some small & inexpensive”. • “Better understanding of mental health in the working environment”.
We continue to corporately support important equality events/days linked to LGBT i.e. LGBT (Lesbian, Gay, Bisexual, Transgender) History Month, IDAHOBiT (International Day against Homophobia, Biphobia and Transphobia) and West Lothian Pride, as well as Black History Month, Interfaith Week, World Aids Day, International Women's Day and Holocaust Memorial Day	<p>We continue to demonstrate that we offer an inclusive, equal and inspiring environment for our employees and the wider communities of West Lothian.</p> <p>We continue to actively support and facilitate West Lothian Pride, this celebrates LGBT culture and allows LGBT people to express themselves without fear of retribution or reprisal and brings together people of different backgrounds, ethnicity and age groups within the local community. By bringing those people together we are able to make connections, build positive relationships, create community cohesion, reduce isolation and raise awareness. The wider benefits of this event makes LGBT people of West Lothian feel more included in their communities and reduce prejudice based attitudes and reactions to LGBT people.</p>
In partnership with Deaf Action Scotland, the council delivered a	This training has allowed employees to have a better understanding of

number of bespoke British Sign Language (BSL) awareness raising courses to employees across all service areas in preparation for the introduction of the new legislation relating to British Sign Language (British Sign Language (Scotland) Act 2015).	<p>the barriers deaf and hard of hearing face when accessing services and within their daily lives.</p> <p>Evaluations from the training were positive, feedback from employees included:</p> <ul style="list-style-type: none">• “excellent course, you don’t really fully understand how difficult it is for people to access services until you attend courses like this”• “trying to communicate with the trainer and each other without speech was so hard, but thoroughly enjoyed learning some basic sign language, great course and a must attend for any employee”
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Outcome 8: Children and young people within the relevant protected characteristics in West Lothian's schools feel safe, supported and able to be themselves

Context

National research highlights that bullying in schools as a result of having an equality protected characteristic, remains a persistent and significant equality issue. Bullying has a severe impact on all pupils who are victims. However, in a similar context to hate crime, a pupil bullied because they are black or from an ethnic minority, have a disability or are perceived to be LGB or T are likely to face more severe impacts on their attainment and future life chances. Bullying related to gender remains a growing issue which requires to be considered a priority within the four year equality outcomes cycle.

A selection of performance indicators have been developed to support the delivery of Outcome 8.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
	Percentage of Pupils in Primary Seven Rating the Equality & Fairness in Their School as Good or Excellent.	2015/16	75%	77%
	Customer Satisfaction: Percentage of Students in Secondary Schools Rating the Equality & Fairness in Their School as Good or Excellent.	2015/16	59%	62%

The council has performed well in meeting this outcome with all indicators reporting green.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Implemented the 'Safe and Together' model in relation to domestic abuse where the emphasis is on partnering with the non-abusing parent. Each school now has a trained domestic abuse 'champion'.

Ensuring designs within schools incorporates open plan areas to reduce bullying.

Delivered a series of creative workshops targeted at groups for whom English is a second language.

Implemented a self-evaluation document to enable partners and stakeholders to reflect on the service provided by Active Schools and Community Sport to ensure a fun, safe and inclusive environment for all pupils.

Targeted work with disenfranchised parents and carers through the facilitation of Bookbug sessions which encourage reading and learning.

Evidence to Support Our Activity

What we've done	The difference this has made
Continuing to embed 'How Good is Our School 4' recognising that pupils learn in different ways. Respect and tolerance are integrally taught and build confidence in individuals.	Formal groups supporting LGBT young people are active in six of our 11 secondary schools and are being increasingly valued by both management teams and pupils as demonstrated by a doubling of participant schools developing LGBT groups. Events such as the Stonewall Rainbow Laces campaign and Purple Friday are actively promoted. Broxburn Academy are one of only three Scottish secondary schools to have achieved LGBT Youth Scotland Silver Charter mark.
Delivery of the Catapluf's Musical Journey – to Additional Support Need (ASN) pupils at Beattie School Campus The musicians took percussion and a cello into the school and engaged with pupils with a variety of profound additional needs. Previous engagement with ASN schools using music as a medium has shown impact and benefit for pupils with additional support needs.	Community Art undertook consultation with artists to ensure the 3 musicians engaged for the project all had experience of working with children who have profound needs. The project delivered a one off workshop within the school and children attended a performance at Howden park Centre. The children all had a positive reaction to the rhythm, beat and sounds of the instruments.
Sound Stories was a series of 8 weekly workshops aimed at engaging with pupils from Cedarbank ASN School in music making, by encouraging them to explore their emotional responses to music. Pupils worked with professional composer/Musician Dave Trouton.	The sessions encouraged pupils to work as a group to devise and perform their own music, providing great opportunities to learn and develop skills in collaboration, turn taking, active listening, sharing, self-expression and self-confidence. Pupils explored the use of music in film and television and learned how music helps to communicate ideas and tell stories. Teacher's comments – 'The sessions allowed the pupils to develop social skills such as listening, turn taking, and working together as well as developing their knowledge of music and musical instruments. It was

<p>Active Schools and Community Sport have produced a GIRFEC Strategic Self-Evaluation document to support stakeholders and partners reflect on the service provided by Active Schools and Community Sport through the GIRFEC Health and Wellbeing Indicators. This document provides partners with the opportunity to review and reflect on the opportunities provided to pupils across PE, school sport and club sport to ensure that all pupils, including those with protected characteristics feel safe, supported and able to be themselves.</p>	<p>greatly enjoyed by all.'</p> <p>The strategic self-evaluation has enabled schools and community clubs to undertake self-reflection with regards to activities and to identify the support that is available through Active Schools and Community Sport. The document provides a focus approach to assisting partners and stakeholders provide a fun, safe and inclusive environment for PE, physical activity and sport. Schools are recognised for outstanding provision through the School Sport Awards. Currently 16 West Lothian primary and secondary schools have attained bronze with 27 on silver and 10 achieving gold.</p>
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Outcome 9: Carers in West Lothian recognise an improved awareness of caring related issues amongst employees when accessing and engaging with council services

Context

Whether caring for children or adult dependents, unpaid care work has a significant impact on the ability of carers to access mainstream council services. Carers may require services to be provided on a flexible basis or at specific times which work around caring responsibilities. Caring responsibilities are likely to impact significantly on the ability of carers to interact and access council services, as well as having a significant impact on life chances, including health and employment.

A selection of performance indicators have been developed to support the delivery of Outcome 9.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
✓	Percentage of community care service users and carers satisfied with their involvement in the design of care packages	2015/16	92%	90%
✓	Percentage of carers who feel supported and able to continue in their role as a carer	2015/16	72%	75%

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Continue to provide flexibility to young carers who are within a school setting.

Continue to work in partnership with Carers of West Lothian and MECOPP (Minority Ethnic Carers of Older people Project) to provide support services, information, advice, training, consultation and representation for carers.

Evidence to Support Our Activity

What we've done	The difference this has made
<p>All staff involved in assessment and care management of older people have had specific training in Self Directed Support (S.D.S.) which came into force in April 2015. Carers' assessments are integral to this process, focusing on both the needs of the individual and those of the client's carers/family.</p>	<p>Carers participate in decision-making and receive the support they need to continue to offer care.</p> <p>For example, a client with Alzheimer's disease cared for by her husband chose to use their support budget to continue to receive a befriending and sitter service as an alternative to traditional day care.</p>
<p>The Introduction of Self Directed Support in April 2015 allows families to choose options of provision for children with a disability: to choose council commissioned services, self-purchased support, or a mix of both. Included in this are day and respite services for children; education tailored to specific needs of children either included in mainstream schools, in specialist provision locally or (more rarely) in specialised units outside West Lothian, e.g. specialist autism units. All needs are carefully assessed, working in partnership with families and other support agencies to identify the best resource for each child and each carer's needs.</p>	<p>This approach has allowed families and carers to have and make informed choices in terms of need. Examples of this are:</p> <p>One family chose to have respite in the form of childminding and animal therapy for their children with autism. They choose the option where the Child Disability Service (CDS) pay for and arrange this.</p> <p>Another family chose to have CDS arrange services for respite which meant they could have breaks from caring through overnight breaks, short breaks and holiday activities.</p>

Outcome 10: People within the relevant protected characteristics in West Lothian have an improved awareness of, and access proportionately income maintenance and maximisation opportunities

Context

The combined effects of the economic situation and reform to welfare are having a detrimental impact on poverty. Ensuring that people affected by poverty have information and support to ensure that they are making the most of financial opportunities available to them is a key priority for the council going forward. Awareness and access to these opportunities by people within the relevant protected characteristics is critical to promoting equality. Given economic projections, this issue is likely to remain a key mainstream and equalities priority over the four year period of the equality outcome cycle.

A selection of performance indicators have been developed to support the delivery of Outcome 10.

Performance Information

Traffic Light Icon	Code & Short Name	Last Update	Current Value	Current Target
✓	Number of customers receiving disability related benefits	Q3 2016/17	622	530
✓	Total quarterly amount the Advice Shop has gained in extra benefits for older people (Aged 60 and over).	Q3 2016/17	£1,636,126	£1,500,000

Good progress has been made in this Outcome, with the performance indicators which support the outcome reporting green.

Our Action

The Council has undertaken a number of activities in working towards achieving the desired outcome. These include:

Worked in partnership with external organisations to ensure young people have access to information, advice and guidance in relation to managing and maximising their income.

Actively working with our housing tenants to help them manage rent arrears.

The Advice Shop trains, manages and deploys IT buddies to assist those who require additional support to access benefits on-line and learn

to use digital media.

Extension of our Advice Shop outreach provision to ensure vulnerable adults can still access the service at a venue/facility which best suits their needs.

Signposted families and kinship carers to the Advice Shop to ensure they receive benefits advice and are able to maximise their income.

Continued to provide front facing customer service support at customer service centres to maximise access to benefits by assisting customers to complete forms and signposting customers to other agencies who may be able to offer more support.

Provide additional support and advice to older people who access assessment and care management services to ensure they have the opportunity to maximise their income via benefits advice.

Work in partnership with third sector to improve income maintenance and maximisation opportunities for the residents of West Lothian.

Provide a 'buddy' volunteer to support very vulnerable clients who need to attend a medical assessment to meet eligibility criteria for benefits their attendance.

Evidence to Support Our Activity

What we've done	The difference this has made
<p>Through close partnership working with the Mental Health Advocacy Project (MHAP) a number of multiple debt cases have been referred to the Corporate Debt Team from the MHAP and also cases from the Corporate Debt Team to the MHAP.</p> <p>The approach aims to:</p> <ul style="list-style-type: none"> • Provide all reasonable assistance to those customers who have difficulty in paying so they can pay what they are due. • Provide appropriate advice and assistance to customers to maximise their income. • Treat all customers as individuals and consider, wherever possible, individual circumstances when taking action to recover debts. 	<p>The MHAP have commented that “ the service offered has been superb, efficient and a great help to mental health service users in West Lothian who can find themselves in very difficult and complex situations in relation to welfare benefits, debt and related housing issues. The team communicate especially well with our client group, listen to the issues and are persistent in helping to resolve problems and getting good outcomes. The team have helped us to uphold our service users rights, and have actively prevented issues of debt, poverty and deterioration of mental health arising for our often hard to reach client group”</p>

<p>The 'Better off' Anti-Poverty Strategy aims to help minimise the impact of poverty on the people of West Lothian.</p> <p>The strategy identifies seven cross-cutting themes of poverty: Economy/Income, Employability/Economic Development, Education, Housing, Health, Community and Inequality. Its object is to ensure that people are equipped to cope with the challenges they currently face, in terms of their disposable income, and the impact that this has on their health, education and community involvement.</p>	<p>The Advice Shop has improved the financial circumstances of West Lothian residents by over £27million. Income has been maximised through detailed benefits work to reduce the levels of financial hardship, stress and isolation.</p> <p>According to report, Contribution Of The Advice Shop To The Anti-Poverty Strategy, in June 2016:</p> <p>"The Anti-Poverty Strategy is clear about the need to reduce the inequalities gap and tackle the causes of inequality. This translates into targeted services for the poorest and most vulnerable in society resulting in West Lothian citizens being less at risk of financial exclusion as a result of having their disposable income maximised. The Advice Shop has made sure that resources are targeted at those most in need. It has continued to identify gaps in provision, raise awareness of entitlement, develop campaigns and ensure that those seeking advice have their needs met, where possible, at first point of contact."</p>
<p>The 'Pamper Me' event offers advice and support to people who are homeless or at risk of becoming homeless (often from protected groups).</p>	<p>The event provides the opportunity for people to access advice and support from many agencies, including The Advice Shop, Women's Aid, Foodbank and Business Gateway, in one accessible event. All of these organisations work with people to raise awareness and access to income maintenance.</p> <p>It is also a chance for people, who may not otherwise have the opportunity or funds, to try out some new therapies, fun activities and exercise.</p>



COUNCIL EXECUTIVE

SCOTTISH GOVERNMENT CONSULTATION – A SEVERANCE POLICY FOR SCOTLAND

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To make Council Executive aware of the Scottish Government's current consultation on the severance arrangements across the devolved public sector in Scotland and to invite the Committee to consider the draft response to the consultation appended to this report.

B. RECOMMENDATION

That Council Executive approves the proposed response to the consultation.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none">• Being honest, open and accountable• Making best use of our resources
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The council has a policy of no compulsory redundancy and the costs of all approved exit payments are recovered within a 3 year period.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	None
VI Resources - (Financial, Staffing and Property)	Severance payments are funded from within existing service budgets. The Modernisation Fund is available to support service budgets as required.
VII Consideration at PDSP	None

D. TERMS OF REPORT**D.1 Background**

Following the UK Government's reform of public sector exit payments, the Scottish Government issued a consultation document on 31 March 2017 to all devolved public sector bodies to hear views on whether recent powers should be used, or other reforms taken forward, to exit payment arrangements. The closing date for responses to the consultation is 23 June 2017.

The UK Government's reform includes: the ending of six figures exit payments for public sector workers by capping the total cost of an exit payment to £95,000; and the recovery (clawback) of public sector exit payments when a high earner (defined as someone who was on a salary of £80,000 or more) returns to work in the public sector within 12 months.

These reforms are likely to be delivered through regulations under the Small, Business, Enterprise and Employment Act 2015 (the 2015 Act). Scottish Ministers have powers under the 2015 Act to decide whether to adopt an exit payment cap and/or recovery measures similar to those being implemented by the UK Government or set a different level of cap and/or salary ceiling in relation to recovery provisions.

D.2 Aim of the Consultation – Policy Options

The Scottish Government is not consulting on the basis of a preferred way forward, but instead wishes to ensure that decisions about a Scottish approach to future policy are informed by as many voices as possible. The consultation seeks to explore four broad policy options:

- **Option 1 Status Quo**

Current compensation arrangements meet best value and deliver against fair work principles, accepting a level of continuing variance of practice across workforces that reflects the devolution of responsibilities to individual sectors and employers

- **Option 2 Non-legislative Change**

Consider reforms to current devolved compensation arrangements that would improve value for money and the delivery of fair work principles but which do not require the use of powers conferred on Scottish Ministers by the 2015 Act.

- **Option 3 Replicating UK Arrangements**

Agree to make reforms along the lines of the UK Government proposals.

- **Option 4 A Hybrid Approach**

Agree to reform using the powers conferred on Scottish Ministers and implement a hybrid of legislative and non-legislative change which could, for example, strengthen existing severance arrangements and /or introduce some form of different cap and/or recovery arrangements.

D.3 Council Position

A very small number of public sector exits have resulted in the UK Government's reform of public sector exit payments, including the capping of the total cost of exit payments to £95,000.

Given the scale of further budget reductions that are likely to be required by local government and the wider public sector in future years to maintain balanced budgets, it is important that organisations retain the flexibility to manage workforce reductions through offering exit packages.

Therefore, the introduction of any measures to manage costs should be based on the demonstration of acceptable pay back periods for recovery of the cost of the exit and not the sum itself. To impose an exit package cap may result in difficulties in implementing workforce restructure programmes that will be critical to councils managing their finances efficiently.

D.4 Council Response

An exit cap and other changes to exit payment terms could assist to manage severance costs by setting an upper limit on the cash value of any exit package, however this may result in organisations being unable to deliver the required workforce changes that may be required whilst maintaining the Scottish Government's policy of no compulsory redundancy for those bodies which Scottish Ministers control pay.

Whilst it is recognised that there may be some adverse public perception regarding the costs of exit payments in the public sector, the Scottish Government should resist setting an arbitrary cash cap which removes the flexibility required to deliver the transformational change required in local government and other devolved public sector bodies.

Consequently Option 1 – Status quo is considered to reflect the most appropriate approach.

A copy of the consultation document including the council's proposed response to the consultation is attached as Appendix 1 to this report.

E. CONCLUSION

Scottish Ministers have powers under the 2015 Act to decide whether to adopt an exit payment cap and/or recovery measures similar to those being implement by the UK Government or set a different level of cap and/or salary ceiling in relation to recovery provisions.

The Scottish Government has issued a consultation to hear views on whether recent powers should be used, or other reforms taken forward, to exit payment arrangements to devolved public sector bodies in Scotland.

Option 1 – Status quo, where no reform is required as the current compensation arrangements is considered to be the most appropriate approach.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

Appendix 1: Consultation document and draft response

Contact Person: Lesley Henderson – HR Services Manager (01506 281408)
lesley.henderson@westlothian.gov.uk

Julie Whitelaw
Head of Corporate Services
25 April 2017

A Severance Policy for Scotland

Consultation on severance arrangements across the devolved public sector

1. What types of bodies or bodies themselves do you think SHOULD be covered?

The council does not believe there should be an exit payment cap. However, if a cap is to be applied, it should cover all devolved public sector bodies.

It is recognised that a very small number of public sector exits have resulted in the UK Government's reform of public sector exit payments, including the capping of the total cost of exit payments to £95,000.

Given the scale of further budget reductions that are likely to be required by local government and the wider public sector in future years to maintain balanced budgets, it is important that organisations retain the flexibility to manage workforce reductions through offering exit packages.

Therefore, the introduction of any measures to manage costs should be based on the demonstration of acceptable pay back periods for recovery of the cost of the exit and not the sum itself. To impose an exit package cap may result in difficulties in implementing workforce restructure programmes that will be critical to councils managing their finances efficiently.

An exit cap and other changes to exit payment terms could assist to manage severance costs by setting an upper limit on the cash value of any exit package, however this may result in organisations being unable to deliver the required workforce changes that may be required whilst maintaining the Scottish Government's policy of no compulsory redundancy for those bodies which Scottish Ministers control pay.

Whilst it is recognised that there may be some adverse public perception regarding the costs of exit payments in the public sector, the Scottish Government should resist setting an arbitrary cash cap which removes the flexibility required to deliver the transformational change required in local government and other devolved public sector bodies.

Consequently the Council considers that Option 1 reflects the most appropriate approach.

- 2. What types of bodies or bodies themselves do you think SHOULD NOT be covered?**

See response to Question 1

- 3. Given the variation exit in schemes across the public sector, is there benefit in seeking to make this more consistent to deliver best value and Faure Work Outcomes?**

See response to Question 1

- 4. Do you think it is necessary to set an exit payment cap for the devolved public sector?**

See response to Question 1

- 5. Which of the following exit payment arrangements (included in the UK Government's exit payment cap proposals) should Scottish Ministers include in the event that a cap was introduced in Scotland for the devolved public sector?**

See Response to Question 1

- 6. Are there any other exit payments situations where you think a cap should apply?**

See response to Question 1

- 7. Which of the following exit payments (included in the UK Government's exit payment cap proposals) should Scottish Ministers include if a cap were to be introduced for the devolved public sector?**

See response to Question 1

- 8. Which of the following exit payments should Scottish Ministers exclude if a cap were to be introduced for the devolved public sector?**

See response to Question 1

- 9. Should Scottish Ministers introduce a threshold for recovery arrangements for high-earners in the devolved public sector?**

See response to Question 1

10. Over what time period should recover arrangements apply?

See response to question 1

11. Which of the following payments should Scottish Ministers include in the exit payment recovery arrangements, if introduced for the devolved public sector?

See response to question 1

12. Do you think that enforcement mechanisms should be introduced for the devolved public sector

See response to question 1

13. If in the event of an exit payment cap and recovery should Scottish Ministers have

See response to Question 1

14. Are there other forms of reporting you think would be helpful across the devolved public sector in Scotland?

See response to Question 1

15. Do you think there would be value in changing exit payment tariff terms along the lines of the UK Government's proposals: Please select all those you think should be included

See response to Question 1

16. What would be an appropriate payback period for exit payments that balances affordability with operational effectiveness?

See response to Question 1

17. Should Scottish Ministers apply any of the following restrictions for devolved public sector employers?

See response to Question 1

18. You are invited to provide evidence of where an exit cap or other changes to exit payment terms would further support your organisation's ability manage paybill costs?

See response to Question 1

19. What do you think are the positive and negative economic and fiscal impacts an exit cap, changes to exit payment and recovery arrangements.

See response to Question 1

20. What do you think are the positive and negative social impacts an exit cap, changes to exit payment and recovery arrangements.

See response to Question 1

21. What do you think are the positive and negative environmental and/or regulatory impacts of an exit cap, changes to exit payment and recovery arrangements?

See response to Question 1

22. What do you think are the positive and negative financial impacts an exit cap, changes to exit payment and recovery arrangements.

See response to Question 1

23. What do you think are the positive and negative equalities impacts an exit cap, changes to exit payment and recovery arrangements.

See response to Question 1

24. What unintended consequences do you think might arise from proposals that go beyond the status quo?

See response to Question 1

25. Do you think these are appropriate factors to consider when making the case for the change to severance arrangements in the devolved public sector

- See response to Question 1

26. Are there other risks you think should be part of Scottish Ministers decision making on this issue?

See response to Question 1

27. In conclusion, which of the following options best reflects your views of reform of severance arrangements across the devolved public sector?

See response to Question 1

28. Final Comments

See response to Question 1

A Severance Policy for Scotland

**Consultation on severance arrangements
across the devolved public sector**

March 2017



Scottish Government
Riaghaltas na h-Alba
gov.scot

About this consultation

Consultation is an essential part of the policy making process. It gives us the opportunity to get your opinion and expertise on a proposed area of work. You can find all Scottish Government forthcoming, open and closed consultations online at: <http://gov.scot/publications>.

Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post. After a consultation is closed we publish all responses where we have been given permission to do so.

Responses are analysed and used as part of the policy making process, along with a range of other available information and evidence. Responses to this consultation will help to inform whether reform of severance arrangements is required in the devolved public sector in Scotland

To inform this consultation and provide a picture of exit payment activity across the devolved public sector, Scottish Government officials sourced data using a number of different methods. One data source utilised a pre-consultation data gathering exercise which sought details on severance schemes, number and cost of exits by salary band and length of service from a range of devolved public bodies, including Health bodies, Non-Departmental Public Bodies, Police Scotland the Scottish Fire and Rescue Service and the Further Education (college) sector. Separately, additional data was sourced from NHSScotland Annual Accounts and received from Audit Scotland in respect of local authorities.

The results of the data gathering exercise forms the basis for the tables and statistics referred to in Section 3. The response rate to the pre-consultation data gathering was 77 per cent of those public bodies surveyed. While not presenting a complete position, it does provide an indicative picture on exits in the devolved public sector in Scotland.

Deadline

The consultation was published on 31 March 2017 and closes at midnight on **23 June 2017**.

How to respond

You can respond to this consultation online, by email or by post:

Respond online

To respond online please use the Scottish Government's Consultation Hub, Citizen Space at <http://consult.scotland.gov.uk>.

You can save and return to your response at any time while the consultation is open. But please ensure your response is submitted before the consultation closes at midnight on 23 June 2017. You will automatically be emailed a copy of your response after you submit it.

If you choose this method you will be directed to complete the Respondent Information Form.

The Respondent Information Form lets us know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public.

Respond by email

You can respond by email to: severance-policy-for-scotland@gov.scot.

If you respond by email, please ensure you complete the Respondent Information Form provided at Annex A and attach it alongside your response.

Respond by post

If you prefer you can also submit a written response in hard copy to:

Susan Gray
Financial Strategy Division
Area 3C-North
The Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

If you respond by post, please ensure you complete the Respondent Information Form provided at Annex A and attach it alongside your response.

Next Steps

After the consultation has closed all the responses received will be analysed to help inform whether reform of severance arrangements is required and if so what shape the changes may take.

Where permission has been given, we will make all responses available to the public at <https://consult.scotland.gov.uk/>. The responses to the consultation and analysis will be published during summer 2017.

Enquiries and complaints

If you have a query about the consultation process or a complaint about how this consultation has been conducted you can send your query by email to: severance-policy-for-scotland@gov.scot or by hard copy to the address above.

Executive Summary

The Scottish Government seeks to ensure severance arrangements are fair and equitable while providing value for money for the people of Scotland. Severance continues to play an essential role in ensuring employers across the public sector in Scotland deliver services efficiently and effectively by enabling them to manage changes to workforces in reaction to changing organisational circumstances - while at the same time helping leavers bridge the gap into new employment.

Scottish Ministers want to hear your views on whether recent powers should be used - or other reforms taken forward - to achieve better outcomes by delivering best value to taxpayers, flexible and responsive public services and a fair deal for public sector employees, through changing exit payments arrangements, in particular through the introduction of an exit payment cap, recovery of exit payments and changing exit payment terms.

Across the devolved public sector in Scotland, over 3,000 exit payments at a cost of £119 million were made in 2015-16. In most cases, the cost of this exit payment is recovered from the year-on-year savings from no longer paying salary for such posts. This consultation represents an opportunity to provide assurance this is money well spent and assess whether reform is required.

To do this, the Severance Policy for Scotland consultation will set out current practice across the public sector landscape to manage and control severance arrangements and the underpinning policy set out by the UK Government. It will ask you to consider four policy options and whether there is **a case for change** to severance arrangements in the devolved public sector in Scotland and if so, what that change could look like.

Following your response to this consultation, Scottish Ministers will consider all responses and decide what option to take forward; balancing the maintenance of constructive relationships with unions and employers, value for money for the taxpayer and the fair treatment of the public sector workforce.

1 Introduction

In December 2016, as part of Scotland's Budget for 2017-18, Scottish Ministers announced their intention to consult on severance policy across the devolved public sector in Scotland.

This is, in part, as a result of powers conferred on Scottish Ministers (by way of Westminster Acts for which legislative consent motions were agreed by the Scottish Parliament) in relation to capping and recovery of exit payments in devolved public sector bodies and existing powers that relate to exit payment terms. Combined, they create the opportunity to review existing practices and consider the best approach for the devolved public sector in the future.

The Scottish Government approach to public sector terms and conditions, which includes severance schemes and public sector pay policy, is based on a commitment that they are fair, affordable, offer value for money. We remain committed to a policy of no compulsory redundancy for those bodies which Scottish Ministers control pay and to the promotion of a consistent approach across the public sector, effective governance and control over severance schemes and meets the needs of employers and employees.

The Scottish Government places a high value on the role of trade unions, encouraging partnership working between employers and trade unions around the delivery of flexible and responsive public services and the support offered to those employed in public service, including in the design and application of severance schemes.

This consultation is intended to support this overall approach, in the interests of the sustainability of the public finances and the effectiveness of public services.

2 Background

2.1 UK Government reforms and Scottish Ministers' powers

The UK Government's reform of public sector exit payments includes: the ending of six-figure exit payments for public sector workers by **capping** the total cost of an **exit payment to £95,000**; and the **recovery** (clawback) of public sector exit payments when a high earner (defined as someone who was on a salary of £80,000 or more) returns to work in the public sector within 12 months, based on the premise that it is right to examine whether there is sufficient assurance to the taxpayer that these exit pay arrangements are fair and represent value for money.

The UK Government is likely to deliver some of these reforms through regulations under the Small Business, Enterprise and Employment Act 2015 ("the 2015 Act"). The Scottish Ministers have powers under the 2015 Act which enable them to make Regulations on whether to cap and/or recover exit payments in the devolved sector. These add to existing controls over exit payment terms for that sector. The Scottish Government is under no obligation to use the 2015 Act powers.

Furthermore, the UK Government initiated a cross public sector reform of **exit payment (severance) terms** with the aim of reducing costs of redundancy payments and ensuring greater consistency between workforces. This UK Government initiative does not extend to the devolved public sector.

2.2 Changes to Civil Service Compensation Scheme

Changes to the exit payment terms of the Civil Service Compensation Scheme have already been made. The exit cap will come into force for most staff covered by the Civil Service Compensation Scheme when relevant Regulations are made by a UK Minister. As the terms of the Civil Service Compensation Scheme are reserved to the UK Government, changes to it apply to around 19,200 civil servants working for the Scottish Government and to those working for devolved Scottish bodies who elected to be part of the Civil Service Compensation Scheme.

2.3 Fair Work

The Scottish Government is committed to ensuring severance packages are fair and equitable while also providing value for money for the people of Scotland. Exit payments associated with the loss of employment are an important part of an employer's ability to flex their organisational structure

to react to new circumstances and they also provide important support for employees as they find new employment. All such compensation arrangements should be proportionate and offer value for money.

Public sector workers play a crucial role in delivering services essential for the country and supporting our economy. The Scottish Government supports the independent Fair Work Convention's vision to embed a culture of fair work throughout all workplaces in Scotland and is committed to being an exemplar of fair work itself. The Fair Work Convention's Framework recognises fair work as that which offers effective voice, opportunity, security, fulfilment and respect. For employees, fair work brings increased financial security, better physical health and greater psychological wellbeing. Employers will, in turn, see less absence, greater productivity and enjoy a good reputation as a fair employer.

2.4 Exit payment value for money and affordability

As part of the Scottish Ministers' commitment to no compulsory redundancy, employers make every effort to find alternative employment for employees as part of re-shaping workforces to support service delivery or underpin public service reforms. Where this is not possible they offer voluntary exit schemes.

Exit payments should represent value for money to the tax payer, be affordable to the public purse and facilitate the sustainable delivery of public services through an engaged, committed and flexible workforce. Exit payments help unlock substantial reductions in staff costs in the medium to long term which are needed to meet the continuing challenge of budget pressures across the public sector. In most cases, the cost of this exit payment is recovered from the year-on-year savings from no longer paying salary for such posts.

In 2013, the Audit Scotland report *Managing Early Departures from the Scottish Public Sector* acknowledged that

“voluntary exit schemes can provide significant savings and that public bodies generally provide good practices”.

Given the scale of costs associated with the exit payments it is vital that they continue to offer best value. The Audit Scotland report also commented

“there is evidence to show that Scotland's public sector generally follows the principles of good practice. Many have up-to-date policies on their early departure schemes. Wider workforce strategies are used by organisations to help decide where they need to reduce staff numbers or

which grades they need to reduce. Most use some form of business case to help decide if early departure will lead to savings." ('Key Messages', page 4)

Ensuring that exit packages offer flexibility to employers, support to employees and value for money to the taxpayer, are key drivers of any decision around the implementation of an exit cap or recovery arrangements.

2.5 Devolved powers over exit payment caps, recovery and reform of payment terms

Under these powers, Scottish Ministers can decide whether to adopt an exit payment cap and/or recovery measures similar to those being implemented by the UK Government or set a different level of cap and/or salary ceiling in relation to recovery provisions. They could also specify the types of payments to be included in that cap and/or recovery provisions.

In addition, the Scottish Ministers could choose to delegate powers to a body in respect of exit payments made by the body or to exempt particular bodies or sectors from the cap or recovery measures.

The table below provides the underpinning policy approach being taken by the UK Government in applying exit payment cap (to the total cost of exit payments to the employer) and recovery provisions as well as outlining their approach to reforming exit payment terms.

UK GOVERNMENT POLICY POSITION	
Exit Payment Cap	<ul style="list-style-type: none"> • Cap the total cost of exit payments available to individuals leaving employment to £95,000 • Apply the cap to all types of arrangements for determining exit payments • To cover payments made in relation to leaving employment including: <ul style="list-style-type: none"> ◦ Voluntary and compulsory exits ◦ Other voluntary exits with compensation packages ◦ Ex gratia payments and special severance payments ◦ Other benefits granted as part of exit process that are not payments in relation to employment ◦ Employer costs of providing early unreduced access to pensions (or any form of pension 'top-up') ◦ Payments or compensation in lieu of notice and cashing up of outstanding entitlements • Where a number of payments are made these will be aggregated together to be measured against the cap

	<p>Payments out of scope</p> <ul style="list-style-type: none"> • Compensation payments in respect of death or injury attributable to the employment, serious ill health and retirement and certain fitness requirements • Payments made in compliance with an order of court or tribunal <p>Relaxation process</p> <ul style="list-style-type: none"> • The relaxation of the cap would require consent from relevant Minister • Full council to take decisions on waiver in cases involving local authorities <p>Compliance and transparency</p> <ul style="list-style-type: none"> • Requires bodies to maintain records and publish annual details of all exit payments relaxed within a financial year
UK GOVERNMENT POLICY POSITION	
Recovery of Exit Payments	<ul style="list-style-type: none"> • Exit payments are recovered on return to any part of the public sector, including for members of the Civil Service Compensation Scheme in Scotland and reserved public sector in Scotland • The minimum salary at which recovery of exit provisions apply is £80,000 per annum • Exit payments recovery will be tapered from date of exit up to 12 months. None after 12 months • Payments included for loss of employment, including discretionary payments and to buy-out actuarial reductions to pensions and severance payments <p>Excluded payments</p> <ul style="list-style-type: none"> ○ Potential if not actual monetary value ○ Payments and compensation in lieu of notice ○ Payments equal to minimum statutory redundancy ○ Payments made in respect of incapacity or death as a result of accident, injury or illness ○ Payments made in respect of leave not taken ○ Payments made in compliance with an order of court or tribunal • Mechanism for enforcement are that former employer is entitled to take an individual to court to reclaim money. • Transparency – bodies that grant a waiver disclose this as part of annual reports and accounts
UK GOVERNMENT POLICY POSITION	
Exit Payment Terms	<ul style="list-style-type: none"> • A maximum tariff for calculating exit payments of three weeks' pay per year of service. Employers could apply tariff rates below these limits • A ceiling of 15 months on the maximum number of months' salary that can be paid • A maximum salary on which an exit payment can be based, as a starting point of the NHS scheme salary limit of £80,000 • A taper on the amount of lump sum compensation an individual is entitled to receive as they get closer to pension age • Act to limit or end employer-funded early access to pension within exit packages. Proposals could be: <ul style="list-style-type: none"> ○ Cap the amount of employer funded pension 'top-up' payments to no more than the amount of the redundancy lump sum to which that individual would otherwise be entitled

	<ul style="list-style-type: none"> ○ To remove the ability of employers to make 'top-up' payments altogether • Increase the minimum age at which an employee is able to receive an employer funded pension 'top-up', so that this minimum age is closer to or linked to Normal Pension Age <p>Payments in Scope</p> <ul style="list-style-type: none"> • General limits would be imposed on most employer-funded payments made in relation to leaving employment, including compensation packages for exits whether in impending or declared redundancy situations or in other situations where individuals leave the public sector employment with an employer-funded exit package • Any increase in the minimum age at which an employee might be able to receive a pension 'top-up' on voluntary or compulsory exit may apply to payments under the major public sector compensation or schemes • These reforms will not affect any payments made in relation to death or injury attributable to duty or ill-health retirement.
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2.6 Definition of exit payments related to severance

Exit payment is the term used within this document to refer to any financial or non-financial transfer to an employee or employer which does not represent remuneration for normal on-going activities that are part of their employment. This excludes, for example: wages, salary, allowances and regular non-financial benefit packages such as a company car.

Exit payments may come in a number of different forms including (this list is not exhaustive):

- Cash lump sum- such as a redundancy payment, normally calculated on the basis of salary at the point of exiting the organisation and length of service
- Early access to unreduced pension- some employers offer the option for employees who have reached the relevant age to take early retirement on an 'unreduced' pension, in place of, or in addition to, a cash lump sum compensation payment. In these instances, employers bear the cost of 'buying out' the actuarial reduction that would normally apply to a pension that was taken early
- Non-financial and other benefits- in a smaller number of instances employers may offer other benefits such as additional paid annual leave at the end of an individual's employment
- Payments in lieu of notice - employers may also offer a cash payment equivalent to the sum that would otherwise have been earned had a notice period been worked by the employee

2.7 Aim of the consultation - policy options

The Scottish Government recognises the role of severance arrangements in enabling organisations to re-shape workforces and ensuring continued delivery of flexible and responsive public services. At a time when budgets are under pressure and as part of their continued commitment to fair work, Scottish Ministers are considering whether there is a case for reform of severance arrangements across the devolved public sector.

The Scottish Government is not consulting on the basis of a preferred way forward, but instead wishes to ensure that decisions about a **Scottish Approach** to future policy are informed by as many voices as possible. This consultation seeks to explore four broad policy options:

Option 1 Status quo

Current compensation arrangements meet best value and deliver against fair work principles, accepting a level of continuing variance of practice across workforces that reflects the devolution of responsibilities to individual sectors and employers; or

Option 2 Non-legislative change

Consider reforms to current devolved compensation arrangements that would improve value for money and the delivery of fair work principles but which do not require the use of powers conferred on Scottish Ministers by the 2015 Act; or

Option 3 Replicating UK arrangements

Agree to make reforms along the lines of the UK Government proposals: to implement a £95,000 exit payment cap; recovery of exit payments where someone earned more than the £80,000 threshold and returned to work in the public sector within 12 months; and make changes to exit payment terms; or

Option 4 A hybrid approach

Agree to reform using the powers conferred on Scottish Ministers and implement a hybrid of legislative and non-legislative change which could, for example, strengthen existing severance arrangements and/or introduce some form of different cap and/or recovery arrangements.

In taking forward these four options, consideration will be given to the impact that changes to compensation arrangements can make on the following factors:

- Industrial relations and Fair Work principles
- On delivering flexible and responsive public services
- A desire to ensure that severance payments are not excessive and offer value for money
- Ability to ensure there is greater consistency of application across sectors, including between the reformed Civil Service Compensation Scheme and devolved schemes, where that is seen to be valuable
- Ability of employers to continue to re-shape organisations and deliver services
- The risks and opportunities presented by taking different approaches where there is a UK-wide labour market

Your response to this consultation will help Scottish Ministers to consider whether reform of severance arrangements across the devolved public sector is required and, if so, which policy option should be developed by Scottish Ministers.

We are particularly interested in hearing from:

- Public sector employers and their representative associations
- Employees and their representative bodies
- Members of the academic community with expertise in this area
- Pay, pension, remuneration and HR professionals in both private, public sector and third sector.

Following any decision to make changes to current severance arrangements, we will seek further engagement with workforces across the devolved public sector on the implementation of these changes.

2.8 Which bodies are in scope

All devolved public sector bodies (employees and office holders) are in scope. There is a list of entities classified as within the central and local government and non-financial public corporation sectors by the Office for National Statistics for National Account purposes, on which the UK Government base their scope for capping and recovery (subject to exemptions).

The list includes the main bodies listed below;

- Non-Departmental Public Bodies (who are not part of civil service pension arrangements)
- 22 NHSScotland bodies
- 26 Further Education institutions (colleges)
- 32 local authorities
- Police Scotland and the Scottish Police Authority
- Scottish Fire and Rescue Service
- 6 public corporations

Furthermore, a number of new bodies will be established after 1 April 2017 and any provisions may also cover them.

The list of bodies can be found on the Office for National Statistics website at:

www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/datasets/publicsectorclassificationguide.

Question 1

What types of bodies or bodies themselves do you think **SHOULD** be covered?

Please give reasons for your response.

Question 2

What types of bodies or bodies themselves do you think **SHOULD NOT** be covered?

Please give reasons for your response.

2.9 Bodies covered by reserved arrangements

Devolved public sector bodies employing civil servants or those who do not employ civil servants but whose staff are part of the civil service pension arrangements will be subject to Civil Service Compensation Scheme rules set by the UK Government. Such bodies would not be affected directly by the findings of this consultation and any future policy decisions. However, we recognise that these bodies will have an interest in the consultation and severance and would welcome their contribution.

3 Severance arrangements across the devolved public sector in Scotland

In assessing the case for reform, understanding the effectiveness of the current landscape can provide clear indicators on whether or not change is required and, if so, where any change is necessary.

This section of the consultation document sets out the current severance landscape, across the devolved public sector in Scotland. This includes what controls are in place for severance arrangements, the terms of severance schemes, costs and savings of exits and outlines the length of service and pay bands of those who have exited.

Control of severance schemes in the devolved public sector

3.1 The Scottish Public Finance Manual

Severance payments in bodies accountable to Scottish Ministers must comply with requirements in Scottish Public Finance Manual. Scottish Ministers, sign-off exit payments in such bodies. The Scottish Public Finance Manual emphasises the need for economy, efficiency and effectiveness, and promotes high standards of propriety.

In considering terms for settlement agreements, severance, early retirement or redundancy packages - whether compulsory or voluntary - public bodies to which the Scottish Public Finance Manual applies should ensure that issues of legal and regulatory compliance, propriety and value for money are fully taken into account, alongside employee relations issues:

- In order to secure voluntary resignation of an employee out with an existing or approved scheme, any voluntary exit or other severance (including settlements) a business cases needs to be submitted and approved by the Scottish Government.
- In arriving at a decision on approval the Scottish Government will consider comparability to Scottish Government equivalent schemes and to the overarching Civil Service Compensation Scheme rules currently in force, along with an assessment of the regularity, propriety and value for money offered by the proposals.
- The benefit structure and terms of compensation schemes for severance, early retirement or redundancy provided by Scottish Government sponsored bodies - or separately by any constituent parts of the Scottish Administration - should be broadly similar to the arrangements in place within the core Scottish Government and set out in the Civil Service Compensation Scheme - as amended or replaced periodically.

- The public body must obtain prior approval from the Scottish Government for a new scheme or changes to a previously approved scheme.
- Comply with specific requirement to disclose remuneration relating to exit costs in annual accounts.

The Scottish Government made improvements to the regulation of severance payments in the public sector following the Audit Scotland report in May 2013. This included bringing more public bodies within the scope of the Scottish Public Finance Manual.

For those organisations that are not subject to the Scottish Public Finance Manual, such as local authorities, the Scottish Government expects them to meet their duties to deliver best value while also ensuring fairness to their staff.

In local authorities, decisions on exit payments are reported at a full council level annually, with reports providing information on the costs and savings of all exit payments. The Local Government in Scotland Financial Overview Report 2015-16 by Audit Scotland acknowledges the role exit packages play in managing workforces and stated:

“Councils’ decisions on reducing their workforce numbers through exit packages are supported by business cases which set out the associated costs and potential savings. Councils will typically expect to recoup the costs and start making savings within a few years.” (page 18)

3.2 Existing severance schemes by workforce

This section of the consultation sets out key details of the severance schemes by workforce. This was provided using data gathered from across the devolved public sector prior to this consultation.

NHSScotland - covered by the Agenda for Change terms and conditions. All severance schemes are on a voluntary basis and based on an individual’s contractual terms and conditions.

- Number of weeks’ pay: One month’s pay for each year of NHS service, up to a maximum of 24 years (giving a maximum of 104 weeks).
- Voluntary early retirement (access to pension): At the employer’s discretion, employees may also be offered early retirement in the interests of the efficiency of the service. In these situations, the employer covers the costs of providing full pension benefits early.
- Payback period: A key affordability indicator (how long it takes to recoup the costs of the exit) the majority of NHSScotland bodies use a

payback period of between one and two years, with some having either a case by case payback period or no formal payback period in place.

Police - both Police Scotland and the Scottish Police Authority are covered by the same severance arrangements. Severance schemes only apply to police staff and not police officers.

- Number of weeks' pay: For voluntary redundancy: A maximum of five weeks' per year, up to a limit of 66 weeks and a maximum lump sum of £10,000.
- Voluntary early retirement (access to pension): After the age of 50, employees receive an employer 'top-up' of up to four compensatory added years to pension as well as a service based lump sum up to a maximum of 30 weeks.
- Payback period: Both Police Scotland and the Scottish Police Authority use a payback period of three years.

Local Government and Teachers - covered by similar severance policy, although some differences exist in their pension arrangements. A recent survey undertaken by Fife Council into local government severance schemes indicated some variance in practice in the terms of the scheme.

- Number of weeks' redundancy pay: 76 per cent of respondents (to the data gathering exercise) used between 30 and 66 weeks' pay to calculate an exit payment with 24 per cent above this threshold. The highest number of weeks' pay was 82.
- Voluntary early retirement (access to pension): 75 per cent of respondents give employees exiting in such circumstances Compensatory Added Years (this is a discretionary element of exit payments i.e. 'top-up'). Of the councils offering added years: 11 gave up to five added years, with seven councils offering six added years.
- Payback period (value for money test): Used by all local authorities. The majority of which (75 per cent) used a payback period of between two and three years. Five councils have a payback period of up to five years, or on a case by case basis.

Uptake of voluntary early severance / voluntary early retirement can be a concern for employers seeking to re-shape their workforce. Although employers' views on uptake were generally positive, with over 80 per cent saying they felt they could "attract sufficient volunteers to meet required workforce reductions at present and in future, based on projected needs". (Fife Council survey results)

Some councils expressed concern for the future and the need to balance the ongoing cost of schemes against the need for them to remain sufficiently attractive to manage workforce reduction consensually. (Fife Council survey results)

Further Education sector - all severance schemes are overseen by the Scottish Funding Council.

- Number of weeks' pay: There is a variation between 30 weeks' pay (statutory) with a maximum of 60 weeks' pay recorded.
- Voluntary early retirement (access to pensions): Practice varied across respondents with the majority saying that they did not offer this. Those who did offer early access to unreduced pensions did so, where pension rules allowed.
- Payback period: Almost all colleges who responded used an payback period of between one and two years. Very few colleges have a payback period of either 18 months or a maximum of three years.

Non-Departmental Public Bodies, public corporations and the Scottish Fire and Rescue Service - there are variety of arrangements in place. All severance schemes are on a voluntary basis and agreed by the Scottish Government.

- Number of weeks' pay: Across public bodies who responded there is a variation between 30 weeks' pay (statutory) with a maximum of 104 weeks' pay.
- Voluntary early retirement (access to pensions): Practice varied across bodies with the majority of respondents saying that they did offer this, with similar provisions as in local authorities.
- Payback period: Almost all bodies who responded used a payback period of between one and two years. Very few bodies had a payback period of either 18 months or a maximum of three years.

In some circumstances, there was no qualifying period for voluntary severance set out and in all circumstances there are no recovery of exit payment arrangements in place.

Question 3

Given the variation exit in schemes across the public sector, is there benefit in seeking to make this more consistent to deliver best value and Fair Work outcomes? Yes / No
Please give reasons for your response.

3.3 Exit payment costs

To inform the consultation, Scottish Government officials gathered data on exit payment activity across the devolved public sector, using a number of different methods. One data source utilised a pre-consultation data gathering exercise (response rate of 77 per cent) which sought details on severance schemes, number and value of exits by salary band and length of service from a range of devolved public bodies, including Health bodies, Non-Departmental Public Bodies, Police Scotland the Scottish Fire and Rescue Service and the Further Education (college) sector. Separately, additional data was sourced from NHSScotland Annual Accounts and received from Audit Scotland in respect of local authorities. This provides an indicative picture of exits in the devolved public sector.

From the results of the data gathering exercise, between 2014-15 and 2016-17, the indicative cost of exits across the devolved public sector showed over 1,000 voluntary early severance / voluntary early retirement cases reducing to 264, with related costs coming down from £46 million to £11 million.

From Table 1, in 2015-16, only 17 out of 560 exits (around three per cent) cost employers over £100,000.

Table 1 Number of exits by cost band 2014-17 (excluding local government)

Exit cost by band	2014-15	2015-16	2016-17	Total exits by cost band
< £10,000	119	95	36	250
£10,001 - £49,999	727	348	165	1,240
£50,000 - £99,999	143	100	43	286
>£100,000	76	17	20	113
Total	1065	560	264	1,889

Source: Scottish Government data gathering exercise and NHSScotland Annual Accounts
Local Government information sourced did not break down exits using the exit cost band summarised above and therefore were excluded from this analysis

Table 2 Number and cost of exits by sector 2015-16

Devolved public sector body	Number of exits	Total cost £	Average cost £
Police	111	6,244,074	56,253
Further Education colleges	171	4,979,913	29,122
NHSScotland	159	6,140,000	38,616
Public bodies (NDPBs, public corporations, SFRS)	119	4,686,555	39,383
Local government	2,660	97,142,387	36,520
Total	3,220	119,192,929	37,016

Source: Audit Scotland, NHSScotland and Scottish Government data gathering exercise

Table 2 above shows the average exit payments by sector with an overall average exit cost of £37,016.

Furthermore, when adding local government exit payment data we can see total costs of exits rise to £119 million. It is important to note that local government exit costs are proportionate to the volume of exits that occur in that sector.

3.4 Salary and length of service indicators

An issue which could be raised in relation to an exit payment cap is whether longer serving, mid- to low-income employees could be impacted unfairly by the introduction of any cap. For instance, if the calculation of the exit payment for a low-income, long-serving employee breached a cap on exit payments.

An examination of the distribution of exit payments across the public sector is provided below. This gives an indication of the proportion of longer serving employees more likely to exit and be impacted by a cap if it were to be introduced.

Table 3 Number of exits by length of service 2015-16 (excluding local government)

Length of service at exit	10 years or less	11 to 20 years	21 to 30 years	31 to 40 years	More than 40 years	Total
Police	45	36	24	6	0	111
Further Education colleges	62	61	38	10	0	171
NHSScotland	16	44	29	18	5	112
Public bodies (NDPBs, public corporations, SFRS)	36	44	27	5	7	119
Total	159	185	118	39	12	513

Source: Scottish Government data gathering exercise only

The data from Table 3, suggests fewer than ten per cent of all exits (excluding local government) occur where employees have more than 30 years' service.

Table 4 Number of exits by salary at exit 2015-16
(excluding local government)

Salary band (£)	0 to 22,000	22,000 to 43,429	43,430 to 69,999	70,000 to 99,999	100,000 to 149,999	150,000 to 199,999	More than 200,000	Total
Police	49	55	7	0	0	0	0	-
Further Education colleges	53	98	19	*	0	0	0	-
NHSScotland	13	52	33	8	5	*	0	-
Public bodies (NDPBs, public corporations, SFRS)	38	51	24	*	*	0	0	-
Total	153	256	83	12	*	*	0	513

Source: Scottish Government data gathering exercise only

Note: Counts of less than five have been suppressed and shown as * to prevent the possible disclosure of information about individuals. Secondary data suppression has also been necessary to prevent the calculation of the suppressed values by differencing (also shown as *)

The data in Table 4 suggests less than three per cent of exits exceeded the £80,000 threshold beyond which recovery arrangements might begin.

Equally, this data suggests the overall picture in the devolved public sector in Scotland is one where there are fewer exits in long serving or high earning employees.

3.5 Severance payments associated with pension

Individuals in the public sector who have reached the required age may be offered, or in certain circumstances have a contractual entitlement to, early retirement on an 'unreduced pension' or be provided additional pension. Employers making this offer as part of early retirement may make a contribution ('top-up') to an individual's pension that 'buys out' some or all of the reduction in pension benefits.

Pension costs related to early exits could, therefore, be included which would mean more members of the workforce would be caught by a cap.

3.6 Existing recovery arrangements

Currently some public sector bodies can choose to include recovery measures (including limitations on return to work) in the design of their

severance schemes. For example, NHSScotland has recovery arrangements, whereby if an individual secured employment elsewhere within NHSScotland, within four weeks of receiving a payment the previous employer would seek recovery.

While some public sector bodies do not re-engage the services of former employees, this is only within their own organisation. It is therefore difficult to assess the number of instances of re-engaging former employees shortly after receiving an exit payment across the sector as a whole.

There is not a requirement for recovery measures to be applied consistently across the devolved public sector in Scotland.

4 Severance policy for the devolved public sector

Scottish Ministers are seeking your views on whether better outcomes can be achieved for taxpayers, public sector employers and employees, by introducing a cap on exit payments, recovering exit payments for high earners and changing the way in which exit payments are calculated.

This section will go through each element of the UK Government's underpinning policy and offer you the chance to have your say.

Exit payment cap

4.1 Level of exit payment cap

An exit payment cap is a limit on the total cost of exit payments available to an individual leaving employment to a set amount. The UK Government is proposing a limit of £95,000.

Scottish Ministers can set the level of the exit payment cap and determine which payments would be included in that cap, as well as provide for relaxations, namely, circumstances where the cap can be waived.

Scottish Ministers are seeking your views on whether there would be a policy benefit in setting a standardised cap on exit payments and, if so, what level of cap would be appropriate, balancing best value with re-shaping of services and flexibility to manage workforces. An exit cap would apply as a consequence of leaving employment to all existing and future employees of a devolved public body.

Question 4

Do you think it is necessary to set an exit payment cap for the devolved public sector? Yes / No

Please give reasons for your response.

If yes, do you think it should be set at the same level as per UK Government policy (at £95,000)? Yes / No

Please give reasons for your response.

If no, what level would be appropriate?

Please give reasons for your response.

4.2 Severance arrangements covered by a cap

The UK Government's proposals for an exit cap applies to all arrangements which determine an exit payment. These are:

- voluntary early severance / redundancy
- voluntary early retirement
- compulsory redundancy
- contractual arrangements and collective agreements

Question 5

Which of the following exit payment arrangements (included in the UK Government's exit payment cap proposals) should Scottish Ministers include in the event that a cap was to be introduced in Scotland for the devolved public sector? Please select all you think should be included.

- Voluntary early severance / redundancy
- Voluntary early retirement
- Compulsory redundancy
- Contractual arrangements
- Collective agreements

Please give reasons for your response.

Question 6

Are there any other exit payments situations where you think a cap should apply?

Please give reasons for your response.

4.3 Payments included in a cap

The Scottish Government is considering carefully whether pension 'top-up' should be included in any future cap. Any cap which included this type of payment could potentially make exit payments less attractive to employees and tie employers' hands further in their ability to re-shape workforces.

Exit payments included in the UK Government's exit payment cap are:

- Voluntary and compulsory exits
- Other voluntary exits with compensation packages
- Ex gratia payments and special severance payments (settlement agreements)
- Other benefits granted as part of exit process that are not payments in relation to employment
- Employer costs of providing early unreduced access to pensions

- Any form of pension 'top-up'
- Payments or compensation in lieu of notice and cashing up of outstanding entitlements

Question 7

Which of the following exit payments (included in the UK Government's exit payment cap proposals) should Scottish Ministers include if a cap were to be introduced for the devolved public sector? Please select all you think should be included.

- Voluntary and compulsory exits
- Other voluntary exits with compensation packages
- Ex gratia payments and special severance payments (settlement agreements)
- Other benefits granted as part of exit process that are not payments in relation to employment
- Employer costs of providing early unreduced access to pensions
- Any form of pension 'top-up'
- Payments or compensation in lieu of notice and cashing up of outstanding entitlements
- Other (please specify)

Please give reasons for your response.

4.4 Payments excluded from an exit payment cap

Under the UK Government proposals, compensation payments in respect of death or injury attributable to employment, serious ill health and ill health retirement would be excluded, as would payments made following litigation for breach of contract or unfair dismissal.

Question 8

Which of the following payments should Scottish Ministers exclude, if a cap were to be introduced in the devolved public sector? Please select all that apply.

- Death or injury attributable to employment
- Serious ill health and retirement and certain fitness requirements
- Litigation for breach of contract for unfair dismissal
- Compliance with an order of court or tribunal
- Other (please specify below)

Please give reasons for your response.

Exit payment recovery

4.5 Recovery of exit payments

Scottish Ministers are seeking your views on recovery arrangements, based on fairness and value for money, whereby former employers can recover exit payments made to employees who are subsequently re-engaged in another public sector body within 12 months of leaving.

UK Government proposals for the recovery of exit payments (clawback) requires higher-earning public sector employees or office holders to re-pay exit payments on a tapered bases (for example: if nine months between posts, only 75 per cent of monies are recovered should they return to any part of the public sector). High earners are defined as those who earned over £80,000. This is not applied pro rata for part-time employees.

Question 9

Should Scottish Ministers introduce a threshold for recovery arrangements for high-earners in the devolved public sector? Yes / No
If yes, at what threshold should recovery arrangements be set?

- At £80,000
- Lower than £80,000
- Higher than £80,000

Please give reasons for your response.

Question 10

Over what time period should recovery arrangements apply?

- At 12 months
- Earlier than 12 months
- Beyond 12 months

Please give reasons for your response.

4.6 Payments to be included

Scottish Ministers could also determine what types of payments are included. Recovery payments included as part of the UK proposal include:

- those for loss of employment, including discretionary payments
- to buy-out actuarial reductions to pensions and
- severance payments

Question 11

Which of the following payments should Scottish Ministers include in the exit payment recovery arrangements, if introduced for the devolved public sector? Please select all those you think should be included.

- Those for loss of employment, including discretionary payments
- To buy-out actuarial reductions to pensions
- Severance payments

Please give reasons for your response.

4.7 Enforcement mechanisms

The UK Government proposals are that a former employer is entitled to take an individual to court to reclaim money. The new employer will be asked to consider dismissal if repayment arrangements are not made within three months of starting employment.

Question 12

Do you think that enforcement mechanisms should be introduced for the devolved public sector? Yes / No

Please give reasons for your response.

4.8 Relaxation process

Under the terms of the UK Government's proposals, in exceptional circumstances and in individual cases where an exit payment exceeds the cap, the default position would be that any relaxation of the cap would require the consent of Ministers. For devolved public bodies on the same basis, Scottish Ministers would approve the relaxation of the cap in individual cases. The same provisions would apply in respect of recovery.

The UK Government policy proposes that the full council take the decision on whether to grant a relaxation of cap in cases involving local government.

Question 13

If in the event of an exit payment cap and recovery should Scottish Ministers have: Please select all those you think should be included.

- The power to waive in exceptional circumstances
- Delegate the power to waive
- Delegation within a certain threshold

Please give reasons for your response.

4.9 Accountability and transparency

To ensure transparency and accountability of severance schemes and re-engagement levels across the public sector, the UK Government's policy

proposals suggest reporting of exit payments and recovery of exit payments in the annual accounts in each organisation.

Current practice in Scotland indicates that exit payments costs and savings are reported annually by local authorities as a result of the 2003 “Bye now, pay later?” Audit Scotland recommendation. Furthermore, local government exit payment costs are reported by Audit Scotland every year in Local Government in Scotland Financial Overview Report 2015-16.

Settlement agreements (defined as payments made to the employee outside the employer’s basic statutory or contractual entitlement, on unplanned termination of employment) for those public bodies under the auspices of Scottish Ministers are scrutinised and reported in the Scottish Government’s annual report to the Scottish Parliament. This demonstrates Scottish Ministers’ commitment to operating openly and transparently, encouraging appropriate scrutiny of public sector operations.

All bodies across the devolved public sector are required to report exit payment activity in their annual accounts.

Question 14

Are there other forms of reporting you think would be helpful, across the devolved public sector in Scotland? Yes / No
Please give reasons for your response.

Exit payment terms

4.10 Changing exit payment terms

Scottish Ministers continue to work with devolved public bodies to consider how severance arrangements can best support maintaining high quality public services while addressing the challenges presented by current constraints on overall public expenditure. This context makes it essential that severance arrangements deliver value for money.

Scottish Ministers are seeking your views on the potential benefits of changes to **exit payment terms** to the devolved public sector in Scotland.

4.11 Changes to the exit payment tariff

An exit payment tariff is the method used to calculate an exit payment usually based on length of service and salary. Scottish Ministers can change the maximum tariff similar to that of the UK Government proposals: to three weeks’ pay per year of service; cap the maximum salary on which the severance payment is based to £80,000; and to cap the number of months’

salary that can be used when calculating exit payments to 15 months. Scottish Ministers could choose to set a different tariff.

Question 15

Do you think there would be value in changing exit payment tariff terms along the lines of the UK Government's proposals: Please select all those you think should be included.

- Three weeks' pay per year of service
 - Maximum level of salary on which the payment is based to £80,000
 - A ceiling of 15 months on the maximum number of months' salary that can be used
 - Other alternative approaches (please specify)
- Please give reasons for your response.

4.12 Payback period

Exit payment terms could be more affordable and benefit from being consistent across the wider public sector landscape. Payback period (how long it takes to re-coup the costs of exits) is often used as an indicator of best value in exit payments.

Severance arrangements in devolved public sector bodies subject to the Scottish Public Finance Manual have to be broadly comparable with Civil Service Compensation Scheme terms which are currently 18 months. However, across the devolved public sector there is a broad range of payback periods in use. These range from 18 months to five years. Not all devolved public sector bodies are subject to the Scottish Public Finance Manual, for example, local government.

Question 16

What would be an appropriate payback period for exit payments, that balances affordability with operational effectiveness?
Please give reasons for your response.

4.13 Pension 'top-up' payments

Some employers offer pension 'top-up' payments as part of severance arrangements. The UK Government policy proposals suggest that the cost of employer-funded pension 'top-up' payments can be minimised, for example, by limiting the amount of employer funded 'top-up' payments for early retirement, or removing access to early retirements, but could be limited further by applying one or more of a range of restrictions:

- Cap the amount of employer funded pension 'top-up' payments to no more than the amount of the redundancy lump sum to which that individual would otherwise be entitled

- To remove the ability of employers to make 'top-up' payments altogether
- Increase the minimum age at which an employee is able to receive an employer funded pension 'top-up', so that this minimum age is closer to or linked to Normal Pension Age

'Top-up' payments for ill-health, death in service and physical fitness could be out of scope.

Question 17

Should Scottish Ministers apply any of the following restrictions, for devolved public sector employers?

- Cap the amount of employer funded pension 'top-up' payments to no more than the amount of the redundancy lump sum to which that individual would otherwise be entitled
- Remove the ability of employers to make 'top-up' payments altogether
- Increase the minimum age at which an employee is able to receive an employer funded pension 'top-up', so that this minimum age is closer to or linked to Normal Pension Age
- Other (please specify)

Please give reasons for your response.

If none of the above, please give reasons for your response.

5 Impact analysis

5.1 Economic and fiscal

Between 2010-11 and 2019-20, the Scottish fiscal revenue budget (which funds discretionary expenditure on public goods and services in Scotland) will fall by around nine per cent in real terms. As the public sector paybill represents a large proportion of devolved public expenditure, action to make savings in paybill costs are an important part of the response that all public bodies have been and will continue to make in the challenging financial context.

Question 18

You are invited to provide evidence of where an exit cap or other changes to exit payment terms would further support your organisation's ability to manage paybill costs?

Question 19

What do you think are the positive and negative economic and fiscal impacts of an exit cap, changes to exit payment terms and recovery arrangements?

What evidence do you have?

5.2 Social Impact

Scottish Ministers recognise that Scotland's geography means it has a dispersed workforce in rural and island areas. In such areas employers can have more limited recruitment options. Employers may have no option but to consider former public sector employees when filling vacancies and such employees often have valuable skills and experience to offer. However, the recruitment of former public sector employees could be impacted if mandatory recovery of exit payments within 12 months of leaving means that such employment opportunities become less attractive.

Furthermore, due to the size and nature of Scotland's public sector, close relationships exist between certain aspects of the public sector, for example, between NHS and local government, which mean there is a degree of churn across these areas of the public sector. The impact of new provisions on recovery could slow down or hinder this type of workforce movement.

Question 20

What do you think are the positive and negative social impacts of an exit cap, changes to exit payment terms and recovery arrangements?

What evidence do you have?

5.3 Environmental and regulatory impact

The Scottish Government considers there to be no direct environmental or regulatory impact.

Question 21

What do you think are the positive and negative environmental and / or regulatory impacts of an exit cap, changes to exit payment terms and recovery arrangements?

What evidence do you have?

5.4 Financial impact

To enable employers to re-shape services in light of budget challenges, exit packages are one way of achieving this. Ensuring that exit packages offer flexibility to employers, support to employees and value for money to the taxpayer, are key drivers of any decision around the implementation of an exit cap or recovery arrangements.

Question 22

What do you think are the positive and negative financial impacts of an exit cap, changes to exit payment terms and recovery arrangements?

What evidence do you have?

5.5 Equalities impact

Alongside any policy development resulting from this consultation, legislation requires the Scottish Government to equality impact assess any new policy and publish the results. We will therefore be carrying out an Equality Impact Assessment. This is an important part of the policy making process and will assist in the assessment of how any resulting policy impacts on people who share 'protected characteristics': age, disability, sex, gender reassignment, sexual orientation, race, marriage and civil partnership and religion or belief. It also presents an opportunity to promote equality.

Specifically in relation to the three needs of the public sector equality duty in the Equality Act 2010, any new policy will need to have due regard to the need to:

- Eliminating unlawful discrimination
- Advancing equality of opportunity
- Promoting good relations

The Equality Impact Assessment will consider the potential impact of any new policy with each of the key features of the proposed policy on the protected characteristics.

Whatever transpires, individual employers will still be required to ensure that they do not introduce or perpetuate any direct or indirect discrimination for individuals in their application of the policy outcome.

Question 23

What do you think are the positive and negative equalities impacts of an exit cap, changes to exit payment terms and recovery arrangements?
What evidence do you have?

5.6 Unintended consequences

With the exception of maintaining the status quo, there may unintended consequences related to implementing certain options which reduce the value for money aspects or the ability of public bodies to function effectively.

Initial comments on possible consequences have included:

- Lower exit payments may discourage employees from applying for early exits – this could affect the ability for public bodies to manage their staffing levels and cost effectively
- There may be a rise in the number of those seeking to exit before any changes take place - this could impact capacity and the ability of public bodies to operate effectively
- Public bodies may instead engage individuals in ways beyond a normal employer/employee relationship, such as on a consultancy or contractor basis to avoid the need for recovery action

There may be other outcomes which have not been foreseen and we would welcome your thoughts.

Question 24

What unintended consequences do you think might arise from proposals that go beyond the status quo?

6 A case for change

In making final decisions about the issues described in this consultation, consideration will be given to the impact that changes to severance arrangements can make on the following key factors:

- Industrial relations and Fair Work principles
- On delivering flexible and responsive public services
- A desire to ensure that severance payments are not excessive and offer value for money
- Ability to ensure there is greater consistency of application across sectors, including between the reformed Civil Service Compensation Scheme and devolved schemes, where that is seen to be valuable
- Ability of employers to continue to re-shape organisations and deliver services
- The risks and opportunities presented by taking different approaches where there is a UK-wide labour market

Question 25

Do you think these are the appropriate factors to consider when making the case for change to severance arrangements in the devolved public sector? Yes / No

From the following list, please select all those you consider to be priority factors

- Industrial relations and Fair Work principles
- On delivering flexible and responsive public services
- A desire to ensure that severance payments are not excessive and offer value for money
- Ability to ensure there is greater consistency of application across sectors, including between the reformed Civil Service Compensation Scheme and devolved schemes, where that is seen to be valuable
- ☒ • Ability of employers to continue to re-shape organisations and deliver services
- The risks and opportunities presented by taking different approaches where there is a UK-wide labour market
- Other (please specify)

Please give reasons for your response.

Question 26

Are there any other risks you think should be part of Scottish Ministers decision making on this issue? Yes / No

Please give reasons for your response.

This consultation has sought views on a number of specific policy options that are deliverable through new and existing powers and has examined existing measures for exit payments, recovery arrangements and exit payment terms across the devolved public sector in Scotland.

Question 27

In conclusion, which of the following options best reflects your views of reform of severance arrangements across the devolved public sector? Please select appropriate option.

- **Option 1. Status quo** – No reform is required as current compensation arrangements meet best value and deliver against Fair Work principles
- **Option 2. Non-legislative change** – Consider reforms to current devolved compensation arrangements that would improve value for money and deliver on Fair Work principles but which do not require use of Regulations
- **Option 3. Replicating UK arrangements** – Agree to make reforms in line with the reformed Civil Service Compensation Scheme arrangements and the UK Government's proposals to implement a £95,000 exit payment cap and recovery of exit payments for those who earned more than £80,000 and return to the public sector
- **Option 4. A hybrid approach** – Agree to reform using the powers conferred on Scottish Ministers and implement a hybrid of legislative and non-legislative change which could, for example, strengthen existing severance arrangements and/or introduce some form of different cap and/or recovery arrangements.

Please give reasons for your response.

Question 28 / final comments

Any other comments please include them here

Respondent Information Form

Please Note this form must be completed and returned with your response.

Are you responding as an individual or an organisation?

- ☐ Individual
☒ Organisation

Full name or organisation's name

WEST Lothian Council

Phone number

01506 281408

Address

WEST Lothian Civic Centre
 Newdow South Road
 Livingston

Postcode

EH54 6FF

Email

Wesley.henderson@westlothian.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- ☐ Publish response with name
☒ Publish response only (without name)
☐ Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- ☒ Yes
☐ No

List of references / sources quoted

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- Managing Early Departures from the Scottish Public Sector, Audit Scotland, May 2013 - www.audit-scotland.gov.uk/docs/central/2013/nr_130523_early_departures.pdf
- NHSScotland data (2014-15 and 2015-16) - compiled from 'Staff Report' sections of individual Board accounts - each Board publishes their accounts on their own website
- Office of National Statistics, www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/datasets/publicsectorclassificationguide

Local government severance data was sourced from a recent survey undertaken by Fife Council into local government severance schemes across Scotland



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W W W . g o v . s c o t



West Lothian
Council

COUNCIL EXECUTIVE

COMMEMORATION OF JIM SIBBALD

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To provide Council Executive with an update on proposals to name a facility or public building after former Armadale councillor, Jim Sibbald.

B. RECOMMENDATIONS

Council Executive agrees a proposal for the naming of a facility or public building after former Armadale councillor, Jim Sibbald.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	Not applicable.
VI Resources - (Financial, Staffing and Property)	Not applicable.
VII Consideration at PDSP	Not applicable
VIII Other consultations	Members of Jim Sibbald's family Armadale Community Council

D. TERMS OF REPORT

D.1 Background

Former Armadale councillor, Jim Sibbald, passed away on 2 July 2016, aged 71, after a long illness. Jim Sibbald served as an elected member for the Armadale community on West Lothian District Council, Lothian Regional Council and West Lothian Council for a period encompassing four decades between 1977 and 2007.

At its meeting of 16 August 2016, West Lothian Council agreed to name, in consultation with the family and local community, an appropriate public building, or a room or a hall in a public building, or a street, in Armadale in memory of Councillor Sibbald in recognition his service to the Armadale and wider West Lothian community.

D.2 Proposals to name Armadale Swimming Pool after Jim Sibbald

During Councillor Jim Sibbald's time in office, he sat on West Lothian Leisure Advisory Sub-Committee and supported the 1995 refurbishment of Armadale Swimming Pool. It is therefore considered that naming the swimming pool at Xcite Armadale would be a fitting tribute to him.

Discussions have taken place with Councillor Sibbald's family who were happy that the council proceeds with the proposal to name the swimming pool after him, and officers undertook to write to the Secretary of Armadale Community Council to seek comments. Feedback from the Community Council is awaited.

The following proposals are presented for consideration by Council Executive:-

1. Jim Sibbald Pool, Xcite Armadale
2. Jim Sibbald Swimming Pool, Xcite Armadale
3. Sibbald Swimming Pool, Xcite Armadale

E. CONCLUSION

The report provides Council Executive with proposals to name the swimming pool at Xcite Armadale after the late Councillor Jim Sibbald.

F. BACKGROUND REFERENCES

Notice of Motion agreed by West Lothian Council on 16 August 2016

Appendices/Attachments: None

Contact Person: Morgan Callachan, Project Officer, Chief Executive Office, 01506 281080, morgan.callachan@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 25 April 2017



West Lothian
Council

COUNCIL EXECUTIVE

NAMING OF PARTNERSHIP CENTRE IN LINLITHGOW

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To provide Council Executive with an update on proposals to name the new Partnership Centre in Linlithgow after the late Tam Dalyell MP.

B. RECOMMENDATIONS

Council Executive agrees a proposal for the naming of the new Partnership Centre in Linlithgow.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	Not applicable.
VI Resources - (Financial, Staffing and Property)	Not applicable.
VII Consideration at PDSP	Not applicable
VIII Other consultations	Council Executive on 28 March 2017.

D. TERMS OF REPORT

D.1 Background

Tam Dalyell served as Member of Parliament from 1962 to 2005 for Labour during which he represented West Lothian from 1962 to 1983, then Linlithgow from 1983 to 2005.

In 2002, West Lothian Council granted the Freedom of West Lothian to Mr Dalyell to mark the 40th anniversary of his election to Parliament.

Tam Dalyell passed away on 26 January 2017, and on 7 March 2017, West Lothian Council approved a Notice of Motion recalling Mr Dalyell's unique contribution to West Lothian life and his long record of outstanding service to West Lothian's communities and people, his distinguished parliamentary service, including serving as Father of the House of Commons, and his contributions as a school teacher, author and journalist.

The Notice of Motion approved by council agreed that a report should be considered by Council Executive with a proposal to permanently mark Tam Dalyell's contribution to West Lothian.

Council Executive agreed on 27 March 2017 that the new Linlithgow Partnership Centre provided an ideal opportunity to name a council facility after the late Tam Dalyell.

D.2 Proposals for naming of new Partnership Centre in Linlithgow

The following proposals are presented for consideration by Council Executive:-

1. Tam Dalyell Partnership Centre, County Buildings, Linlithgow
2. Linlithgow Partnership Centre, Tam Dalyell House
3. Linlithgow Tam Dalyell Partnership Centre, County Buildings

E. CONCLUSION

The report provides Council Executive with proposals to name the new Partnership Centre in Linlithgow after the late Tam Dalyell MP.

F. BACKGROUND REFERENCES

Notice of Motion agreed by West Lothian Council on 7 March 2017

Council Executive report 28 March 2017

Appendices/Attachments: None

Contact Person: Carrie Heron, Executive Project Officer, Chief Executive Office, 01506 281675, Carrie.heron@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 25 April 2017



West Lothian
Council

COUNCIL EXECUTIVE

MUSEUMS SERVICE ACCREDITATION

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to ask the Council Executive to approve the suite of documents to allow museum services to reapply for the national museums Accreditation Scheme.

B. RECOMMENDATION

It is recommended that the Council Executive approve the suite of documents as set out in Appendices 1 to 4 to allow the museum services to reapply for accreditation approval.

C. SUMMARY OF IMPLICATIONS

I Council Values

- Focusing on our customers' needs
- Being honest, open and accountable
- Making best use of our resources
- Working in partnership

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The policies and development plan take account of all current legislation, plans and strategies relating to the ownership and provenance of museum collections and to the delivery of a local authority museums service. An equality relevance assessment has been undertaken for the ADP, the Care and Conservation Policy and the Documentation Policy. These policies have been to have no impact on equality issues.

III Implications for Scheme of Delegations to Officers None.

IV Impact on performance and performance Indicators	The adoption of these policies and Development Plan will enable WLC Museums Service to retain its Fully accredited status under the national Accreditation Standard for Museums. Accreditation status qualifies WLC for external funding and object deposits which maintain and enhance the performance of the Museums Service.
V Relevance to Single Outcome Agreement	Outcome12: "We value and enjoy our built and natural environment and protect it and enhance it for future generations". The application of the ADP will ensure protection of WLC's museum collection and so enable its enhancement for future generations. This in turn will increase use of the collection in the local community.
VI Resources - (Financial, Staff-ing and Property)	The Museums Development Officer will deliver the Development Plan and apply all policies using existing revenue budgets and grant aid for which Accredited museums are eligible. Objects whose collection might incur higher costs would be referred to the Council Executive. The polices and plan will ensure suitable care for WLC heritage assets, both those which form part of the Museum Service collection and those non-museum items which are held in Museum Service stores.
VII Consideration at PDSP	Considered at Leisure and Cultural PDSP on 13 April 2017.
VIII Other consultations	Service users, staff, and volunteers have been consulted during the revision of the Museums Development Plan.

D Terms of Report

D.1 Museum Service Development Plan, 2017-2020

It is a core requirement of the national Accreditation Scheme (Appendix 5) for Museums that the museums service has an approved Development Plan covering the next three or five years. The plan must demonstrate effective planning for long-term success and to makes sure the museums can adapt in a changing environment in order to survive. WLCMS has reviewed its Development Plan annually and renewed it every three years since 1996.

As part of that application, a Development Plan (Appendix 1), flowing from the Museum's statement of purpose and the planning structure and operating environment in which it exists, must be approved by the council and submitted to the accreditation panel. The WLCMS Development Plan does not conflict with that planning structure in any way.

The plan does, however, review the previous plans and sets out the context in which WLCMS operates. As a Museum Service responsible for collections and also for public access to those collections, WLCMS has to demonstrate to the Accreditation body through its development plan that the museum work underpinning the delivery of Council priorities is also planned and manageable.

The plan sets out the approach of WLCMS to recording and identifying objects, storing and caring for them, compiling information about them. The plan goes on to address the use of objects and associated information for the benefit of users and customers.

The plan demonstrates that all this will be done in accordance with nationally recognised museum standards. The plan also addresses the sustainability of the museum service and its community museums and services through customer consultation, budgeting, partnership working, staff development etc. The role of WLCMS in supporting and monitoring independent museums is also explained. In line with Accreditation Scheme guidelines, the plan was developed through discussions with staff, volunteers, users and non-users.

Principal Themes of the Plan

Community Access: The ultimate purpose of any museum is to serve the public benefit. The plan covers a wide range of ways in which local communities can gain access to their object heritage and in which local museums can learn from the collective memory of communities.

Documentation and Care of Collections: All community access and outreach work depends on having collections which are recorded and stored properly so that objects and the stories associated with them can be located and the objects themselves are kept in good condition for as long as possible.

Playing a part in the delivery of council priorities: WLCMS is a small part of the council but it has a real contribution to make in terms of quality of life and life-long learning. It is important that the plan takes account of relevant standards of working, whether demanded by the council or the museum sector. Almond Valley Heritage Centre, Bennie Museum and Annet House Museum are also assessed under the Accreditation Scheme and this is a condition of their funding from West Lothian Council

D.2 Conservation and Collections Care Policy Statement

An approved Conservation and Collections Care Policy (Appendix 2) is a requirement of the national Accreditation Scheme for Museums. This policy statement must guide the Museum Service's approach to conservation and collections care.

The policy statement outlines the Council's approach to preventative conservation including: the provision of suitable building conditions; effective environmental controls and associated monitoring regimes; the requirement for conservation grade display cases; appropriate storage of objects; good housekeeping including pest monitoring and the requirement for the Museums Development Officer to oversee the movement of objects.

The policy statement also specifies that all conservation work must be authorised by the Museums Development Officer. As the Council does not have any trained conservation staff, it also states that all conservation work must be undertaken by an appropriately qualified and experienced contractor.

The development of a Conservation and Collections Care policy statement was identified as an action point in the Museum Development Plan 2013-2016. This policy is an operational document and does not represent a change to the Museum Service's approach to Conservation and Collections Care.

D.3 Documentation Policy Statement

An approved Documentation Policy Statement (Appendix 3) is a requirement of the national Accreditation Scheme for Museums. This policy statement must guide the Museum Service's approach to the Documentation of collections. The policy statement highlights the objectives of the documents, principally to improve accountability, to maintain professional standards, to extend access to collection and strengthen security.

The development of a Documentation Policy Statement was identified as an action point in the Museum Development Plan 2013-2016. This policy is an operational document and does not represent a change to the Museum Service's approach to documentation.

D.4 Acquisitions and Disposal Policy 2017-2022

It is a core requirement of the national Accreditation Scheme for Museums that the museum has an approved acquisition and disposal policy. The policy (Appendix 4) must include themes and priorities for collecting and information about the legal and ethical framework for acquisition and disposal of items. The policy was adopted by West Lothian Council in 1994 and revised in 1999, 2006 and 2012.

West Lothian Council Museums Service will be invited to re-apply for accreditation in 2017. As part of that application, an acquisitions and disposal policy, updated where relevant, must be adopted by the Council and submitted to the Accreditation panel.

E. Conclusion

The adoption of the policies and documents will assist the Museums Service to achieve the national Accreditation standard, to remain eligible for grant aid in the Museums sector and to continue its high quality collections management work.

F. Background References

None

Appendices/Attachments: 8

Appendix 1: Museum Service Development Plan, 2017-2020

Appendix 2: Conservation and Collections Care Policy Statement

Appendix 3: Documentation Policy Statement

Appendix 4: Acquisition and Disposal Policy, 2017-2022

Appendix 5: Accreditation Scheme for Museums and Galleries in the U.K.

Appendix 6: Equality Relevance Assessment: Conservation and Collections Care Policy Statement

Appendix 7: Equality Relevance Assessment: Documentation Policy Statement

Appendix 8: Equality Relevance Assessment: Acquisition and Disposal Policy

Contact person: Emma Peattie, Museums Development Officer Tel
01506 283652, e-mail emma.peattie@westlothian.gov.uk

Alistair Shaw
Head of Housing, Customer and Building Services
25 April 2017

West Lothian Council Museums Service (WLCMS)

Development Plan 2017-2020

Caring for West Lothian's past to enhance our present and future

Contents

Subject	Page
West Lothian Council Museums Service (WLCMS) Statement of Purpose	2
WLCMS Core Functions	2
West Lothian Council Planning Structure	3
National Strategy And Standards	4
2013-2016 Development Plan Review	5
WLCMS Operational Review 2016	7
WLCMS Key Aims	12
WLCMS Specific Objectives 2017-2020	12
Development Plan Review Schedule	22

West Lothian Council Museums Service (WLCMS) STATEMENT OF PURPOSE*

Mission Statement:

To enhance the quality of life in West Lothian by providing a museums service that serves the educational, cultural and leisure needs of our communities now and in the future.

Motto:

Preserving the Past for the Present and Future

Key Outcome:

Our citizens have an appropriate museum collection held in trust for them, which is well safeguarded, researched and readily available to them now and in the future.

**Approved by Council Executive: 10th January 2012*

WLCMS CORE FUNCTIONS

West Lothian Council Museums Service (WLCMS) is one of the smallest Scottish local authority museum services in terms of the collections in its care (c. 6,000 objects) and staffing (1.5 FTE) but it serves a growing population of over 175,000 residents.

WLCMS was established in 1994 with two core functions

- To support and monitor the independent museums financially supported by West Lothian Council in Bathgate, Linlithgow and Livingston.
- To develop, care for and promote access to the Council's museum and related collections for the benefit of local communities.

For the purposes of forward planning, this dual role means that WLCMS plan must take account of

1. West Lothian Council's planning structure
2. The aims of the National Strategy for Scotland's Museums and Galleries.
3. The standards of the Accreditation Scheme for Museums and Galleries in the United Kingdom

WEST LoTHIAN COUNCIL PLANNING STRUCTURE

1. West Lothian Council Corporate Plan

The council is committed to improving the quality of life for all of our citizens.

WLC Corporate Plan priority 8: Protecting the built and natural environment

This will include delivering services that contribute to the local culture and heritage and services that protect and enhance the cleanliness and appearance of our environment. Our aim will be to provide services that support healthier lifestyles, inclusion and social equity and sustainable economic growth.

Protecting the built and natural environment focus 6:

Providing a range of cultural services with the aim of encouraging the public to take an active interest in community arts, libraries and the culture within their local area.

NATIONAL STRATEGY AND STANDARDS

2. National Strategy for Scotland's Museums and Galleries

Vision: Scotland's museums and galleries will be ambitious, dynamic and sustainable enterprises; connecting people, places and collections; inspiring, delighting and creating public value.

The Strategy's vision will be achieved, regardless of organisational scale or governance model, by taking forward the following six aims ... through working in partnership with others in and beyond the cultural sector.

1. Maximise the potential of our collections and culture
2. Strengthen connections between museums, people and places to inspire greater public participation, learning and well-being
3. Empower a diverse workforce to increase their potential for the benefit of the sector and beyond
4. Forge a sustainable future for sector organisations and encourage a culture of enterprise
5. Foster a culture of collaboration, innovation and ambition
6. Develop a global perspective using Scotland's collections and culture

3. UK Accreditation Standards for Museums and Galleries

The Standards are set under three headings:

- Organisational Health
- Collections
- Users and their Experience

As in all the planning structures above the ultimate focus of Accreditation is on the experience of the user or customer.

For museums holding diverse and irreplaceable objects, a stable operating environment and essential tasks relating to collections and their care are necessary if excellent customer service is to be delivered. Since 2011 the Accreditation Scheme applies the principles of Publicly Accessible Specification (PAS) 197.2009, the Code of practice for cultural collections management approved by the British Standards Institute, in this area.

In order to evidence the planning of these functions, this plan varies from the usual structure of high level Council plans.

2013-2016 DEVELOPMENT PLAN REVIEW

The 2013-16. Plan was reviewed and revised in 2014, 2015 and 2016, but was not fully re-written due to the relocation of Museums in 2015 followed by the restructure of Heritage Services in 2016.

The Independent Museum Trusts: Context

Three independent museum trusts¹ form a major part of West Lothian Council's "adequate provision of facilities for cultural activities for inhabitants of their area"² Each independent museum is successful in its own right. As Independent Trusts, they complement the corporate delivery of council policy through being commissioned to provide museum services in West Lothian appropriate to their designated collecting areas.

In 2000 the three independent museum trusts and WLCMS formed the West Lothian Museums Forum to promote co-operation and exchange of information on matters affecting the museum sector in West Lothian e.g. grant applications, marketing and collecting areas. Representatives from Hopetoun House Preservation Trust and Linlithgow Union Canal Society, both of which have functions and concerns in common with the Forum, were co-opted as members in 2002.

The Independent Museum Trusts: Changes and Highlights

- The WLCMS Museums Development Officer has provided additional support to Linlithgow Heritage Trust since 2015 during preparation of ambitious plans for the redevelopment and relocation of their museum. In 2016 this support extended to the preparation of a successful Stage 1 HLF application.
- The WLCMS Museums Development Officer is no longer the Council Link Officer for Almond Valley Heritage Trust. This is due to plans for the secondment of the WLCMS Museums Development Officer to AVHT and the consequent potential conflict of interests.
- WLCMS has been a lead partner in delivering two successful training programmes for Museum Forum staff and volunteers. These programmes were funded by the MGS Skills Development Fund.

Collections Access: Context

Exhibitions: West Lothian Council Museums Service has three community museums in the libraries at Whitburn, Blackridge and in the Strathbrock Partnership Centre. These museums accommodate permanent and touring exhibitions. Touring exhibitions are also shown at

¹ Almond Valley Heritage Trust, Bennie Museum Trust, Linlithgow Heritage Trust.

² §.14 (1) Local Government and Planning [Scotland] Act 1982

Armadale Library and at Linlithgow Library when the display case there is not in use by community organisations.

The creation of touring exhibitions based on the West Lothian Council Museum collection, though costly in staff time, gives local people access to their own heritage and opportunities to contribute to the store of knowledge about the collection. Temporary exhibitions tour to all five venues to maximise their impact.

Existing museum facilities in West Lothian are generally not able to meet the requirements of toured museum exhibitions.

Outreach: Outreach work is a major part of the work of WLCMS. Outreach incorporates not only the reminiscence loan box service and object handling sessions in schools but also local events related to exhibitions and collections, online access to the collections and a range of joint projects with internal and external partners in arts, intergenerational work, oral history and online exhibitions.

Collections: Changes and Highlights

Exhibitions programme:

- Four new touring exhibitions were created in the past four years and a further exhibition has been revised and expanded. Each one involved individuals or groups in the community in telling stories or sharing objects to complement West Lothian's own collections.
- The Museums Service has hosted two travelling exhibitions from the Linburn Centre which have been displayed in Armadale, Livingston, Broxburn and East Calder.
- The Museum Service has had access to an additional display case at Lanthorn library and this has been used to provide four smaller object led exhibitions.

Schools museum education service:

- A new workshop on Archaeology developed by the service during the ESMP "Treasures Found" touring exhibition has now been incorporated into the schools programme.
- Other handling workshops have been improved and expanded in the light of new acquisitions and feedback from teachers.

Reminiscence loan box service:

- The reminiscence loan service has been greatly expanded in partnership with service users following a project funded by the MGS small project fund. It now includes 34 boxes, 21 photo / advert packs and a wide range of commercially produced resources and equipment.

Explore ways of reaching new audiences:

- Since 2016, the Museums Service has operated a Reminiscence Centre in partnership with the Living Memory Association. This has offered new opportunities to share

collections and exhibitions and has successfully attracted non-traditional museums visitors.

- The Museums Service now shares a Facebook page with the council's local history library which has allowed more people to access resources.

Collection Management: Context

Collecting: Objects are accepted into the collection if they fall within the Council's Acquisitions and Disposal Policy. Broadly this covers the social and industrial history and archaeology of West Lothian. Most items are donations from members of the community, with a few items allocated from Treasure Trove. Priority is given to the educational and handling collections for which low cost purchases may be made from existing resources.

Documentation: Accurate documentation of the collection is a prerequisite for all other museum activity. Manual and electronic documentation procedures for new objects entering West Lothian Council Museums collections comply with the national Spectrum documentation standard.

Collections Care: Management of collections includes security, maintaining stable temperature and humidity levels, limiting display of light sensitive objects, using conservation grade storage materials and monitoring collections for any signs of deterioration. Advice on any condition problems will be taken from accredited conservators as needs arise. A disaster plan for the protection and rescue of the collection in the event of an emergency, e.g. fire, flood or vandalism was revised in 2013 and is subject to annual review. These standards are also applicable to Council heritage assets not in the direct care of WLCMS.

Adequate storage is fundamental to the care of all local collections and collections are limited by the capacity of the stores.

Collection Management: Changes and Highlights

Documentation

- Acquisition and Disposal Policy for 2017-2022 has been revised and is ready for committee approval.
- A Documentation Policy has been developed and is ready for committee approval.
- Following the relocation of the council's museum collections in 2015, an object audit was undertaken and the location of all objects has been updated on Adlib.
- The Adlib Collections Management software has been upgraded. This will improve the efficiency of the electronic documentation process and will allow the Museums Service to more effectively document collections.

Collection care

- Our new shared collection store has provided improved environmental stability for our collections and improved storage facilities including dedicated painting racking.
- Our new store features electronic environmental control via the Building Management System and a gas fire suppression system will protect our collection in the event of a fire.

Conservation

- The Lindsay Educational Shield was conserved for display purposes in 2014.

Standards: context

As a local authority service the activities of WLCMS must reflect those policies, values, aims and objectives of West Lothian Council which impinge on the provision of a Museums Service and work with internal and external partners to deliver excellent heritage services to the people of West Lothian.

As a museum service safeguarding and promoting the collections of three community museums and providing access to collections through display and outreach work, WLCMS must adhere to the Accreditation Standard for Museums and Galleries in the UK.

As an accredited museum in Scotland, WLCMS must take account of National Strategies for Museums in Scotland by maximising the impact of its staffing and collections.

Standards: Changes and Highlights

- Internal Council changes affecting WLCMS include a restructure of service.
- Realising the Vision, Delivering Public Value Through Scotland's Museums and Galleries, 2015-2019 was published in 2015.
- WLCMS continue to work closely with the Local History Library; however, the relocation of Archives to Corporate Services has reduced opportunities for joint working.

WLCMS OPERATIONAL REVIEW 2016

This review takes account of discussions with staff, volunteers and partners, reviews of service feedback e.g. questionnaires, visitors books and consultation with users and non-users both face to face and online.

1. ANALYSIS: Part of the process was to carry out an analysis of the political, economic, social, technological, legal and environmental (PESTLE) factors affecting the operation of WLCMS as well as its strengths and weaknesses and the opportunities and threats (SWOT) affecting the service.

PESTLE

WLCMS operates as a local authority service and so on this analysis most factors are common to all Council Services, for example:

Political:	It serves the policies of the majority administration
Economic:	It shares in the measures taken by the Council in this period of economic austerity
Legal:	It complies with legal requirements such as Health and Safety, Equalities and the Public Records (Scotland) Act
Environmental:	It follows the Council's green agenda for buildings, transport etc.

There are two factors which are slightly different for WLCMS:

Social:	WLCMS is affected by present social factors of concern to the Council such as the ageing population and the needs of deprived areas. However its collections must also take account of earlier social changes (work patterns, overspill population, baby boom) and anticipate factors which will be seen as socially significant in future (impact of devolution, reality television).
Technological:	WLCMS has updated the cataloguing database and continues to maintain and update records, with huge benefits in terms of efficiency. However as digital technology is new and constantly changing and the survival of data for hundreds of years cannot be guaranteed, the service is also obliged to maintain traditional paper records and history files.

SWOT

In this analysis many factors are particular to WLCMS, though others remain beyond the control of the Service. Some of these items may be regarded as threats but also as opportunities to develop new ways of working. What follows is a summary of the principal factors identified.

WLCMS Strengths:

- Blackridge, Broxburn and Whitburn Community museums and Armadale museum space
- Permanent , display and handling collections
- Strong working relationship with the Living Memory Association including a shared Reminiscence Centre in Livingston
- Enthusiastic and dedicated staff and volunteers
- Appreciative users / customers
- Complementary working relationship with independent museums in West Lothian

- Well established outreach services to schools and older people
- Regular touring exhibition programme
- Long track record of partnership working with internal and external partners
- Availability of financial , training, policy development and technical support from Museums Galleries Scotland

WLCMS Weaknesses:

- Temporary uncertainty over the structure and location of the museums service
- The Museums Service no longer has its own operating budget
- Limitations on proactive collecting by shortage of storage space

WLCMS Opportunities:

- Potential new projects with Living Memory Association
- Digital technology and social media can increase collections access and widen audiences.
- New Council partnership buildings may offer new outreach opportunities and new ways of giving local people access to their heritage
- Heritage Lottery Fund priority status for West Lothian may offer funds for improvement of the Community Museums
- WLCMS' wide range of community contacts: the communities of West Lothian hold a deep mine of stories of local life in the past and present which WLCMS can help them to tell and to preserve through associated objects.
- Linlithgow Heritage Trust's plan for a new museum in Linlithgow offers opportunities both for increased joint working and for the display of additional objects from the council's collections.
- The Museums Forum has applied to the MGS Partnership Fund for resources to undertake a review of the delivery of museums in West Lothian; this will allow the service to identify opportunities for increased effectiveness and closer community working.
- Continuing close working relationship with independent museum partners in West Lothian

WLCMS Threats:

- Volunteers may be lost if they get paid jobs.
- Outcome of Consultancy study may threaten continued operation of accredited community museums.

2. PUBLIC CONSULTATION: Besides taking account of the role of WLCMS in the delivery of Council and national priorities, a consultation with users and non-users on priorities for the service has been carried out.

Activities: Four key Museum Service activities were ranked in order of importance. The activities were ranked in the following order:

- Giving opportunities to local communities to interact with local collections
- Collecting and telling stories associated with objects
- Looking after the object collections
- Providing object handling sessions in schools

Access: Four methods of providing access to collections and the stories behind them were ranked in order of importance. The methods of access were ranked in the following order:

- Heritage projects in the local community
- Exhibitions and events in the community museums
- Online access to museum collections
- Reminiscence activities including the operation of the reminiscence centre

3. PRIORITY SETTING

Taking account of all the above, WLCMS is well placed to plan its work over the next three years to respond to demand by enabling and promoting the use of its collections in and for local communities, offering access to young and old, both “hands on” and online. Any changes to venues or service structure need not alter the key outcome statement:

Our citizens have an appropriate museum collection held in trust for them, which is well safeguarded, researched and readily available to them now and in the future.

This mission also addresses priorities of West Lothian Council:

- Providing a range of cultural services with the aim of encouraging the public to take an active interest in community arts, libraries and the culture within their local area.

and the National Strategy for Scotland's Museums and Galleries:

- Strengthen connections between museums, people and places to inspire greater public participation, learning and well-being

WLCMS KEY AIMS

In pursuit of its key outcome, the Museums Service will prioritise the following activities in 2017-2019

1. Collecting, recording and safeguarding artefacts relating to the historical and cultural life of West Lothian
2. Encouraging life-long learning, inspiration, inclusion and enjoyment by promoting formal and informal access to West Lothian's museum collections
3. Working to quality standards set for West Lothian Council and the national museum sector
4. Working in partnership with accredited independent museums open to the public in West Lothian

WLCMS SPECIFIC OBJECTIVES 2017-2020

Collecting, recording and safeguarding artefacts relating to the historical and cultural life of West Lothian

WLCMS will collect, record and safeguard artefacts relating to the historical and cultural life of West Lothian by:

1. Collecting objects appropriate to the heritage of West Lothian for which suitable care can be provided within current resources
2. Maintaining accurate object documentation to enable access to the collection
3. Keeping objects in an environment appropriate to their composition and condition
4. Identifying conservation needs and obtain appropriate conservation treatment
5. Encouraging high standards of care for objects relating to local heritage but not held in the collections

Actions

1. WLCMS will collect objects appropriate to the heritage of West Lothian for which suitable care can be provided within current resources by:

- Adhering to the Council's Acquisition and Disposal Policy
- Accepting only those objects for which adequate storage can be provided

1.2 WLCMS will ensure accurate documentation is kept on each item which enters its care by:

- Adhering to the newly developed Documentation Policy which formalises the responsibilities of the museum in relation to documentation procedures, collection security and collections information.
- Maintaining high standards of manual documentation
- Keeping the accessions register up to date
- Maintaining the Adlib electronic database to keep abreast with current technology and taking advantage of improvements brought about the software upgrade.
- Seeking opportunities for object research including community knowledge to maximise the use of the capacity of the Adlib electronic database.
- Explore possible Improvements in efficiency that could be brought about by the introduction of an electronic location movement system

1.3 WLCMS will keep objects in an environment appropriate to their composition and condition by:

- Adhering to the newly developed Collection Care and Conservation Policy which formalises and guides the service's approach to collections care and conservation
- Implement the Collection Care and Conservation Plan
- Monitoring the environment and pest activity in the store and each venue regularly and taking steps to remedy any problems found
- Reviewing the disaster plan on an annual basis

1.4 WLCMS will identify conservation needs and obtain appropriate conservation treatment by:

- Assessing the condition of new acquisitions
- Carrying out a condition survey of 33% of the collection in each year of this plan
- The condition survey will be used to inform the development of conservation priority list
- Commission urgent remedial conservation treatment with grant support

1.5 WLCMS will encourage high standards of care for objects relating to local heritage not held in the collections by:

- Providing basic object care advice to the appropriate person or body
- Obtaining expert object care advice in appropriate cases
- Providing two different displays interpreting local culture and heritage in venue each year.

Budgets

It is envisaged that most of these proposals will be carried out using existing resources or a bid to MGS. Conservation work is, however, always expensive and grant aid for this will always be sought and match funding applied for as required at the discretion of the relevant Neighbourhood Manager.

2. Encouraging life-long learning, inspiration, inclusion and enjoyment by promoting formal and informal access to West Lothian's museum collections

WLCMS will draw up a Learning and Access Policy in the second year of the present plan. The policy will formalise the commitment to give access for all to collections and associated information and widen access to heritage. This policy will be written following a review of the delivery of museums in West Lothian by an independent consultant. This work will also be supported by:

1. Maintaining and developing the exhibitions programme for community museums
2. Maintaining and developing links with communities served by its museums
3. Maintaining and developing the reminiscence loan box service
4. Maintaining and developing the schools museum education service
5. Exploring ways of reaching wider audiences

Actions

2.1 WLCMS will maintain and develop its exhibitions programme by:

Working with architects and council colleagues to plan reformulation of Armadale Community Museum space.

Planning improvements to collections access and interpretation at Blackridge Community Museum
Working in partnership with local and national museums, other Council departments, schools and community groups to increase the diversity of displays.

2.2 WLCMS will maintain and develop links with community groups by:

- Working with architects and the local community to plan for the redisplay and re-location of Whitburn Community Museum.
- Collaborating with community groups who wish to create their own displays in Council museum venues (co-curation) and at other facilities in the community.
- Contributing to community heritage projects and providing assistance and advice to groups seeking external funding.
- Developing a regular programme of community museum events to give people direct access to the object collection and to collect community knowledge about it.
- Researching new and existing collections and using new knowledge to improve interpretation of collections locally.
- Using oral history recording and playback facilities to record social change and involve a wider cross-section of the community in the preservation and interpretation of its own heritage.

2.3 WLCMS will maintain and develop the schools museum education service by:

- Monitoring and evaluating the current range of curriculum-related workshops.
- Planning the future development of the service.

2.4 WLCMS will maintain and develop reminiscence work by:

- Monitoring and evaluating the use of the recently improved and extended reminiscence resource collection.
- Continuing to work with the Living Memory Association to deliver a Reminiscence Centre in Livingston whilst circumstances allow.

2.5 WLCMS will explore ways of reaching wider audiences by:

- Piloting and evaluating the development of displays in co-operation with non- user groups and non-museum venues.
- Making selected information on items from the collection available in digital form and on appropriate online platforms as well as to researchers in person.
- Assessing the demand for portable and/or mobile museum display facilities.
- Ensuring that intellectual and physical access guidelines are followed when providing displays and access to collections information.
- Making content available on the Museums and Local History Facebook page.

Budgets

It is envisaged that most of these proposals will be carried out using existing budgets. Physical improvements to community museums will be the subject of external grant applications.

3. Working to quality standards set for West Lothian Council and the national museum sector

WLCMS will provide a Museums Service of quality for West Lothian by:

1. Reflecting those policies, values, priorities and objectives of West Lothian Council which impinge on the provision of a Museums Service
2. Ensuring all relevant qualifying standards for the Accreditation Scheme for Museums and Galleries in the UK are met
3. Taking into account the key aims of the National Strategy for Scotland's Museums and Galleries

Actions

3.1 WLCMS will reflect those policies, values, priorities and objectives of West Lothian Council which impinge on the provision of a Museums Service by:

- Working to legal requirements and standards required by West Lothian Council and its external assessors e.g. Health and Safety legislation, Procurement, WLAM, Audit Scotland
- Reviewing the Development Plan in consultation with all interested parties
- Devising annual service plans which will deliver the priorities of the Development Plan by the end of the plan period
- Monitoring Service Level Agreements / contracts for independent museums.
- Prioritising customer service and care.

- Continually evaluating and improving services in consultation with user groups and partners
- Making the best use of available resources including external grant aid
- Working in partnership with the independent museums sector in West Lothian
- Working in partnership with other Council services in the field of arts, culture, heritage and tourism.
- Seeking training opportunities to maintain and develop staff professional skills

3.2 WLCMS will ensure all relevant qualifying standards for Accreditation are met by:

- Maintaining and improving standards of documentation, collection care and user services already achieved under the Accreditation scheme

3.3 WLCMS will take into account the National Museums Strategy drawn up by Museums Galleries Scotland by:

- Continuing to incorporating their recommendations into the forward planning process
- Working in partnership with the local independent museum sector to take account of national and regional developments

Budgets

It is envisaged that most of these proposals will be carried out using existing budgets.

4. Working in partnership with accredited independent museums open to the public in West Lothian

WLCMS will support and enable the Accredited independent museum trusts, open to the public in West Lothian by:

1. Maintaining and developing current levels of liaison and support to the independent museum trusts
2. Maintaining and developing the West Lothian Museums Forum

Actions

4.1 WLCMS will maintain and develop current levels of liaison and support to the independent museum trusts by:

- Attendance of the Museums Development Officer, whenever possible, at Trustee and other relevant meetings of museums commissioned to provide museum services
- Where appropriate, serving as link officer to accredited museums commissioned by West Lothian Council to provide museum services
- Providing advice, where appropriate, to all Independent museums on curatorial practice.
- Providing curatorial support to Linlithgow Heritage Trust for the duration of the Heritage Lottery Funded "A New Museum for Royal Linlithgow" project.
- Identifying opportunities for partnership working between WLCMS and the individual museums e.g. promotional activity, training, collection care
- Monitoring likely future needs of independent museums e.g. training, sustainability

4.2 WLCMS will maintain and develop West Lothian Museums Forum by

- Providing the secretariat for the Forum
- Encouraging involvement of Forum members in regional and national initiatives for the museums sector
- Identifying opportunities for development projects involving all Forum members

Budgets

It is envisaged that the bulk of these actions will be carried out using existing budgets. Any projects beyond the combined means of WLCMS and independent museum trusts will be the subject of external funding applications.

DEVELOPMENT PLAN REVIEW SCHEDULE

This plan will be reviewed annually in March and completely revised in March 2020



West Lothian
Council

Conservation and Collections Care Policy Statement

1. PURPOSE OF THE POLICY

1.1 West Lothian Council Museums Service (WLCMS) is responsible for the care and preservation of the collections of West Lothian Council and making them available to the public via exhibitions and outreach activities.

1.2 WLCMS will seek to achieve a balance between preservation and access to the collections. The council's principles to collections care will be guided by:

- Museum sector standards and best practice
- Effective training and communication of collections care issues to staff, volunteers, and partner organisations.

1.3 The following definitions are set out in the British Standard PAS197:2009 'Code of practice for cultural collections management':

Collections care: *the range of activities intended to safeguard a collection. Note: these can include organisational policies, security, storage, cleaning, maintenance, handling, scientific investigation, environmental monitoring and control, exhibitions and loans, conservation, provision of surrogates and emergency planning.*

Conservation: *interventive techniques applied to an item to achieve chemical and physical stabilisation for the purpose of extending the useful life of the item and to ensure its continued availability.*

2. COLLECTIONS CONDITIONS OVERVIEW

Following a recent upgrade of the collections database, collections are undergoing a full audit and conditions check. A conservation priority list will be developed from this.

3. PREVENTATIVE CONSERVATION

Preventative conservation “describes research and interventions aimed at reducing deterioration rates and minimising risks to collections” International Council of Museums (ICOM). The following measures have been implemented to achieve this:

3.1 Provision of Suitable Building Conditions

The Museums Development Officer is responsible for liaising with the Building Manager at Kirkton Service Centre to ensure appropriate building conditions for the long term storage of museum collections. Buildings are regularly checked internally and externally of signs of problems such as water ingress, pest damage, vandalism or structural problems. Building issues are reported to the Property Help desk and dealt with in a timely manner. Fire detection and prevention systems are kept up to date with current standards and as with the security systems they are tested, and serviced, regularly. A gas fire suppression system has been installed in the store and will be automatically or manually activated in the event of a fire. Relative Humidity (RH) and Temperature in the collections store are controlled by a Buildings Management system. The Museums Development Officer has direct access to the system and can make adjustments where required.

3.2 Environmental Monitoring

West Lothian Council monitors the environment in storage and display areas, to measure and record RH and temperature. Collections stores are shared with the Archives Service and an appropriate level of temperature and RH has been agreed with the council's Museums Development Officer and Archivist.

LUX levels are taken in our main display areas and UV light is reduced where possible. This information is collected, recorded and used to analyse the collections environments to allow future planning for control upgrades and the better matching of objects to their preferred environment.

3.3 Environmental Control

3.3.1 RH, Light and Temperature Controls: West Lothian Council aims to pursue ‘best practice’ in our preservation and conservation procedures as established in such documentation as BSI PD5454: 2012 ‘Guide for the storage and exhibition of archival materials’, and the MLA Benchmarks in Collection Care.

3.3.2 Display Case Construction: Any new cases will be of conservation grade and will be selected by the Museums Development Officer. All objects will be displayed in secure cases positioned to avoid vibrations, strong light sources and sources of heat or cold.

3.3.3 Storage: smaller objects and textiles will be housed in acid free boxes on metal shelving. Dresses and other garments will be stored in acid free garment bags hanging in an appropriate metal cabinet. Larger and heavier items will be stored unpackaged on open metal shelving to minimise damage from handling. Where possible, paintings, particularly those of significance will be stored on bespoke metal painting racking. Banners will be rolled on appropriate supports, interleaved with acid-free material and stored on metal banner shelving. Items will be labelled and packed in ways that reduce handling and the potential for damage. Photographs and ephemera will be stored in polyester sleeves.

3.4 Housekeeping

3.4.1 Cleaning

Staff and volunteers are trained to clean storage and display areas in a way that is not detrimental to the collections. Chemical-based commercial cleaning products are avoided. Objects will only be cleaned under the direct supervision of the Museums Development Officer.

3.4.2 Quarantine Procedures

New acquisitions and incoming materials are inspected before being allowed into the main storage areas to ensure that the accidental introduction of pests is prevented. All textiles will be placed in quarantine for a period of six months.

3.4.3 Pest Monitoring

All areas containing collections are monitored using insect traps. These are regularly checked and the pests identified to assess if there is a potential problem. If a problem is discovered the trap contents are recorded and the area monitored so that the source of the problem can be located and eradicated.

3.5 Handling, Moving and Transport

3.5.1 The transportation of collection items is always carried out under the supervision of the Museums Development Officer. All staff and volunteers are trained in basic handling methods.

3.5.2 Prior to movement, objects will be appropriately packed. Over-packing will be avoided as this can lead to damage when items are unpacked.

3.5.3 Only recognised and trusted handlers will be used when items are sent by courier and where possible a member of staff will accompany the courier.

3.6 Disaster Planning

Disaster plans for all venues housing museum collections will be regularly reviewed and updated where necessary.

4. CONSERVATION

4.1 Conservation of objects will be undertaken when and where necessary to ensure the long term safety of the council's collections. The decision to allow conservation work to take place will only be taken by the Museums Development Officer. West Lothian Council does not currently have trained specialist conservation staff and therefore all interventionist conservation is undertaken by contractors. To ensure that we are doing the best for the collections only appropriately qualified, accredited and experienced conservators will be employed to carry out conservation work. Before any work takes place a mutual agreement will be reached about the approach and treatment of the items and a full method statement will be required. All conservation work will be documented and added to the object's permanent record.



Documentation Policy Statement

Introduction

Documentation underpins every aspect of museum activity. Recording collection information is central to being accountable for the collections, their accessibility, management, research, study and use.

Our policy for documentation of the collections is to ensure that the information we hold relating to the collections is accurate, secure, reliable and accessible.

Aims and Objectives

The aim of this Policy is to ensure that we fulfill our guardianship, stewardship and access responsibilities. Through implementation of this policy, our objective is to:

- Improve accountability for the collections;
- Maintain at least minimum professional standards in documentation procedures and collection information and attain the very highest standards wherever possible;
- Extend access to collection information;
- Strengthen the security of the collections.

Accountability

The museum will follow the accountability principles defined by the Museums and Galleries Commission;

"to enable museums to fulfill their fundamental responsibilities for collections and the information associated with them. The principles are that a museum should know at any time exactly for what it is legally responsible (this includes loans as well as permanent collections), and where each item is located." (MGC 1993)

Levels of Documentation

The museum is committed to record significant information about the objects in our care so that each object we are legally responsible for (including loans as well as long term collections) can be identified and located.

For the majority of our collections, staff will document to individual item level. However, for certain collections, for example bulk archaeological excavation material, it is neither feasible nor practical to document the material in this detail, and we will document items at group level. We therefore aim to have a basic 'inventory' record for all identified items and groups within the collection; whilst some items will be documented to a more detailed 'catalogue' level.

We will document our collections to either Inventory or Catalogue level, as described below:

- Inventory level: This includes sufficient key information to allow any object(s) in our care to be individually identified and verified. All accessioned items, loans inward and outward, and any other unaccessioned objects as appropriate are documented at this level.
- Catalogue level: We will identify the collections/objects that merit further, more detailed, documentation, thus raising the standard of information to catalogue level. Such documentation will include the known history of an artefact, and references to any relevant publication etc.

Computerisation of Records

Details of all new accessions and loans are added to Adlib. The data within Adlib is securely backed up on the council's services. In order to ensure that our current electronic system does not become obsolete, the museum will remain informed of technological advances and ensure the long term accessibility of the information held.

Controlled Access to Sensitive Information

All requests for information will be considered in terms of compliance with the Freedom of Information (Scotland) Act (2002) and Data Protection Act (1998) and the Environmental Information Regulation (2004). We will review requests for confidential data such as donor information, environmental information, valuations or site details on a case by case basis, and in accordance with the applicable legislation and any legal agreements or conditions of gift.

Security Against Loss of Irreplaceable Collection Information

We have in place measures to ensure the physical security and long-term preservation of all documentation records, whether paper or computerised. We will update all manual and computerised records as appropriate. Regular backups will be made to secure digital data.

West Lothian Council Museums Service

Governed by West Lothian Council

Acquisitions and Disposal Policy

2017 – 2022

Approved by West Lothian Council:

Review date: November 2021

1. Statement of Purpose

Mission Statement: To enhance the quality of life in West Lothian by providing a museums service that serves the educational, cultural and leisure needs of our communities now and in the future.

Motto: Preserving the Past for the Present and Future

Key Outcome: WLC requires all its Heritage Services to make heritage resources available to our communities. The Museums Service seeks to fulfil this demand by working to ensure that:

Our citizens have an appropriate museum collection held in trust for them, which is well safeguarded, researched and readily available to them now and in the future.

In pursuit of this outcome the Museums Service prioritises the following activities:

- Collecting, recording and safeguarding artefacts relating to the historical and cultural life of West Lothian
- Encouraging life-long learning, inspiration, inclusion and enjoyment by promoting formal and informal access to West Lothian's museum collections
- Working to quality standards set for West Lothian Council and the national museum sector
- Working in partnership with accredited independent museums open to the public in West Lothian

2. Existing collections

The existing collections of West Lothian Council Museums consist principally of items relating to the social and industrial history of West Lothian from the late 19th century to the present. Particular themes include:

- The history of West Lothian Council and its predecessors, including the civic regalia of the former Burghs
- The history of the self-help movement, in particular Friendly Societies, including banners, regalia and memorabilia
- The social, domestic and industrial history of areas served by community museums, namely Whitburn, Armadale, Broxburn and Blackridge,
- Objects associated with individuals native to, or closely associated with, these areas.

In addition the collections include:

- Geological specimens from the carboniferous period relating to the later coal and shale mining industries
- Archaeological finds illustrating human activity in the West Lothian area from the Bronze Age to the Medieval period.
- Photographic prints, negatives and slides, both original and copied from loans, illustrating West Lothian history in relation to the object collections.

3. Future Acquisitions

Set out below are the criteria governing future acquisition policy including the subjects or themes, periods of time and/or geographic areas and any collections which will not be subject to further acquisition.

- 3.1 The Collecting Area for West Lothian Council Museums Service will be the area defined by the boundaries of West Lothian Council as described in Local Government Re-organisation of April 1996. Items relevant to the earlier County of Linlithgowshire but originating out with the present day boundaries may be collected but in consultation with Accredited museums currently collecting in that area.
- 3.2 The period of time to which the collection relates will be from the Carboniferous period to the present.
- 3.3 Items made in, at some point used within, or otherwise provenanced to the West Lothian Council Museums Service's Collecting Area, may be acquired, regardless of their location at the time of acquisition. Where this involves the collection of items from a place within the geographical sphere of influence of another museum, a principle of open actions and good communications will apply.
- 3.4 The mission of West Lothian Council Museums Service (WLCMS) is to enhance the quality of life by providing a museums service that serves the educational, cultural and leisure needs of the community now and in the future. Its key outcome includes collecting objects appropriate to the heritage of West Lothian and making them readily available to citizens. This happens through exhibitions, but also to a large extent through reminiscence work, school and public handling sessions and other outreach services. Accordingly priority will be given to items suitable for handling and educational use and objects related to areas with community museums. Collecting will continue to take into consideration the collecting policies of other local museums (see ¶ 5 below) as well as constraints of storage and conservation requirements.

Items falling into the following subject areas may be collected, always subject to the availability of suitable storage space and environmental conditions and display capacity:

3.4.1 Civic and Social History

Items in this category relate to the history of local government in West Lothian and the history of the communities, which grew up within its boundaries. These are the most extensive categories within West Lothian Council Museums Service's existing collection and will remain collecting priorities in the future.

This category includes items falling into four broad subject areas as defined by the Social History and Industrial Classification (SHIC) published by the Museums Documentation Association, namely.:

Community life; Domestic and family life; Personal life; Working life

3.4.2 Archaeology:

West Lothian Council Museums Service is an approved institution for the distribution of Treasure Trove and will seek to receive items appropriate to its

collecting area and storage and display facilities. All archaeological collecting will be in accordance with the relevant current legislation (See ¶8.6 below).

Finds which are not claimed by the Queen & Lord Treasurer's Remembrancer, which have come to light as a result of an excavation undertaken by the Council or as a planning condition imposed by the Council are to be deposited with West Lothian Council Museums Service as part of the project design.

Objects dating to before 1707, the Act of Union of Scotland and England may be considered as archaeological (this date is used by the Royal Commission on Ancient & Historic monuments of Scotland). This therefore covers the following periods: Mesolithic, Neolithic, Bronze Age, Iron Age, Roman, Dark Ages, Medieval and Early Modern. Casual finds after this date will be considered for the social history collection unless found on excavation.

For collecting purposes, archaeological objects will be subdivided into three categories:

- a) **Artefacts or manuports** - an object which is the product of human art and workmanship, or which has been introduced from outwith the district by human agencies, e.g. pottery, flint, building material etc
- b) **Biological specimens** - faunal and floral remains which provide evidence concerning the nature of the environment in which people have lived and which they exploited e.g. wood, grain, pollen, bones etc.
- c) **Sites** - the physical remains of permanent or temporary habitation sites. These are often ephemeral and transient and can only practically be preserved in documentary form - in writing, film and drawing. This is nonetheless an essential and integral part of the evidence for human activity in the district. As well as existing in its own right, such evidence must accompany the types of objects outlined in paragraphs a) and b). Evidence in this form will be placed with the West Lothian Council Archives Service for long-term storage and cross referenced to the Sites and Monuments Record maintained by for the council by the West of Scotland Archaeology Service (WOSAS), of which the council is a member and on the archaeological trigger maps prepared by WOSAS for use by the council in the planning process.

3.4.3 Photographs, prints and drawings:

Photographs, topographical prints and other locally relevant material will be collected only for the purpose of enhancing the interpretation of the object collection. West Lothian Council Archives holds the Council's principal collection of original photographs. Original photographs and negatives donated to West Lothian Council Local History Library were in the past accepted by West Lothian Council Museums Service for safekeeping. Such photographs are now deposited with West Lothian Council Archives and Records Centre. Copies of original non-duplicate photographs collected by West Lothian Council Museums Service will be donated to West Lothian Council Local History Library. New work may be commissioned when gaps in the existing collections are identified. The Archivist and the Local History Library will be informed of such commissions.

3.4.4 Architectural material:

Material including the fabric of a building as well as fixtures and fittings that have been salvaged from West Lothian Council approved demolitions, alterations and maintenance to historic buildings and constructions of architectural merit. This material has been collected in the past, but limitations on storage will prevent future collecting of all but the smallest examples.

3.4.5 Public Art and Monuments:

All externally situated historic buildings and monuments in the ownership or guardianship of the council are identified on a database established and maintained in partnership by Planning and Community Arts. All public art is subject to the Public Art Strategy adopted in 2008 under which Public Art in West Lothian is supervised by the Public Art Strategy Group. The Museums Service will no longer collect such material.

3.4.6 Visual Arts:

West Lothian Council's visual arts collection, housed mainly at County Buildings in Linlithgow, is supervised by the Museums Officer but is not part of the Museum Service's collection. The Museum Service does not seek to collect visual art. However the Museums Service will consider accepting donations of the work of local artists or local subjects which illustrate the historical development of the area, if appropriate storage and display facilities are available at the time. Where the Museum seeks to collect the work of "local" artists, or to acquire "local" views, the area defined at ¶ 3.1 above will normally be used as the basis for decisions.

3.4.7 Numismatics:

There is currently very little numismatic material in the West Lothian Council Museums Service collections. Development of the numismatic collection will be restricted to coins, notes, medals and tokens with a particular connection to West Lothian, or such as may be required for display purposes. Coins recovered from excavations will be accepted with other excavated material.

3.4.8 Geology:

There is a small amount of material in the West Lothian Council Museums Service Collections relating to the geological history of West Lothian. Future collecting of specimens which represent the rich geological heritage of West Lothian may be undertaken, but a comprehensive collection will not be created..

3.4.9 Natural History:

There are currently no natural history specimens in the Museums Services Collections. In the future specimens may be obtained or borrowed for display purposes but given the limited space available for collection storage there is no intention to initiate the collecting of this type of material.

4. Limitations on collecting

- 4.1 West Lothian Council Museums Service recognises its responsibility, in making new acquisitions, to ensure that care, documentation and use of the collections will meet the Accreditation Standard. Accordingly, it will consider limitations on collecting imposed by factors such as inadequate staffing, storage and care of collections arrangements. Where the acquisition of any item would result in significant financial implications, the matter will be referred to West Lothian Council for decision.

- 4.2** The Museums Development Officer as the West Lothian Council's senior museum professional, will normally have delegated authority and responsibility for the acceptance or rejection of potential gifts or bequests to the Museum, for soliciting gifts of material for the collections within the terms of this policy, and for making recommendations and taking action on the purchase of material in accordance with this Policy and within West Lothian Council's normal standing orders.
- 4.3** Items offered to West Lothian Council Museums Service as gifts or bequests will not normally be accepted if they are subject to any restrictive covenant or special conditions, such as that they be displayed in a particular way. In exceptional circumstances, if the Museums Development Officer feels that the item(s) in question are of over-riding importance, West Lothian Council may be asked to approve the acquisition of a specific item to which conditions are attached. A general exception to this rule will be deemed to exist in respect of restrictive covenants or conditions intended only to assure the permanent protection of the item concerned in the Museum's collections, such as restrictions placed upon any legal powers of disposal that the Museum may have; under such circumstances, the Museums Development Officer may reasonably recommend that West Lothian Council accept the gift or bequest in question.
- 4.4** The acceptance of items, on loan, normally for a finite period for display or specific study, may be authorised by the Museums Development Officer acting on West Lothian Council's behalf. In exceptional cases, a privately owned item of major importance that falls within the scope of this Policy may be accepted on a finite long loan, whether or not it is required for immediate display or study. No item will be received on "permanent loan", a term which has no legal status. The period of all loans will normally be agreed in writing between the Museums Development Officer and the owner of the item at the time of deposit and will not normally exceed five years. Where the term of a loan has expired, it may be renewed or extended for further finite periods, at the discretion of both the owner and the Museums Development Officer.

5. Collecting policies of other museums

The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialisms, in order to avoid unnecessary duplication and waste of resources.

Specific reference is made to the following museum(s):

Almond Valley Heritage Trust is recognised as holding a nationally significant collection related to the shale oil industry. The trust also collects objects connected to West Lothian's arable and livestock farming, geology and the engineering and extractive industries.

Linlithgow Heritage Trust defines its collecting area as the geographical area within the boundaries of the Royal Burgh of Linlithgow, the Parish of Linlithgow and historically Linlithgow as County Town of Linlithgowshire.

Bennie Museum Trust defines its collecting area as the administrative boundaries of Bathgate, Boghall and Torphichen Community Councils.

West Lothian Council Archives

All archival collections as defined by the Code of Practice on Archives for Museums in the United Kingdom will be offered to West Lothian Council Archives Service in the first instance. However as West Lothian Council Museums Service holds some archives, including photographs and printed ephemera, it will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (3rd ed., 2002).

6. Policy review procedure

The Acquisition and Disposal Policy will be published and reviewed from time to time, at least once every five years. The date when the policy is next due for review is noted above.

Museum Galleries Scotland will be notified of any changes to the Acquisition and Disposal Policy, and the implications of any such changes for the future of existing collections.

7. Acquisitions not covered by the policy

- 7.1** Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by the governing body of the museum itself, having regard to the interests of other museums.
- 7.2** In an emergency, and to ensure the preservation locally [and in public ownership] of important material, the Museums Development Officer is exceptionally authorised to collect material from outside the museum's stated collecting area, relating to those parts of the Lothians not yet covered by any museum service. Such material is acquired on the understanding that it may be transferred to other museums at a future time.

8. Acquisition procedures

- 8.1** West Lothian Council Museums Service will exercise due diligence and will make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that the museum can acquire valid title to the item in question.
- 8.2** In particular, West Lothian Council Museums Service will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws.
(For the purposes of this paragraph 'country of origin' includes the United Kingdom).
- 8.3** In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, West Lothian Council Museums Service will reject any items that have been illicitly traded. The Governing body will be guided by the UK national guidance on the responsible acquisition of cultural property issued by DCMS in 2005.
- 8.4** So far as biological and geological material is concerned, West Lothian Council Museums Service will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international

wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.

- 8.5** The museum will not acquire archaeological antiquities (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.
- 8.6** In Scotland, under the laws of *bona vacantia* including Treasure Trove, the Crown has title to all ownerless objects including antiquities. Scottish archaeological material cannot therefore be legally acquired by means other than by allocation to West Lothian Council Museums Service by the Crown. Where the Crown chooses to forego its title to a portable antiquity, a Curator or other responsible person acting on behalf of West Lothian Council, can establish that valid title to the item in question has been acquired by ensuring that a certificate of 'No Claim' has been issued on behalf of the Crown.
- 8.7** Any exceptions to the above clauses 8.1, 8.2, 8.3, 8.5 or 8.6 will only be because the museum is either:
- acting as an externally approved repository of last resort for material of local (UK) origin; or
 - acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded; or
 - acting with the permission of authorities with the requisite jurisdiction in the country of origin; or
 - in possession of reliable documentary evidence that the item was exported from its country of origin before 1970.

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority.

- 8.8** The museum does not hold or intend to acquire any human remains.

9. Spoliation

The museum will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

10. The Repatriation and Restitution of objects and human remains

The museum's governing body, acting on the advice of the museum's professional staff, if any, may take a decision to return human remains (unless covered by the "Guidance for the care of human remains in museums" issued by DCMS in 2005), objects or specimens to a country or people of origin. The museum will take such decisions on a case by case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 12.1 -12.4, 12.7 and 12.14 below will be followed but the remaining procedures are not appropriate.

11 Management of Archives

See ¶ 5 above and reference to West Lothian Council Archives

12 Disposal procedures Disposal

preliminaries

- 12.1** The governing body will ensure that the disposal process is carried out openly and with transparency.
- 12.2** By definition, West Lothian Council Museums Service has a long-term purpose and holds collections in trust for society in relation to its stated objectives. West Lothian Council therefore accepts the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any items in the museum's collection.

Reasons for Disposal

- 12.2.1** To remove from the collections any item which is too badly damaged or deteriorated to be of any further use for the purposes of the museum.
- 12.2.2** To improve the curatorial care of the collections by the disposal of duplicate or unprovenanced material of low intrinsic relevance to the Acquisition Policy.
- 12.2.3** To transfer to the ownership of another Accredited museum any item which, by reasons of changes in public, social or educational need, administrative responsibility, development priorities, or the establishment of a new Accredited museum, the Museums Development Officer advises the West Lothian Council would be more appropriately placed elsewhere.
- 12.3** The museum will confirm that it is legally free to dispose of an item and agreements on disposal made with donors will be taken into account.
- 12.3.1** Items given or bequeathed will not normally be disposed of without prior consultation with the original donors or their families within the first generation, and wherever possible their approval should be obtained to the course of action proposed. This is, however, a matter of courtesy rather than a legal requirement. The Museums Development Officer shall be entitled to waive this requirement where all reasonable efforts to trace a donor have failed, and additionally where no details of the donor exist.
- 12.3.2** In appropriate circumstances, having taken account of the procedure set out in paragraphs 12.2-12.3 and 12.7-12.8 of this Policy, the Museums Development Officer may recommend the return of an item to its original donor.
- 12.4** When disposal of a museum object is being considered, the museum will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.

Motivation for disposal and method of disposal

- 12.5** When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 12.7-12.15 will be followed and the method of disposal may be by gift, sale or destruction.
- 12.6** In exceptional cases, the disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below in paragraphs 12.7-12.13 and 12.15 will be followed. In cases where disposal is motivated by financial reasons, the governing body will not undertake disposal unless it can be demonstrated that all the following exceptional circumstances are met in full:
- the disposal will significantly improve the long-term public benefit derived from the remaining collection,
 - the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit),
 - the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored.

The disposal decision-making process

- 12.7** Whether the disposal is motivated either by curatorial or financial reasons, the decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including the public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. External expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

12.7.1 Where recommendations concerning the disposal of museum items are to be made, it is understood that there will need to be certain preliminary investigations before a report can usefully be brought before the West Lothian Council. This may include such matters as obtaining valuations, seeking the views of donors, and contacts with other Accredited museums which may be interested in accepting transfers. Within the terms of this policy, it is understood that the Museums Development Officer under the supervision of the Chief Executive Officer has authority to act in this way, without prejudice to West Lothian Council's eventual decision.

Responsibility for disposal decision-making

- 12.8** No museum item may be disposed of without the specific authority of West Lothian Council, through the acceptance of a minute of the appropriate Committee according to West Lothian Council's normal standing orders. A decision to dispose of a specimen or object, whether by gift, sale or destruction will be the responsibility of the West Lothian Council acting on the advice of the Museums Development Officer, and not of the Museums Development Officer acting alone.

12.8.1 If the disposal of a quantity of similar material is proposed, West Lothian Council may, however, give the Museums Development Officer delegated authority to act in the specific, once a general principle has been approved.

12.8.2 Where recommendations concerning the disposal of museum items are to be made, it is understood that there will need to be certain preliminary investigations before a

report can usefully be brought before the West Lothian Council. This may include such matters as obtaining valuations, seeking the views of donors, and contacts with other Accredited museums which may be interested in accepting transfers. Within the terms of this policy, it is understood that the Museums Development Officer under the supervision of the Chief Executive Officer has authority to act in this way, without prejudice to West Lothian Council's eventual decision.

12.8.3 The destruction of a museum item will only be acceptable if it has been seriously damaged, or has deteriorated beyond the point of further usefulness to the collection or for reasons of health and safety. The decision to de-accession in this way must be authorised by the West Lothian Council acting on the advice of the Museums Development Officer. The item will need to be formally de-accessioned and the destruction must be carried out in a discreet, confidential and permanent fashion.

Use of proceeds of sale

- 12.9** Any monies received by West Lothian Council from the disposal of items will be applied for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from MLA.
- 12.10** The proceeds of a sale will be ring-fenced so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard.

Disposal by gift or sale

- 12.11** Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain, unless it is to be destroyed. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.
- 12.12** If the material is not acquired by any Accredited Museums to which it was offered directly as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material, normally through an announcement in the Museums Association's Museums Journal, and in other specialist journals where appropriate.
- 12.13** The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.
- 12.14** The museum will not dispose of items by exchange.

Documenting disposal

- 12.15** Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with SPECTRUM Procedure de- accession and disposal.

Glossary

Collections are defined as:

any item entered in the Accession Registers of West Lothian Council Museums Service, whether as gift, or purchase, together with any item not entered in the Accession Registers, but in the possession of West Lothian Council Museums Service at 1st January 2012 which was donated or purchased with the intention that it should become part of the Collections.

Disposal is defined as:

the permanent removal of an item accessioned into the collection from the ownership of museum's governing body by the process of gift, sale or exchange.

Governing body is defined as:

the organisation which normally owns the collections. If another legally separate organisation has been given powers to acquire and/or dispose of collections on behalf of the governing body, this must be made clear in the policy.

Museums Development Officer is defined as:

the professional officer responsible to West Lothian Council through the Chief Executive Officer for the operation of the Museum according to proper professional standards. The Museums Development Officer must have a relevant degree, or a diploma in museum studies (or equivalent), or experience of the principles and practice of museum operation and management as may be determined to be acceptable by Museums Galleries Scotland.

Public domain is defined as:

represented by organisations which are run by public bodies or operate as charities.

Statement of Purpose: this must be the same as that given in the Forward Plan submitted with the Accreditation application.

Valid Title is defined as:

Valid legal ownership.

West Lothian Council Museums Service is defined as:

those premises, staff and collections of original material, which may from time to time be under the control of the Museums Development Officer. At the time of adoption of this Policy, this principally encompasses the buildings in which West Lothian Council Museums Service is housed. (The portrait collection normally held at County Buildings in Linlithgow and the civic regalia normally held in the Bank of Scotland at Linlithgow and at West Lothian Civic Centre in Livingston are generally recognised as being the responsibility of West Lothian Council Museums Service but do not form part of the collections. The term "Museum" is used in a functional sense, and may at all times be taken to subsume the terms "Gallery", "Art Gallery", "Heritage Centre" or otherwise as appropriate.



Accreditation Scheme for Museums and Galleries in the United Kingdom: Accreditation Standard

October 2011

Contents

Introduction	4
Eligibility	6
Requirements for Accreditation	7
Organisational health	7
1.1 Clear statement of purpose	7
1.2 Acceptable constitution for the governing body	7
1.3 Appropriate management arrangements	7
1.4 Effective forward planning	8
1.5 Secure occupancy of all premises containing collections	8
1.6 Demonstration of financial basis	8
1.7 Appropriate workforce	8
1.8 Access to professional advice and input to policy development and decision making	9
1.9 Clear, workable emergency plan	9
1.10 Organisational approach to environmental sustainability	9
Collections	10
2.1 Satisfactory arrangements for the ownership of collections	10
2.2 Development policy	10
2.3 Documentation policy	10
2.4 Care and conservation policy	10
2.5 Documentation plan	11
2.6 Care and conservation plan	11
2.7 Documentation procedures	11
2.8 Expert assessment of security arrangements	11
Users and their experiences	12
3.1 Good-quality services and development	12
3.2 User-focused experience	12
3.3 Effective learning experiences	13
Further information	14
Glossary	16

Introduction

Accreditation is the UK standard for museums and galleries. It defines good practice and identifies agreed standards, thereby encouraging development. It is a baseline quality standard that helps guide museums to be the best they can be, for current and future users.

This document sets out the requirements museums must meet to gain Accreditation. Although it is a national standard, it is not a 'one size fits all' standard. For each requirement, the expectations vary for museums of different types, sizes and scopes. This is made clear in the assessment guidance document, which you should read alongside this document.

Aims of the Accreditation Scheme

1. To encourage all museums and galleries to achieve agreed standards in:
 - how they are run
 - how they manage their collections; and
 - the experiences of users
2. To encourage confidence in museums as organisations that manage collections for the benefit of society and manage public funds appropriately.
3. To reinforce a shared ethical and professional basis for all museums.

Benefits of taking part in the Accreditation Scheme

Performance

A quality standard that serves as an authoritative benchmark for assessing performance, rewarding achievement and driving improvement.

Profile

It raises awareness and understanding of museums, so building confidence and credibility both within the governing body and among the public.

People

It helps museums to improve their focus on meeting users' needs and interests and developing their workforce.

Partnerships

It helps museums to examine their services and to encourage joint working within and between organisations.

Planning

It helps with forward planning by formalising procedures and policies.

Patronage

It demonstrates that the museum has met a national standard, which strengthens applications for public and private funding and gives investors confidence in the organisation.

These benefits were put forward in a report commissioned in 2011 by the Museums Libraries and Archives Council (MLA) and The National Archives (TNA). The report was written by Janice Tullock and Katrina Thomson, consultants, to develop thinking about an Accreditation Scheme for archives.

Eligibility

To be Accredited, museums must:

- meet the Museums Association's 1998 definition of a museum ('Museums enable people to explore collections for inspiration, learning and enjoyment. They are institutions that collect, safeguard and make accessible artefacts and specimens, which they hold in trust for society')
- hold a long-term collection of artefacts
- have a formal constitution
- provide two years of relevant accounts
- make sure that they meet all relevant legal, ethical, safety, equality, environmental and planning requirements
- be committed to forward planning to improve the service for users

Requirements for Accreditation

Organisational health

‘Accredited museums are responsible, responsive and resilient.’

1.1 Clear statement of purpose

The museum must be guided by a statement of purpose that defines why the museum exists and who it is for.

1.2 Acceptable constitution for the governing body

The museum must be a long-term organisation that exists to benefit the public and protect collections. It must have an appropriate and acceptable constitution for the governing body.

1.3 Appropriate management arrangements

The museum must be an effective organisation that is well managed and able to provide evidence of the following:

- 1.3.1 that it has a satisfactory management structure, from the governing body to the user
- 1.3.2 that it has formally approved any authorities or responsibilities the governing body has delegated to sub-committees, members of staff or volunteers
- 1.3.3 that the management structure makes sure there is appropriate professional input into decision making and policy development
- 1.3.4 that succession procedures are sufficient to ensure business continuity and accountability
- 1.3.5 the person or organisation that has powers to approve documents such as the forward plan and policies on managing collections
- 1.3.6 any approved agreement under which a separate organisation runs the museum

1.4 Effective forward planning

The museum must plan effectively for long-term success and to make sure it can adapt in a changing environment in order to survive. Its approved forward plans must include or cover the following:

- 1.4.1 the museum's statement of purpose
- 1.4.2 a review of the previous forward plan
- 1.4.3 an analysis of the environment in which it exists
- 1.4.4 consultation and an analysis of views
- 1.4.5 its key aims
- 1.4.6 the specific objectives beneath each key aim
- 1.4.7 how it will achieve its objectives
- 1.4.8 a resource plan showing the people and money available to meet its objectives
- 1.4.9 the date the plan will be reviewed

1.5 Secure occupancy of all premises containing collections

The terms under which the museum occupies the buildings or sites must be long-term (usually at least 12 months) and be sufficient to keep the collections secure and allow effective forward planning.

1.6 Demonstration of financial basis

The museum must be able to show that it is financially stable and that it meets the relevant financial regulations or standards and the requirements of its constitution.

The museum must have enough funds available, and collections must not be used as security for a loan.

1.7 Appropriate workforce, in numbers and experience, for the museum's responsibilities and plans

The museum must have an appropriate workforce to run it effectively. It must have effective employment procedures and roles in place to meet its responsibilities. The museum must have:

- 1.7.1 an appropriate workforce
- 1.7.2 clear agreements for each member of the workforce, setting out their roles and responsibilities
- 1.7.3 formal induction procedures for new recruits to ensure that all members of the workforce have basic information about the museum and understand their role in it
- 1.7.4 appropriate development opportunities for its workforce

1.8 Access to professional advice and input to policy development and decision making

The museum's governing body must have access to advice and guidance from a museum professional. If the museum does not employ a museum professional, it must have a written agreement between itself and a museum mentor.

1.9 Clear, workable emergency plan

The museum must be able to respond effectively to emergency or disaster situations. It must have an emergency plan, relating to all buildings that house collections and services, which includes or refers to:

- 1.9.1** arrangements for the workforce, visitors and collections
- 1.9.2** risk assessments of threats
- 1.9.3** information about how emergency plans are authorised, maintained, communicated, tested and made available to the workforce and emergency services
- 1.9.4** evidence of how the museum works with the emergency services, and of any other relevant emergency plans
- 1.9.5** an effective procedure for reviewing the emergency plan

1.10 Organisational approach to environmental sustainability

The museum must be environmentally conscious. Its approach to minimising waste and reducing its effect on the environment is a matter for the governing body.

The museum must be guided by a policy statement about its approach to environmental sustainability, and that policy statement must be appropriate to its statement of purpose.

Collections

‘Accredited museums manage collections effectively and make them and the information they hold about them available to everyone.’

Collections within a museum must be managed in line with the museum’s statement of purpose, policies and strategic vision.

2.1 Satisfactory arrangements for the ownership of collections

The museum must take responsibility for all the collections it manages.

The museum must be able to provide information on the size of the collections and the proportion of the collections owned by and on loan to it. Any risks relating to collections on loan to the museum should be dealt with through forward planning.

Collections management policies

2.2 Development policy

The museum must have an approved policy for developing collections (also known as an acquisition and disposal policy). The policy must include:

- 2.2.1 the statement of purpose
- 2.2.2 an overview of current collections
- 2.2.3 themes and priorities for future collecting
- 2.2.4 themes and priorities for rationalisation and disposal
- 2.2.5 information about the legal and ethical framework for acquisition and disposal of items

2.3 Documentation policy

The museum must be guided by a documentation policy statement. This may be part of a wider collections information policy.

2.4 Care and conservation policy

The museum must have an approved policy statement to guide its approach to collections care and conservation.

Collections management plans

2.5 Documentation plan

The museum must have plans to improve its collections documentation and documentation systems.

2.6 Care and conservation plan

The museum must have plans to help deliver improvements to collections care and conservation in line with the collections care and conservation policy.

Collections management procedures

2.7 Documentation procedures

The primary SPECTRUM procedures must be in place in the form of a documentation procedural manual that is available for inspection on request.

2.8 Expert assessment of security arrangements

The museum must obtain expert security advice for stored and exhibited collections at least every five years, and earlier if needed. It must plan to act on the advice over time.

Users and their experiences

‘Accredited museums are welcoming and accessible. They exhibit collections and have a planned approach to identifying and providing a good-quality service for a broad range of users.’

3.1 Good-quality services and development

The museum must offer and develop good-quality, stimulating services for users and potential users, in order to get the best out of its collections, resources and local area.

The museum must do the following:

- 3.1.1 understand who its users and non-users are
- 3.1.2 evaluate and analyse information to assess users’ needs
- 3.1.3 devise plans to broaden its range of users
- 3.1.4 have a culture of customer care with arrangements in place to make sure all users are treated with courtesy and care
- 3.1.5 take account of users’ needs, guided by a policy statement setting out a commitment to give everyone access to collections and associated information
- 3.1.6 respond to tourism and local priorities where appropriate

3.2 User-focused experience

The museum must provide a welcoming, accessible environment, and appropriate services and facilities.

The museum must:

- 3.2.1 have adequate and accessible facilities to meet the needs of the expected number and range of users or provide information about nearby facilities
- 3.2.2 have appropriate signs and directions inside and outside the building
- 3.2.3 communicate effectively with users and potential users through a range of accessible marketing and promotional activities

3.3 Effective learning experiences

Learning is a core purpose for museums. They use collections and associated information for exhibitions and learning opportunities.

The museum must:

- 3.3.1** exhibit the collections using a variety of interpretative methods
- 3.3.2** provide access to the collections and associated information for research purposes and other forms of engagement
- 3.3.3** provide effective and stimulating learning and discovery experiences focused on the collections

Further information

The Accreditation Committee

The Accreditation Scheme is overseen by the Accreditation Committee, whose members are senior museum and gallery professionals. The members bring a broad spread of knowledge and expertise relating to museums of all types throughout the UK. Accreditation Panels, which are sub-groups of the committee, meet approximately six times a year to consider applications and returns. These decisions are reviewed at annual Accreditation Committee meetings.

The assessing organisations

The organisations that assess museums for Accreditation are:

- **England, Isle of Man and Channel Islands** Arts Council England, www.artscouncil.org.uk
- **Wales** CyMAL: Museums Archives and Libraries Wales (a division of the Welsh Government), www.wales.gov.uk/topics/cultureandsport/museumsarchiveslibraries
- **Scotland** Museums Galleries Scotland, www.museumsgalleriesscotland.org.uk
- **Northern Ireland** Northern Ireland Museums Council, www.nimc.co.uk
- **National museums** Arts Council England, www.artscouncil.org.uk

These organisations assess each museum's application or return. The assessments are passed to the Accreditation Secretariat at Arts Council England, where they are processed, quality assured and scheduled to be presented to an Accreditation Panel.

Additional information about Accreditation is available on the website of each assessing organisation.

Keeping Accredited status

Once a museum has been awarded Accredited status, it must prove that it continues to meet the requirements of the scheme by sending an Accreditation return to the assessing organisation every two to three years, as required.

Changes to the Accreditation standard

Over time, the requirements for the Accreditation standard may change to make sure they remain up to date with developments in the sector and in line with current practice. When changes are made, all Accredited museums will be given reasonable notice of the changes before they are expected to meet the revised requirements.

Changes to Accredited status

If a museum stops meeting the Accreditation requirements, the museum's status may be reduced to 'provisional' or it may lose its Accreditation status altogether. This decision would be taken by an Accreditation Panel after discussing the matter with the museum and the relevant assessing organisation.

If a museum fails to provide their Accreditation returns within the timescale allowed it may lose its Accreditation status.

A museum can ask to be removed from the Accreditation scheme.

Glossary

Access – usually seen in terms of identifying barriers that prevent participation and developing strategies to dismantle them. Barriers come in many forms and may be physical, sensory, intellectual, attitudinal, social, cultural or financial.

Accessible – includes all forms of access – being open to visitors, by appointment, to specific user groups, virtual access, etc.

Acquisition – the process of legally acquiring an item for the long-term collection.

Approval – means that the governing body or delegated authority has made a policy decision to support a proposal and this has been ratified and recorded.

Collection – a body of cultural and heritage material. Collections may be physical, non-tangible or digital.

Collections management – the organisational approach to balancing collections development, care, access and information.

Conservation – methods of care or intervention applied to an item with the aim of slowing the process of degradation and extending the item's life.

Constitution – a legal set of fundamental principles according to which an organisation is governed.

Consultation – formal or informal methods of finding out what users and non-users think, want or need.

Disposal – the process of removing an item from the museum's long-term accessioned collection.

Documentation – the information records about collection items.

Environmental sustainability – how a museum uses its resources responsibly to minimise its detrimental impact on the natural world.

Forward plan – a forward-looking document that sets out the detailed aims and objectives of an organisation, to be achieved within a defined planning cycle. It is sometimes called a business plan.

Forward planning – a considered way of setting strategic direction and overarching ambition by taking stock and prioritising work in line with the organisation's statement of purpose and in consultation with its stakeholders, aligning resources with objectives.

Induction procedures – the formalised process of informing everyone with a role in the museum all about the museum, its purpose and priorities.

Interpretative methods – the way in which ideas and information about the collections are communicated to users.

Key aims – these are the overarching priorities for the museum to deliver the statement of purpose.

Learning – includes both formal and informal learning. It may involve the development or deepening of skills, knowledge, understanding, awareness, values, ideas and feelings, or an increase in the capacity to reflect.

Museum mentors – museum professionals supporting the achievement of Accreditation by smaller, volunteer-run museums.

Non-users – people who do not currently make use of the museum.

Objectives – the tasks that ensure key aims are achieved. They should be SMART – that is, specific, measurable, achievable, relevant and time bound.

Occupancy – the formal terms under which an organisation is based in a building or on a site.

Policies – approved documents or statements that provide strategic direction for the organisation.

Procedures – define standardised processes. They are a practical operational guide and may also be called manuals, handbooks, instructions, etc.

Professional – with a suitable qualification supported by recent relevant experience.

Rationalisation – the process of refining a collection in line with the museum's statement of purpose.

Resilience – the long-term viability of an organisation to survive and adapt in a changing environment.

Resource plan – identifies and quantifies the people and money available to realise objectives within the current forward plan. The resource plan should cover the same years as the forward plan even if figures for years other than the current one are only indicative.

Risk – combination of threat and likelihood of it occurring. Risk is the potential for a chosen action or activity (including the choice of inaction) to lead to a loss.

Sustainable – capacity of the museum for long-term survival as an organisation.

SPECTRUM – the industry standard for collections management, defining agreed procedures for: object entry; acquisition; location and movement control; cataloguing; object exit; loans out and loans in.

Statement of purpose – defines why the museum exists and who it is for. The statement of purpose may be found within the museum's governance document.

Succession procedures – an agreed set of processes to ensure the business continuity and accountability through changes of leadership or of key members of the workforce.

Users – individuals and groups who make use of the museum's resources or facilities in some way.

Workforce – the people, both paid and unpaid, who work at the museum.

Supporting partners:



Museums
Galleries
Scotland



National
Trust



NORTHERN IRELAND
MUSEUMS
COUNCIL



Supporting
University Museums
and Collections



West Lothian
Council

Equality Relevance Assessment

1. Details of proposal			
Policy title		Conservation and Collections Care Policy Statement	
Lead officer		Emma Peattie	
Date relevance considered		28 th February 2017	
2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
3. Do you have evidence or reason to believe that this policy will, or may potentially:			
General Duties		Impact on equality (Yes or No)	
Reduce or increase discrimination, victimisation or harassment against people covered by the equality protected characteristics?		No	
Reduce or increase equality of opportunity between people who share an equality protected characteristic and those who do not?		No	
Provide opportunity to improve good relations between those who share an equality protected characteristic and those who do not?		No	
4. Equality impact assessment required? (Two Yes above = full assessment necessary)			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
5. Decision rationale			
<p>This policy relates to the care and conservation of objects in the museum collection. The application of this policy will ensure that appropriate preventative conservation measures will be implemented by the museums service thereby reducing deterioration rates and minimising risks to collections. Conservation of objects will be undertaken by where necessary by a suitably qualified contractor. This will ensure the long-term safety of the museums collection.</p>			

- No assessment required – process ends



Equality Relevance Assessment

1. Details of proposal			
Policy title		Acquisition and Disposal Policy	
Lead officer		Emma Peattie	
Date relevance considered		28 th February 2017	
2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
3. Do you have evidence or reason to believe that this policy will, or may potentially:			
General Duties		Impact on equality (Yes or No)	
Reduce or increase discrimination, victimisation or harassment against people covered by the equality protected characteristics?		No	
Reduce or increase equality of opportunity between people who share an equality protected characteristic and those who do not?		No	
Provide opportunity to improve good relations between those who share an equality protected characteristic and those who do not?		No	
4. Equality impact assessment required? (Two Yes above = full assessment necessary)			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
5. Decision rationale			
<p>This policy relates to museum objects, not to donors or museum visitors. The donor must have a legal title to the object before donating it and no other museum should have a prior claim on the object. Decisions to accept objects are based on criteria surrounding the object, not the donor. The object must be associated with West Lothian or be representative of activities commonly carried out in this area. The object must be in a reasonable condition and be suitable for public display. The Service must be able to store the object appropriately to ensure its long-term survival. In the unlikely event of a planned disposal all donors or their heirs would be contacted.</p>			

- **No assessment required – process ends**



West Lothian
Council

Equality Relevance Assessment

1. Details of proposal			
Policy title		Documentation Policy Statement	
Lead officer		Emma Peattie	
Date relevance considered		28 th February 2017	
2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
3. Do you have evidence or reason to believe that this policy will, or may potentially:			
General Duties		Impact on equality (Yes or No)	
Reduce or increase discrimination, victimisation or harassment against people covered by the equality protected characteristics?		No	
Reduce or increase equality of opportunity between people who share an equality protected characteristic and those who do not?		No	
Provide opportunity to improve good relations between those who share an equality protected characteristic and those who do not?		No	
4. Equality impact assessment required? (Two Yes above = full assessment necessary)			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
5. Decision rationale			
<p>This policy relates to how the council documents objects from the museum collection. The application of this policy will have no impact on user's experience of the service. The policy will help to ensure that the council fulfils our guardianship, stewardship and access responsibilities. The implementation of the policy will allow us to improve accountability for the collections, maintain professional standards in documentation procedures and collection information and will strengthen the security of the collections.</p>			

- No assessment required – process ends



Equality Relevance Assessment

1. Details of proposal			
Policy title		Documentation Policy Statement	
Lead officer		Emma Peattie	
Date relevance considered		28 th February 2017	
2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
3. Do you have evidence or reason to believe that this policy will, or may potentially:			
General Duties		Impact on equality (Yes or No)	
Reduce or increase discrimination, victimisation or harassment against people covered by the equality protected characteristics?		No	
Reduce or increase equality of opportunity between people who share an equality protected characteristic and those who do not?		No	
Provide opportunity to improve good relations between those who share an equality protected characteristic and those who do not?		No	
4. Equality impact assessment required? (Two Yes above = full assessment necessary)			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
5. Decision rationale			
<p>This policy relates to how the council documents objects from the museum collection. The application of this policy will have no impact on user's experience of the service. The policy will help to ensure that the council fulfils our guardianship, stewardship and access responsibilities. The implementation of the policy will allow us to improve accountability for the collections, maintain professional standards in documentation procedures and collection information and will strengthen the security of the collections.</p>			

- No assessment required – process ends



Equality Relevance Assessment

1. Details of proposal			
Policy title		Acquisition and Disposal Policy	
Lead officer		Emma Peattie	
Date relevance considered		28 th February 2017	
2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
3. Do you have evidence or reason to believe that this policy will, or may potentially:			
General Duties		Impact on equality (Yes or No)	
Reduce or increase discrimination, victimisation or harassment against people covered by the equality protected characteristics?		No	
Reduce or increase equality of opportunity between people who share an equality protected characteristic and those who do not?		No	
Provide opportunity to improve good relations between those who share an equality protected characteristic and those who do not?		No	
4. Equality impact assessment required? (Two Yes above = full assessment necessary)			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
5. Decision rationale			
<p>This policy relates to museum objects, not to donors or museum visitors. The donor must have a legal title to the object before donating it and no other museum should have a prior claim on the object. Decisions to accept objects are based on criteria surrounding the object, not the donor. The object must be associated with West Lothian or be representative of activities commonly carried out in this area. The object must be in a reasonable condition and be suitable for public display. The Service must be able to store the object appropriately to ensure its long-term survival. In the unlikely event of a planned disposal all donors or their heirs would be contacted.</p>			

- No assessment required – process ends



COUNCIL EXECUTIVE

2026 SERVING A CHANGING SCOTLAND - 10 YEAR STRATEGY FOR POLICING - CONSULTATION

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To inform Council Executive of the Police Scotland and Scottish Police Authority (SPA) consultation with Local Authorities on 2026 Serving a Changing Scotland - 10 year Strategy for Policing. The consultation will close on 29th May 2017.

B. RECOMMENDATION

Council Executive is asked to approve the proposed response to the Police Scotland and the Scottish Police Authority (SPA) consultation.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; Being honest, open and accountable; Making best use of our resources; Working in partnership; and Providing equality of opportunity.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Antisocial Behaviour etc. (Scotland) Act 2004. Police Reform and Social Responsibility Act 2011.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	SOA1304_34 (Number of active ASB cases). SOA1304_01-11 (Police PIs).
V Relevance to Single Outcome Agreement	Governance of Police outcomes.
VI Resources - (Financial, Staffing and Property)	Antisocial Behaviour funding, Scottish Government and Community Safety Funding.
VII Consideration at PDSP	Considered at Services for the Community PDSP on 11 th April where it was agreed to that

Police Scotland should consider re-introducing traffic wardens as part of service delivery. This has now been included in the proposed response.

VIII Other consultations

Police Scotland and SPA consulting with all Scottish Local Authorities.

D. TERMS OF REPORT

This report highlights the Police Scotland and Scottish Police Authority consultation with Local Authorities on Police Scotland's 10 Year Strategy for Policing and the questionnaire 'Feedback Form' to be returned is attached as appendix 1.

- D1** The formation of Police Scotland in 2013 changed the way in which the police delivered their service across Scotland and we experienced these changes of service delivery within our communities across West Lothian.

The 10 year strategy for Policing in Scotland highlights the results of an evaluation of current service delivery, the demands placed upon the police and the resources available to meet those demands. The result of this evaluation showed a need for the police to evolve their service radically in order to maintain a high standard of delivery for the next 10 years.

- D2** The 10 year strategy explains why Police Scotland must urgently make further changes and transform from the current model to one that will better support the quality of service provided whilst ensuring that there is sufficient capacity to maintain the delivery of service and improve on outcomes for the safety and wellbeing of communities.

- D3** The 7 Policing priorities consisting of Localism, Inclusion, Prevention, Response, Collaborative Working, Accountability and Adaptability will be at the core of the delivery by Police Scotland. They will work to these priorities whilst focusing their strengths around 5 new strategic areas that have been identified as being; Protection, Prevention, Communities, Knowledge and Innovation.

- D4** Whilst focusing on these new areas, Police Scotland aim to deliver their visions of sustained excellence in service and protection and will achieve this by their newly identified 6 strategic objectives, namely;

1. Improving public contact, engagement and service
2. Strengthen effective partnerships
3. Empower, enable and develop their people
4. Invest in their use of information and technology
5. Enhance cyber and forensic capabilities
6. Transform corporate support services

- D5** The delivery of this strategy will enable the following changes to take place:
- Enable Police Scotland to invest in new ways of public contact, detecting crime, protecting vulnerable people, responding to incidents, resolution and demand management based on threat, risk and harm
 - Modernise their prevention driven approach to traditional policing methods whilst maintaining their focus on early intervention, early resolution and diversion, reducing inequalities and improving life chances by investing in enabling technology.
 - Strengthen their approaches to community engagement and participation by providing services and information that will enable them to build on resilience. This will enable communities to become collectively stronger in supporting Police Scotland in achieving cohesive, safe and sustainable environments with respect and support for one another.
 - Share knowledge with partners and the government and with the public, develop effective and efficient services that will meet the public's needs.
 - Establish a capability to provide a commitment to continued partnership working, design new services and make improvements and use analytical evidence to highlight any new trends developing in the communities.
- D6** The implementation of the 10 year strategy will enable Police Scotland to transform and reshape their corporate support and will prioritise their budget on frontline policing activities. They will look to benefit from economies of scale by joining up services with other public sector agencies in order to pool capacity and spending power. The transformational plan will generate more policing hours that are more productive for officers by freeing them from administrative duties. It has been recognised that these changes and improvements along with further introduced efficiencies and new technology will be key to achieving a financially sustainable position by the end of 2019/20 without reducing the operational capability or capacity of service delivery.

E. CONCLUSION

This report informs Council Executive of the attached 'Feedback Form' relating to the Police Scotland / Scottish Police Authority (SPA) consultation with Local Authorities on Police Scotland's 10 Year Strategy for Policing.

F. BACKGROUND REFERENCES

- Joint Letter: "Serving a Changing Scotland" - Our 10 year Strategy for Policing
- Link to the 10 year Strategy for Policing in Scotland:
https://consult.scotland.police.uk/consultation/2026/user_uploads/policing-2026-strategy-for-consultation.pdf
- Appendices/Attachments: Appendix 1 – 10 Year Strategy for Policing feedback form

Contact Person:

Alistair Shaw Head of Housing, Customer and Building Services
alistair.shaw@westlothian.gov.uk

CMT member: Alistair Shaw

Date of meeting:

25th April 2017

Appendix 1

The 10 Year Strategy for Policing consultation seeks responses to the following questions:-

1. Does the Policing 2026 strategy identify and acknowledge the main risks, challenges, opportunities and demands likely to impact on policing over the next 10 years?

Yes

We would welcome any view you have.

The 10 year strategy highlights the likely change on policing demands with a large increase in cyber-crime expected. The horizon scanning appears to be realistic when planning ahead for the risks and issues we are likely to face in the future.

However, with the increase in population, the number of people living at home longer, the rise in mental health issues, domestic abuse incidents and the number of vulnerable people living in our communities along with the reduction in police workforce size, it is difficult to understand how Police Scotland can maintain the level of response to the public in order to effectively deliver the police response that meets the diverse needs in the communities.

The details of this 10 year strategy we would expect to be within the 3 year plan.

2. Do you agree the main areas of focus proposed within the Policing 2026 strategy are the right ones to deliver an enhanced policing service?
 1. Protection
 2. Prevention
 3. Communities
 4. Knowledge
 5. Innovation

Strongly agree

Mostly agree

Not sure

Mostly disagree

Strongly disagree

Please tell us why you think these are the right or wrong areas of focus?

Extra information



Whilst the areas of focus appear to be appropriate for the change in need across our communities, whether the focus is correct or otherwise will very much depend on the delivery and outcomes achieved.

What has not been explained is how Police Scotland intend to:

- *Further develop prevention driven approaches to address community problems*
- *Embrace a decision making model based on threat, harm and risk to identify priorities for individuals and communities, especially since it is a 'key foundation of this strategy'*
- *Ensure resources can focus on providing preventative support on high-impact issues, whilst delivering day to day response*
- *Enable and encourage communities and individuals to build resilience*
- *Support communities to be safe, cohesive and sustainable places*
- *Provide services and information to allow individuals and communities to increase their resilience*

We would hope that this detail would be included in the 3 year plan.

3. Do you agree the methods proposed within this strategy are the right ones to deliver an improved policing service?

Strongly agree

Mostly agree

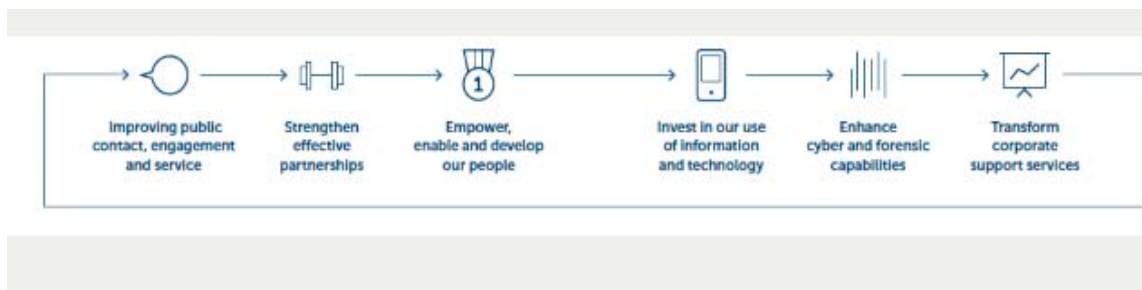
Not sure

Mostly disagree

Strongly disagree

Tell us why you think this is the right or wrong approach?

Extra information:



Whilst the methods proposed within this strategy are the right ones to deliver an improved policing service is correct or otherwise will very much depend on the delivery and outcomes achieved.

What has not been explained is how Police Scotland intend to:

- ***Create new ways of engagement***
- ***Create a deployment model that reflects demand and need, especially since this will be 'critical'***
- ***Backfill the current duties non-operational police carry out (and at what cost) when the change takes place to ensure that all police officers will perform operational roles***
- ***Deploy the workforce more flexibly due to enhanced mobility***
- ***Prioritise resources to attend the issues identified as being high threat and risk incidents, whilst balancing this with the need to attend lower level crime and incidents***
- ***Further pool assets and infrastructure***
- ***Carry out a contribution-based systems of recognition and reward and how this impacts on service delivery***
- ***Provide explanatory information on how feasible the proposed change in technology will be, the availability and the costs to provide this***

We would hope that this detail would be included in the 3 year plan.

4. The Policing 2026 Strategy states that public confidence will be a key measure of success and the effectiveness of Police performance. Do you agree with this approach?

Strongly agree

Mostly agree

Not sure

Mostly disagree

Strongly disagree

We would welcome any view you have.

The public's response will be a good way to obtain a key measure of success and effectiveness of Police performance, along with feedback from other partners and agencies and monitoring crime / incident statistics and other partner's information and data. E.g. health data, SW referrals, domestic abuse incidents and drug and alcohol data.

5. The Policing 2026 strategy highlights that we will need to re-shape our organisation with a workforce focussed on having the right skills and capacity to meet future challenges. Do you agree with this approach?

Strongly agree

Mostly agree

Not sure

Mostly disagree

Strongly disagree

We would welcome any view you have.

Officers require all the appropriate training to operate their equipment required for their job. It will be necessary that they are appropriately skilled to deliver what is expected of them to the standard expected of them, both in terms of the workplace and the communities in receipt of their assistance. Capacity is equally essential.

6. Is the strategy presented in a clear and understandable way?

Yes

No

We would welcome any views you have.

More explanation on how Police Scotland intends to carry out what has been stated would be preferable and we anticipate that the detail will be included in the 3yr plan.

7. We would welcome any additional views you have on our strategy and how it will affect you, or any other person.

We would welcome any views you have.

The new strategy could have an enormous impact on how communities are served in the next 10 years and how the Police Service works in collaboration with other services. Having sufficient resources to meet demand will always be one of the main concerns.

A particular local concern that has been highlighted within the communities of West Lothian is in relation traffic wardens and the impact the communities are experiencing through parking problems that are not actively addressed. The strategy refers to Localism and therefore local issues such as this require consideration. Therefore through the partnership working there should be reconsideration by Police Scotland within the strategy to have this function re-introduced in a targeted/intelligence led approach would be welcomed.

The strategy makes no reference to the deployment of resources across Police Scotland police divisions. The Council would expect to see a commitment to an open, transparent review of resources down to a local authority level as part of implementation of the strategy.

8. What is your name?

West Lothian Council

9. What is your e-mail address?

Alistair.shaw@westlothian.gov.uk

Entering your e-mail address allows you to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

10. Are you responding as an individual or an organisation?

I am answering as an Individual

I am answering on behalf of an organisation

Organisation Name: ***West Lothian Council***

11. What is your postcode?

Postcode: ***EH54 6FF***

12. Police Scotland would like your permission to publish your consultation response. Please indicate your publishing preference:

Yes – Publish my responses, including my name and my organisation name.

Yes – Publish my responses. Do not include my name.

No – Do not publish my responses.

Info for Organisations:

The option '*Publish response only (without name)*' refers only to your name, not your organisation's name. If this option is selected, the organisation name will still be published.

If you choose the option '*Do not publish response*', your organisation name may still be listed as having responded to the consultation, for example, the analysis report.

13. We will share your response internally with Police Scotland/Scottish Police Authority policy teams who may be addressing the issues you discuss. They may wish to contact you again in future, but we require your permission to do so. Are you content for us to contact you again in relation to this consultation exercise?

Yes

No

14. How have you found completing this consultation?

It was very simple and easy

Some of the questions were hard to complete

I found the whole consultation hard to complete

Do you have any comments you wish to make about the consultation process?

No.



COUNCIL EXECUTIVE

CONSULTATION ON THE SCOTTISH GOVERNMENT'S DRAFT ONSHORE WIND POLICY STATEMENT

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise of a consultation by the Scottish Government on a Draft Onshore Wind Policy Statement, published in January 2017, and to consider the proposed response to the consultation set out in Appendix One to this report.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. welcomes the opportunity to comment on the draft policy statement;
2. notes that the draft policy statement has some potential to impact on the council's draft supplementary guidance on wind energy which is required in support of the West Lothian Local Development Plan (LDP) which is now under Examination by Scottish Government;
3. notes that the implications of the direction of the policy statement will likely result in renewed pressures for wind turbines on higher ground in West Lothian including those areas benefitting from the protection of local landscape designation; and
4. agrees the proposed response to the consultation document as set out in Appendix One.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; and making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Draft Onshore Wind Policy is not a planning advice note, nor a planning circular but a statement of national policy in support of the draft Scottish Energy Strategy. Further guidance with implications for land use planning may follow and may require environmental assessment.

There are no equality impact or health and risk assessment issues.

III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	A report on the consultation was considered by the Development and Transport PDSP on 3 April 2017. The panel supported the terms of the report.
VIII Other consultations	Consultation has been undertaken with the Energy & Climate Change Manager in respect of the concurrent consultation on the draft Scottish Energy Strategy. Both consultations close on 30 May 2017.

D. TERMS OF REPORT

D1 Introduction and Background

The Scottish Government is consulting on a Draft Onshore Wind Policy Statement. The consultation document was published on 24 January 2017 and can be found at <https://consult.scotland.gov.uk/energy-and-climate-change-directorate/draft-onshore-wind-policy-statement/>. The consultation, which closes on 30 May 2017, poses a series of questions to which interested parties are asked to respond.

The consultation document has been published alongside the Draft Scottish Energy Strategy (SES) which followed on from and is a major plank in implementation of the Scottish Government's Draft Climate Change Plan (CCP) (also known as the Third Report on Policies and Proposals or RPP3). All three documents were released by the Scottish Government in January 2017.

The CCP sets out wide-ranging policy to meet reduction targets for greenhouse gas emissions in accordance with the requirements in Section 35 of the Climate Change (Scotland) Act 2009. Relevant to the consultation on onshore wind energy policy, challenging targets to be met by 2032 for Scotland, as set out in the draft CCP, include: a fully decarbonised electricity sector able to remove CO₂ from the atmosphere and 80% of domestic heat to be provided by low carbon heat technologies.

There are also concurrent consultations in support of the *Draft Scottish Energy Strategy* on a range of demand and supply-side measures which were released in January 2017. These are:

- Draft Energy Efficiency Programme;
- Draft Local Heat & Energy Efficiency Strategies and District Heating;
- Draft Unconventional Oil and Gas (fracking); and
- Draft Onshore Wind Policy Statement (subject of this report)

While the new Climate Change Plan sets the targets, the *Draft Scottish Energy Strategy* (SES) sets out priorities and how these targets are to be achieved. It is, therefore, the driver indicating how much future energy supply will come from renewable energy including onshore wind energy.

Since wind farms started to be developed at scale in the 1990s, coinciding with the landscape characterisation of landscapes by Scottish Natural Heritage, wind farms and wind turbines have become a feature of the Scottish countryside and in West Lothian. This is borne out in statistics in the Energy Strategy:

- onshore wind in Scotland contributes nearly 60% of the UK's onshore wind capacity (SES, p. 16); and
- current and consented onshore wind capacity is enough to power the equivalent of every household in Scotland twice over (SES, pp. 42-3).

Gauging the level of onshore wind energy proposed by the Energy Strategy is less clear because:

- uncertainties of forecasting our energy transition means a flexible approach must be taken towards decarbonisation to help encourage a balanced combination of energy sources (SES, p. 29);
- energy targets have not been agreed as views are currently being sought on the Energy Strategy itself on the implementation of a new 2030 'all-energy' renewables target to deliver the equivalent of 50% of Scotland's heat, transport and electricity consumption from renewable sources (SES, p. 40);
- the balance between other renewable energy sources identified in the Energy Strategy is not clear i.e. for Offshore Wind, Hydro Power, marine renewables, solar PV (photovoltaics) and bioenergy (biomass, biomethane and biofuels).

It is clear that increased targets for renewable energy where '*onshore wind currently provides lowest cost renewable electricity at scale*' (SES, pp 42-3) means that more wind farms and turbines will be the result of the putting the Draft Scottish Energy Strategy into practice.

To achieve the challenging targets and support the future development of onshore wind energy and the mature wind farm development industry, technological and business 'opportunities' and hurdles, need to be cleared and these *factors influencing the next phase of onshore wind* (are) *set out in the accompanying Onshore Wind Policy Statement* (SES, pp 42-3).

The *Draft Scottish Energy Strategy* has challenging targets to convert much of the Scottish energy supply from fossil fuels to renewable energy by 2032 and 2050. As part of this concerted approach wind energy is a significant element on the energy supply-side with the emphasis on ambitious targets and supporting renewable energy – both onshore and offshore.

Scottish Planning Policy (2014) requires that all local development plans include a spatial framework for wind energy identifying 'areas where wind farms will not be acceptable', 'areas of significant protection' (national and international designations, other nationally important mapped environmental interests, community separation for consideration of visual impacts), and 'areas with potential for windfarm development'. The West Lothian Local Development Plan provides for this, and further advises that supplementary guidance in relation to wind energy would be prepared.

National interests in biodiversity and landscape offer protection from wind energy development but local landscape designations do not. The Scottish Government recently consulted on 'Draft Guidance on Local Landscape Areas (December 2016)', the council's response to which was approved by the Council Executive on 14 February 2017. In responding to this consultation the council's main concern was the further downgrading of Areas of Great Landscape Value /Special Landscape Areas.

D3 Draft Onshore Wind Policy Statement (OWPS)

The UK Government's reduction of the oversubscribed Renewables Obligation (RO) and Feed-in Tariffs (FiTS) in December 2015 is one of the primary drivers of the On-shore Wind Policy Statement. The Policy Statement itself indicates a multi-pronged approach to restarting the stalled wind energy sector and re-affirms the Scottish Government's existing onshore wind policy set out in previous publications. It seeks views on a number of issues related to supporting the sector and includes separate sections on key priority areas of:

- Route to market
- Repowering
- Maximising our resources
- Barriers to deployment
- Protection for residents and the environment
- Community benefits
- Shared ownership

The proposed response to these matters is set out in Appendix One to this report. Key points to note are that whilst evidence is being sought on a new approach to assessment of wind farms over 50MW to include 'wind farm efficiency' as a criteria, this could prove problematic in practice because the best wind speeds are on or near the tops of high ground where the levels of visibility are highest and over the widest areas.

A strategic approach by Scottish Government to the location of wind turbines/farms is required similar to that undertaken for large power stations; indeed more reliance on other forms of power would lessen the potential impact of onshore windfarms and is desirable. Clarity is required on what is meant by further policy development in respect of (i) promoting community and local energy through community stakes in commercial energy schemes which could be incorporated into repowering existing wind farms as best practice; and (ii) exploration of the scope to encourage local content.

D4 Issues and Implications for West Lothian

One of the purposes of the draft Policy Statement is to support further development in the wind energy industry. Given this, it is likely that there will be greater interest in wind energy development in West Lothian and most likely more intensification of this type of development.

West Lothian currently has extensive wind energy development along its southeast boundaries with North and South Lanarkshire. Within this area the limits of cumulative impacts of wind turbines are becoming more evident. This is best illustrated in a plan of wind energy in West Lothian based on the most recent planning applications which is regularly updated and available on the council's web-site at <https://www.westlothian.gov.uk/media/4020/Wind-Turbine-Database/pdf/20160518WindEnergyData.pdf>

Currently radar constraints related to flightpaths for Edinburgh Airport act as one of the most significant constraints on wind energy development in West Lothian. Measures are being sought to overcome these barriers which is likely to result in pressure on the Pentlands and Bathgate Hills for wind energy development.

The West Lothian Local Development Plan Proposed Plan, currently at Examination, sets out a policy approach for wind energy which is compliant with the terms of Scottish Planning Policy (2014) and also references the preparation of planning guidance on wind energy. The council has produced draft planning guidance on wind energy which is to be finalised following the outcome of the LDP Examination.

The draft policy statement advises that it is largely aimed at giving the wind energy industry in Scotland more certainty given the roll back of the Renewables Obligation and capping of the Feed-in Tariffs. More pressure and construction of wind turbines/farms may result together with delivery of stalled wind energy developments on the ground, expansion of existing development, re-powering (bigger turbines) and merging of existing wind farms.

While landscape designations / protection is mentioned in passing they are no longer seen as barriers to wind energy development. This may have implications for the Pentlands and Bathgate Hills.

The draft policy statement makes reference to increased opportunity for combining storage from solar and wind energy development given the temperate climate in Eastern Scotland and the Central Belt. The long-term land use implications of this is potentially wind generation on the hills and solar generation on southern facing slopes placing increased pressure on West Lothian's landscapes.

While it could be argued that even with part achievement of the ambitious targets for the Draft Scottish Energy Strategy, by extension the consultation on Scottish Government's Onshore Wind Energy Statement is too much, too fast and open-ended with, potentially, a complete transformation in how West Lothian and the Scottish Central Belt – where the lion's share of power is consumed – will look by 2032.

Based on current technology, the main shift in de-carbonised energy is from large centralised supply sources like nuclear and coal fired power plants to de-centralised energy supplies. Wind farms and wind turbines will inevitably be a significant part of that future in a country like Scotland with wind speeds high enough to produce energy.

E. CONCLUSION

The Draft Onshore Wind Energy Statement is a key element in the Draft Scottish Energy Strategy which is in turn the primary mechanism for de-carbonisation underpinning the Scottish Government's Draft Climate Change Plan 2017 – 2032 for Scotland. The effects of climate change will be more pronounced in the decades ahead when these strategies will have been rolled out and built on the ground.

The consultation document advises that it is largely aimed at giving the wind energy industry in Scotland more certainty given the roll back of the Renewables Obligation and capping of the Feed-in Tariffs. While landscape designations/protection is mentioned in passing they are no longer seen as barriers to wind energy development. Aviation and radar are referenced in the consultation document and there are moves afoot to investigate windfarm tolerant radars in the central belt. This may have implications for the Pentlands and Bathgate Hills.

Both the Draft Energy Strategy for Scotland and the Draft Onshore Wind Policy Statement leave many questions unanswered about the shape extent of future wind energy.

F. BACKGROUND REFERENCES

Draft Onshore Wind Policy Statement, January 2017
Draft Climate Change Plan, Scottish Government, January
2017 Draft Scottish Energy Strategy, January 2017
Draft Guidance on Local Landscape Areas, December
2016 West Lothian Local Plan (2009)
West Lothian Local Development Plan- Proposed Plan (October 2015) Scottish
Planning Policy (2014)

Appendices/Attachments: One

Appendix One: Response to Consultation

Contact Person: Sarah Collings, Planning Officer / Urban Designer, 01506 282-429
Email: sarah.collings@westlothian.gov.uk

Craig McCorrison
Head of Planning, Economic Development & Regeneration

25 April 2017

Consultation on Scottish Government's (Draft) Onshore Wind Policy Statement

Consultation Questions – Responses from West Lothian Council

Route to Market

2.1 What is your view on the appropriate approach for the inclusion of wind farm efficiency as a material consideration in the Section 36 consents guidance?

It is not clear what is meant by wind farm efficiency or how this will be calculated – is this new and/or repowered wind farms which will produce the highest amount of power based on wind speed? Or based on return on financial investment? Or as a contribution to energy supply? It should be for the industry to propose how efficiency should be measured.

Whilst this is a request for evidence on a new approach to assessment of wind farms over 50MW to include 'wind farm efficiency' as a criteria, this could prove problematic in practice because the best wind speeds are on or near the tops of high ground where the levels of visibility are highest and over the widest areas.

For repowering of existing wind farms, an assessment of the additional power generation benefits where a 'section 36' consent applies (for energy generation proposals over 50MW) could be worthwhile. However caveats should be applied to ensure that best practice is followed in terms of de-commissioning, site restoration, peatlands and carbon soils restoration, afforestation to support keyhole wind energy with taller turbines.

2.2 In this chapter, the Scottish Government has identified three areas of activity where it can offer support to a route to market for onshore wind – do you agree with the issues identified?

The 3 areas of activity proposed in this consultation are as below.

- a) *Smarter planning – The complexity and heavy documentation of the planning process is in part due to the awkward question of where to locate the numerous wind turbines / farms which was shifted to the local government planning process rather than adopting a strategic approach as would be the case of for the identification of large power stations or as happens with offshore wind farm approaches. With the exception of identifying the Western Isles and Shetland as special cases no strategic approach has been adopted for what is arguably a strategic national resource. Firmer guidance on a strategic approach would be more transparent to local authorities and their citizens and reduce the burden on local planning authorities. With respect to the public interest, it may be that the public would prefer a proportion of energy to come from other cleaner sources including nuclear energy when the full extent of the necessary scale of wind power across Scotland to meet energy targets is fully explained. For the forecast generation targets, if this was a set of 50MW+ power stations a more strategic approach would have been adopted.*
- b) *Transforming the Grid (costs and charging for connection and transmission) – not a local planning authority matter.*

- c) *Revenue Revolution (improvements in the running costs over the life-time of wind turbines / farms) - not a local planning authority matter.*

2.3 How can the Scottish Government, with the powers available to it, further facilitate a route to market for onshore wind?

Power Purchase Agreements – are primarily a financing model and therefore not a local planning authority matter. However, clarity over what is meant by community and small scale energy producers ‘sleeving’ their energy is sought . Further there only appears to be one main contractor proposed at present, therefore is hedging not a difficult proposition – more explanation is needed.

** Sleeving is a mechanism where small generators use the national grid infrastructure to transmit electricity (at a cost)*

Repowering

3.1 Do you agree with the Scottish Government’s proposed approach to repowering?

In theory, re-powering seems a sensible way forward where land use already permits wind farms if it is applied in a transparent way which respects environmental impacts and impacts on communities.

Agree where part of existing land use but unclear what ‘forms part of planning history of the site’ means. Could one small turbine count (e.g. 1 x 45m to blade tip) as a land use change which could be extended to a wind farm of say 6 x 135m? Please clarify.

What is meant by further policy development in respect of (i) promoting community and local energy through community stakes in commercial energy schemes which could be incorporated into repowering policy as best practice; and (ii) exploration of the scope to encourage local content?

3.2 Are there any further means by which repowering proposals might be facilitated?

Re-powering of existing assets and sites in the nuclear industry as peaceful, non-carbonised energy should be explored to reduce pressure on the finite Scottish countryside, because nuclear is an even more mature energy industry than wind and would buy time while a broad range of renewables technologies is developed and deployed.

Developing a strategic approach to new development

4.1 Do you agree or disagree with the proposals to pursue option 3, a ‘locally co-ordinated approach’? Please provide reasons to support your answer.

Would this approach override the current ‘Business As Usual’ approach, run parallel to it, be integrated with it or work through some other mechanism?

Regional co-ordination might be a better name because wind farms will increasingly cross local and regional boundaries as they become more intensive.

4.2 Do you agree or disagree with continuation of the Scottish Government’s ‘business as usual’ approach (option 4)? Please provide reasons to support your answer.

Yes, agree in general however it would make sense to incorporate some of the best principles of other approaches such as more collaborative approaches on a regional basis and even identifying, or acknowledging, some areas of de facto national onshore wind energy generation such as the area around Whitelee wind farm in South Lanarkshire and most viable island areas with enhanced community benefits.

Barriers to deployment

5.1 Do you agree with the Scottish Government proposal to facilitate a strategic approach to the access to, and the cost of using, data from civil aviation radar to mitigate impacts of wind development on civil aviation operations?

More information about the costs of radar mitigation would be helpful to understand the issues.

For both low-flying military airplanes, commercial and other air users, confidence in air traffic controllers, aviation safety experts and ultimately the Civil Aviation Authority is critical and it would be unhelpful if planning decisions were able to override the safety of local airports and the aviation industry.

5.2 Do you agree with the Scottish Government proposal that the exclusion zone round the Eskdalemuir array should be set at 15 km?

Specialist interest outwith West Lothian - no comment'

Protection for residents and the environment

6.1 Do you have any comments regarding our Peatland Policy Statement and the functionality and role of the carbon calculator?

This consultation question is too narrow. Impacts on residential amenity are a key concern in the rollout of wind farms – why were the outcomes and recommendations of the study not included upfront in this consultation?

Impacts on house prices are a key concern in the rollout of wind farms – why were the outcomes and recommendations of the study not included upfront in this consultation especially when this differed from the negative effects found in England?

Clearer explanation needed about protection for residents - how does this relate to wind energy expansion proposed? Why is there no question about tree cover expansion given the proposed expanded tree planting targets in the Climate Change Act.

No comments regarding the Peatlands Policy Statement and carbon calculator – these are largely technical matters.

Community benefits

7.1 Are our Good Practice Principles for community benefits from onshore renewable energy developments doing what they set out to achieve?

This is an important element in lessening the impact of wind farms on local communities. Why has a proper study not been launched to assess the success of this national policy in meeting its aims?

7.2 Are packages of community benefits that were agreed in partnership with communities, being delivered in practice?

A study should be undertaken to inform and assess the practical delivery of community benefits across Scotland.

Shared ownership

8.1 If you represent, or are a member of, a community, are you interested in shared ownership and what do you think are the barriers to achieving shared ownership under a renewable energy scheme?

Not applicable – no comment.

8.2 What steps can the Scottish Government take to improve the prospect of further shared ownership development?

The de-centralisation of energy generation is an important concept to be understood in terms of a low / no carbon energy system. Continuing and more support in both public education and incentives should be undertaken particularly in areas which are off-grid.



COUNCIL EXECUTIVE

REVISED SUPPLEMENTARY GUIDANCE: PLANNING AND NOISE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to seek approval by the Council Executive of revised Supplementary Guidance (SG) on Planning and Noise.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. approves the content of the revised guidance and notes its compliance with Scottish Planning Policy (SPP) 2014 and Planning Advice Note 1/2011 *Planning and Noise*.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; and making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	SEA – an Environmental Report for the West Lothian Local Development Plan has been prepared. There are no equality impact or health and risk assessment issues. Noise impact assessment included in the SG addresses health issues.
III Implications for scheme of delegation	None.
IV Impact on performance and performance indicators	None.
V Relevance to Single Outcome Agreement	Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	There are no financial implications for the council other than a need for officers to assess noise assessments submitted by developers as part of the planning application process.

VII Consultations at PDSP

Draft SPG on noise was considered by the Development and Transport PDSP on 26 October 2015. Revised draft guidance to reflect matters associated with development close to entertainment premises was considered by the Development and Transport PDSP on 31 October 2016.

VIII Other consultations

Consultation has been undertaken with Environmental Health and Housing and Construction Services.

D. TERMS OF REPORT

D.1 Introduction

Supplementary Guidance *Planning and Noise* was adopted by the council in 2008 in support of the West Lothian Local Plan (WLLP). Since that time updated guidance on noise has been published by the Scottish Government in the form of Planning Advice Note (PAN 1/2011) *Planning and Noise*. In addition, the council has prepared the Proposed Plan for the West Lothian Local Development Plan (LDP) which will replace in time the WLLP.

D.2 Revised Supplementary Guidance

To reflect the requirements of PAN1/2011, and in support of the LDP, draft supplementary guidance (SG) on noise was prepared to update the council's current guidance and was approved by the Development and Transport PDSP in October 2015 for consultation. Prior to consultation taking place revisions were made to the guidance which were reported to the PDSP in October 2016. Consultation on the revised guidance was undertaken over an eight week period commencing on 13 December 2016 and ended on 3 February 2017.

The guidance is aimed at helping to prevent and limit the adverse effects of noise and applies to where new noise sensitive developments are planned near to existing noise sources and where potentially noisy developments are introduced into existing noise sensitive areas. The inclusion of reference to entertainment premises will allow the potential for development near to pubs and clubs on infill sites in town centre locations to be assessed with a closed window, thereby increasing the possibility of achieving satisfactory internal noise levels within dwellings next to entertainment venues. The draft SG also sets out the way in which noise impact assessments should be undertaken.

D.3 Consultation Responses

Consultation on the draft SG was undertaken with community councils, the development industry, NHS Lothian, Scottish Natural Heritage and Scottish Government. The draft SG was also published on the council's web pages and referenced in the LDP Newsletter which has around 1000 subscribers.

The consultation resulted in a total of four responses which have been summarised and responded to. The responses and the proposed response to these are set out in Appendix One.

The comments received have resulted in the need to amend the SG to provide greater clarity and address more fully considerations relating to noise and the natural environment and assessment of proposals under the closed window testing. The proposed amendments are set out for ease of reference as track changes in Appendix Two.

The proposed changes also enhance the link between the SG and the West Lothian Local Development Plan (LDP), setting out clearly that the SG will form a part of the LDP once the LDP is adopted.

In terms of more technical changes, the suggested amendments to the SG include highlighting potential noise impacts on recreational areas and include a recognition that noise may have an impact on areas of high sensitivity for wildlife. Also incorporated is reference to the need for qualitative assessments for noise to consider the perception and how noticeable a noise impact is in affecting the amenity value of the noise sensitive receptor.

Other proposed revisions are to more fully recognise considerations around the impact of aircraft noise and references in relation to industrial/commercial noise sources from falling within 'exceptional circumstances'. Exceptional circumstances are likely to apply to sites which are small to medium scale infill sites in urban areas, brownfield sites, town and village centre sites and sites near public transport hubs. Where those sites are exposed to significant transport noise (with the exception of aircraft noise) or entertainment noise sources, only flattened developments are likely to be considered as an appropriate design option for the closest noise sensitive receptors.

All of the proposed amendments will result in a more robust document fully consistent with the terms of Scottish Planning Policy 2014 (SPP) and Planning Advice Note (PAN 1/2011) Planning and Noise. The SG will be used to inform the development management process and decisions on planning applications.

E. CONCLUSION

The revised SG is consistent with latest national policy guidance, relevant noise guidance and standards and will form statutory supplementary guidance in support of the LDP. The SG will be a material consideration in the consideration of planning applications.

F. BACKGROUND REFERENCES

Scottish Planning Policy (2014)
Planning Advice Note 1/2011 *Planning and Noise* (2011)

Appendices/Attachments: Two

Appendix One: Summary of Consultation Responses and Proposed Council Response
Appendix Two: Revised Supplementary Guidance: Planning and Noise

Contact Person: Fiona McBrierty, Development Planning and Environment Manager, 01506 282418
Email: fiona.mcbrierty@westlothian.gov.uk

Craig McCorriston
Head of Planning and Economic Development

25 April 2017

APPENDIX ONE

DRAFT SUPPLEMENTARY GUIDANCE PLANNING AND NOISE – SUMMARY OF CONSULTATION RESPONSES AND RESPONSE BY WEST LoTHIAN COUNCIL

RESPONDENT	COMMENT	COUNCIL RESPONSE
Homes for Scotland	<p>Homes for Scotland welcomes the opportunity to comment on the West Lothian draft Supplementary Guidance – Planning and Noise.</p> <p>Note that Policy EMG 5 of the Proposed West Lothian Local Development Plan refers to Supplementary Guidance on noise, and page 270 of the Proposed Plan refers to Supplementary Guidance that will come forward with the LDP on noise. It is not, however explicitly set out within the draft guidance Introduction or elsewhere that this guidance will form statutory Supplementary Guidance as part of the LDP. We also suggest that a link is added to the text to the specific LDP policy to which it refers to add clarity to the policy ‘hook’ within the guidance.</p> <p>In terms of the guidance itself, Homes for Scotland has some short comments relating to paragraphs 3.2 and 3.4 of the draft. Paragraph 3.2 states that “<i>only in exceptional circumstances (see paragraph 3.4) should satisfactory internal noise levels be achievable with windows closed and other means of ventilation provided. Where these exceptional circumstances exist, and achieving satisfactory internal noise levels are based upon closed windows, external amenity areas may well be noisier than would otherwise be considered acceptable.</i>” The following section 3.4 then</p>	<p>Noted.</p> <p>Whilst the draft SG does contain reference to the link between the SG and the LDP, it is proposed to amend the SG to add further text to the SG to clarify the link between the two documents.</p> <p>PAN 1/2011 promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes the appropriate location of new potentially noisy development, and a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected and that new development continues to support sustainable economic growth.</p> <p>PAN 1/2001 also recognises that “<i>it is preferable that satisfactory noise levels can be achieved within</i></p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
	<p>goes on to detail these 'exceptional circumstances' which are "only likely to apply to flatted residential developments", and only sites which are "small to medium scale infill sites in urban areas", "brownfield sites, town and village centre sites, and sites near public transport hubs". We query this in relation to Planning Advice Note 1/2011 Planning and Noise which states in paragraph 16 that "in some circumstances however, closed windows with alternative means of ventilation may be unavoidable. Passive systems may be considered but mechanical ventilation should only be used as a last resort. Therefore in line with PAN 1/2011, closed windows may be considered in circumstances where an alternative is 'unavoidable'. The PAN does not differentiate between flats and houses, nor brownfield or greenfield sites. We therefore consider that paragraph 3.4 of the draft guidance should be amended to add more flexibility, and be in line with PAN 1/2011.</p>	<p><i> dwellings with windows open. Local circumstances particularly relating to the existing noise character of the area, should influence the approach taken to noise levels with window open or closed windows'</i></p> <p>PAN 1/2011 also recognises that 'local circumstances', particularly in relation to the existing noise character of an area, should influence the approach taken to noise levels with open or closed windows.</p> <p>The draft SG has been developed in conjunction with colleagues in the council's Economic Development teams to ensure that sustainable development can be achieved without undue reliance on closed windows as a means of mitigating higher external noise levels. To do so would be detrimental to amenity noise levels in gardens and open spaces. The use of closed windows should be the last resort to avoid a development policy which relies on achieving satisfactory internal noise levels whilst foregoing external amenity.</p> <p>It is therefore considered appropriate to ensure that only in exceptional circumstances should closed windows be relied upon to provide satisfactory internal noise levels whilst foregoing a significant reduction in external amenity in outdoor living spaces.</p> <p>The draft SG recognises that noise sensitive development will rarely be appropriate in areas which are already subject to unacceptably high noise levels.</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
		<p>There may be exceptional circumstances where there is an overriding development need in noisy areas. The SG defines those types of development areas which currently may be considered. Those exceptional circumstances have been determined in terms of sustainable development. The definitions of when those exceptional circumstances may apply have been incorporated into planning considerations and developments since the introduction of previous SPG <i>Planning and Noise</i> adopted by the council in 2008.</p> <p>Rather than blight a whole development with unacceptable outdoor levels, flatted developments can be utilised to act as a noise barrier to protect the outdoor amenity areas for other non-flatted dwellings.</p> <p>Flatted developments can be designed to ensure satisfactory internal levels, although it is recognised that externally a reduction in the amenity value of some outdoor common areas are an inevitable consequence.</p> <p>The draft SG therefore does recognise that there may be, on occasion, circumstances where after all feasible mitigation measures are considered, close windows may be the only alternative to achieve satisfactory internal noise level.</p> <p>The draft SG recognises and promotes the need for good design layout and mitigation to achieve satisfactory internal levels whilst providing a reasonable degree of peace and enjoyment of garden</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
		<p>and amenity areas.</p> <p>The draft SG therefore adopts the principle of PAN 1/2011 which recognises that in some circumstances the use of a closed window may be appropriate without defining what those circumstances may be. Planning policies, and sustainable development policies ultimately drive those circumstances and this may indeed vary between local authorities.</p>
Scottish Natural Heritage	<p>Welcome the general focus of this guidance and highlight the natural heritage issues that can arise from excessive or unwelcome noise in certain circumstances. Such issues can include the disturbance of species, or the effect of noise on the sense of naturalness and tranquillity in any particular area, which may in turn impact on the use and enjoyment of the outdoors by people. We do however, consider that appropriate consideration of potential noise issues at the planning stage can help avoid or reduce adverse effects. In other circumstances, mitigation can be designed into development to help address noise issues.</p> <p>We recognise that <i>PAN 1/2011: Planning and Noise</i> sets the framework for this approach. However, noise arising from development may have serious negative impacts on protected species through disturbance and on appreciation of naturalness, tranquillity and the enjoyment of the outdoors. We therefore recommend that the policy draft is updated to include wildlife as a natural heritage receptor and to also reference the</p>	<p>Comments noted.</p> <p>The draft SG emphasis is on the impacts of noise on people and outdoor living areas but does not consider noise generating developments which may have a noise impact on nature or recreational areas. The SG will be amended to highlight potential noise impacts on recreational areas and recognise that noise may have an impact on areas of high sensitivity for wildlife.</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
	<p>potential impact of noise on important areas of recreation, nature or open space. Specifically, we advise that proposed policy EMG5 is reworded to reference areas of high sensitivity for wildlife and areas of importance for recreation, nature or open space, particularly those areas adjacent to or within existing or proposed communities.</p> <p>Paragraph 3.2 of the proposed Supplementary Guidance states that flatted developments, which have communal gardens, may be more suitable in places where <i>“external amenity areas may be noisier than would otherwise be acceptable”</i>. This is on the basis of communal gardens being used less intensively than individual private garden grounds. We would observe that this may run counter to the intentions of Scottish Planning Policy, paragraph 42 and the objectives it sets for planning to deliver high-quality places that are attractive to use. A policy approach that regards communal greenspace/outdoor space as less viable than private outdoor space is also less likely to support National Outcomes for health, built and natural environment and well-designed, sustainable places.</p>	<p>Paragraph 3.2 of the draft SG relates to those rare exceptional circumstances where the design of a development is based on closed windows.</p> <p>For road and rail transport noise sources the use of flatted development close to the noise source allows a high façade insulation to achieve satisfactory internal noise levels. In reality this allows for protection of the majority of common garden areas which can be positioned on the opposite side of flatted dwellings thereby utilising the building itself as a noise barrier.</p> <p>A balance, however, needs to be achieved where development is desirable and which relies on closed windows to achieve satisfactory internal noise levels whilst ensuring external noise levels are not unacceptable. Through suitable design, however, the majority of garden and open areas may be adequately protected by a flatted development and which may also provide mitigation of external noise for the majority of the rest of the development.</p> <p>Development within urban town centres close to entertainment noise sources will inevitably require to</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
		<p>be flatted developments.</p> <p>It is recognised that paragraph 3.2 of the draft SG should be amended to reflect this and reference to any comparison in amenity value between private and communal garden and open spaces be removed.</p>
Scottish Government	There does not seem to be any mention of qualitative assessments of noise.	The draft SG will be amended to incorporate reference to qualitative assessments. This may be required following a quantitative impact assessment to consider the perception and how noticeable a noise impact is in affecting the amenity value of the noise sensitive receptor.
Holder Planning on behalf of Balmoral International Land UK Ltd and Overton Farm Developments Ltd	<p><i>Open Window Standard for Industrial Noise</i></p> <p>The draft Supplementary Planning Guidance (SPG)1 proposes that only in exceptional circumstances will the council consider it acceptable for closed windows to be used to achieve acceptable internal noise levels inside new dwellings, and that this should only apply to flatted development, where the noise exposure is from transport sources.</p> <p>The SPG suggests that exceptional circumstances will generally only apply to flatted development sites which are small to medium scale infill sites in urban areas affected by transportation or entertainment noise sources, including sites in established residential areas; brownfield sites; town and village centre sites; and sites near public transport hubs.</p>	<p>It is recognised that the word transport noise sources should be more prescriptive to specifically include aircraft noise. As there is no mitigation possible for aircraft noise affecting external residential amenity areas, other types of dwelling other than flatted development can be considered where there are exceptional circumstances considered for a development affected by significant aircraft noise. The SG will be amended to reflect this.</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
	<p>The SPG claims to take current planning policy into account, but is much more prescriptive. Paragraph 16 of the Scottish Government's Planning Advice Note (PAN)2 states that: <i>"It is preferable that satisfactory noise levels can be achieved within dwellings with the windows sufficiently open for ventilation. Local circumstances, particularly relating to the existing noise character of the area, should influence the approach taken to noise levels with open or closed windows. It may be appropriate to take a different approach to noise levels in different areas. It may also be appropriate to take a different approach to noise levels when considering the effects of new noisy development on existing residential properties from the approach taken to new residential development close to existing noisy land uses. Satisfactory internal noise levels with open windows may not always be achievable, but are always preferable. Where satisfactory levels with open windows are not achievable, practicable mitigation solutions should be explored, taking into account their possible impact on the built environment. Design solutions may be possible, such as locating living rooms and bedrooms on the opposite side of a building to the source of the noise or use of windows designed to provide for ventilation while providing improved sound reduction. In some circumstances however, closed windows with alternative means of ventilation may be unavoidable. Passive systems may be considered but mechanical ventilation should only be used as a last resort...."</i></p> <p>The draft SPG is therefore much more restrictive than the PAN. There may be some circumstances where noise from other sources could be effectively mitigated</p>	<p>Para 3.3 of the draft SG recognises the need for good design and layout of developments to achieve both satisfactory internal noise levels, when utilising a</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
	<p>inside habitable rooms using closed windows accompanied by mechanical ventilation and heat recovery (MVHR). Many architects and developers are now promoting housing with MVHR as part of an approach towards sustainability, due to its thermal efficiency, rather than on noise grounds.³ It is possible to conceive of mitigation measures not envisaged by the draft SPG that could result in acceptable external and internal noise levels by a combination of design and layout measures, e.g. by using single aspect layout with windows for habitable rooms and private gardens located on sheltered elevations or, in the case of low energy buildings,⁴ designed to achieve Passivhaus⁵ levels of air tightness, combined with high quality acoustic (and thermal) insulation.</p> <p>The draft SPG is therefore too prescriptive and could discourage the use of good design solutions which could achieve good internal acoustic standards as well as contributing to wider goals of sustainability. The sections relating to the restrictions for open windows should be re-drafted to permit the use of closed windows to achieve acceptable noise levels in any habitable room, provided the character of the noise is taken into account when setting internal noise levels.</p> <p>The draft SPG appears to allow the use of closed windows only for noise from transport and entertainment. Use of low energy buildings with MVHR and high quality (thermal and acoustic) insulation can be used to achieve very low noise levels inside habitable rooms. The restriction applying the open window criterion in such circumstances would therefore be unreasonable and inhibit the adoption of</p>	<p>closed window, and external noise levels affecting outdoor amenity areas.</p> <p>By its nature, industrial noise is more annoying and intrusive than other types of noise sources. Where internal noise levels associated with industrial/commercial cannot be achieved with an open window it is likely that the external noise levels will have a significant impact on external amenity areas.</p> <p>The use of a blanket closed window policy would encourage development in areas of significant industrial/commercial noise and residents may not have any valuable amenity in outdoor areas such as gardens. If noise levels are sufficiently high to require internal noise levels to be achieved only with the use of closed windows, this would suggest a presumption against development in these situations in line with Policy EMG 5.</p> <p>The policy of utilising a closed window to mitigate external industrial noise would also allow development next to significant industrial noise sources which may have an adverse impact on existing business due to other legislative duties placed on the local authority to investigate noise nuisance complaints. This duty would require assessment of the noise impact and enforcement action, where a noise nuisance exists, on the business premises.</p>

RESPONDENT	COMMENT	COUNCIL RESPONSE
	<p>good design in the urban environment, provided the character of non-transport noise sources is taken into account in the setting of target noise levels to be achieved inside habitable rooms.</p> <p><i>Effectiveness of Planning and Environmental Regulation Controls</i></p> <p>Policy EMG 5 – Noise in the proposed Local Development Plan states that there is a presumption against residential development being close to noisy land uses.</p> <p>The only exceptions will be where it can be demonstrated that: satisfactory external noise levels can be achieved and that <i>there will be no adverse impact on the continued operation of any existing business or activity</i>.</p> <p>I suggest that the SPG is amended to state that this policy must assume that existing planning conditions and environmental protection regulations will be effectively enforced. This would be consistent with paragraph 53 of PAN 51.</p>	<p>Enforcement of planning conditions is out with the scope of the SG. The draft SG will be amended to specifically exclude industrial/commercial noise sources from falling within the ‘exceptional circumstances’.</p>

Appendix Two

Supplementary Guidance PLANNING AND NOISE

Introduction

1.1 The aim of this supplementary guidance (SG) is to provide developers with further information on dealing with the planning process where new noise sensitive developments are planned near to existing noise sources and where potentially noisy developments are introduced into existing noise sensitive areas. This SG has been prepared in ~~support connection of with~~ the West Lothian Local Development Plan (LDP) and as such forms part of the LDP in line with Section 25 of the Planning etc (Scotland) Act 2006.

1.2 This SG takes into account current policy in relation to planning and noise and provides guidance on undertaking noise impact assessments (NIA) which may be required for any potential development in determining planning applications. The Scottish Government's Planning Advice Note (PAN 1/2011)¹ *Planning and Noise* and updated noise guidance and standards have been taken into account in the preparation of this SG. The SG is compliant with latest guidance. Details of guidance which has informed this SG are listed at the end of the SG.

1.3 The Technical Advice Note (TAN)² which accompanies PAN 1/2011 offers advice in relation to noise impact assessments also recognises that noise targets are the responsibility of the local authority to determine. The TAN does not offer prescriptive guidance but provides advice which may assist local authorities in the technical evaluation of noise. Target noise criteria for certain types of development are detailed in this SG.

1.4 Specific guidance regarding the assessment of noise from mining activities and wind energy developments are not within the scope of this SG and are included in relevant supplementary guidance topics.

Planning and noise

2.1 Generally developments, where noise is an issue, fall into two main categories:

- (1) The introduction of housing developments or other noise sensitive developments, such as hospitals schools or residential homes, close to existing significant transportation noise sources (road, rail, and aircraft) or noisy industry or commerce (including entertainment venues and establishments).
- (2) The introduction of industrial or commercial developments close to noise sensitive land uses.

Where developments fall into the categories above, and noise is considered to be a material consideration in determining a planning application, a noise assessment will be required to assess the potential noise impact on or from the development.

2.2 Planning guidance on noise aims to separate noisy and noise sensitive land uses. However, mitigation of noise impact through separation alone can be difficult to achieve. Noise sensitive developments may need to incorporate mitigation measures through design, layout, construction or physical noise barriers to achieve acceptable acoustic conditions.

2.3 Whilst it may be possible to mitigate the adverse effects of noise, noise-sensitive development will rarely be appropriate in areas which are already subject to unacceptably high noise levels.

2.4 Existing industry or commerce need to be protected from the adverse impacts of complaints of noise disturbance from residents of new housing or other sensitive developments.

Policy and guidelines

3.1 The Proposed Plan for the West Lothian Local Development Plan includes the following policy:

POLICY EMG 5 – Noise

There is a presumption against developments that are:

- a. likely to generate significant amounts of noise being located close to noise sensitive developments such as existing or proposed housing; or***
- b. residential or other noise sensitive developments being close to noisy land use.***

The only exceptions will be where it can be demonstrated that:

- a. through design or mitigation, satisfactory internal and external noise levels can be achieved at the noise sensitive development; and***
- b. through design or mitigation, there will be no adverse impact on the continued operation of any existing or proposed business or activity.***

The terms of the council's Supplementary Guidance on Noise will apply.

The Proposed Plan advises that by guiding development to the right locations and through promoting good design, the planning process can help to avoid or minimise problems associated with noise arising from or impacting upon developments. It also advises that supplementary guidance provides developers with information on dealing with the planning process where new noise sensitive developments are planned near to existing noise sources and where potentially noisy developments are introduced into existing noise sensitive areas.

3.2 Only in exceptional circumstances (see paragraph 3.34) should satisfactory internal noise levels be achievable with windows closed and other means of ventilation provided. Where these exceptional circumstances exist, and achieving satisfactory internal noise levels are based upon closed windows, external amenity areas may well be noisier than would otherwise be considered acceptable. However, good design and layout of a residential development can avoid unacceptable external noise levels within outdoor living areas across the whole development. For this reason it is considered that flatted developments, where common outdoor areas are the norm, are a suitable type of residential development. It would not however be considered acceptable for individual private garden grounds to have unacceptable external noise levels, as these are likely to be used far more intensely than communal gardens associated with flatted developments. For this reason exceptional circumstances are only likely to apply to flatted developments near to existing significant transport noise sources. It may be possible for sites exposed to higher levels of transportation noise to have a mix of flatted development and housing, providing the flatted dwellings are the most exposed facade and provide a significant barrier to the rest of the development site. Where houses

~~are considered within the mix of a development, internal noise levels will have to be achievable with an open window scenario.~~

~~3.3 Where internal noise levels associated with transport noise sources can only be achieved with closed windows, developers will need to demonstrate that all other mitigation measures have been exhausted to reduce external/internal noise levels.~~

~~These measures may include:~~

- ~~• screening by natural barriers, or purpose built acoustic barriers, other buildings or non-critical rooms on exposed building elevations; and/or~~
- ~~• minimum separation distances from transport sources, improvement to the design and layout of the development.~~

Exceptional circumstances

3.43.1 In lieu of NIA, that may be required for development proposals, only an indicative guide can be given to cases which might merit special consideration. Owners, purchasers and developers of land should be aware of the potential constraints on residential and other noise sensitive development near to [existing](#) transport [or entertainment](#) noise sources.

3.43.2 Exceptional circumstances derive from the aim to promote sustainable development and transport within West Lothian. The benefits of such development include:

- reducing urban sprawl;
- reducing uptake of greenfield sites; and
- promoting higher levels of density near transport hubs, town and local centres.

3.43.3 Exceptional circumstances will, therefore, generally only apply to sites, which are small to medium scale infill sites in urban areas affected by transportation or entertainment noise sources. This will include sites in established residential areas; brownfield sites; town and village centre sites; and sites near public transport hubs. ~~Exceptional circumstances are generally only likely to apply to flatted residential developments.~~

~~3.43.4 For this reason -~~Exceptional circumstances are only likely to apply to flatted developments near to existing significant transport (with the exception of aircraft noise) or entertainment noise sources. It may be possible for sites exposed to higher levels of transportation noise to have a mix of flatted development and housing, providing the flatted dwellings are the most exposed facade and provide a significant barrier to the rest of the development site. Where houses are considered within the mix of a development, internal noise levels will have to be achievable with an open window scenario.

[3.3.5 Aircraft noise affecting external amenity areas within residential developments cannot be mitigated and therefore there is no restriction on the type of residential development](#)

[3.43.65 Due to the greater annoyance characteristics of industrial/commercial noise it is unlikely that satisfactory outdoor amenity noise levels could be achieved where a residential development places reliance on closed windows to achieve satisfactory internal noise levels. There is also a risk that residential development in these circumstances is more likely to have a significant impact on existing business associated with complaints about noise disturbance.](#)

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3.43.76 Unlike transport noise sources, industrial/commercial noise falls under the statutory nuisance legislation which places a duty on the Council to take enforcement action where a noise nuisance exists. This would include external noise affecting residential outdoor amenity areas. Exceptional circumstances will therefore not include industrial/commercial noise sources.

3.43.87 Where internal noise levels associated with transport or entertainment noise sources can only be achieved with closed windows, developers will need to demonstrate that all other mitigation measures have been exhausted to reduce external/internal noise levels.

These measures may include:

- screening by natural barriers, or purpose built acoustic barriers, other buildings or non-critical rooms on exposed building elevations; and/or
- minimum separation distances from transport sources, improvement to the design and layout of the development.

Noise guidance

4.1 Planning Advice Note (PAN) 1/2011¹ provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. Information and advice on noise impact assessments (NIA) methods is provided in the associated Technical Advice Note (TAN)². It includes details of the legislation, technical standards and codes of practice for specific noise issues.

4.1.2 The TAN document provides guidance which may assist in the technical evaluation of noise assessment, and recognises that it does not offer prescriptive guidance on noise assessment nor should it be considered as being exhaustive in extent. It also recognises that the choice of appropriate criteria noise levels and relevant time periods are the responsibility of the local authority.

4.1.3 The council seeks to promote a good standard of amenity for its residents and in that respect appropriate noise criteria has been selected to reflect this when considering NIA.

Transportation

4.2 Road traffic

Road traffic noise can be assessed using the method set out in *Calculation of Road Traffic Noise 1998*³ (CRTN) and *The Design Manual for Roads and Bridges 1994*⁴. For existing road noise, measurement of noise levels should be undertaken in accordance with the methodology set out in CRTN. It is, however, acceptable to undertake a shortened survey method as described in CRTN. Where night-time traffic is considered to be significant a noise survey during the night will also be required.

4.3 Rail traffic

The method set out in *The Calculation of Railway Noise*⁵ will be of assistance in determining rail traffic noise. A noise measurement survey will be required for existing track usage. Where the survey is based on noise measurements of a sample of trains using a specific track, the number of train bypasses used in the sample should be sufficiently representative of the total use of the track.

4.4 Industrial or commercial noise

4.4.1 Industrial or commercial noise sources can be difficult and complex to assess and requires to be considered in detail. The use of British Standard BS 4142:2014⁶ is a useful tool in determining the significance of the impact of noise of an industrial or commercial nature.

4.4.2 Developments will be considered on their merits, the methodology of any assessment of the impact of noise will depend on the nature and characteristics of potential or existing noise emissions. It is therefore important that developers have their appointed noise consultants discuss the extent and methodology of any noise assessment with the council's Environmental Health Service at an early stage to avoid unnecessary delay in the planning process.

4.5 Construction site noise

4.5.1 Most developments will have initial site noise associated with the construction phase of the development. It is accepted that higher levels of noise will be associated with what is regarded as a relatively temporary situation. However, construction noise is most effectively controlled by means of the Control of Pollution Act 1974⁷.

4.5.2 Detailed guidance on noise issues relating to construction sites can be found in the British Standard BS 5228:2009⁸.

4.6 Noise from specific developments

4.6.1 Wind Farm developments are assessed using specific guidance.^{8,9} The council has also produced a guidance document in relation to noise assessments for wind farms and individual turbine developments

4.6.2 Noise from mineral extraction sites are governed by specific guidance and are therefore beyond the scope of this SG.

4.6.3 Other developments beyond the scope of this SG such as leisure activities, motor sport events, dog kennels, etc. will be considered on a case by case basis. The methodology for the assessment of noise from other types of developments must be discussed and agreed in advance with the council's Environmental Health Service.

[4.6.4 Some developments may have a significant noise impact on recreational, open space or areas of high sensitivity for wildlife. Where appropriate, significant noise impacts affecting these areas may need to be considered.](#)

Noise criteria

4.7.1 The following policies and criteria are not exhaustive and other criteria may apply depending on local circumstances and on the nature and characteristics of noise sources impacting upon any noise sensitive premises. It is important that the developers' noise consultants contact the council's Environmental Health Service in advance of undertaken any NIA. [A qualitative assessment may also](#)

[be required following a quantitative noise impact assessment to consider the perception and how noticeable a noise impact is in affecting the amenity value of the noise sensitive receptor.](#)

[4.7.2 In determining the overall significance of noise impact, it may be necessary to undertake a qualitative assessment. This type of assessment will be different for Noise Sensitive Development and Noise Generating Developments. Whilst there is general guidance in TAN 2011, the descriptor for qualitative impacts will require to be discussed in advance with West Lothian Council. Standards of amenity \(and noise mitigation measures to be adopted\) will be a key consideration when determining the significance of noise impacts.](#)

4.7.32 Residential development subjected to transportation noise sources will have to ensure that internal noise levels are within current guideline levels. The following noise criteria will be used to assess the significance of noise impact on residential development.

4.7.43 *Traffic noise (road, rail and air)*

In recognising the need to provide a balance between meeting noise criteria and achieving a good standard of amenity there may be areas of the NIA that may require further consideration. The following target noise criteria have therefore been chosen to reflect this balance based on World Health Organisation 1999 guideline values¹⁰.

4.7.45 To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound pressure level (free field) should not exceed a target noise level of $L_{Aeq(16hr)}$ 50 dB.

4.7.56 During the night, 23.00-07.00, the facade noise level outside bedrooms should not exceed a target noise level of $L_{Aeq(8hr)}$ 45 dB.

4.7.67 Where the existing noise levels associated with transport sources exceeds the target noise levels the following magnitude of impacts will be attached to the assessment.

Daytime Existing Noise Level ($L_{Aeq(16hr)}$)	Night time existing noise level ($L_{Aeq(8hr)}$)	Magnitude of Impact
50-53	45-48	Minor adverse
>53-55	>48-50	Moderate Adverse
>55	>50	Major Adverse

(For the assessment of aircraft noise the above values can be increased by 2 dB)

4.7.87 It will be expected through good layout and design of a development that the specified target noise criteria should be achieved at receptor locations. Where the magnitude of impact results in a 'moderate adverse' the layout and design of the development or other mitigation should be considered to achieve at least a 'minor adverse' impact. Where the noise impact is considered 'major adverse', noise mitigation measures (acoustic fencing, noise bunds) other than building layout and design are likely to be required to achieve a 'minor adverse' impact. The extent of mitigation required may be dependent on the number of noise sensitive receptors and their relevant exposure to noise.

4.7.98 Where the relevant noise criteria are not achievable following mitigation measures, consideration will be given as to whether exceptional circumstances apply as detailed in Sn 3.4. There may also be potential for flatted dwellings to be utilised as a potential noise barrier to achieve the relevant noise target for the remaining receptors of a development. This will be dependent on the number of receptors in the context of the overall development and the benefit provided.

4.7.109 Where residential developments generate significant traffic volume on the local road network which would lead to significant increase in the existing noise climate and noise exposure the NIA should take this into consideration. In determining existing noise levels, any increase in future noise levels that may reasonably be expected should also be considered.

4.7.110 Noise exposure from proposed new road or rail developments will be considered out with this guide.

4.7.121 Internal noise levels within habitable rooms of dwellings are required to meet the following noise criteria as described in BS 8223 ¹¹;

- Dining rooms LAeq (16hour) 40 dB, living rooms LAeq (16hour) 35 dB, LAeq (16hr) 35 dB and LAeq(8hour) 30 dB for bedrooms daytime and night-time respectively. Where internal noise levels are to be achieved with closed windows (i.e. in those cases where exceptional circumstances exist), alternative means of ventilation which do not compromise the facade insulation must be provided.
- For single sound events, the outdoor facade sound pressure level (windows open) at night outside bedrooms should not exceed L_{AFmax} 60dB. Inside bedrooms at night noise levels should not exceed L_{AFmax} 45 dB. In determining the significance of any noise events above this level, consideration will be given to the number of events and the maximum sound pressure level as a small number of events with a high maximum sound pressure level will affect sleep.

Vibration

4.8 Reference to noise within this document includes vibration but potential vibration impact will be considered separately where the potential for significant vibration issues are identified.

Industrial and Commercial Noise

5.1 Industrial and/or commercial noise should be assessed using BS4142:2014. Additional criteria may be applicable depending on the nature of the sound source. Commercial noise sources such as shop fans and ventilation systems for example require to achieve Noise Rating Curve NR 25 during the night when measured within any living room or bedroom within a noise sensitive property with windows open for ventilation. A lower Noise Rating Curve may be applicable depending on the nature and characteristics of the noise source, for example where a discernible tone is obvious or where the existing background noise environment is low (less than 30dB) NR 20 may be more appropriate. In considering the context of any noise impact as described in BS4142, the rated noise level should be used when comparisons are made against the existing noise environment.

5.1.2 When considering the prediction of noise levels within dwellings from external noise sources an open window should be considered to achieve 10 dB noise reduction from a free-field level. Taking precautionary approach no further reductions for room acoustics should be considered. Where the noise source contains significant lower frequency noise in the octave band frequency range 63 – 250 Hz, 5dB in those octave bands should be considered appropriate for the open window. Above 250Hz, 10dB attenuation for the open window shall apply.

5.1.3 New commercial developments where amplified music or broadcasting (including entertainment venues and establishments) is an activity require to comply with an inaudibility

criterion within any neighbouring noise sensitive property. For design purposes Noise Rating Curve NR15 should be utilised when predicting internal noise levels. Open windows should be considered to provide 5dB attenuation at bass beat frequencies of 63Hz and 125Hz and 10 dB at higher frequencies.

Construction Noise

5.2 Construction site operations in general will be restricted to 08.00 –18.00 Monday – Friday and 08.00 – 13.00 Saturday so that noise is not audible at noise sensitive premises ~~outwith~~with these times.

5.2.1 Under normal circumstances, evening, night-time and Sunday working will not be considered reasonable. There may be exceptions to this, for example for reasons of public safety and/or Police requirements. In such cases contractors need to demonstrate that other Authorities require work to take place at these times.

5.2.2 Noise emissions from construction site activity, is controlled by the Control of Pollution Act. Section 60 of this legislation allows where necessary, restrictions to be placed on construction sites. This may include time restrictions, plant and machinery restrictions, and noise limits. However, many issues with construction sites are usually resolved informally. Vehicle reversing alarms for on-site plant should utilise non-tonal reversing alarms where activities are in close proximity to noise sensitive premises.

Wind Turbine Noise

5.3 Advice on the assessment of noise for wind turbines is contained in [a](#) separate SG.

Noise Impact Assessments (NIA)

6.1 Where a NIA is required, these must be undertaken by suitably qualified and competent persons, usually a noise consultant.

6.2 Noise reports must be concise and contain sufficient information for the authority to assess the contents. Insufficient detail on the methodology and calculations used can result in a delay in the review process. The report should provide the basic information required for environmental noise reports and in particular information that is contained within BS 7445¹⁰ or the appropriate relevant standard.

6.3 Except in those cases where exceptional circumstances are identified, internal noise levels within noise sensitive premises must be calculated based on an open window scenario. The degree of sound insulation afforded by a partially open window should be taken as 10 –15 dB from a free-field level. For transportation noise sources 15dB should be considered as appropriate attenuation of a partially open window. Industrial noise due to its nature and characteristics is only likely to achieve the lower limit of noise insulation across a partially open window (10 dB). Additional requirements may be appropriate as detailed in Section 5.2.1 and 5.2.2.

6.4 Where a noise assessment is undertaken for a residential development, the appropriate number of receptors to be considered should be discussed with the council's Environmental Health Service. Generally this will be limited to the worst affected noise sensitive receptor locations.

6.5 Any assumptions used in the prediction of noise levels must be clearly stated in the noise report. Reports must provide a sample calculation in order to demonstrate clearly how noise figures have been obtained. Where noise modelling using computer software is undertaken a summary of the input parameters and assumptions made to the model shall be clearly detailed.

GUIDANCE DOCUMENTS

1. The Scottish Government: Planning Advice Note 1/2011, Planning and Noise
2. The Scottish Government Technical Advice Note, Assessment of Noise
3. Calculation of Road Traffic Noise (DoT, Welsh Office 1988)
4. Design Manual for Roads and Bridges (DoT, 1994)
5. The Calculation of Railway Noise (DoT, Welsh Office 1995)
6. BS4142:2014 Methods for rating and assessing industrial and commercial noise
7. Control of Pollution Act 1974
8. BS5228:2009 Code of practice for noise and vibration control on construction and open sites;
Part 1: Noise, Part 2: Vibration
8. The Assessment & Rating of Noise from Wind Farms. ETSU-R-97
9. A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise, Institute of Acoustics 2013
10. World Health Organisation, Guidelines for Community Noise, 1999
11. BS8233:2014 Sound Insulation and Noise Reduction for Buildings – Code of Practice
12. BS7445:2003 Description and Measurement of Environmental Noise.

For further information or advice please contact:

Customer Service Centre

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
United Kingdom

Email: customer.service@westlothian.gov.uk

Tel: 01506 280000



COUNCIL EXECUTIVE

LINLITHGOW PUBLIC REALM DESIGN GUIDE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of the outcome of consultation on a draft Public Realm Design Guide for Linlithgow (PRDG). The design guide establishes a vision for the public realm in Linlithgow, sets out best practice in promoting good quality urban design and sets out priorities for public realm improvements which can be addressed through capital investment in the town by the council and its partners.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the comments received following consultation on the draft Public Realm Design Guide and the proposed response to these;
2. approves the Linlithgow Public Realm Design Guide as planning guidance in support of the West Lothian Local Development Plan; and.
3. notes that some references in the guide do not capture changed circumstances or progress made since it was originally drafted and agrees that minor non-material edits can be made prior to publication to remedy these.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs; being honest, open and accountable; working in partnership and making best use of our resources.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The West Lothian LDP (Proposed Plan) has been the subject of SEA, equality, health impact assessment. The design guide will form planning guidance in support of the LDP.

The need for further Strategic Environmental Assessment, equality, health and/or risk assessments will be considered when improvement projects arising from the design guide are agreed.

III	Implications for scheme of delegation	None.
IV	Impact on performance and performance indicators	Appendix 4 of the West Lothian Local Development Plan Proposed Plan (LDP) includes reference to the preparation of public realm guides as planning guidance in support of the LDP. The design guide will support the terms of the LDP. Preparation of the LDP is a statutory requirement.
V	Relevance to Single Outcome Agreement	<p>Outcome 3 – Our economy is diverse and dynamic and West Lothian is an attractive place for doing business.</p> <p>Outcome 8 – We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI	Resources - (Financial, Staffing and Property)	<p>A capital budget has been agreed for traditional towns in each year of the council's 10 Year Capital Investment Programme, this includes Linlithgow. The council cannot commit to spend more than is already identified in the capital programme for town centres and implementation of the projects identified in the guide will be heavily reliant on funding from external sources.</p> <p>There may be ongoing revenue implications arising from projects set out in the design guide. Private investment through the Linlithgow BID may be available.</p> <p>Wherever possible revenue implications would be kept to a minimum and other means of meeting revenue costs investigated, for example sponsorship of floral displays.</p>
VII	Consultations at PDSP	The design guide was considered by the Development and Transport PDSP on 8 August 2016. The PDSP agreed that the report be forwarded to the next appropriate meeting of the Council Executive following conclusion of the consultation exercise.
VIII	Other consultations	<p>The Linlithgow Town Centre Management Group was consulted during preparation of the guide.</p> <p>Consultation has been undertaken following consideration of the guide by the development and Transport PDSP. This included the community council, a number of community groups operating in the town as well as members of the public. The Head of Property and Finance has been consulted on the financial aspects of the guidance.</p>

D. TERMS OF REPORT

- D1** A Public Realm Design Guide for Linlithgow was prepared by Brindley Associates and EK:JN Architects in response to a brief prepared by the council and provides guidance and sets out a vision for the public realm in the town.

The guide provides the detail on considerations relating to the public realm and should be read in the context of the West Lothian Local Plan and the emerging West Lothian Local Development Plan which provides the overall context for development in the town. The design guide is attached as Appendix One.

The design guide completes a suite of public realm design guides for each of the five traditional towns in West Lothian, design guides for Armadale, Bathgate, Broxburn, and Whitburn having been produced at an earlier date. The Linlithgow design guide did not progress earlier as a result of other capacity building projects in Linlithgow at the time.

The concept of improving the public realm in Linlithgow by improving the quality of materials and re-designing key urban spaces is supported in principle. However, the guide submitted does not identify who would lead on such schemes, how they would be delivered or what financial resources would be made available for such improvements. The suggested schemes are in some instances significant projects and staff resources and funding streams, including significant levels of external funding, would need to be identified if these projects are to be taken forward. Extensive public consultation would also be required should all projects be taken forward. Ongoing Air Quality Management issues within Linlithgow would also have to be taken into account.

D2 Consultations

Consultation on the draft design guide was undertaken over an eight week period in Autumn 2016. Only 4 responses were received to consultation. A summary of the comments made and the proposed response to these is set out in Appendix Two. It is proposed to make minor amendments to the design guide to reflect comments received and to update the Action Plan. Details of proposed amendments are set out in Appendix Two.

Some of the comments received relate to the concerns over the council's policy on window replacement for buildings within the conservation areas. It is proposed that the policy, which dates from 1998, is reviewed and reported to the Council Executive at a later date. The review will include a review of provisions for Linlithgow and would cover both listed and non-listed buildings in the conservation area.

It should be noted that since the design guide was drafted a number of proposals/schemes identified in the Action Plan have been implemented, for example, restoration of Cross Well. The guide will require to be updated to reflect this and provide an update on progress on actions identified. Implementation of the Action Plan will include consultation with various interest groups operating in the town and relevant council services. Implementation will also be subject to availability of funding significant elements of which will have to be from partners or other external sources. The updated Action Plan is set out in Appendix Three.

D3 Funding of Improvement Works

The council's 10 Year Capital Investment Programme contains a capital budget for traditional town centres in each year of the programme. This will provide some opportunities to carry out works but it should be noted that much of that funding has already been committed.

The priorities for road maintenance for example, have been identified and approved for financial year 2017/2018. There are no major maintenance works planned within the Linlithgow High Street area and investment in the capital programme would need to be identified and approved in a future capital programme. It should also be noted that approval of the principles of the design guide would increase future maintenance costs within the High Street area by specifying a higher quality of materials over a wider area than covered at present and provision for future maintenance would have to be made before projects such as this could progress.

Similarly, the design guide identifies a number of projects which are aspirational and can only be delivered with significant levels of external funding. These are highlighted in Appendix Three.

E. CONCLUSION

The design guide provides a sound basis for improving the public realm and building design within Linlithgow and identifies priority actions for future public and private sector investment in the town. The guide acts as an enabling document to focus investment decisions by partners and act as a bidding tool to lever in external funding. It is not the intention that it would be the council who would fund projects. It should also be noted that the guide may raise expectations about improvements which could be difficult to deliver in the current financial climate. However, it should provide a helpful basis for bids to lever in external funding. The design guide will form Planning Guidance for implementation in support of the West Lothian Local Development Plan.

F. BACKGROUND REFERENCES

Adopted West Lothian Local Plan 2009 <http://www.westlothian.gov.uk/WLLP>

West Lothian Local Development Plan www.westlothian.gov.uk/LDP

Report to Linlithgow Area Committee, 10 September 2013: Linlithgow Public Realm Design Guide

Appendices/Attachments: Three

Appendix One: Linlithgow Public Realm Design Guide

Appendix Two: Linlithgow Public Realm Design Guide - Consultation Responses

Appendix Three: Linlithgow Public Realm Design Guide – Updated Action Plan

Contact Person: Fiona McBrierty, Development Planning and Environment Manager, Tel 01506 282418 Email: fiona.mcbrierty@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development & Regeneration

25 April 2017

Linlithgow Public Realm Design Guide

SECOND DRAFT



Contents



	Page
1.0 Introduction	1
1.1 Extent of Study Area Plan	2
1.2 Historical Development of Linlithgow High Street	3
1.3 Legislative Background	4
2.0 Character Areas Appraisal	5
2.1 Area 1 Character Appraisal	6
2.2 Area 2 Character Appraisal	8
2.3 Area 3 Character Appraisal	9
2.4 Area 4 Character Appraisal	10
2.5 Area 5 Character Appraisal	11
3.0 Concepts for Improvements	13
3.1 Town Improvements Plan	14
3.2 Key Concept 1 – West End	15
3.3 Key Concept 2 – Linlithgow High Street	16
3.4 Key Concept 3 – The Vennel	17
3.5 Key Concept 4 – Station Road	18
3.6 Architectural Recommendations Location Plan	19
3.7 Architectural Recommendations	20
4.0 Pedestrian & Cycle Linkages & Wider Connections	22
4.1 Linkages to Green Space	23
4.2 Potential Pedestrian Crossings	24
5.0 Urban Design Criteria Guidelines	25
5.1 Surfacing	26
5.2 Street Furniture	27
5.3 Planting	28
5.4 Public Art Strategy	29
5.5 Cycle Provision, Lighting & Signage	30
5.6 Further Recommendations & Vision	31
6.0 Action Plan – Phasing Strategy	32
Appendix 1 – Architecture Appraisal	33

1.0 Introduction

This public realm design guide has been prepared by Brindley Associates Ltd Landscape Architects with EK:JN Conservation Architects on behalf of West Lothian Council (WLC) Town Centre Management Department for Linlithgow town centre, West Lothian. This design guide focuses on the section of Linlithgow High Street between West Port and Low Port, defined by WLC as the geographical extent of the study in June 2014 see plan overleaf. Consideration is also given to public open spaces lying to the north and south of High Street at the request of WLC to include Rosemount Park, Learmonth Gardens, Regent Square, Provost Road, The Peel, Palace Rose Garden and Lochside area in accordance with the Civic Trust's 'Vision' document.

The purpose of this design guide is to provide a series of guidelines and concepts at a town level with a view to enable future continuous project based efforts to improve Linlithgow's High Street by encouraging and maintaining a high quality of public realm for residents, tourists and businesses.

The aim of this design guide is to:

- Appraise the existing public realm of Linlithgow High Street including urban form, existing public spaces, pedestrian links and movement patterns;
- Provide key concepts for each identified character area to define a sense of place and cohesion; and
- Provide urban design criteria guidelines appropriate to Linlithgow's High Street which can be used by all interested parties to create coherent high quality spaces and public realm.

The objectives of this design guide are to:

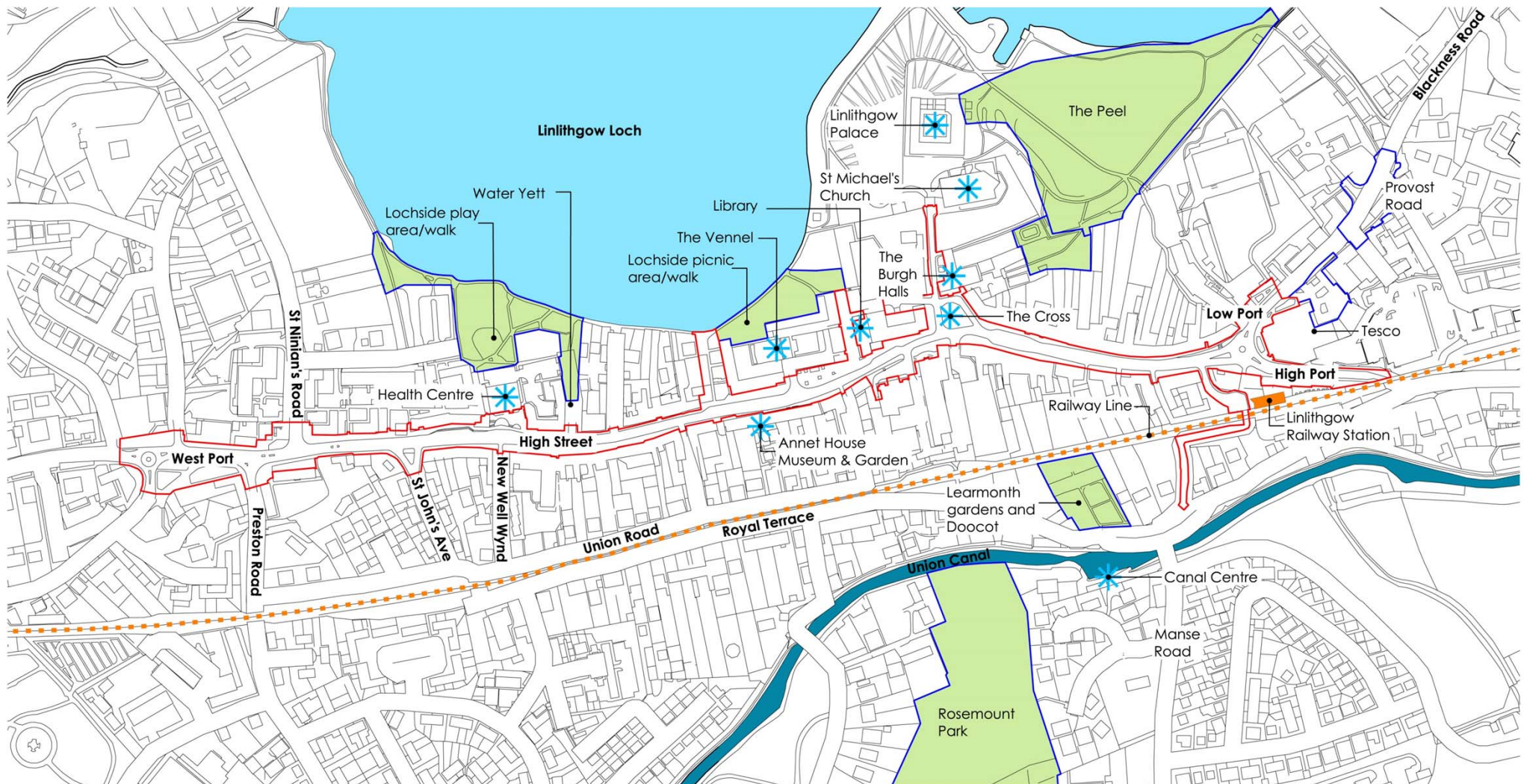
- Address issues associated with areas of conflict in the urban form of Linlithgow High Street; and
- Highlight wider town centre connections that can be made.

In the preparation of this 2nd draft Linlithgow Public Realm Design Guide a number of historical documents were passed to us for review and consideration including: A vision for Linlithgow 2005-2015 by Linlithgow Civic Trust (December 2005); Linlithgow Town Centre Study by Halcrow Fox Associates (March 1992); A Sustainable Travel Action Plan for Linlithgow by JMP (November 2011); together with comments from local interest groups including Town Centre Management Group, Linlithgow Civic Trust, Burgh Beautiful and Transition Linlithgow.



Introduction

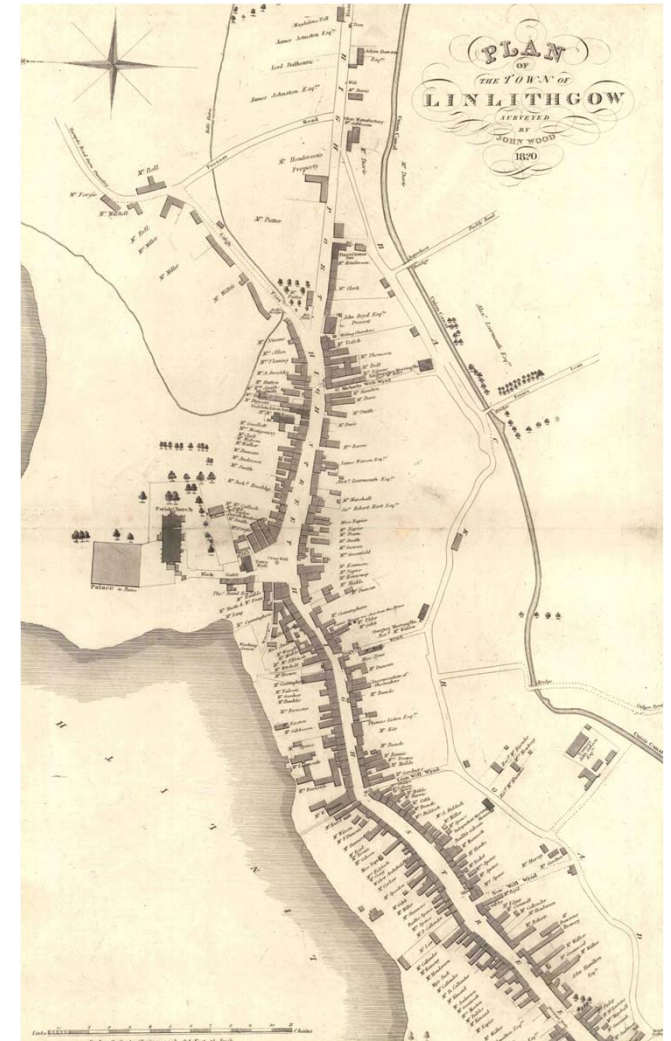
1.1 Extent of Study Area Plan



Introduction

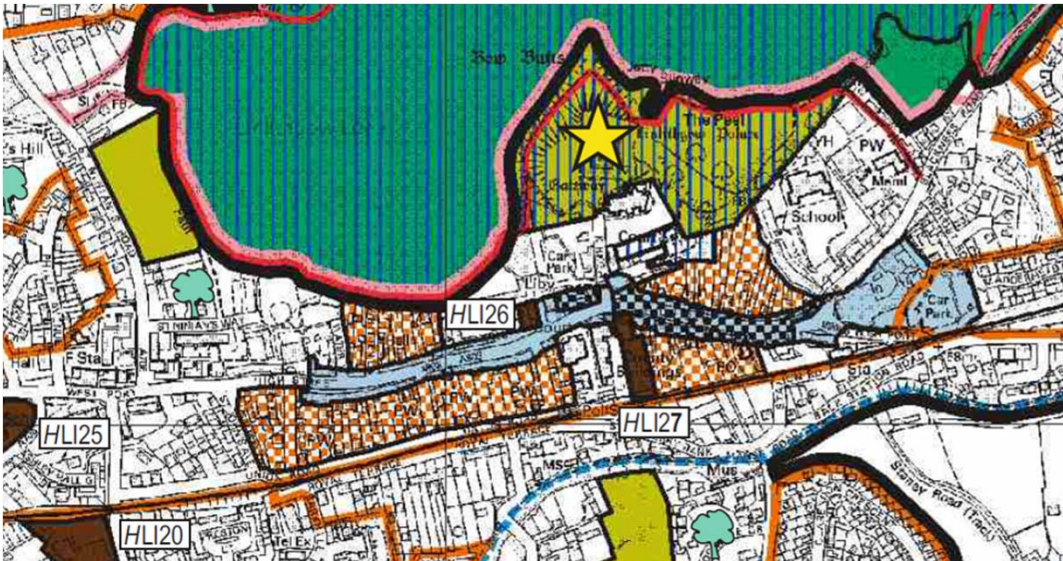
1.2 Historical Development of Linlithgow High Street

Located on the southern banks of Linlithgow Loch, Linlithgow has developed in an east-west orientation centred on the old Edinburgh-Stirling road. This road now forms the main thoroughfare for Linlithgow and is called High Street. Plots of farmed land, known as rigs, ran perpendicular to High Street and comprised much of the town's development until the 19th century. Growth was restricted to the north by Linlithgow Loch, and by the steep hill to the south, but, in the late 19th & early 20th centuries, development began to take place much further south of High Street. Demand for housing in the late 20th century saw many residential developments take place much further south, as well as spreading into new areas. The southward development of Linlithgow was bisected by the Union Canal and latterly the main Edinburgh-Glasgow railway line. The historical development and character of the street are recognised with its inclusion in the Linlithgow Palace and High Street conservation area. Notable buildings in the conservation area include Linlithgow Palace and St Michael's Church which occupy elevated positions overlooking the loch.



Introduction

1.3 Legislative Background



The entire length of Linlithgow High street sits with the "Linlithgow Place and High Street" Outstanding Conservation Area.

The Outstanding Conservation Area designation brings a number of planning restrictions into play which are aimed at conserving and enhancing the town's architectural heritage.

Within the Conservation Area there is a preference for "heritage" colours for window frames, shopfronts and other painted features.

Alterations to any of the buildings should be restricted to changes which will improve or enhance the Conservation Area.

Guidance is available from the Planning department for what types of shopfront signage are acceptable in the Conservation Area.

Many of Linlithgow's buildings are listed by Historic Scotland of being of significant architectural interest. Such 'listed' buildings are graded either A, B or C. Additional restrictions apply to buildings that are listed.

Planning policy HER21 restricts backland development on Linlithgow "rigs", the long walled gardens that run behind the High Street on both sides.

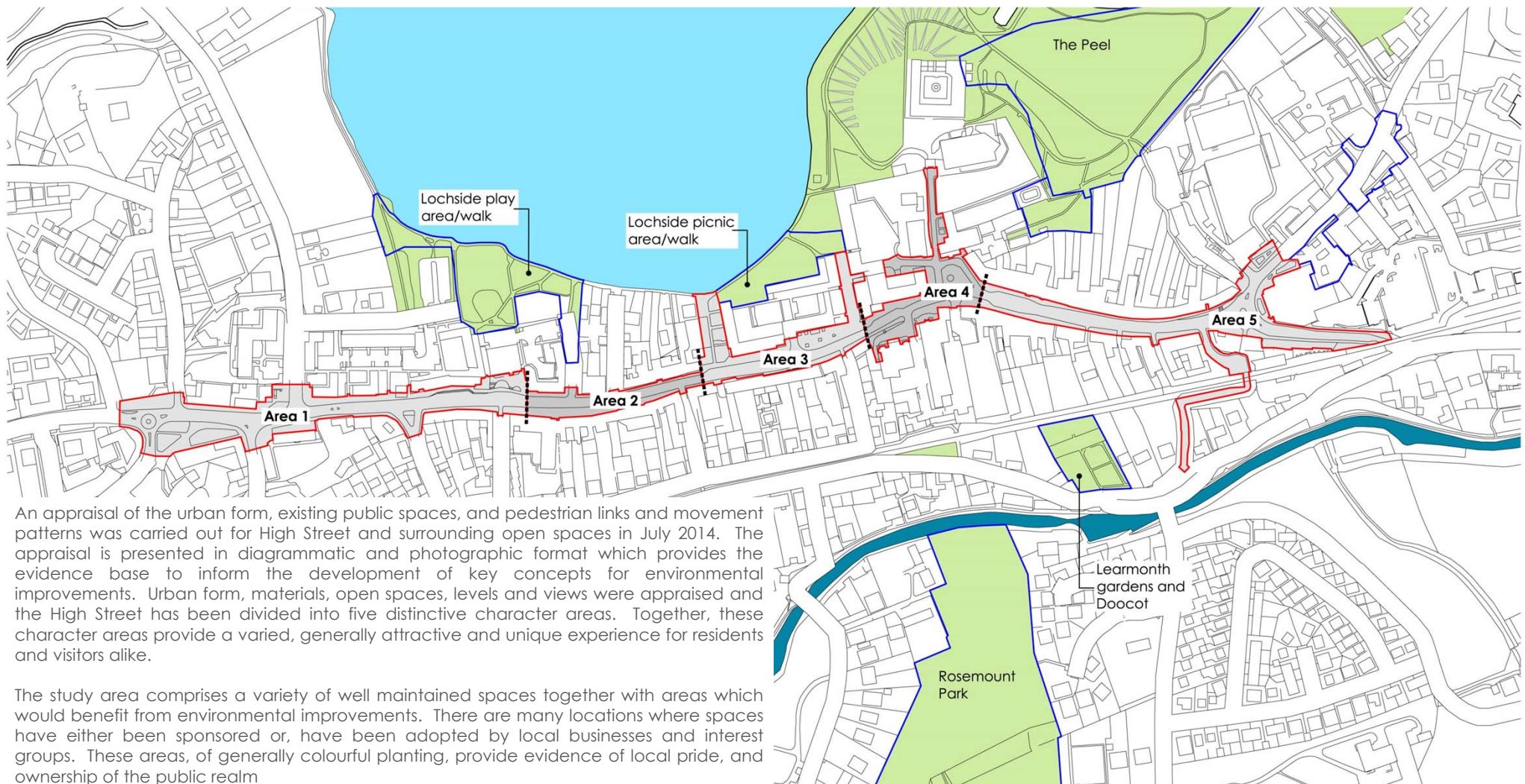
The entire High Street is within 800m of Linlithgow Palace and Peel, which brings a requirement for Planners to consult with Scottish Ministers on all planning applications.

The East end of the High Street, from the Cross to the Lowport area is restricted by planning policy TC15 which discourages change of use from Class 3 (retail) to Class 2 (financial and professional services).

West Lothian Council have Premises Improvement guidelines for Whitburn and Bathgate. A similar document should be produced for Linlithgow.

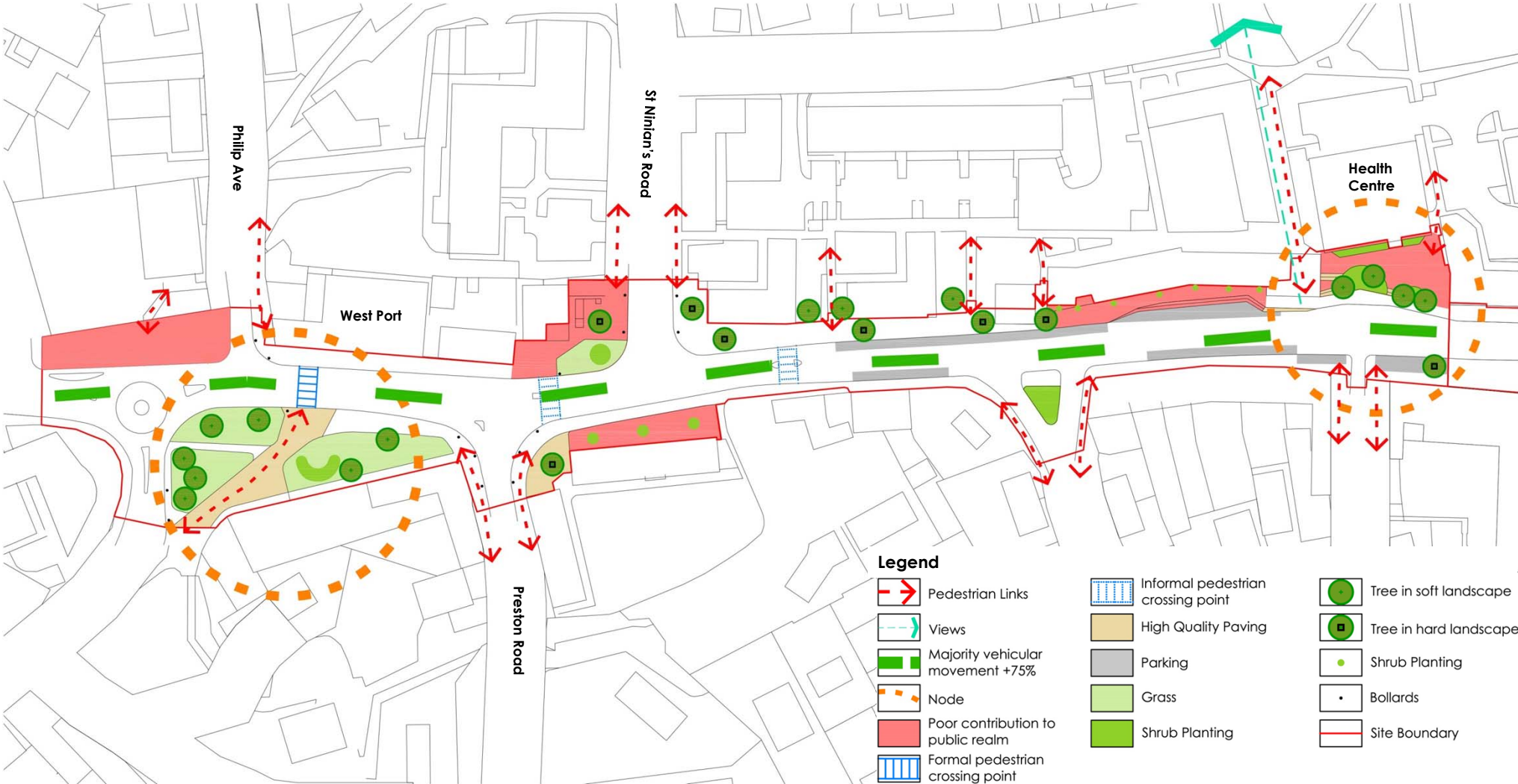


2.0 Character Area Appraisal Plan



Character Areas Appraisal

2.1 Area 1 Character Appraisal



Character Areas Appraisal

2.1 Area 1 Character Appraisal



The Katie Wearie Sundial and associated green space provides an attractive focus to West Port arrival and meeting space.



Stone walling and raised planter provides visual interest along street scene.



Well maintained, colourful hanging baskets along High Street engender sense of ownership.



Shrubs encroaching over High Street seating and poorly located litter bin create an unattractive and unusable public realm at St. John's Avenue.



Inappropriate and damaged shrub planting within red gravel against modern flatted development falls short of Linlithgow's standard of attractive and well-maintained public planting areas.



Large, cylindrical concrete bollards around West Port are a potential trip hazard and contrast with black cast-iron street furniture located elsewhere along the High Street.



Opportunity for seating to be arranged along southern edge of green space at the Katie Wearie Sundial. This would allow users to address the floral planting and create more of a separation between the recreational seating area and the road.



Area adjacent to the Health Centre currently under-utilised as recreational open space. Enhancing hard and soft landscape features would help establish this area as a recreational hub along the High Street.



Visual connectivity between the High Street and Lochside Park is restricted. Improving visual linkages and pedestrian routes would promote the town's distinctive water-side setting.

Character Areas Appraisal

2.2 Area 2 Character Appraisal



Left: Enclosed urban form provides a distinctive sense of place for this section of the High Street.



Right: Under provision of cycle racks.



Left: Historic buildings provide defining characteristics of the public realm.



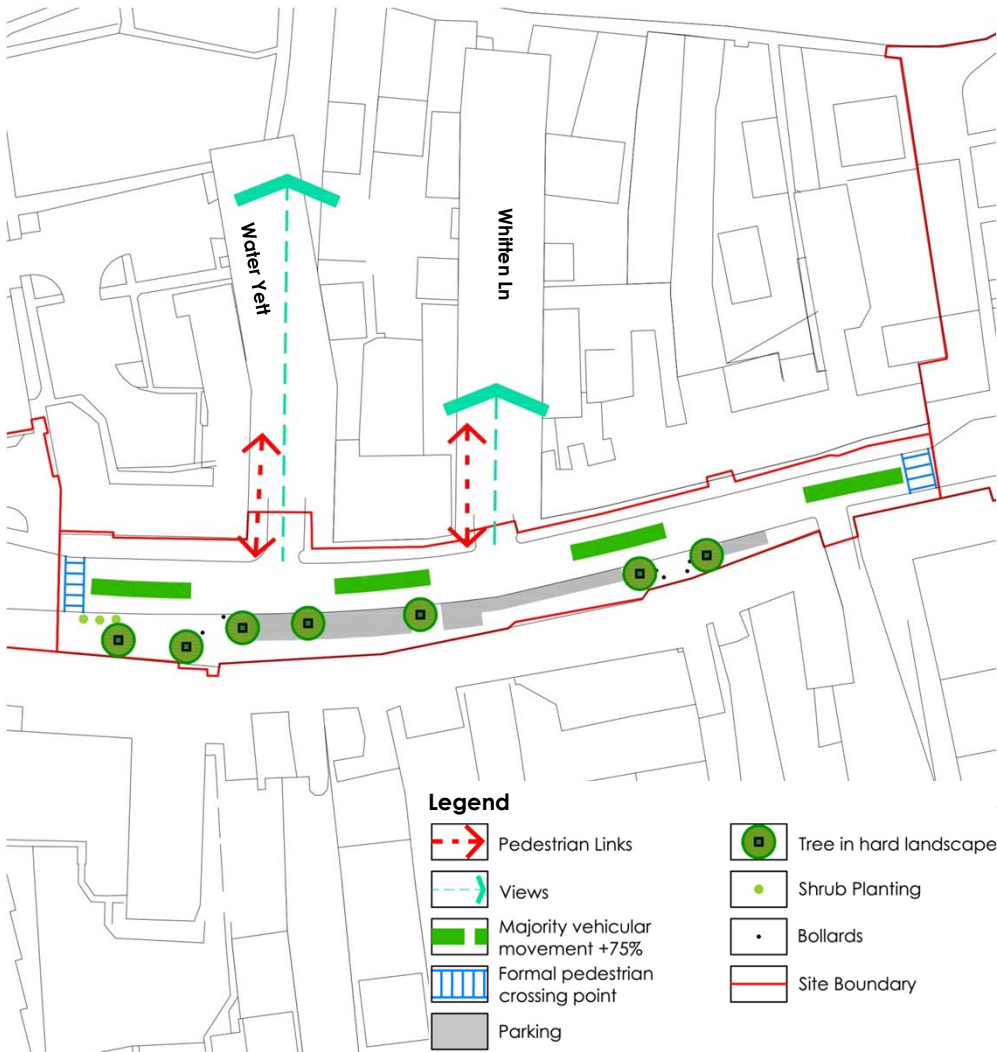
Right: Shop canopies provide interest in some building elevations.



Left: Epicormic growth on Lime trees obscures views.



Right: Abrupt change in surface materials at transition into character area.



Character Areas Appraisal

2.3 Area 3 Character Appraisal



Left: Low tree canopies obscure views to Linlithgow Loch from High Street.



Right: Uninviting dead-end space terminating in a blank wall.



Left: Modern shop frontages and poor street tree planting detract from the High Street.



Right: Rendered concrete walls create unused isolated spaces between the Vennel and High Street.



Left: Modern flats and low tree canopies restrict views to Linlithgow Loch from town centre.



Right: Poor quality paving, walling and tree planting detracts from public realm and discourages use of space.



Character Areas Appraisal

2.4 Area 4 Character Appraisal



Left: Well used public open space at The Cross with high quality materials and street furniture.



Right: Poorly defined pedestrian route from The Cross discourages access to The Peel.



Left: High quality paving leading up to Linlithgow Palace and St Michael's church flanked by high stone walling.



Right: Architecturally uninspiring flattened development adjacent to The Cross.



Left: Poor quality implementation and attention to detail detracts from quality of materials and leads to potential trip hazards



Right: Example of absence of tree grille in hard landscape and lack of underground support for tree.

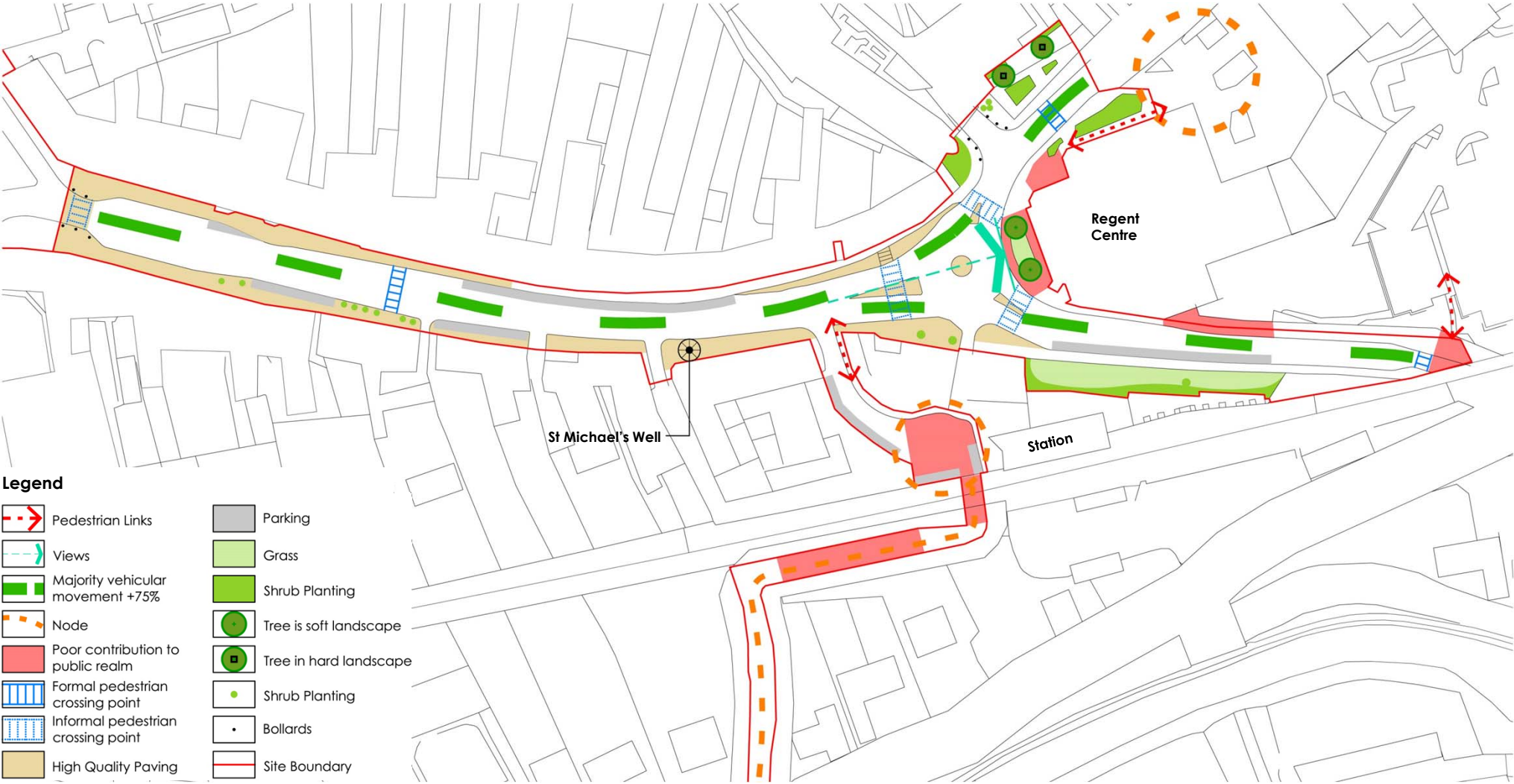
Legend

- Pedestrian Links
- Views
- Majority vehicular movement +75%
- Node
- Poor contribution to public realm
- Formal pedestrian crossing point
- Informal pedestrian crossing point
- High Quality Paving
- Parking
- Grass
- Tree in soft landscape
- Tree in hard landscape
- Shrub Planting
- Bollards
- Site Boundary



Character Areas Appraisal

2.5 Area 5 Character Appraisal



Character Areas Appraisal

2.5 Area 5 Character Appraisal



High quality existing stone materials could be reused to resolve levels issues.



Examples of high quality street furniture. Inappropriately placed and under used cycle parking.



Herbaceous planting adds variety and seasonal colour.



Poorly lit, unsightly and uninspiring underpass leading to Station Road immediately adjacent to train station exit.



Poor quality blank rendered wall detracts from appearance of High Port and the arrival into the town from the south



Numerous level changes impede pedestrian flow.



Area well used by Low Port School as a gathering point at peak times but poor paving and layout of space detract from entrance to Linlithgow.



Visual focus at east end of High Street is terminated by low quality architecture.



Entrance to station dominated by car parking and vehicular movement. Uninviting underpass leading to Station Road with no sense of what lies beyond.

3.0 Town Improvements

Illustrated key concepts for each character area identified in the appraisal for improvements to public realm and architecture along High Street include the West Port, High Street, The Vennel and Station Road. These locations were highlighted as making a poor contribution to the historic public realm of Linlithgow High Street and as having potential for improvement in terms of quality and use of space.

Key objectives for the Public Realm:

- Enhance the existing character of High Street
- Improve ease of movement for pedestrians
- Improve legibility of public realm
- Improve less visually attractive areas
- Promote a co-ordinated and cohesive streetscape appearance and typology that reflects the historic core of High Street
- Ensure natural surveillance and improve visual and physical connections to adjacent open spaces

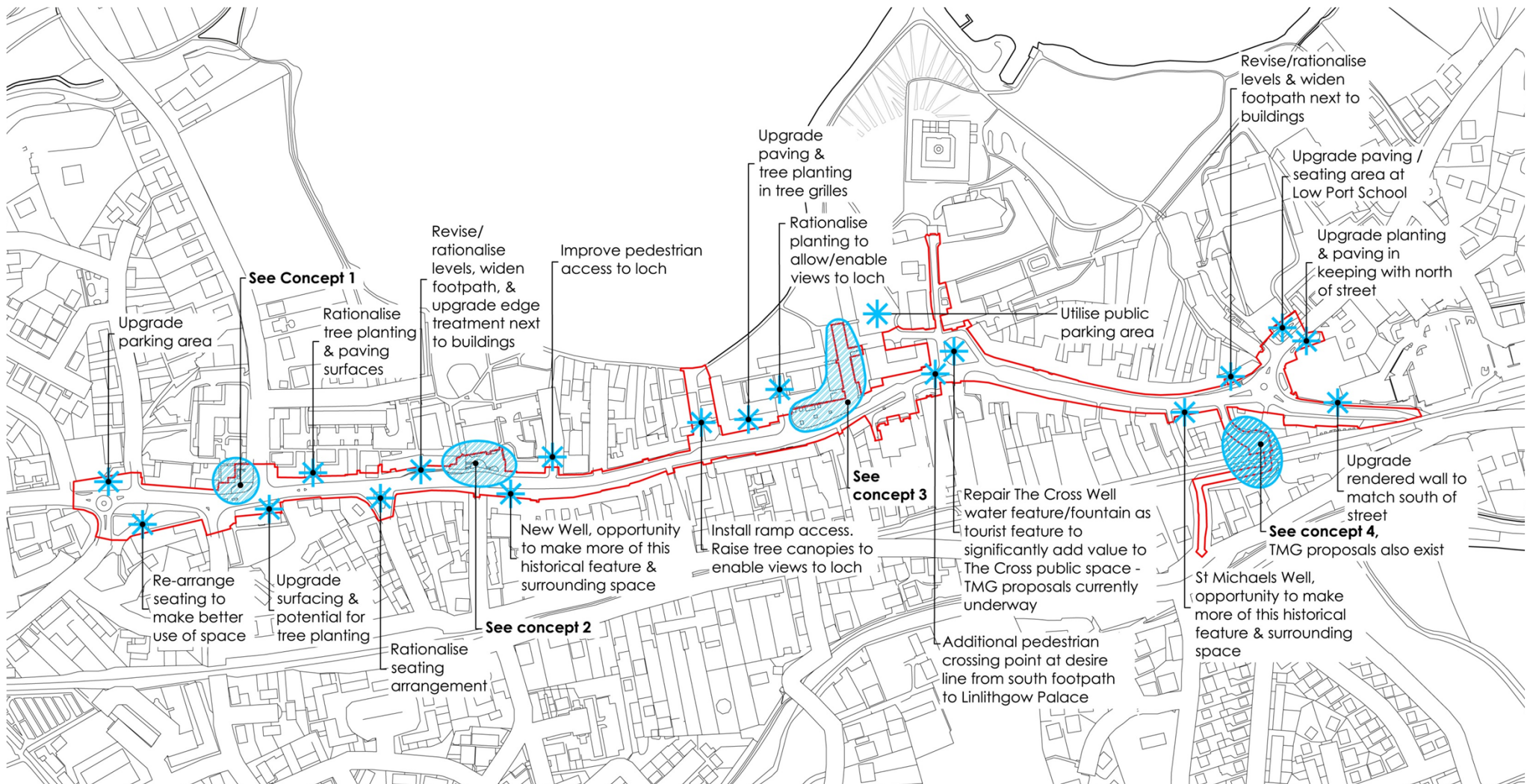
In addition to the key concept ideas specific recommendations are made along the length of High Street. These recommendations could be considered in isolation or as a series of interventions ranging from low key operations such as raising tree canopies to allow views to the Loch, to more significant works such as rationalising footpath levels and surfacing, see plan for further details.

The key concepts provide aspirations for environmental improvements, they are not prescriptive and should be used to inform professionally prepared and well considered detailed designs which will require planning consent prior to implementation of works.



Concepts for Improvement

3.1 Town Improvements Plan

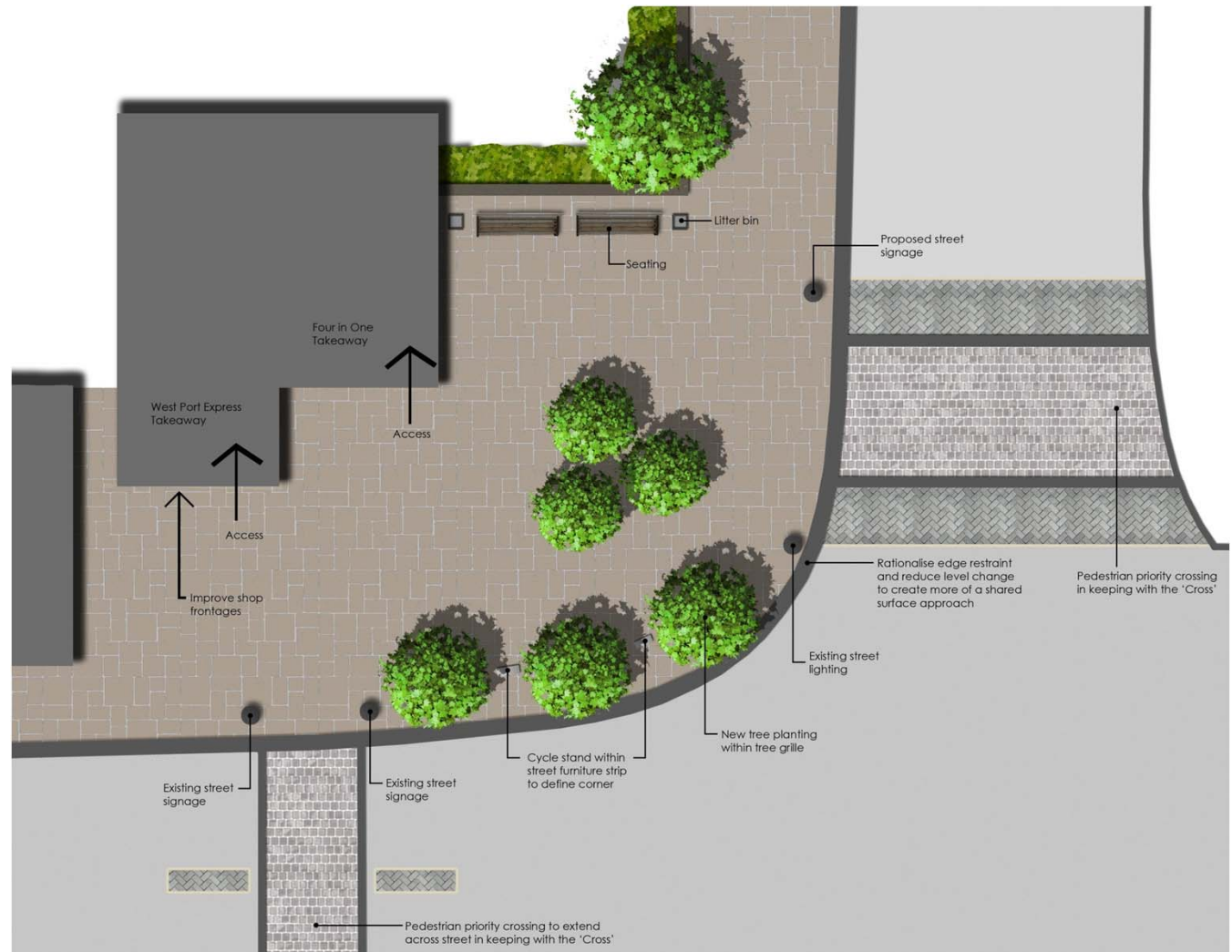


Concepts for Improvement

3.2 Key Concept 1 - West Port

Aspirations for defining features of the public realm and improving the relationship of the street corner with immediate surroundings could include:

- Establishing good quality street trees
- Installing improved quality hard landscape/paving materials
- Installing complimentary street furniture to define edge of pavement
- Installing seating to encourage use of the space
- Removal of unsightly concrete bollards
- Creating pedestrian priority paved road crossing points

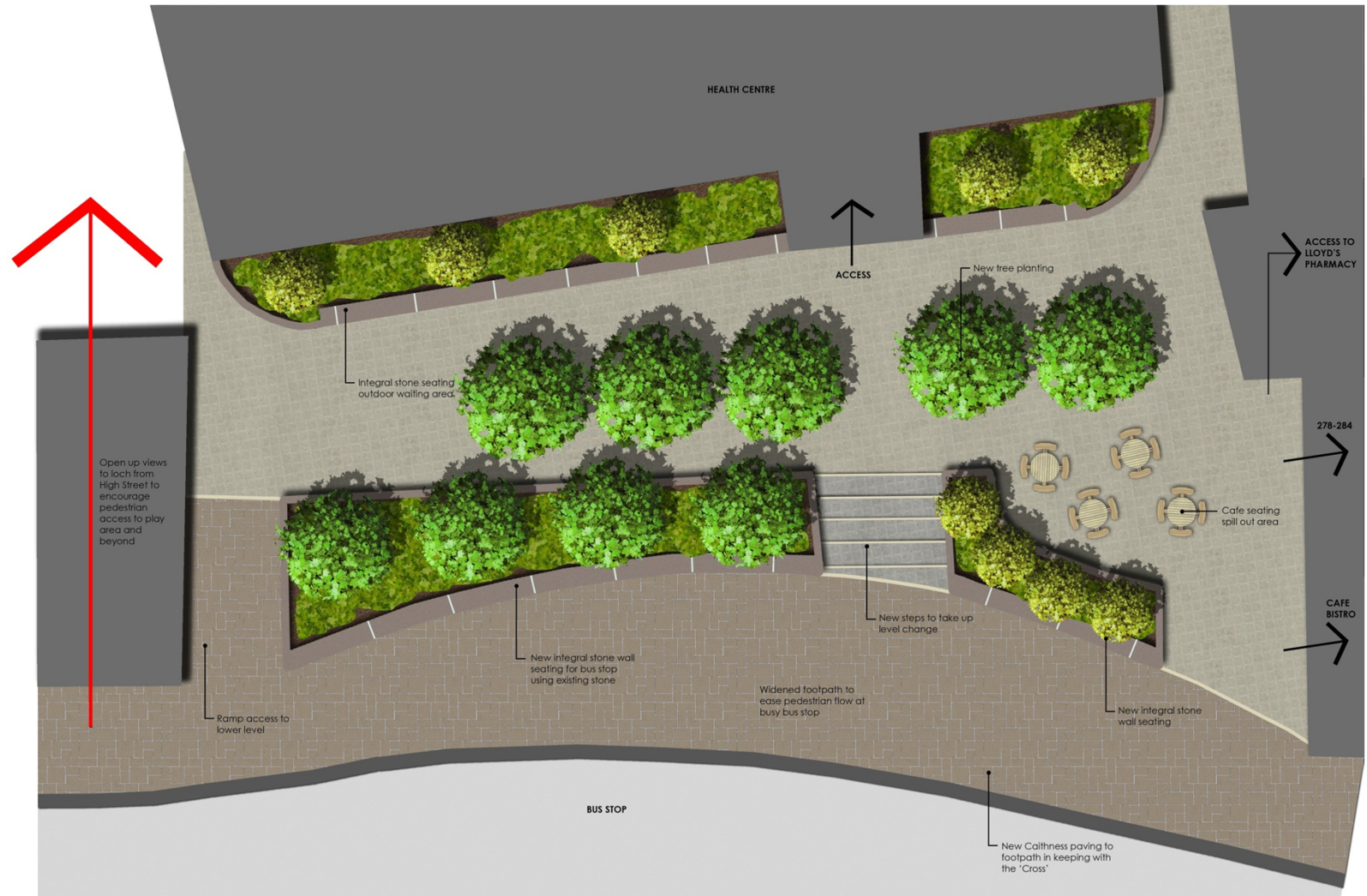


Concepts for Improvement

3.3 Key Concept 2 – Linlithgow High Street at the Health Centre

Aspirations for defining features of the public realm and improving functionality of the open space between the footpath, bus stop, health centre and to play area beyond could include:

- Establishing good quality tree and shrub planting
- Installing high quality hard landscape/paving materials
- Installing integral seating to encourage use of the space and accommodate level changes, possibly re-using existing stone
- Ensuring ease of access to buildings for all users
- Widening footpath adjacent to bus stop to improve pedestrian movement

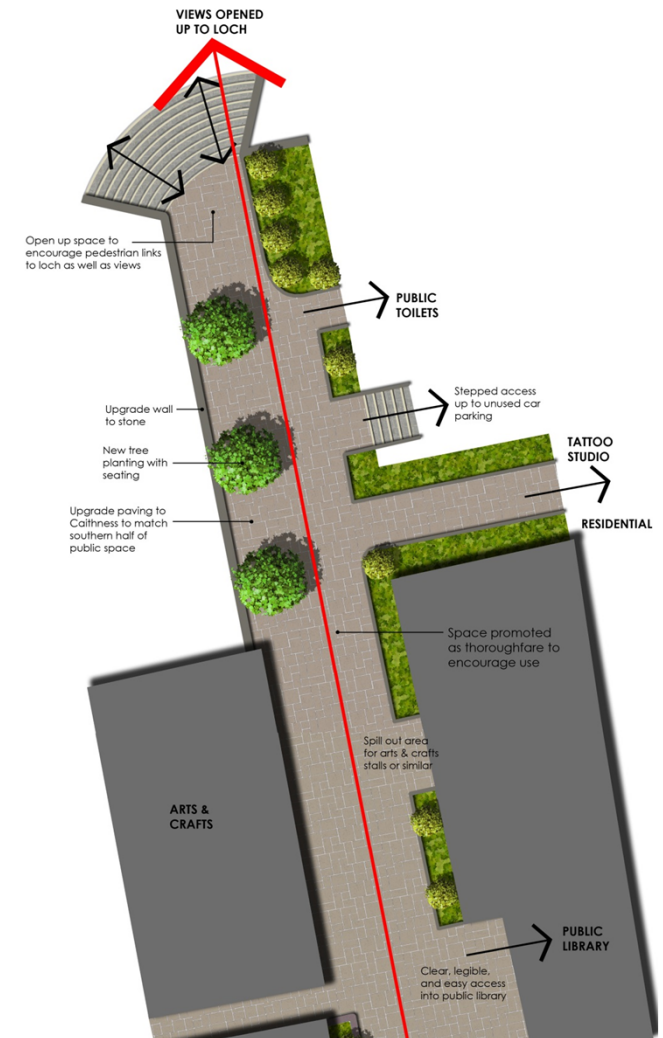
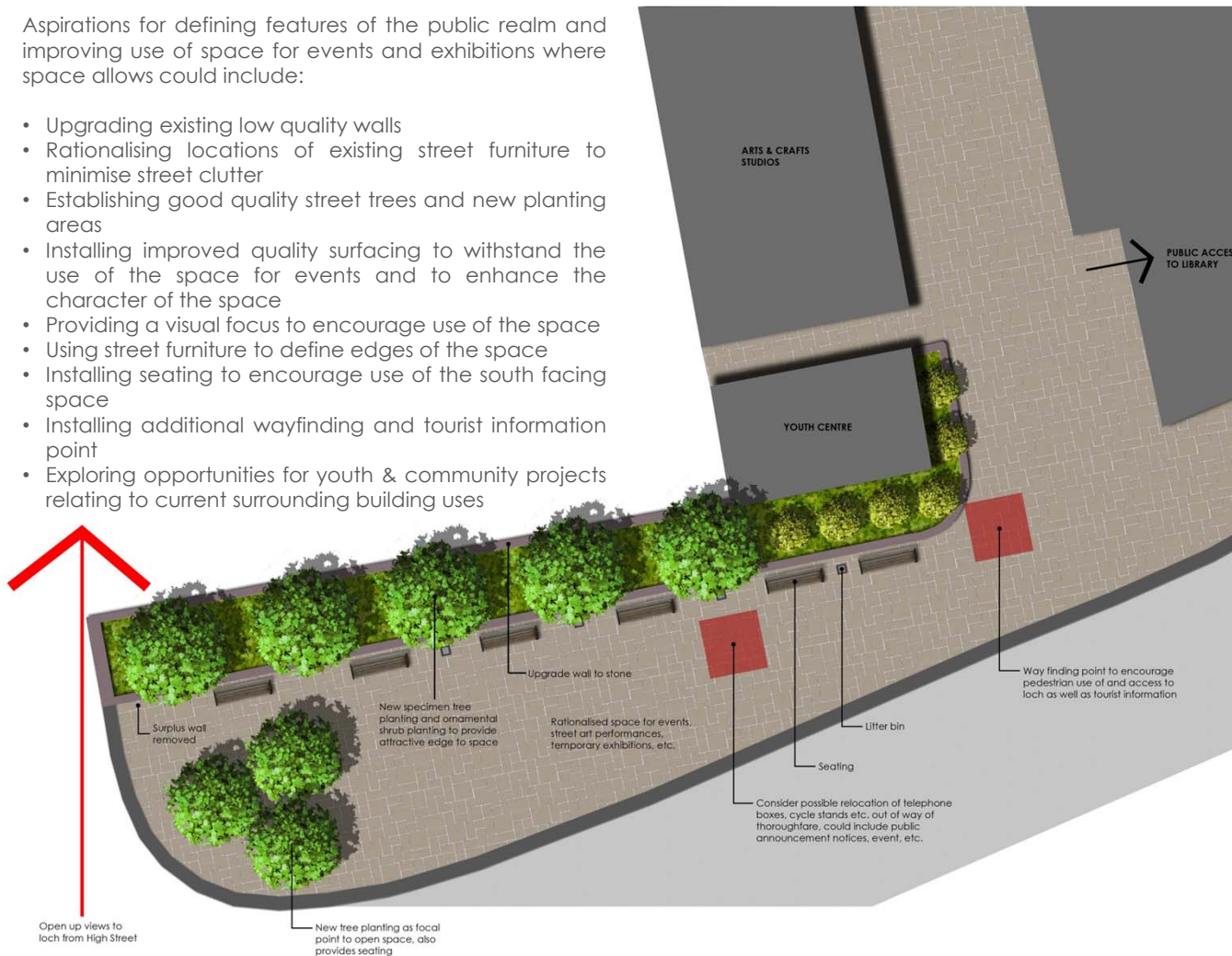


Concepts for Improvement

3.4 Key Concept 3 – The Vennel

Aspirations for defining features of the public realm and improving use of space for events and exhibitions where space allows could include:

- Upgrading existing low quality walls
- Rationalising locations of existing street furniture to minimise street clutter
- Establishing good quality street trees and new planting areas
- Installing improved quality surfacing to withstand the use of the space for events and to enhance the character of the space
- Providing a visual focus to encourage use of the space
- Using street furniture to define edges of the space
- Installing seating to encourage use of the south facing space
- Installing additional wayfinding and tourist information point
- Exploring opportunities for youth & community projects relating to current surrounding building uses

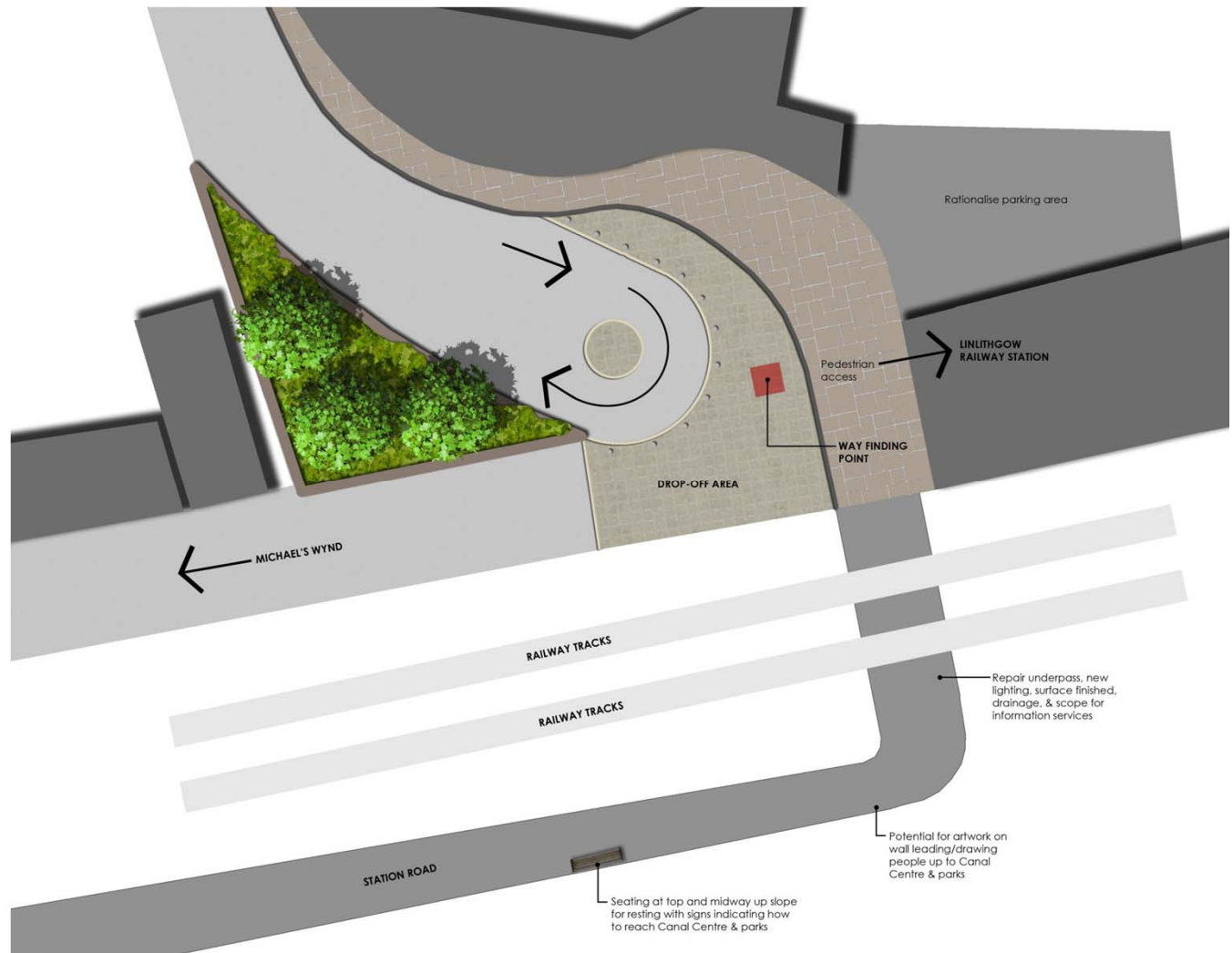


Concepts for Improvement

3.5 Key Concept 4 – Station Road

Aspirations for defining features of the public realm and improving arrival drop off area at the train station would require detailed discussion with and the consent of Network Rail and could include:

- Renovating the underpass, to improve the quality of surfacing and lighting
- Rationalising road layout, parking area and pedestrian access/ drop off area
- Establishing good quality street trees and shrub planting
- Installing high quality hard landscape features and paving materials
- Installing additional of wayfinding point and tourist information



Concepts for Improvement

3.6 Architectural Recommendations Location Plan



Concepts for Improvement

3.7 Architectural Recommendations

The following recommendations are made for the buildings along Linlithgow High Street as extracted from the Architectural Appraisal in Appendix 1. For full details on the appraisal of the built form and Linlithgow High Street's Architecture please refer to Appendix 1.

1	12-14 Westport: The Black Bitch Inn	Some slipped slated requiring attention. Non-traditional windows in No 12 should be replaced with traditional 12-pane sash and case when opportunity presents. Some weeds growing on ledges r.h.
2	6.8 Westport: Four in One takeaway	Improvements to reduce the visual impact of the ugly steel chimney might be considered.
3	318-348 High Street	Some repairs to rainwater goods and harling would improve this façade. Proliferation of satellite dishes detracts.
4	290-316 High Street	Some repairs to rainwater goods and harling would improve this faced. Proliferation of satellite dishes detracts.
5	264-284 High Street	Proliferation of satellite dishes detracts.
6	258-260 High Street	Dormers and rainwater goods in need of maintenance.
7	246-248 High Street	Dormers and rainwater goods in need of maintenance. Frontage includes flags on poles, and an unused bracket for a hanging sign.
8	238 High Street	Missing chimney pots. Weeds growing at roof level.
9	230 High Street	First floor windows, right and centre are new in heritage colours, but left is in need of matching replacement.
10	226-228 High Street	Lost chimney-stack to left l.h. and weeds growing in the roof here. UPVC windows in dormers should be replaced with traditional 12-pane sash and case when opportunity presents.
11	224 High Street: The Baird Hall	Front windows in need of maintenance. Replacement of the windows with a style better suited to original character of the building's heritage could be considered.
12	212, 214 High Street	Façade includes brackets for flagpoles, unused.
13	56-99 The Vennel	Weeds growing on various ledges and roofs.
14	28 The Vennel	Harling and parapet cappings in need of maintenance. UPVC windows.
15	The Cross	The fountain was repaired circa 2005, but is no longer functioning. To have running water in the Cross Well's fountain would add significantly to the value of this area as a public space.
16	114 High Street	Small but significant building in a key location in the town, in need of general maintenance currently being refurbished (2014).
17	106,108 High Street:Hole in the Wall pub	Roof and segmental dormer in need of maintenance.
18	102,104 High Street	Dormer in need of general maintenance. Painted façade in need of maintenance. Non-traditional casement windows could be replaced with traditional 12-pane sash and case when opportunity allows. Missing chimney cans on l.h.
19	82-86 High Street: Dancewear	UPVC sliding sash windows should be replaced with traditional 12-pane sash and case when opportunity presents.
20	Victoria Jubilee Hall	2014: Local Community Trust investigating potential future uses of the site.
21	78-80 High Street: Oyster Oyster	Poor quality top-hung windows would benefit from replacement with traditional 12-pane sash and case.
22	26-28 High Street	Missing chimney cans l.h.
22	10-18 High Street	Missing chimney cans.
23	297, 299 High Street: Westport House	Overgrown metal gate/path detracts.
24	247-255 High Street	Some weeds at roof level. Leaking rainwater pipe staining the façade.
25	259,261 High Street	Rounded front dormers in need of maintenance.
26	275 High Street	Some weeds at roof level.

Concepts for Improvement

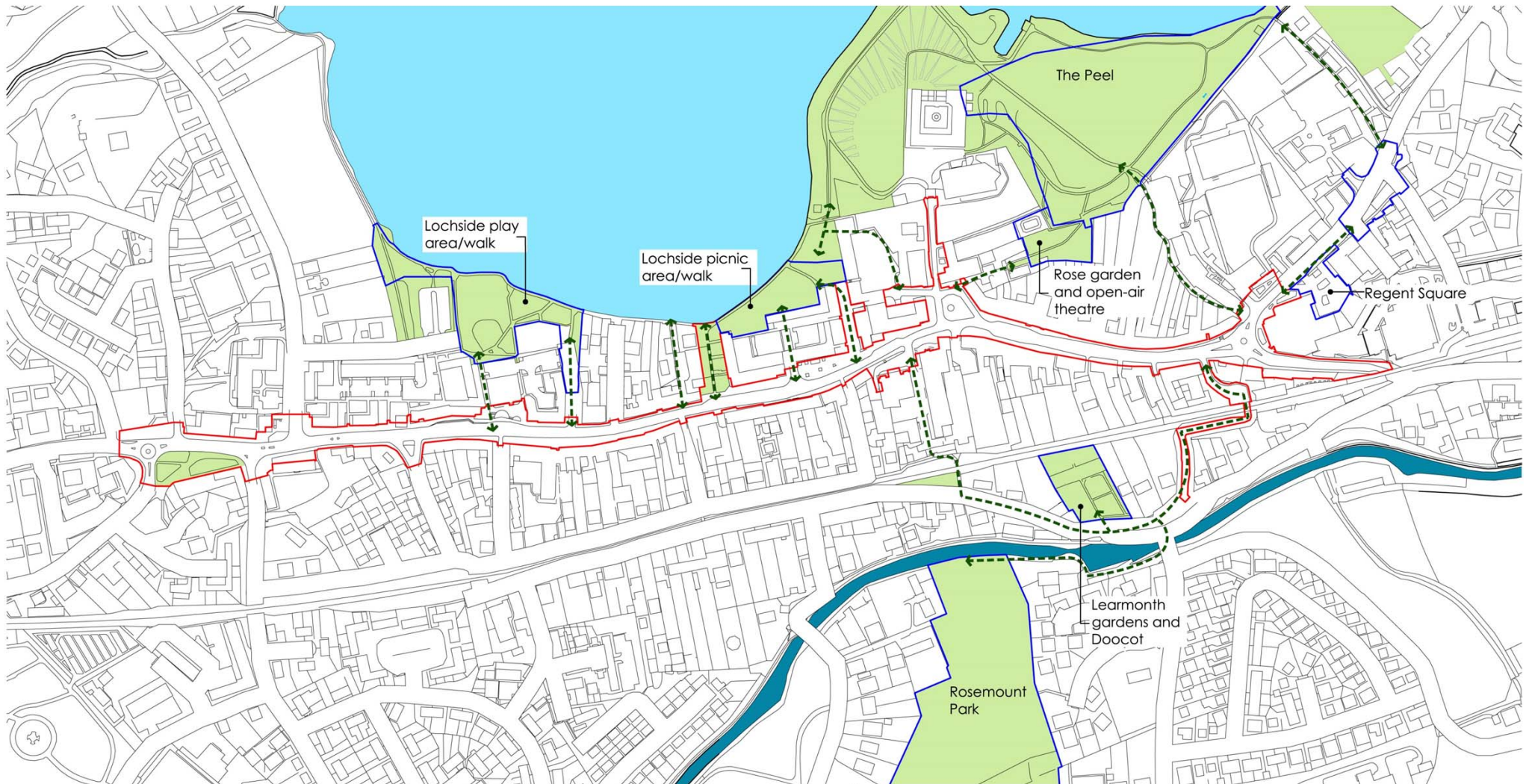
3.7 Architectural Recommendations cont.

27	245 High Street	First floor windows are non-traditional UPVC. Could be replaced with traditional 12-pane sash and case windows if opportunity presents.
28	161 High Street	Inappropriate metal door to central pend is out of character. Weeds growing l.h. chimney stack.
29	165 High Street	Weeds in chimney stack. Painted finish on upper floor in need of maintenance.
30	169-173 High Street	Dormers in need of maintenance.
31	177,179 High Street: The Crown Arms	Rounded front dormer in need of maintenance. Top floor windows are non-traditional UPVC. Could be replaced with traditional 12-pane sash and case windows if opportunity presents.
32	145 High Street	Top storey Windows might be replaced with 12-pane sash if opportunity presents.
33	147 High Street	Windows might be replaced with 12-pane sash and case to match 149 if opportunity presents.
34	111,113,115 High Street: Football & Cricketers Inn	Dormers in need of maintenance.
35	123-127 High Street: Shoemaker's land	Modern metal entrance door is out of character. Consider replacement if opportunity presents.
36	Former Sherriff Courthouse	Weeds growing on ledges l.h. elevation
37	107-109 High Street	Weeds growing in chimney r.h.
38	63 High Street	Weeds growing in l.h. chimney
39	73-75 High Street	Traditional timber shopfront requiring maintenance r.h. end to prevent loss of detailing. Detail already lost l.h. end. Shopfront improvement grant could help to repair this.
40	77,79 High Street	Dormer in need of maintenance.
41	89-91 High Street	Weeds growing in parts of the frontage. l.h. finial top is absent.
42	43,45,47 High Street	Weeds growing in pediment. Missing chimney cans.
43	49,51 High Street	Leaking gutter in centre causing staining. Possibly hopper blocked with weeds.
44	57,59 High Street	White plastic pipework on the frontage detracts and should be replaced with cast iron, painted to match stone.
45	59-61 High Street	Plants growing in façade, l.h.
46	23-27 High Street	Weeds growing in chimney head r.h
47	St Michael's Well	Painted finish on carving now faded. The adjacent air quality monitoring equipment (2013) detracts significantly.
48	St Michael's Well: Air Monitoring Equipment.	Modern beige metal air monitoring equipment, out of character with surroundings.
49	From Lowport to Highport. This area has suffered from lack of attention for many years.	Rear wall of the service yard for Tesco is in need of routine maintenance. The railway bridge heading out towards Edinburgh Road could be much improved, and the historic gateway which once led into the Nobel factory is in need of maintenance. Weeds growing in the Nobel gateway and on the stonework of the railway bridge.
50	Disused water trough, stagnant water. Potential health risk.	Better use could be made of this feature
51	Railway bridge spanning across the Edinburgh Road.	This entrance to the town from Edinburgh Road is in poor condition. Weeds growing in the stonework, utilitarian signage, poor paint finish, soiled and stained stonework. No clear indication of which way to go to enter the town centre. Opportunities may exist for a better welcome to the town at this point.
52	Pedestrian underpass and route leading up to canal basin. Underpass recently cleaned.	No signage linking town centre to canal basin. Opportunity for significant improvement to this route.
53	Railway Station: Listed Grade C	Some weeds growing on ledges

4

Pedestrian & Cycle Linkages & Wider Connections

4.0 Potential Linkages to Green Space Plan



Linkages & Wider Connections

4.1 Linkages to Green Space

4.1.1 Improved Access to Public Open Spaces

There are a number of open spaces that are closely associated with the town centre, some of which are not obvious and as a consequence are not used to their full potential. There are opportunities for enhancing connections and defining key pedestrian linkages with these spaces and the following recommendations are made for improving access and connectivity:

4.1.2 Improved Access and Connectivity to Lochside Areas

Local environmental improvements to areas that connect High Street to the Lochside, including creating pedestrian priority routes, restricting car parking and widening footpaths to minimum of 2m (e.g. at Water Yett), opening out views to the Loch to increase visual connectivity in key locations (e.g. at The Vennel and the health centre) .

4.1.3 Improved Access to the Union Canal

Environmental improvements to the areas that connect the station to the Union Canal are vital to encouraging use of the canal towpath and improving awareness of the Canal Centre and its adjacent open spaces. Improvements to the railway underpass and Station Road to encourage pedestrian and cycle access could include the provision of improved lighting, seating, handrails, steps and DDA compliant ramps. There are also opportunities to use the walls for artworks, indicating the presence of the canal and adjacent open spaces, to encourage movement up the hill.

4.1.4 Improved Access to The Peel

Local environmental improvements could enhance connectivity between the Low Port, Regent Square and The Peel via the Low Port Centre by encouraging pedestrian and cycle access separated from the parking areas. Existing connections to The Peel could be made more distinct through signage and clear footpath links defined from Provost Road past St Michael's Church to Linlithgow Loch and from The Cross through the Rose Garden via Market Lane.

4.1.5 Improved Access to Learmonth Gardens and Doocot

By improving access to the canal via Station Road, use of Learmonth Gardens and Doocot will increase. A second access route to Learmonth Gardens is achievable from High Street past County Buildings, passing under the railway and up Strawberry Bank. Local environmental improvements to the underpass and steps would improve and encourage access and signage would also enhance the legibility and pedestrian use of this link.

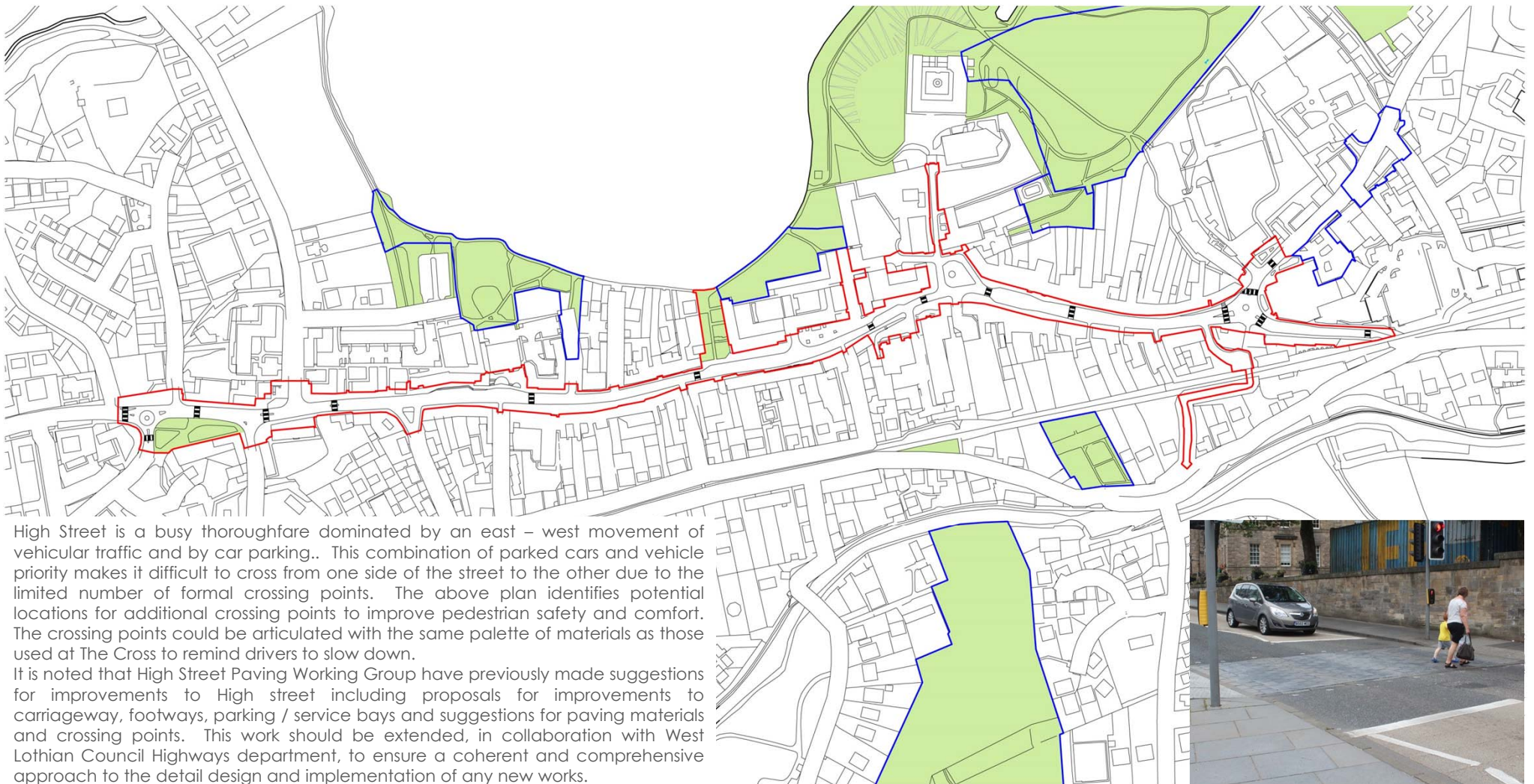
4.1.6 Improved Access to Rosemount Park

Currently Rosemount Park is relatively remote, being accessed via a poorly signposted woodland path to the north from Manse Road, an unidentified private road to the estate and a footpath link from a housing estate to the south west, which is again unidentified. Improving access and signage to Rosemount Park would greatly benefit its use and integration with the wider network of routes and spaces. Environmental improvements for access should provide a direct connection from the Canal Centre to the north of the park along the south side of the Canal.



Linkages & Wider Connections

4.2 Potential Pedestrian Crossings



High Street is a busy thoroughfare dominated by an east – west movement of vehicular traffic and by car parking.. This combination of parked cars and vehicle priority makes it difficult to cross from one side of the street to the other due to the limited number of formal crossing points. The above plan identifies potential locations for additional crossing points to improve pedestrian safety and comfort. The crossing points could be articulated with the same palette of materials as those used at The Cross to remind drivers to slow down.

It is noted that High Street Paving Working Group have previously made suggestions for improvements to High street including proposals for improvements to carriageway, footways, parking / service bays and suggestions for paving materials and crossing points. This work should be extended, in collaboration with West Lothian Council Highways department, to ensure a coherent and comprehensive approach to the detail design and implementation of any new works.



5.0 Urban Design Criteria Guidelines

These urban design criteria guidelines are intended to promote high quality public spaces and an urban realm appropriate for Linlithgow High Street. They provide an inventory of paving, furniture and planting for various design scenarios & implementation of the various elements that may arise in the short to medium term. The guidelines together with the concepts for improvements can also be used to provide an overview of spatial ambitions to initiate a range of diverse projects with different scopes and delivery timescales.

The guidelines are intended to reinforce the sense of place along High Street through the use of an integrated palette of materials, paving, street furniture and typologies. These guidelines are not striving for uniformity but aim to create a common design language to provide a recognisable street theme with indications of acceptable levels of material quality throughout the various zones within the public realm. These guidelines may be used to inform planning conditions.



Urban Design Criteria Guidelines

5.1 Surfacing

5.1.1 Surfacing

It is recognised that budgets for surfacing works will not always allow for high quality paving throughout the public realm therefore a range of quality of paving should be considered for less prestigious and locations with lower footfall. These materials should be specified to integrate with the colours and finishes of the local vernacular and be able to relate to the existing high quality paving (at the Cross for example) to ensure an overall consistency of public realm is achieved. The importance of good quality paving in high visibility locations to enhance the character of key spaces should not be overlooked.

The colours of all paving should integrate with the existing good quality paving found at The Cross to provide a coherent surfacing strategy along the length of High Street and the connecting routes and spaces, such as Vennels and wynds.

The following paving principles apply to the different areas of High Street:

5.1.2 High Quality Paving in high footfall areas

Use of Caithness paving slabs, granite setts, granite and whinstone kerbs and cobblestones

- Typical location: The Cross, The Health Centre, station, north side of High Street between The Cross and station



5.1.3 Moderate Quality Paving in medium footfall areas

Use of high quality concrete paving containing natural stone, such as Marshalls 'La Linia' or similar, in conjunction with use of 'Conservation' kerbs and occasional areas of natural stone detailing, such as granite setts. Colours of concrete paving should be in keeping and integrate with the grey colours of natural stone used in high quality areas

- Typical location: West Port, The Vennel and Low Port



Guidelines for footpath widths

- 2m width minimum along length of High Street, maintained clear of street furniture and other street clutter
- 3m width minimum in high footfall areas, maintained clear of street furniture and other street clutter
- All footpaths should be DDA compliant as far as possible.

Carriageways

Use of mainly black tarmac with the use of some granite and whinstone paving to highlight key areas such as additional informal crossing points, The Cross, the key viewpoint of the loch opposite St Peter's Church and the west and east entrance features along High Street.

Parking and Service Bays

Use of 'Tegula' block for parking bays, both on street and located within wide footways, delineated by kerb edges and drainage channels.

5.1.4 Cost Effective Paving in low footfall areas

Use of cost effective, but good quality concrete block paving such as Marshalls 'Tegula' or similar in colours to relate to the grey colours of natural stone used in high quality areas, for example Pennant Grey, Charcoal and Bracken.

- Typical location: Water Yetts, Strawberry Brae, Provost Road



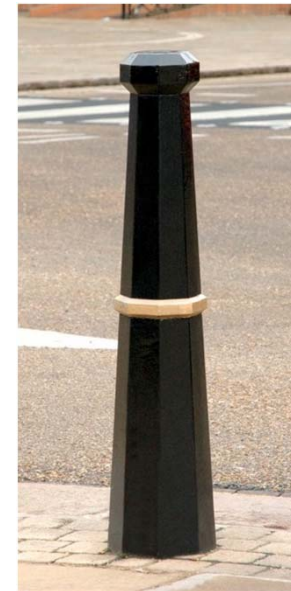
Urban Design Criteria Guidelines

5.2 Street Furniture

Easy access along the length of High Street is the priority and any street furniture or other elements associated with the streets should be rationalised to allow a clear pathway for pedestrian movement. This principle extends to the placement of signage, information boards, lighting poles, CCTV cameras, free standing hanging baskets and telephone boxes.

The use of bollards and railings should be kept to a minimum and only used where necessary. All new tree planting in hard landscape areas should include flush permeable surfacing, such as Arborezin, or tree grilles. Trees are to be located to avoid the need for tree guards.

Street furniture should be selected for its functionality and appearance whilst being robust and low maintenance. The use of a limited palette of furniture is crucial to ensure consistency along the length of High Street, preferably kept to a single type of black metal as is currently found at The Cross. Street furniture should be used consistently with the Linlithgow Black Bitch emblem to reinforce the sense of place and visual coherence.



Urban Design Criteria Guidelines

5.3 Planting

5.3.1 Trees

Consider the removal of poor quality, dead, dying and damaged trees and also trees where the mature size is inappropriate to its location and proximity to buildings. Consider works to trees, including raising canopies to allow key views to be opened up. Retain appropriate trees which are in good condition and provide additional good quality tree planting where the streetscape requires supplementing.

Generally, any new tree planting within the streetscape should be:

- Upright in form with a maximum mature canopy spread of 5m
- Good quality planting stock to BS3936
- Minimum size 18- 20cm girth and be either rootballed or containerised
- Clear stem 2.5-3m to allow views beneath

All trees planted in hard landscape should include tree grilles and appropriate underground guying and irrigation systems to promote good establishment and ease of maintenance.

Typical suitable street tree species include:

- *Tilia cordata* 'Greenspire'
- *Sorbus aucuparia* 'Streetwise'
- *Acer campestre* 'Streetwise'

The selection of trees within soft landscape areas should be appropriate to the function of the space and should consider provision of shade, screening, wildlife habitat, seasonal colour and landscape focus.

5.3.2 Shrubs

Consider removal of over mature shrubs and tall shrub planting where it blocks key sightlines and views.

Any new shrub planting should be comprised of a mix of evergreen and deciduous low level and groundcover species to prevent obstructing views, to maximise amenity value and to minimise maintenance. Appropriate shrub planting will provide structure for any herbaceous planting and ensure year round interest.

Typical suitable shrub species include:

- Skimma, Spiraea, Lonicera, Prunus, Euonymus, Potentilla, Hebe, Hedera and Pachysandra



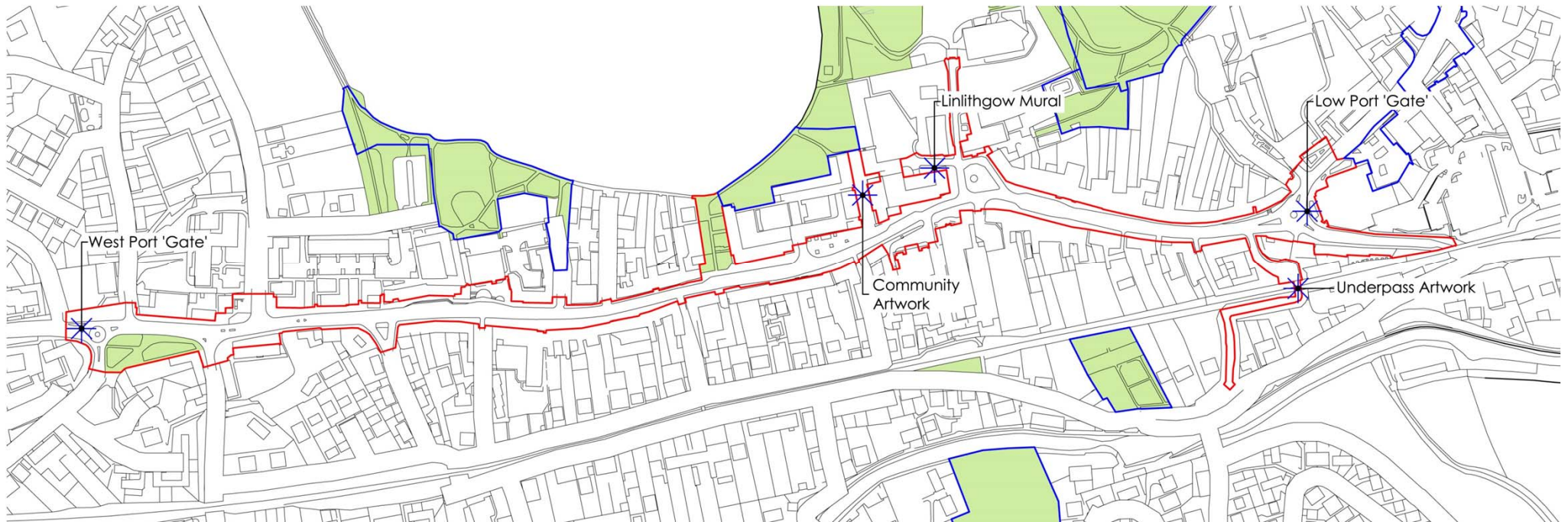
5.3.3 Herbaceous Plants

The use of herbaceous, bedding, hanging basket and 'food' planting carried out by local groups is invaluable. It enhances the local biodiversity, provides seasonal interest and also provides opportunities for local community involvement and education. This type of planting and is to be encouraged as part of a cohesive and planned strategy for environmental improvements along High Street.



Urban Design Criteria Guidelines

5.4 Public Art Strategy



Public art can be incorporated into the public realm in Linlithgow in a number of key locations as identified on the Town Improvements Plan, including:

- At West Port, Low Port and High Port to signal arrival into the town centre and reference the historical nature of the gates which once stood either end of the town. These should be complimentary to the historical references and refer to each other rather than individual one off pieces of art. The artwork could take the form of sculptural pieces, bespoke walling features or paving details and features.
- At the station underpass artwork could improve this bleak and uninviting route. Artwork could include lighting features and historical references to the canal and station.
- At the Vennel, artwork could improve the public image of this 1960s development which is adjacent to The Palace. The artwork should include historical references of The Palace and history of Linlithgow and could take the form of murals or wall freezes to utilise the blank and uninspiring rendered walls available on the building. There are opportunities to involve local youth and community art groups in this area.



Urban Design Criteria Guidelines

5.5 Cycle Provision, Lighting and Signage

5.5.1 Cycle Provision

Within the town centre there is a distinct under-provision of cycling facilities. These should be increased to foster sustainable travel for residents, businesses and tourists. Locations for cycle racks and dedicated cycle parking areas should link to public amenities, cycle ways, the station and the Union Canal. They should be sited in convenient locations, close to local services to encourage use.

Areas for cycle parking provision could include:

- The station;
- Tesco's supermarket
- The Library;
- The Health Centre; and
- The Palace and Burgh Halls

There is the opportunity for a bike hire facility to be implemented in the town centre (associated with cycle shops) or at the train station to encourage sustainable commuting and exploration of the town and further afield by tourists.



5.5.2 Lighting

Any new lighting within High Street and surrounding open spaces should be based upon the existing lighting strategy and avoid the introduction of more light standard posts in order to prevent further clutter of the pavements. Spaces should be well-lit for pedestrians and cyclists for example at The Vennel and Station Road, whilst avoiding unnecessary light spill in other areas such as Linlithgow Loch. The use of LED uplighters should be considered on listed buildings, wells and focal point trees along High Street where lighting provision is lacking.



5.5.3 Signage

Along High Street there already exists a series of layers of signage including wayfinding and interpretation; therefore any new signage needs to take this into account to provide a cohesive sign strategy that is not confusing or contradictory. Any new signage designs should be in keeping with the existing street signage already in existence along High Street and used sparingly to encourage legible and logical understanding of the spaces and movement from one area to another. Potential for new wayfinding points are identified in the key concept plans – the inclusion of maps in these signs could be useful for tourists to point out the key landmarks including The Loch, The Palace and Annet House and their current location relative to them.

Instances where new signage would be appropriate include:

- Routes which are not currently defined leading to open spaces from High Street including Union Canal, Rosemount Park and The Loch Play Area
- Routes to the Train Station and the Train Station itself



Urban Design Criteria Guidelines

5.6 Further Recommendations & Vision for Linlithgow High Street

1. Appoint a project lead officer to monitor all projects that are implemented in the town from an independent perspective;
2. Encourage improvements to colonnade covered pavements and wynds that link from High Street to Linlithgow Loch and to the south to encourage use and connectivity;
3. Promote direct access from High Street to connect with the Loch and surrounding open spaces;
4. Encourage property owners to carry out building maintenance on a regular basis via the Town Centre Management Group;
5. Use of heritage colours for architectural features instead of white, where it is appropriate.
6. Use of existing brackets for projecting hanging signs and flagpoles etc;
7. Stipulate that any restoration work or development work must preserve or enhance the character and appearance of the conservation area;
8. Preparation of Linlithgow Premises Improvements Guidelines for the town similar to those in place for Whitburn and Bathgate;
9. Preparation of a tree planting strategy where tree locations and species are identified to ensure the right tree is planted in the right place;
10. Inspect pavement surfacing annually for any damage or poor areas of paving and replace in accordance with the surfacing guidelines;
11. Enhance coherent areas to create links between the separate zones of the historical high street and embrace 'The Cross' at its centre;
12. Ensure that any transportation or circulation policy pays attention to pedestrians, people with disability and cyclists as this contributes significantly to the creation of a place that is pleasant to visit, live and work in;
13. Establish a co-ordinated and cohesive approach to any new development or alterations within High Street;
14. Instigate a fast track approval process for shop front signage, to enable new business ventures to have signage in place for the day their business opens;
15. Commission a comprehensive detailed design for the entire length of High Street to include carriageway, parking footway and crossing point locations, in collaboration with West Lothian Council Highways department; and
16. Use these public realm design guidelines to inform planning conditions.



6.0 Action Plan – Phasing Strategy

It is well documented that investment in public space and realm is required to create the catalyst to deliver an attractive public realm and Linlithgow is no exception. There are many revenue streams which are available and could be used to implement these guidelines over the short to medium term.

This section has been prepared in draft and will be completed following consultation with the various interest groups operating in the town and relevant departments in the local authority. This action plan is intended to inform future priorities based upon consultation responses.

Immediate items (in 2015)

- Put the Cross Well into working order;
- Repair deteriorating traditional shop fronts;
- Instigate a fast-track planning process for shop front/projecting signage;
- Prepare detail design, in keeping with the character of conservation area, and install disabled access ramp from High Street to the loch at the Vennel;
- Prepare detail designs to improve Station Road, the pedestrian underpass and the route to the canal (see concept 4) and implement the improvements;
- Prepare detail designs to improve The Vennel (see concept 3) and implement the improvements;
- Open up pedestrian access between County Buildings & the new McCarthy Stone development to allow direct access from High Street to the car park;
- Work with Network Rail to improve station underpass and access;
- Prepare detail designs to improve the paving along the length of the high street in consultation with the Council Highways team and High Street Paving Working Group and implement improvements;

Medium term items (2015-2017)

- Obtain access equipment to assist in repairs and maintenance to high level roofs and dormers, repainting, removal of plant growth, replace missing chimney cans etc.
- Improve the setting of St Michael's Well.
- Prepare detail designs to improve pedestrian area at Health Centre (see concept 2) and implement improvements;
- Prepare detail designs to improve the street corner at the West Port (see concept 1) and implement the improvements;
- Instigate public art projects to acknowledge the lost well heads (New Well, Lion Well, Dog Well and Westport Well) and maintain/repair existing well heads and water fountains.
- Improve the High Port (East port) railway bridge
- Ongoing process to remove satellite dishes, aerials etc. and replace with alternatives;
- Improve paving to parent waiting & seating area at frontage to Low Port School

Longer term items (2017 onwards)

- Reuse Vic Hall site
- Reuse County Buildings



Appendix 1

Linlithgow High Street's Architecture

1693 drawing Prospect of Linlithgow by John Slezer

Linlithgow High Street has a mix of building styles from different periods of history. Linlithgow once had many more gable frontages than at present, Georgian architects favouring wider frontages with horizontal cornice lines having gradually replaced the medieval buildings with their new aesthetic. Victorians architects, in their turn, revived the earlier skyline with their own gable-fronted and turreted additions to the streetscape, recalling an earlier 'baronial' feel.



Quote from German novelist Thedore Fontane dated 1858:

"[Linlithgow] is a little town like a thousand others and if anything in it is calculated to arouse our interest it is the circumstance that these tenement houses sometimes painted green and sometimes painted yellow remind us of our homeland and not of the towns of England which, though they have many other advantages, are wearying in their uniformity"

Linlithgow High Street's Architecture

Scope of this study

The scope of this study is limited to general comments on the current status of the public face of buildings fronting the main streets of the town from Westport to Lowport.

The High Street's buildings are considered into 5 distinct areas:

- Westport
- The West end
- The Cross
- The East end
- Lowport

We have also considered Highport, Station Road, Kirkgate and The Vennel.

General observations

Buildings facing Linlithgow High Street are well-maintained on the whole. However there are some common issues that could be addressed.

Access for maintenance to roof level is difficult in many cases. Weeds are commonly seen growing in chimney stacks and gutters and on stone ledges. High-level dormer windows, and top-storey windows are in need of general maintenance and repair in many instances.

Tackling such issues will require access equipment and temporary restrictions on footways/roads. A concerted effort by all stakeholders will be necessary to address these issues, as has been achieved successfully in other towns.

There are several premises with brackets for projecting hanging signs, flagpoles and the like that are not being used. Encouraging the reuse of such features can add character to the High Street

Window frames tend to be painted white, where the preference would be to use heritage colours where possible.

Linlithgow's Wells

Linlithgow's historic wells are a lost opportunity in the streetscape.

- The Cross Well (listed grade B) is not functioning.
- St Michael's Well (listed grade A) is dwarfed by ugly modern street furniture
- New Well (listed grade C) is entirely overlooked.
- Westport Well, Dog Well and Lion Well have all been lost entirely in the past few decades.

The old rhyme 'Glasgow for bells, Lithgow for wells' no longer rings true.

A determined effort to recapture some of this lost history could be made.

Other references

Linlithgow Civic Trust published a document in 2005 entitled "A Vision for Linlithgow 2005-2015". Some of the proposals in the 'Vision' have come to fruition, mostly funded by the Local Authority, but there are still many improvements that can be made to Linlithgow's public realm.

Linlithgow's businesses recently voted to create a Business Improvement District (BID) in the High Street. The BID will run for a minimum of 5 years, allocating funds to a number of improvement projects in the town. Projects initially proposed include the provision of town-wide free Wifi, a High Street footfall counter, and assistance for Linlithgow's Burgh Beautiful and Pride+Passion campaigns.

Linlithgow's Town Centre Management Group (TCMG) has a programme of projects within the town. Recent successes have included the new sundial sculpture Katie Wearie at the Westport, the addition of supports/poles for hanging baskets and a tidy-up regime for the railway underpass leading to the canal. Further projects are being proposed.



The North side of the High Street: Westport

The Westport area

Originally the Western gateway into the Royal Burgh. The gateway and wall were removed circa 1800 when this area was redeveloped.



Westport flats.
Constructed 2004,
incorporating former
Victorian school
building on this site.
Asymmetrical facades.
Contemporary style.
Harled, concrete block
and timber
weatherboard walls.
Aluminium window
frames
Slate roof
Architects: Cooper
Cromar

Longcroft Hall:
Not listed?
Carved plaque in
gable "Infant School
1809"
Asymmetrical facade.
Cream sandstone
Slate roof
Timber sash and case
windows.
Finialled gables

26 Westport:
Listed Grade C.
Cream sandstone with
slate roof.
Refurbished 2013 and
incorporated into the
adjacent Westport
Hotel.
Heritage colours used
to good effect.

Westport Hotel:
Not listed?
Constructed 1935
Painted and ruled
harling with slate roof.
Refurbished 2013.
Heritage colours used
to good effect.
Dormers include finials

Original bracket for
projecting sign at r.h,
no sign attached.

CCTV camera on
projecting bracket at
l.h.

The North side of the High Street : West End

From Westport to The Cross



12-14 Westport:
The Black Bitch Inn:
Listed Grade C.
19th century.
Ruled and lined harling.
Slate mansard roof.

Evidence of earlier demolished
building to r.h. gable.

Some slipped slates requiring
attention

Non-traditional windows in No
12 should be replaced with
traditional 12-pane sash and
case when opportunity presents.

Some weeds growing on ledges
r.h.

6,8 Westport:
Four in One takeaway:
20th century infill, out of
character with its
neighbours.

Improvements to
reduce the visual
impact of the ugly steel
chimney might be
considered.

374-396 High Street:
Flatted development
circa 1970.
Metal roof, UPVC
windows.

The Crown Inn once
stood on this site (maps
1820 and 1895), with
the Westport Well in the
street adjacent, now
lost.

The modern buildings in
this area followed slum
clearance in the
1960's, with significant
loss of historic
townscape. The
redevelopment of this
area also removed
disused tanneries and
gas works that
occupied the land
between High Street
and Linlithgow Loch,
preventing access to
the loch-side.

The North side of the High Street : West End

From Westport to The Cross



350-372 High Street:
Flatted development
circa 1970.
Metal roof, UPVC
windows.



318-348 High Street:
Flatted development
circa 1975.
Harled walls under a
mix of slate and tiled
roofs.
Design includes
colonnaded walkway
over the pavement,
historically a common
feature of Linlithgow
High Street largely lost
by 1900.

Some repairs to
rainwater goods and
harling would improve
this façade.
Proliferation of satellite
dishes detracts.

The modern buildings in
this area followed slum
clearance in the
1960's, with significant
loss of historic
townscape. The
redevelopment of this
area also removed
disused tanneries and
gas works that
occupied the land
between High Street
and Linlithgow Loch,
preventing access to
the loch-side.

The North side of the High Street : West End

From Westport to The Cross



290-316 High Street:
Flatted development
circa 1975.
Harled walls under a
mix of slate and tiled
roofs.
Design includes
colonnaded walkway
over the pavement,
historically a common
feature of Linlithgow
High Street largely lost
by 1900.

The modern buildings in
this area followed slum
clearance in the
1960's, with significant
loss of historic
townscape. The
redevelopment of this
area also removed
disused tanneries and
gas works that
occupied the land
between High Street
and Linlithgow Loch.

286,288 High Street:
Linlithgow Health
Centre

264-284 High Street:
Retail/Flatted
development circa
1975.
Harled walls under a
mix of slate and tiled
roofs.

Some repairs to
rainwater goods and
harling would improve
this faced.
Proliferation of satellite
dishes detracts.

The North side of the High Street : West End

From Westport to The Cross



264-284 High Street:
Retail/flatted
development circa
1975.
Harled walls under a
mix of slate and tiled
roofs.
Design includes a
colonnaded walkway
At the Water Yett.

Proliferation of satellite
dishes detracts.

Water Yett, leading to
Linlithgow's loch-side
car park

258-260 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground
floor.
Symmetrical upper
floor and dormers.
Rounded fronts to
dormers.
Cream sandstone
under slate roof.
Traditional 12 pane
sash and case
windows.

Dormers and rainwater
goods in need of
maintenance.

250-256 High Street:
Not listed?
Note the rounded
fronts to the dormers.

246-248 High Street:
Listed Grade C.
The Swan Tavern.
Early 19th century.
Asymmetrical ground and
first floor.
Cream sandstone under
slate roof with traditional
sash and case windows.
Good example of
traditional shopfront in
heritage colours.

Dormers and rainwater
goods in need of
maintenance.

Frontage includes flags on
poles, and an unused
bracket for a hanging sign.

Note the curved stonework
at the corner with Whitten
Lane

The North side of the High Street : West End

From Westport to The Cross



238 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground and.
Regular but asymmetrical first floor.
Cream sandstone under slate roof.
Traditional 4-pane sash and case windows.

Note the curved stonework on the corner with Whitten Lane.

Missing chimney pots.
Weeds growing at roof level.

232-236 High Street:
Listed Grade B.
Early 19th century.
Asymmetrical ground floor.
Symmetrical first floor.
Central parapet apex (compare to 257 High Street)
Arched carriage pend.
Painted sandstone under slate roof.
Traditional 12-pane sash and case windows in heritage colour.

Mansard roof.

230 High Street:
Not listed.
Symmetrical ground floor, not centred on the symmetrical first floor.
Modern dormers and mansard roof.

First floor windows, right and centre are new in heritage colours, but left is in need of matching replacement.

226-228 High Street:
Not listed.
Note the rounded front dormers.

Lost chimney-stack to left l.h. and weeds growing in the roof here.

UPVC windows in dormers should be replaced with traditional 12-pane sash and case when opportunity presents.

224 High Street:
The Baird Hall.
Listed Grade C.
Late 19th century former school house.
Symmetrical façade.
Architects: Brown & Wardrop.
Converted to dwelling.

Façade follows an earlier building line.

Front windows in need of maintenance.
Replacement of the windows with a style better suited to original character of the building's heritage could be considered.

The North side of the High Street : West End

From Westport to The Cross



222,224 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground floor.
Symmetrical first floor.
Upper storey windows are smaller.
Cream sandstone under slate roof.
Traditional 12-pane sash and case windows

One of many properties with the street number neatly painted in a circle on the stonework beside the door.

220 High Street:
Listed Grade C.
Early 19th century.
Symmetrical ground floor off-centre compared to the symmetrical first floor.
Painted stone under slate roof.
Traditional 12-pane sash and case windows

Refurbished 2012

216,218 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground floor.
Symmetrical first floor.
Cream sandstone under slate roof.
Traditional 12-pane sash and case windows
Note the rounded front dormer.

212, 214 High Street:
Listed Grade B.
Early 19th century.
Asymmetrical ground floor with arched carriage pend.
Near symmetrical first floor.
Cream sandstone under slate roof.
Traditional sash and case windows.

Evidence of earlier demolished building to r.h gable.

Façade includes brackets for flagpoles, unused.

Open space, access to loch-side.



The North side of the High Street : The Vennel

From Westport to The Cross



56-99 The Vennel:
Retail and flatted
development circa
1970.
Harled walls under a
flat roof.

Weeds growing on
various ledges and
roofs.

The modern buildings in
this area followed slum
clearance in the
1960's, with significant
loss of historic
townscape. The
redevelopment of this
area also removed
disused tanneries and
gas works that
occupied the land
between High Street
and Linlithgow Loch,
restricting access to
the loch-side.

28 The Vennel:
Retail unit circa 1970.
Harled walls under a
flat roof.

Harling and parapet
cappings in need of
maintenance.
UPVC windows.

The Vennel precinct.

In 2015 Linlithgow's
library is due to vacate
the premises at the
Vennel, moving into
the County Buildings as
part of the Partnership
Centre. The future of
the vacant unit is not
known, but the closure
will have a significant
impact on the Vennel
precinct.

The North side of the High Street : The Vennel

From Westport to The Cross



Linlithgow Library:

In 2015 the library is due to vacate the premises at the Vennel, moving into the County Buildings as part of the Partnership Centre. The future of the vacant unit is not known, but the closure will have a significant impact on the Vennel precinct.

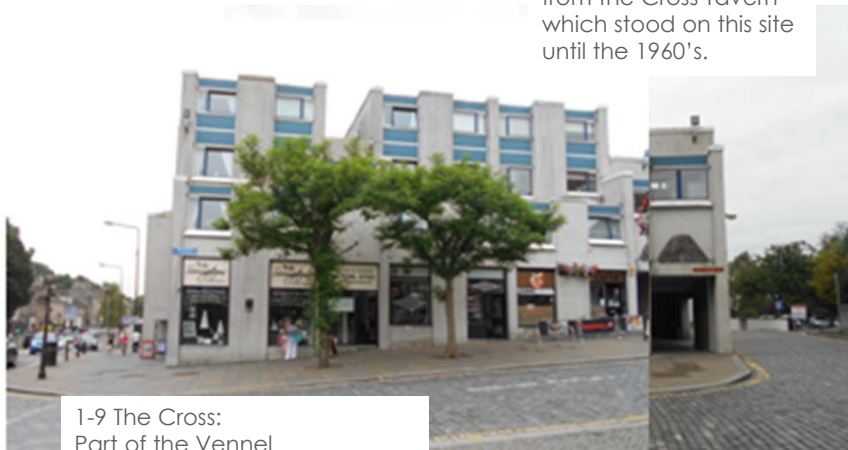
1-29 The Vennel:
Retail and flatted development circa 1970.
Harled walls under a flat roof.

The Vennel development is not popular with today's Linlithgow residents who feel it detracts from the historic character of the town. Designed by Architects Rowand Anderson Kininmonth & Paul in 1967 it was awarded a Saltire Society award for good design in 1969.

The modern buildings in this area followed slum clearance in the 1960's, with significant loss of historic townscape. The redevelopment of this area also removed disused tanneries and gas works that occupied the land between High Street and Linlithgow Loch.

The North side of the High Street : The Cross

The Cross



Carved pediment dated 1675. This came from the Cross Tavern which stood on this site until the 1960's.

1-9 The Cross:
Part of the Vennel development of 1967.
The 1969 Saltire Society award is commemorated by a bronze plaque on this façade.

The Burgh Halls, clock tower and forestairs:
Listed Grade A.
Was for centuries Linlithgowshire's municipal buildings.
Originally 1668. Façade carries the carved inscription " Destroyed by fire 1847 restored 1848 Adam Davidson, Bonnytown Provost"
Clock tower added 1857.
Forestairs designed by W Scott 1906.
Interior alterations by Rowand Anderson Kininmonth and Paul in 1963.
Upgrade and extension 2011 by Malcolm Fraser Architects.
12-pane sash and case windows in heritage colours.
Thistle, rose and fleur-de-lis carvings above windows (more decorative on the back elevation).

12 The Cross:
Listed Grade C.
Late 19th century.
Altered 1968 by Rowand Anderson Kininmonth & Paul.
Cream sandstone, slate roof.
Symmetrical façade.

14 The Cross:
Listed Grade C.
Late 19th century.
Symmetrical façade including nepus gable.
Hopperheads decorated with dragons.
Cream sandstone, slate roof.
Ground floor used as Post Office prior to 1904.

11 The Cross:
Listed grade C.
19th century
Cream sandstone with slate roof.
Traditional sash and case windows, mostly 8-pane.

Effective use of heritage colours in the shopfronts.

5 The Cross: Cross House:
Listed Grade A.
Circa 1700.
Harled and painted stone under a slate roof.
Asymmetrical ground floor.
Near symmetrical upper floors.
Traditional 12-pane sash and case windows.



The North side of the High Street : The Cross

The Cross

The Cross:
Considered one of the finest civic spaces in Scotland

The Cross Well:
Listed Grade B.
Carved in 1807 by one-handed stonemason Robert Gray as a replica of the original well dating from 1535.
Cream sandstone, decorative figures and gargoyles.
Carved tablet commemorates the Royal Burgh's 600th year in 1989.

The fountain was repaired circa 2005, but is no longer functioning. To have running water in the Cross Well's fountain would add significantly to the value of this area as a public space.



114 High Street:
Listed grade C.
19th century.
Cream sandstone with slate roof.
Curved on plan with pedimented facade.
Dragon hopperheads.

Good example of Victorian shopfront in heritage colours.

Small but significant building in a key location in the town, currently vacant (2014) and in need of general maintenance.

106,108 High Street:
Not listed?
Hole in the Wall pub.
Asymmetrical façade at ground and first floor.

Refurbished and repainted in 2014, using heritage colours to good effect.

Roof and segmental dormer in need of maintenance.

102,104 High Street:
Listed grade C.
Early 19th century.
Painted stone with slate roof.
Symmetrical façade.

Dormer in need of general maintenance.
Painted façade in need of maintenance.

Non-traditional casement windows could be replaced with traditional 12-pane sash and case when opportunity allows.

Missing chimney cans on l.h.



The North side of the High Street : East End

From The Cross to the Lowport

96-98 High Street:
Listed grade C.
Oxfam shop.
Mid 18th century.
Painted harling (pale blue), slate roof.
Asymmetrical ground floor,
symmetrical upper.
Traditional 12-pane sash and case
windows.

82-86 High Street:
Dancewear:
Listed grade C.
Early 18th century.
Painted harling, pantile roof.
Symmetrical facade.

UPVC sliding sash windows
should be replaced with
traditional 12-pane sash and
case when opportunity
presents.

74-76 High Street:
Listed grade C.
Early 19th century.
Painted stone, slate roof.
Asymmetrical ground floor
with pend, symmetrical
upper.
Metal gates on pend.

66-68 High Street:
Listed grade C.
Early 19th century
Ashlar stone and
painted harling, slate
roof.
Asymmetrical ground
floor, symmetrical
upper.

Vacant in 2014.



100 High Street:
Listed grade C.
Early 19th century.
Cream sandstone, slate
roof.
Asymmetrical ground floor,
symmetrical upper.
Traditional sash and case
windows.

Some evidence of
weathered stonework and
lintels out of true.

Victoria Jubilee Hall:
Not listed.
Completed 1889 to designs by Architect John Walker.
Now derelict.
Inscription in entablature "Victoria Hall erected 1887
Andrew Gilmour Provost"
Original turrets and gables removed 1956. Rear parts of
the building demolished 2011.
Mansard roofs over east and west
2-storey wings.

Stonework badly weathered. Evidence of subsidence.

2014: Local Community Trust investigating potential future
uses of the site.

78-80 High Street:
Oyster Oyster:
Listed grade B.
Early 19th century.
Painted stone and , slate
roof.
Asymmetrical ground
floor, symmetrical upper.
Includes projecting sign.

Poor quality top-hung
windows would benefit
from replacement with
traditional 12-pane sash
and case.

70-72 High Street:
Boots:
Listed grade C.
Early 19th century.
Painted stone, slate roof.
Asymmetrical ground
floor, symmetrical upper.

Façade repainted 2014.

Includes projecting sign.

The North side of the High Street : East end

From The Cross to the Lowport



62-64 High Street:
Listed Grade C.
Carved date stone 1881.
Asymmetrical facade in baronial style with turreted dovecot with arrow slit details.
Carriage pend with metal gates.
Cream sandstone, slate roof.

Shop unit vacant (2014).

56-60 High Street:
Not listed?
Early 19th century.
Painted stone and cream sandstone.
Asymmetrical ground floor and symmetrical upper.

Good example of a traditional Victorian shopfront in heritage colours.

50,52,54 High Street:
Listed grade B.
Bar Leo restaurant, former Red Lion Inn (Golden Lion on 1820 map).
Harled, ruled and painted.
Asymmetrical and irregular window patterns.
12-pane sash and case windows in heritage colours.
Arched carriage pend.
3nr projecting signs on this elevation, plus one unused projecting bracket.

42-44 High Street:
Hamilton's Land
Listed Grade A.
16th century or early 17th century.
Restored by NTS 1958.
Pair if nepus gables.
Regular but off-centre window patters.
Asymmetrically placed dovecot in left gable.
Pardovan sandstone under a mix of slate, pantile and plain tile.
Traditional 12-pane sash and case windows.
Arched pend with metal gates.

36, 36A High Street:
Not listed?
Late 18th century.
Cream sandstone.
Slate roof.
Symmetrical arrangement. Some ground floor windows possibly converted from original doors.
Traditional 12-pane sash and case windows.
Refurbished 1968 by Rowand Anderson Kininmonth & Paul.

30,34 High Street:
Listed Grade B.
Circa 1800.
Asymmetrical ground floor, symmetrical upper storeys.
Cream sandstone.
Some lintels off square.
Traditional 4-pane sash and case windows.
Slate roof.
Vacant shop unit (2014).

26-28 High Street:
Listed Grade C.
Asymmetrical ground floor, symmetrical upper floors.
Painted stone, slate roof.
Traditional 4-pane sash and case, smaller on top storey.
Projecting sign.
2nr flag pole brackets unused.

Missing chimney cans l.h.

The North side of the High Street : East end

From The Cross to the Lowport



20-24 High Street:
Listed Grade B.
Circa 1840.
7-bay facade with
arched central pend.
Cream sandstone and
slate roof.
Asymmetrical ground
floor and symmetrical
upper.
Some 12-pane and
some 2-pane windows,
traditional sash and
case.

10-18 High Street:
Listed Grade C.
Early 19th century.
Cream sandstone,
slate roof.
Asymmetrical ground
floor with lintelled
carriage pend. Near
symmetrical upper,
with chimney not
centred on windows
below.
Faded painted
lettering "Palace
Hotel" and "Wm Brock"
Traditional sash and
case windows, 2-pane.

Missing chimney cans.

6-8 High Street:
Not listed?
Cream sandstone.
Asymmetrical ground
floor and near
symmetrical upper.
Mansard roof.
Carved stone plaque
inscribed "JB" and
"DOG"

2,4 High Street:
Listed Grade C.
Early 19th century.
Harling and cream
sandstone. Near
symmetrical, apart
from dormer which is
off-centre.

Unusual decorative
margins to ground floor
windows.

The North side of the High Street : Lowport

The Lowport area



The location of the original Low Port, which together with the nearby East Port, was one of the Eastern gateways to the town, is marked with brass studs on the road.

The Lowport Outdoor Activity Centre

Gate posts to Star & Garter's yard may be the original gateposts to the nearby Nobel explosives factory, repositioned.



The Regent Centre offices and Tesco supermarket:
Built 1983 on the site of the former Nobel explosives factory.

Carved foundation stone for the explosives factory dated 1902 is mounted adjacent to the supermarket entrance.

The South side of the High Street : Westport

The Westport area

The Westport area was redeveloped circa 1800. A number of buildings that appear on the 1820 map were demolished. The West Port (the Western gateway into the Royal Burgh) was removed and the main road was lowered.

Preston Road



17-23 Westport:
Not listed?
19th century.
Some original 12-pane windows, some modern 2-pane.

293,295 High Street:
Listed Grade B.
Early 18th century.
Asymmetrical house in cream sandstone, pantiled roof.
12-pane traditional sash and case windows.
Arched carriage pend converted to window.

297, 299 High Street:
Listed Grade A.
Westport House.
Built circa 1600 for the Hamilton family. Restored and converted to flats 1990, W Cadell architects.
Asymmetrical façade with catslide dormers. Slate roof.

Overgrown metal gate/path detracts.



303-325 High Street.
Listed Grade B.
Tenement buildings set back from road, Designed in 1937 by W Scott in Scottish revivalist style.
Carved plaque of Linlithgow coat of arms r.h gable.
Crowstepped gables with scrolled skewputts and arrow slits.

The South side of the High Street : West end

From the Westport to the Cross



St. John's Avenue formed after demolition of Dawson's brewery early 20th century.

247-255 High Street:
Not listed.
20th century.
Sandstone with slate roof.
Catslide dormers.
UPVC windows are at odds with the surrounding buildings.

Some weeds at roof level.
Leaking rainwater pipe staining the façade.

257 High Street:
Listed Grade B.
Early 19th century.
Cream sandstone and harling.
Traditional 12-pane windows.
Asymmetrical ground floor, symmetrical upper floor. Off-centre dormer.
Stepped parapet (similar to 232 High Street), off-centre on the façade.
1nr projecting sign.

259,261 High Street:
Listed Grade B.
19th century.
Traditional 12-pane windows in upper storey.
Asymmetrical ground floor, symmetrical upper.
Painted stone, slate roof.

Rounded front dormers in need of maintenance.

263-265 High Street:
Listed Grade B.
Triangle of harling left original date plaque exposed, date recorded as 1783, now weathered and illegible.
Traditional 12-pane windows.
Asymmetrical ground floor, symmetrical upper
Harled with slate roof.
Catslide dormers
1nr projecting sign.

267,269 High Street:
Listed Grade C.
19th century.
Traditional sash and case windows in asymmetrical arrangement
Painted sandstone, slate roof.

271,273 High Street:
Listed Grade C.
Lithgae Arms.
Early 19th century.
Traditional 12-pane windows.
Asymmetrical ground floor and symmetrical upper floors.
Cream sandstone, slate roof.
Two projecting signs.

275 High Street:
Listed Grade B.
Early 19th century.
Traditional 12-pane windows in asymmetrical arrangement
Cream sandstone, slate roof.
Rounded front dormers.

Some weeds at roof level.

The South side of the High Street : West end

New Well Wynd

From the Westport to the Cross



213-215 High Street:
Listed Grade B.
Built 1844.
Asymmetrical ground
floor, symmetrical
upper floor.
Cream sandstone,
slate roof.

Currently vacant (2014)
with unused bracket for
projecting sign.

217-221 High Street:
Listed Grade C.
Mid 19th century.
Near symmetrical
ground floor,
symmetrical upper
floor.
Off-centre dormer.
Painted stone, slate
roof.

223 High Street:
Not listed.
Bield Housing
Association.
20th century.
Harled walls, pantile
roof.

The New Well.
Listed Grade C
Standing in front of 245
High Street
Late 18th century
wellhead.



245 High Street:
Not listed?
19th century.
Asymmetrical ground
floor, symmetrical
upper floors.
Cream sandstone,
slate roof.
Chimney stack missing
l.h.

First floor windows are
non-traditional UPVC.
Could be replaced
with traditional 12-
pane sash and case
windows if opportunity
presents.

The South side of the High Street : West end

From the Westport to the Cross



181-187 High Street:
Circa 1980.
Offices and retail.

Former offices of
Procurator Fiscal, now
vacant.

Metal gates on the
pend.

201-203 High Street:
Listed Grade C.
Early 20th century.
Asymmetrical ground
floor, symmetrical
upper floor.
Cream sandstone.
Green slate roof.
16-pane windows.
Possibly designed by
William Scott.

205-211 High Street:
Not listed?

Query heritage
colours?

The South side of the High Street : West end

From the Westport to the Cross

Lion Well Wynd,
opened in 1750

The Lion Well stood on
this street corner (maps
1820 and 1895), now lost.



161 High Street:
Listed Grade C.
Asymmetrical ground
floor, symmetrical upper
floors.
Cream sandstone, slate
roof.
Traditional 12-pane sash
and case windows,
smaller on top storey.
1nr projecting sign.
Mansard roof.

Inappropriate metal
door to central pend is
out of character.

Weeds growing l.h.
chimney stack.

165 High Street:
Listed Grade B.
Symmetrical façade.
Painted stone upper
floor, 20th century
shopfront. Slate roof.

Weeds in chimney
stack.

Painted finish on upper
floor in need of
maintenance.

167 High Street:
Not listed?
Late 19th century.
Symmetrical
Cream sandstone,
slate roof.
Curved stonework to
corner with Lion Well
Wynd.
Crowstep gables with
finials.
CCTV camera on
corner bracket.

169-173 High Street:
Listed Grade C.
Mid 19th century.
Symmetrical.
Rendered and lined
Unusual horizontal
astragals.

Dormers in need of
maintenance.

175 High
Street:
Listed
grade C.
19th
century.
Asymmetri
cal ground
floor,
symmetric
al upper
floors.
Cream
sandstone,
slate roof.

177,179 High Street:
Listed Grade C.
The Crown Arms.
19th century.
Asymmetrical ground
floor, symmetrical upper
floors.
Cream sandstone, slate
roof.
Windows smaller on top
storey.
1nr projecting sign.

Rounded front dormer in
need of maintenance.

Top floor windows are
non-traditional UPVC.
Could be replaced with
traditional 12-pane sash
and case windows if
opportunity presents.

The South side of the High Street : West end

From the Westport to the Cross



143 High Street:
Listed Grade B.
Annet House.
18th century
merchant's house.
Asymmetrical
grounds floor,
symmetrical upper.
Cream sandstone,
Slate roof.
Traditional 12-pane
sash and case
windows, smaller on
top storey.

145 High Street:
Listed Grade C.
19th century.
Symmetrical
façade.
Cream sandstone,
Pantiled roof with
slate easing course.
Windows smaller on
top storey.

Top storey Windows
might be replaced
with 12-pane sash if
opportunity
presents.

147 High Street:
Listed Grade C.
Combined with
149 High Street,
but listed
separately.

Windows might
be replaced
with 12-pane
sash and case
to match 149 if
opportunity
presents.

149 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground
floor, near symmetrical
upper floors. Off-centre
rooflight.
Cream sandstone,
slate roof.
Windows narrower on
top storey.

St Peter's Episcopal
Church:
Listed Grade B
Designed 1928 by Dick,
Peddie & Todd.
Byzantine style.
Originally called St
Mildred's
Carved stonework over
door includes saints,
angels and various
animals.

155,157 High
Street:
Not listed.
20th century
Harled walls,
pantile roof.

The South side of the High Street : West end

From the Westport to the Cross



111,113,115 High Street:
Listed Grade C.
Football & Cricketers Inn.
Circa 1800.
Asymmetrical façade, rendered, lined and painted.
Slate roof.

Dormers in need of maintenance.

117-121 High Street:
Not listed?
Asymmetrical ground floor, symmetrical upper.
Cream sandstone, Slate roof.

Timber boarded gate on central pend.

123-127 High Street:
Listed Grade B.
Shoemaker's land.
Early 19th century.
Asymmetrical at ground floor, near symmetrical upper.
Cream sandstone, Pantiled roof.
12-pane sash and case windows, smaller on top storey.

Carved stone plaque (off-centre) with coat of arms of the guild of shoemakers.

Modern metal entrance door is out of character. Consider replacement if opportunity presents.

129 High Street:
Listed Grade B.
Built 1829.
Asymmetrical ground floor, symmetrical upper.
Cream sandstone, Slate roof.

Traditional 12-pane sash and case windows.

1nr projecting sign.

Carved oak leaf emblem of the leather trade over entrance.

131,135 High Street:
Listed Grade B.
Built 1867.
Asymmetrical ground floor, including arched carriage pend with inset metal gates. Symmetrical upper.
Painted harling, slate roof.
Basket headed window openings.
Historic pestle and mortar projecting sign/motif.

137-141 High Street:
Listed Grade C.
18th century.
Asymmetrical façade with irregular windows.
Cream sandstone, slate roof.

Arched carriage pend with timber gates.

1nr projecting sign.

The South side of the High Street : West end

From the Westport to the Cross

Dog Well Wynd



Linlithgow County Buildings:
Listed Grade B.
Designed in Neo-Georgian style by Dick Peddie & Walker Todd in 1935.
Symmetrical façade.
Cream sandstone, slate mansard roof. Traditional 12-pane sash and case windows.
2nr flagpoles.
Decorative streetlamps, including the Provost's Lamp at r.h.

Currently (2014) closed awaiting conversion to Linlithgow Partnership Centre

Former Sherriff Courthouse:
Listed Grade B.
Tudor revival style by architects Brown & Wardrop.
Built 1863. Extended 1875.

Bronze plaque commemorating the assassination of the Regent Earl of Moray in the vicinity in January 1570

Undergoing conversion to hotel (2014)

Weeds growing on ledges l.h. elevation

103-105 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical façade.
Painted stone.
Traditional windows in heritage colours.
Timber boarded gate to pend.
Slate roof with decorative fishtail slate banding.

107-109 High Street:
Listed Grade C.
Early 19th century.
Asymmetrical ground floor, symmetrical upper.
Painted stone, Pantiled roof.
Traditional 4-pane windows, smaller on top storey.
Off-centre rooflights.

Weeds growing in chimney r.h.

The Dog Well stood on this street corner (maps 1820 and 1895), now lost.

The South side of the High Street : The Cross

From the Cross to Lowport



63 High Street:
Listed Grade B.
Late 18th century.
Asymmetrical ground floor, Near symmetrical upper.
Painted and harled, slate roof.
Traditional 12-pane sash and case windows, top storey windows smaller.
Reproduction metal railings at road boundary.

Façade set back from road following the earlier building line of the 16th century.

Weeds growing in l.h. chimney

65-67 High Street:
Listed Grade C.
The Four Marys.
19th century with later 18th century behind.
Asymmetrical Cream sandstone and harling. slate roof.
Carved tablet depicting David Waldie, pioneer in the use of chloroform.

69-71 High Street:
Listed Grade C.
Circa 1800.
Asymmetrical ground floor, symmetrical upper.
Cream sandstone, Slate roof.
Traditional 12-pane sash and case windows. Top storey windows smaller.

73-75 High Street:
Listed Grade C.
19th century.
Asymmetrical ground floor, symmetrical upper.
Cream sandstone, Slate roof.
Top storey windows smaller.

Traditional timber shopfront requiring maintenance r.h. end to prevent loss of detailing. Detail already lost l.h. end. Shopfront improvement grant could help to repair this.

77,79 High Street:
Listed Grade C.
19th century.
Carved sun-motif fire insurance plaque.
Asymmetrical ground floor, symmetrical upper.
Painted stone, slate roof.
Traditional 12-pane sash and case windows.

Dormer in need of maintenance.

McCarthy & Stone development site, under construction (2014). Former bus depot site.

89-91 High Street:
Listed Grade B.
Built for the British Linen Bank in 1886.
Architect Wardrop Anderson & Browne.
Cream sandstone.
Near symmetrical except for r.h. bartizan added 1936.
Carved tablet "BLB"
Carved thistle and rose motif in each gable and carved gargoyles.
Mansard roof.
Currently vacant (2014).

Weeds growing in parts of the frontage.

l.h. finial top is absent.

The South side of the High Street : East end

From The Cross to Lowport



39-41 High Street:
Listed Grade B.
Early 19th century.
Asymmetrical
ground floor,
symmetrical upper.
Cream sandstone,
Slate roof.
Traditional sash and
case windows, 6+1.
1nr projecting sign.

43,45,47 High Street:
Listed Grade B.
Late 18th century.
Symmetrical
façade.
Harled and painted.
Slate roof.
Doorpiece added
post 1815.
1nr projecting sign.

Weeds growing in
pediment.

Missing chimney
cans.

49,51 High Street:
Listed Grade C.
Late 19th century.
Near symmetrical
façade.
Cream sandstone,
slate roof.
Carved "RGR"
monogram.

Leaking gutter in
centre causing
staining. Possibly
hopper blocked
with weeds.

53,55 High Street:
Listed Grade B.
Built as the
Commercial Bank of
Scotland in 1859,
now Royal Bank in
ground floor.
Flamboyant
Baronial style
designed by David
Rhind.
Cream sandstone,
Slate roof.
Carved letter "CBS"
and "DR"
monogram.
Ball finials on stone
dormers.
Original metal
railings and gates.

57,59 High Street:
Listed Grade C.
Built 1883.
Symmetrical
façade.
Cream sandstone,
Slate mansard roof.
Ball finials on stone
pediment dormers.

White plastic
pipework on the
faced detracts and
should be replaced
with cast iron,
painted to match
stone.

59-61 High Street:
Listed Grade C.
Asymmetrical
ground floor,
symmetrical upper.
Cream sandstone,
Slate roof.
Carved date
plaque 1870.
Carved stone from
earlier building
dated 1527.
Arched pend with
metal gate.

Plants growing in
façade, l.h.

The South side of the High Street : East end

From The Cross to Lowport



23 High Street:
Listed Grade C.
Baronial style with
ball finials and
crowstepped
gables.
Carved "St
Michael's Place",
date 1885 in
tympanum, and
"Hame's Best" over
side entrance.
Effective use of
heritage paint
colours on
shopfront.

23-27 High Street:
Not listed ?.
Asymmetrical
ground floor,
symmetrical upper.

Weeds growing in
chimney head r.h

29-31 High Street:
Listed Grade B.
Former post office,
converted to public
house in 2009.
Asymmetrical
Scottish renaissance
style.
Cream sandstone,
Slate roof.
Carved date
plaque 1904.
Carved "Post
Office" above
entrance.
Original metal
railings.
1nr projecting sign.

35-37 High Street:
Not listed?
Asymmetrical
ground floor, near
symmetrical upper.
Harled and painted.
Slate roof.

Bronze plaque
commemorating
Scotland's first petrol
pump, 1919.

The South side of the High Street : East end

From The Cross to Lowport

Modern beige metal air monitoring equipment, out of character with surroundings.



1 High Street:
Listed Grade B.
Star & Garter Hotel.
Built as provost's residence in 1760.
Gutted by fire in 2010. Restored and reopened 2014.
Harled & painted, slate roof.
Traditional 12-pane sash and case windows.
Asymmetrical ground floor.
Symmetrical upper.
Projecting sign and flagpoles.

The location of the original Lowport and Eastport gates, the Eastern gateways into the town, are marked with brass tiles in the road in this area.

3 High Street:
Not listed?
Platform 3 Inn.
Painted stone, slate roof.
1nr projecting sign.

5-7 High Street:
Not listed?
Asymmetrical façade.
Sandstone and painted sandstone.
Slate mansard roof.

9-17 High Street:
Listed Grade B.
Sandstone façade, slate roof, mansard.
Flamboyant and asymmetrical baronial style.
Carved date 1885.
Ball and urn finials.
1nr projecting sign.



St Michael's Well:
Listed Grade A.
Standing in front of 21 High Street.
Dated 1720, with carved St Michael holding Linlithgow coat of arms.
Inscribed "St Michael is kynd to strangers".
Restored 2010.

Painted finish on carving now faded.

The adjacent air quality monitoring equipment (2013) detracts significantly.

19-21 High Street:
Listed Grade B.
Former Hotel (original lettering barely visible on façade).
Bartizan with arrow slits.
Sandstone façade, slate roof, mansard.
Flamboyant and asymmetrical baronial style.
1nr projecting sign.
St Michael's well stands in front.

Highport

The Highport area

The entrance to the town from Edinburgh Road, currently called Highport, but called Eastport on 1896 and 1857 maps.

Disused water trough, stagnant water. Potential health risk.

Better use could be made of this feature



Railway bridge spanning across the Edinburgh Road, on the approach to the town from the East, in the area close to the original East Port gateway. Railway constructed 1840-45.

This entrance to the town from Edinburgh Road is in poor condition. Weeds growing in the stonework, utilitarian signage, poor paint finish, soiled and stained stonework. No clear indication of which way to go to enter the town centre.

Opportunities may exist for a better welcome to the town at this point.



From Lowport to Highport. This area has suffered from lack of attention for many years.

Rear wall of the service yard for Tesco is in need of routine maintenance. The railway bridge heading out towards Edinburgh Road could be much improved, and the historic gateway which once led into the Nobel factory is in need of maintenance. Weeds growing in the Nobel gateway and on the stonework of the railway bridge.



Station Road

Station Road



3 High Street:
Not listed?
Platform 3 Inn,
Community Pub of
the Year 2013.



Recent extension to
the rear of the Star
& Garter Hotel.

Railway Station:
Listed Grade C
Constructed 1842.
Altered 1870 and
1986.
Snecked sandstone.

Some weeds
growing on ledges

Pedestrian underpass and route
leading up to canal basin.

Underpass recently cleaned.

No signage linking town centre to
canal basin. Opportunity for
significant improvement to this
route.



Kirkgate

Kirkgate



St Michael's Parish Church.
Not part of this study, but having a significant impact on the town's skyline. The original stone crown on the tower collapsed in the 19th century. The aluminium replacement was created by sculptor Geoffrey Clarke and installed in 1964.



Kirkgate walls:
Listed Grade B.
Cream sandstone.
Date plaques tracing Royal lineage from Mary Queen of Scots to the current Queen.



Burgh Halls (Rear extension):
Listed grade B.
Originally a merchant's house, merged with the Burgh halls in 1963, in a conversion by Rowand Anderson Kininmonth & Paul.
Remodelled 2011, Malcolm Fraser Architects.
Cream Sandstone.
Arched carriage pend with contemporary steel gates.

Burgh hall (rear elevation):
Listed Grade A.
See notes on "The Cross".
Carved plaque on tower
"Doorway to Debtors Prison"
Tympanum carvings of Rose, thistle and Fleur de Lys are more decorative than on the South-facing elevation, suggesting this may have been the principal elevation when originally built.

Kirkgate

Kirkgate



1 Kirkgate:
Now part of Cross
House (see "The
Cross")



2 Kirkgate:
Listed Grade B.
Asymmetrical
cottage façade.
Circa 1700.
Cream sandstone,
slate roof
Good use of
heritage colours.



3 Kirkgate:
Listed Grade B.
Near symmetrical
cottage.
Circa 1700.
Cream sandstone,
slate roof.
12-pane sash and
case windows.
Good use of
heritage colours.



Kirkgate walls:
Listed Grade B.
Cream sandstone

Palace Gateway:
Listed grade A.
Built 1535 for James V.

Carved and painted
frieze Golden fleece,
St Michael, Garter
and Thistle. Panels
recarved in 1845.
Lion and unicorn
ceiling bosses.
Cream sandstone.
Metal gates.

Maintained by Historic
Scotland.

The Vennel

The Vennel



28-30 The Vennel.
1960's flat-roofed
development, out
of character with
much of the
surroundings.

Metal sculptural
plaque
commemorating
Linlithgow's twinning
with Guyancourt in
France.

Public Library:
Due to become
vacant when the
County Buildings is
refurbished.

Public toilets:



APPENDIX TWO

LINLITHGOW PUBLIC REALM DESIGN GUIDE – CONSULTATION RESPONSES AND COUNCIL RESPONSE

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	COUNCIL RESPONSE
Historic Environment Scotland	<p>Welcome the careful consideration the SG has given to identifying opportunities for enhancement, appreciation and improvement of the condition of Linlithgow's historic environment.</p> <p>References to Historic Scotland within the document should be amended to refer to Historic Environment Scotland. In relation to the Introduction section on page 4, Historic Environment Scotland is now a statutory consultee on planning applications (within 800 metres) which may affect the amenities of a Royal Palace or Park.</p>	<p>Comments noted.</p> <p>The Design Guide was prepared prior to the date on which Historic Scotland and the Royal Commission on the Ancient and Historic Monuments of Scotland were brought together to create the new non-departmental public body Historic Environment Scotland. It is proposed to update the document to reflect this and amend to reflect that historic Environment Scotland is a statutory consultee on planning applications.</p>
WLC Environmental Health	<p>Page 14 notes an upgrade to a parking area, additional crossing points and the widening of footpaths. Without more detail it is hard to say if these proposals will impact traffic along the High Street. The proposals may encourage further car usage in the High Street, further hamper the flow of traffic and make it harder for cars to move through the High Street.</p> <p>Page 15, 16, and 24 also suggest creating further pedestrian crossings and widening footpaths, however reservations over these proposals. One of the issues for Environmental Health is stop start traffic and</p>	<p>Parking areas along the High Street have already been implemented.</p> <p>The proposals have been implemented. Air Quality on the High Street is continually monitored.</p>

	anything that could create further stop start traffic may further hamper the air quality situation in the High Street.	
Transition Linlithgow	<p>Welcome the concept of the PRDG, but feel that it falls short on a number of key points:</p> <p>1. The document actually recommends more detailed design work to be done as the scope and funding did not permit EJKN to do much more than a high level document. As it stands the PRDG is too vague to be a proper design guide in itself and that further work needs funding.</p> <p>2. The document while it mentions 2m wide pavements [min] and bike racks at key locations fails to mention anything about cyclists safety on the High Street and how that might be improved. This potentially conflicts with other road design documents but this is a missed opportunity to highlight key issues such as:</p> <ul style="list-style-type: none"> - on-pavement parking - these are a risk to pedestrians and their design should be phased out by the PRDG highlighting them as an issue and the improved design which needs to include proper defined parking bays, kerbs, etc. - Angled nose-in parking which not only caused congestion when people struggle to reverse onto a main road, but also are dangerous to cyclists and pedestrians. Either these need changed to nose-out parking or removed and proper parking bays designed. Note that the council have just re-painted the 	<p>The guide advises of the need for further consultation on the implementation of the Action Plan contained within the design guide. At this stage further detail on projects is anticipated to come forward.</p> <p>Cycle lanes and centreline removal along the length of the High Street could be considered as part of an Active Travel Network Plan for Linlithgow, however, to be effective in reallocating road space this would need to be accompanied by parking restrictions to keep the lanes clear, at least during peak times. The PRDG makes reference to parking arrangements and scope to further discuss these with the council to ensure a coherent and comprehensive approach to the detail design and implementation of any new works and also references widening of pavements and finishing materials. The council has actively promoted cycling in the town through a number of initiatives including local schools, Scotrail, Sustrans and Scottish Canals. The council has also assisted in securing funding for updates to the community-led sustainable travel map (2015), followed by WLC staff time to secure funding and manage the process of</p>

	<p>lines thus sticking with the existing layout. A missed opportunity to fix a problem.</p> <ul style="list-style-type: none"> - Road widths and the encouragement of double parking which is a serious risk to cyclists. Linlithgow as some very bad road design and these are not picked up in the PRDG. Streetscape needs to change to make business loading safe and in controlled zones and the layout altered to deter people from double parking which also exacerbates the problems with air quality as 2 vehicles cannot then pass on the normal carriageway because of the narrowing caused by the parked vehicles. WLC have done nothing to resolve this and changes could be simple and low-cost to make the road much safer and the air quality better from better traffic flow. <p>3. The document pays a lot of attention to details on buildings like chimney pots and house numbering etc, but fails to focus on primary environmental issues like the support for properties to fit high quality double glazed sash-n-case window sets. Trying to get the EPC rating for an older property is very challenging and this document fails to help people find the right balance between the aesthetics of each building type and the need to make improvements for environmental reasons:</p> <ul style="list-style-type: none"> - Flats and shops at the Cross [Vennel] are aluminium framed and some are single glazed. We urgently need to find acceptable designs to permit residents private and public, 	<p>producing a leaflet of the map for residents, employees, visitors and schools.</p> <p>As a conservation area with many listed buildings, it is important to seek to retain the character of the area. Any developments must preserve or enhance the character and appearance of the conservation area. The council has limited control over improvements to properties which are outwith council ownership. Features such as chimney pots and house numbering add to the character of the area.</p> <p>The current policy relating to window replacement in conservation areas is to be reviewed. This will include a review of provisions for Linlithgow and would cover both</p>
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	<p>to be able to improve their glazing and to keep homes warm. Residents are unable to improve these windows at present and the PRDG does nothing to highlight how to make amends. Equally windows and doors to retail units are in need of upgrading too and much energy is wasted for businesses which is bad for the environment and for business profitability.</p> <p>- Other listed and non-listed buildings are also suffering with the excessive controls on window design pushing any upgrades out of budgetary reach of most owners. We need to find a balance where the look of the town is not ruined but that people can afford good solutions for windows. in some cases that might be secondary internal glazing but far better to support high quality double glazing systems that look similar.</p> <p>- Multiple shops struggle with condensation and heating problems due to the challenges of not being able to double glaze shop front windows.</p> <p>4. The document could highlight the opportunity to improve access to the station via a ramp at High Port, thus making access to the station more direct for those walking from Springfield, saving them from walking up the narrow pavement at peak times when cars/taxis and pedestrians/cyclists all struggle</p>	<p>listed and non-listed buildings in the conservation area.</p> <p>The current policy relating to window replacement in conservation areas is to be reviewed. This will include a review of provisions for Linlithgow and would cover both listed and non-listed buildings in the conservation area.</p> <p>The current policy relating to window replacement in conservation areas is to be reviewed. This will include a review of provisions for Linlithgow and would cover both listed and non-listed buildings in the conservation area.</p> <p>During 2016 a new ramp was provided at Water Yett/High Port to support access for all between the Loch path and the High Street. Development of an Active Travel Network Plan for Linlithgow will provide opportunity to identify further areas and proposals for improved access for pedestrians/cyclists to</p>
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	<p>to get past each other safely.</p> <p>5. Shop access. Disabled access to some shops is still terrible. Despite new pavement surfaces in recent years nothing has been done to help people access shops. Shops at the Vennel for example have a large step on the door threshold. This could have been eliminated by a wide raised pavement area outside the shops and a gradual ramp. Accept some properties are old and very challenging, but there is regulation on access for all, and Linlithgow could do better.</p> <p>The document isn't sufficient in some areas and more detailed studies are needed.</p> <p>The latest application for the Victoria Hall which seems to have a large flat roof on the top floor, which has no equivalent on the High Street, and would certainly need to be an issue, either supported or rejected in a PRDG. Personal preference is for it to be rejected but that we must consider how to incorporate much more solar energy capacity across the town including in the conservation zones and on listed buildings.</p> <p>To achieve the Scottish Government's targets on Climate change - which are about to get much tighter to align with COP21, WLC and other local authorities will need to do much</p>	<p>promote more sustainable travel patterns.</p> <p>The council is in the process of drafting planning guidelines for the Vennel area which could result in improvements to public access and the public realm as well as re-use of existing buildings.</p> <p>The guide advises that further dialogue would be undertaken as projects identified in the Action Plan are taken forward. The Action Plan could be updated to reflect implementation of projects identified.</p> <p>A minded to grant decision has been taken by the council subject to a legal agreement. The proposal is for a mixed use development comprising 2 commercial units (Classes 1, 2 or 3) and 16 flats (0513/FUL/16 refers).</p> <p>The council is actively addressing climate change and traffic pollution. The council has prepared and is implementing a Climate Change Strategy and Carbon Management</p>
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	<p>more to find acceptable solutions to make all buildings more energy efficient, to make active travel the norm and not the exception and to discourage environmentally damaging developments and bad designs of which there are a plentitude in Linlithgow.</p>	<p>Plan which set out the council's ambitions through to 2020/21, including setting out targets for reducing our carbon emissions and some of the actions required to achieve them. A Renewables Energy Strategy has also been prepared. The council's web pages provide a variety of information relating to climate change and promotion of energy efficiency. Publication and implementation of the West Lothian Active Travel Plan and local active travel network plans will further contribute towards raising awareness and changing behaviour.</p>
<p>Linlithgow Burgh Beautiful (sub-committee of the Linlithgow Civic Trust)</p>	<p>The Public Realm Design Guide could be a useful document but sadly was written a few years ago and is already out of date.</p> <p>West Lothian Council needs to take action on levels of air pollution on Linlithgow High Street.</p> <p>Continuing traffic congestion in the High Street needs to be relieved as a priority: idling traffic is wasteful of fuel and harmful to health.</p>	<p>It is acknowledged that the document was prepared a few years ago, however, the document remains relevant and has led to the implementation of some environmental improvements in the town and can inform future actions.</p> <p>Air quality on the High Street is being monitored by the council. Planning guidance on Air Quality has been drafted by the council for consultation. Once approved, all developers will be required to have regard to this when submitting planning applications for development. The draft guidance is available at [insert web link]. The Linlithgow Active Travel Network Plan will be a key element of the Air Quality Action Plan programme for Linlithgow.</p> <p>The council has an approved Active Travel Plan which seeks to encourage more sustainable modes of movement including</p>

	<p>The concomitant of this is the requirement to draw up plans which will encourage/allow more sustainable modes of movement around the town centre i.e. on foot, by bike or by bus.</p> <p>With regard to the built environment, there should be greater focus on improving the quality of insulation of properties rather than the architectural character.</p> <p>The West Port and Vennel flower beds are still in existence and their use should continue.</p> <p>Burgh Beautiful will continue to do its best in seeking sponsorships and volunteers to help enhance the appearance of the town for the benefit of all and will encourage local people to get involved in the healthy outdoor pursuit of gardening, as well as encouraging use of peat-free composts, insect friendly plantings and easily maintained beds. Decent grass cutting should be part of this scenario and attention by WLC is sought.</p> <p>Government and councils are failing to</p>	<p>walking and cycling. The Active Travel Plan provides the council's framework for increasing levels of walking and cycling (active travel) across West Lothian and includes a commitment to develop Local Active Travel Network Plans for settlements. A Local Active Travel Network Plan for Linlithgow is in the process of being drafted. The purpose of this is to identify key enhancements that would help to complete and connect the walking and cycling network, informed by public consultation.</p> <p>The council can seek to ensure improved quality of insulation in the properties which are within its ownership. For other properties, the council's powers are more limited to ensuring that owners are compliant with building standards regulations.</p> <p>Noted.</p> <p>At a time of budget constraints across the council community assistance in maintaining and enhancing the public realm is welcomed. The council continues to carry out maintenance of the public realm but is subject to budget constraint.</p> <p>The council is actively addressing climate</p>
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	<p>address the aims of climate change and gross pollution from traffic in towns. Much more needs to be done to find solutions to these bigger issues. All buildings need to be more energy efficient. Use of cars in Linlithgow should be discouraged with greater control of parking and monitoring thereof. Use of public transport, walking and cycling should be encouraged and safe. Invest now for future savings and global responsibility.</p>	<p>change and traffic pollution. The council has prepared and is implementing a Climate Change Strategy and Carbon Management Plan which set out the council's ambitions through to 2020/21, including setting out targets for reducing our carbon emissions and some of the actions required to achieve them. A Renewables Energy Strategy has also been prepared. The council's web pages provide a variety of information relating to climate change and promotion of energy efficiency. Publication and implementation of the West Lothian Active Travel Plan and local active travel network plans will further contribute towards raising awareness and changing behaviour.</p>
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APPENDIX THREE

LINLITHGOW PUBLIC REALM DESIGN GUIDE - UPDATED ACTION PLAN/PROGRESS

IMMEDIATE ITEMS (2015)	
Project	Progress
Cross Well	Completed
Shop Fronts:	Shop Front Improvement Scheme in operation
Fast track planning process for shop fronts	Small business applications are already prioritised by the planning authority.
Disabled access ramp	Completed
Improve station road	Partially actioned due to platform extension works by Network Rail/ EGIP
Improve the Vennel	Draft Planning Guidelines approved by the Development & Transport Policy Development and Scrutiny Panel for public consultation
Pedestrian access to County Buildings car park	Lighting columns along to the side of County Buildings are to be replaced as part of the re-development of County Buildings, this is anticipated to include improvements to paving. Improvement to the steps to the rear of County Buildings is underway.
Station underpass	Partially actioned due to platform extension works by Network Rail/ EGIP
Paving	Aspirational - the concept of improving the public realm in Linlithgow by improving the quality of materials and re-designing key urban spaces is supported in principle. However, financial implications would need to be considered and funding identified to take projects forward. There is currently no provision for this project in the capital programme.
MEDIUM TERM ITEMS: 2015 - 2017	
Project	Progress
Obtain access equipment to assist in repairs and maintenance to high level roofs and dormers, repainting, removal of plant growth, replace missing chimney cans etc.	Aspirational - there is currently no provision for this project in the council's capital programme. Bids for external funding can be pursued if the opportunity arises.
Improve the setting of St Michael's Well	Repair work to St Michael's Well has been carried out. The adjacent

	Air Quality Monitoring Station is temporary.
Prepare detail designs to improve pedestrian area at Health Centre and implement improvements	Aspirational - the concept of improving the public realm in Linlithgow by improving the quality of materials and re-designing key urban spaces is supported in principle. However, financial implications would need to be considered and funding identified to take projects forward. There is currently no provision for this project in the council's capital programme. Bids for external funding can be pursued if the opportunity arises.
Prepare detail designs to improve the street corner at the West Port and implement the improvements	Aspirational - the concept of improving the public realm in Linlithgow by improving the quality of materials and re-designing key urban spaces is supported in principle. However, financial implications would need to be considered and funding identified to take projects forward. There is currently no provision for this project in the council's capital programme. Bids for external funding can be pursued if the opportunity arises.
Instigate public art projects to acknowledge the lost well heads (New Well, Lion Well, Dog Well and Westport Well) and maintain/repair existing well heads and water fountains	Linlithgow Town Management Group is pursuing separate, related public art projects in the town. Existing wells are thought to be in reasonable condition and a low priority.
Improve the High Port (East port) railway bridge	Aspirational - the concept of improving the public realm in Linlithgow by improving the quality of materials and re-designing key urban spaces is supported in principle. However, financial implications would need to be considered and funding identified to take projects forward. There is currently no provision for this project in the council's capital programme. Bids for external funding can be pursued if the opportunity arises.
Ongoing process to remove satellite dishes, aerals etc. and replace with alternatives	Aspirational - would have to be privately funded and may require enforcement action. Any necessary enforcement action would be subject to availability of resources.
Improve paving to parent waiting & seating area at frontage to Low Port School	Completed
LONGER TERM ITEMS: 2017	
Project	Progress
Victoria Hall site	The council has granted planning consent for a mixed use development comprising 2 commercial units (Use Classes 1, 2 or 3) and 16 flats, subject to a legal agreement (0513/FUL/16 refers).

County Buildings	The new Partnership Centre is scheduled for completion by Spring 2017.
OTHER RELEVANT ITEMS	
Project	Progress
Redevelopment of the steps at the rear of the County Buildings	Underway
Replacement of lighting columns at Canal Basin with Heritage Lighting Columns	Completed
Review of window replacement policy	To be progressed as resources allow



COUNCIL EXECUTIVE

SCOTTISH GOVERNMENT CONSULTATION: TALKING "FRACKING" A CONSULTATION ON UNCONVENTIONAL OIL AND GAS

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of a Scottish Government consultation entitled *Talking "Fracking" - A Consultation on Unconventional Oil and Gas*, which commenced on 31 January and ends on 31 May 2017, and to consider and approve the proposed response to the consultation which is set out in Appendix 3 to the report.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. agrees this report and Appendix 3 as the council's response to the consultation.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>A decision on the future role of unconventional oil and gas will have implications for national planning policy, which in turn will require to be reflected in development plan policies and may also have consequences for the Development Management process.</p> <p>There will also be implications for Strategic Environmental Assessment, health and risk assessment which cannot be quantified at this stage. There are no equality issues arising.</p>
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.

V Relevance to Single Outcome Agreement	<p>Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	The report and proposed response to the consultation was considered by the Development and Transport Policy Development and Scrutiny Panel on 3 April 2017. Four members of the Panel wished for the consultation response to reflect a position of "No to Fracking" while two members of the Panel recommended that the report go forward to the Council Executive for approval with no further changes to be made but on the understanding that the Council Executive may itself wish to contribute to and/or amend the response at that time.
VIII Other consultations	Internal consultations have taken place with Environmental Health, Economic Development, Roads and Transportation, Community Planning, Planning Services, the Energy Manager, the Contaminated Land Officer, West Lothian Health and Social Care Partnership and the West Lothian Improvement & Health Inequalities Alliance.

D. TERMS OF REPORT

D1 Context and Background

Key terminology in relation to unconventional oil and gas is set out in Appendix 1 to this report. The most common heating fuel in Scotland is gas with nearly two million households (78%) using mains gas as their primary heating fuel. Total annual gas consumption is currently around 150 billion cubic feet per year and this pointedly illustrates the importance of gas to the overall energy requirements of the country.

Resources

The consultation paper indicates that most of Scotland's unconventional oil and gas deposits occur in and around former coalfields and oil shale fields in Scotland's Central Belt. Referred to as 'The Midland Valley', it comprises some 2,000 square kilometres of land across the central belt and is estimated to hold at least 49.4 trillion cubic feet of shale gas and around six billion barrels of shale oil. However, according to an assessment by the British Geological Survey (BGS), it is likely that only 2 per cent of this resource is commercially viable for development or production. Exploratory work would be required to better understand this.

Unconventional Oil and Gas Licences

Exclusive rights to oil and gas have until now been governed by a UK licensing system operated by the Department of Energy & Climate Change (DECC). The licences, known as Petroleum Exploration and Development Licences (PEDL), only grant the right to search for and extract oil and gas. The licences do not give the licence-holder automatic permission to commence operations. A range of additional planning and environmental permits are required before a development can start.

There are currently three licences for unconventional oil and gas (UOG) in Scotland, all of which were issued by the UK Government, but these powers are currently in the process of being devolved to Scottish Ministers. A small area of north-west West Lothian is embraced by one of these PEDL's (Licence 162) and the licensees are identified as Reach Oil and Gas Limited and Ineos. It covers a substantial area, and in addition to land in West Lothian, also includes land within the administrative council areas of Falkirk, East Dunbartonshire and North Lanarkshire. The licence relates to areas that may potentially contain reserves of on-shore gas, including coal bed methane and where there is potential to release methane from un-mined coal seams or capture methane accumulated in coal mine workings. At this time, however, only a site near Cumbernauld has planning permission for a gas exploration and production facility to extract coal bed methane gas.

Unconventional Oil and Gas Regulation

As stated above, the UK already has a multi-layered regulatory regime for dealing with hydraulic fracturing and shale gas proposals. After securing a PEDL, the land owners consent and a range of additional planning and environmental permits are required before a development can get underway. Planning authorities having responsibility for considering planning applications for all surface works associated with a UOG development and council Environmental Health services are charged with protecting the public from the harmful exposures they may encounter in the environment and with improving its health.

There is also an important regulatory role for the Scottish Environment Protection Agency (SEPA). It has an overarching responsibility to protect the environment as well as being the licensing agency for all fracking licenses. It operates a system of environmental permits which regulates specific activities that may cause pollution or that pose other risks to the environment throughout the life cycle of a UOG development.

Finally, the Health & Safety Executive has an obligation to regulate the safety aspects of operations and mitigating environmental risk. In particular, it is responsible for ensuring the appropriate design and construction of well for any unconventional gas borehole, operation, maintenance, and decommissioning to ensure that major accident hazard risks to people from well and well related activities are properly controlled.

A typical UOG development

The total estimated lifespan of a UOG site can be up to 20-30 years depending on whether the site is suitable for production. The main activities that take place are exploration, appraisal, production and decommissioning. If a site is suitable for production, more wells would be drilled and hydraulically fractured with accompanying site activity. After around 2 years, major on-site activity would cease and be replaced by routine maintenance, although some further wells could be drilled. The production phase typically lasts around 15 years. The drilling pad would remain in place, alongside some small pieces of surface infrastructure and equipment. All sites are expected to be

restored to their prior condition as soon as possible after exploratory drilling is complete, wells are filled with cement, pipes cut and plugged at around 2 metres from the ground and the drilling pad is removed.

Uses for UOG

The main product from unconventional oil and gas reserves is natural gas. Natural gases from shale deposits may also have a high content of natural gas liquids, which can be converted or processed as liquids at the surface, and include substances like ethane, propane or butane. Products such as ethane are important raw materials for the petrochemical and manufacturing industry and have applications in a wide range of high-value products including plastics, detergents, clothing and solvents. However, not all shale deposits hold large quantities of natural gas liquids and further exploratory work would be required to understand the economic and technical viability for industry of Scottish shale deposits.

Community Benefits

There are currently a number of schemes that help communities who host industrial activity to share in the economic benefits of those developments. An example is Community Benefit schemes for onshore wind development, where operators provide a voluntary contribution to local communities affected by wind energy developments. A number of proposals have been made by the UOG industry and the UK Government on reinvesting the proceeds of unconventional oil and gas developments in local communities in a similar way. The onshore industry trade body (UK Onshore Oil and Gas) has published a charter for community benefits, which voluntarily commits operators to providing communities with a £100,000 payment per exploratory (hydraulically fractured) well site and a community revenue stream of (no less than) 1% of revenues during the production stage. In August 2016 the UK Government launched a Shale Wealth Fund consultation in which it set out proposals for how the Fund is to be managed and who will benefit. The consultation includes a proposal that local communities as well as regions affected should gain directly from the benefits of shale development.

Evidence and research

In 2013, the Scottish Government engaged an Independent Expert Scientific Panel in order to establish a comprehensive evidence base on which to consider the future of UOG in Scotland. The Panel reported in July 2014 and identified a number of key gaps in the evidence base which the Scottish Government then sought to address through the commissioning of a series of independent research projects into the evidence and relating to:

- Economic impacts
- Climate change impacts
- Understanding and monitoring induced seismic activity
- Community level impact on transport
- Decommissioning, site restoration and aftercare
- Public health impact assessment

The research was published in November 2016 and has been made available to inform the current public consultation. The key findings of each study are summarised in Appendix 2 to this report and can also be read in full at:

<http://www.gov.scot/Topics/Business-Industry/Energy/onshoreoilandgas/EvidenceGat>

The consultation paper sets out the key challenges/risks, together with the corresponding opportunities and safeguards that developing UOG resources pose in relation to three over-arching considerations, economic, community/social, and environmental.

It suggests that recovering the shale gas could generate £1.2 billion (in total) for Scotland's economy, and support 1,400 jobs (direct and indirect). It could increase security of gas supply, particularly for energy-hungry industries. Additionally, it could potentially provide an important raw material for Scotland's petrochemical sector, which is a significant employer. It is also pointed out community benefit schemes triggered by the development could fund local investment. A virtue is made of the fact that the planning system and environmental regulation is already in place to consider and mitigate the impact of such development but that there are opportunities to strengthen this further.

On the downside, there is recognition that, as with other developments, communities would experience disturbances (short and/or longer term) including increased traffic, noise, water pollution, air pollution and disfiguring visual impacts. It is suggested that sustained community engagement and, strong coordinated regulation would be required to reduce or eliminate adverse impacts. It also concludes that available studies are inadequate for determining risks to public health. In terms of cost benefits to consumers it appears unlikely that there would be any significant change to energy costs in light of the relatively small scale of production that could be achieved. Perhaps the most negative conclusion, however, is that an unconventional oil and gas industry is likely to lead to increased greenhouse gas emissions and this would inevitably make it more challenging to achieve Scottish climate change targets.

It should be noted that the future of UOG development is also relevant to wider energy issues and the Scottish Government's climate change ambitions. Regard should therefore be had to the third Climate Change Plan and another consultation which is running concurrently and relates to Scotland's Draft Energy Strategy. This was also reported to the meeting of the D&T PDSP on 3 April 2017.

D2 The Consultation

The current consultation concerns onshore unconventional oil and gas. It deals with the potential processes and technologies that would be involved in extracting shale oil and gas, including hydraulic fracturing, or coal bed methane (CBM).

Accessing these resources would require the use of technologies such as hydraulic fracturing (commonly referred to as 'fracking'). This has led to a widespread debate on potential environmental, health and economic impacts, and on compatibility with Scotland's ambitious climate change targets. The Scottish Government therefore launched the consultation on the future of UOG in Scotland, including hydraulic fracturing and coal bed methane extraction.

The Ministerial forward to the consultation explains that as an advanced economy, Scotland needs to ensure it has access to safe, clean, reliable and affordable energy to underpin its economic competitiveness and to contribute to the wider wellbeing of society. At the same time, as a responsible, progressive nation, Scotland must also continue to demonstrate its strong leadership on climate change.

The Scottish Government's position is to take a cautious, evidence led approach while it gathers and considers evidence and the consultation paper does not, therefore,

advocate a preferred position or policy. Instead, it is stated that the Scottish Government wants to create space for dialogue to allow different perspectives to come forward. To support the consultation, it has assembled a substantive evidence base which has included commissioning a report by an Independent Expert Scientific Panel and a series of research projects to explore certain issues in more detail.

In January 2015, while the aforementioned research was being undertaken, the Scottish Government put in place a moratorium on unconventional oil and gas development in Scotland which has prevented hydraulic fracturing for shale oil and gas and coal bed methane extraction taking place. New notification requirements were also introduced to ensure that Scottish Ministers were made aware of any new planning applications and planning authorities were also restricted from granting planning permission without first notifying Scottish Ministers. The moratorium has meant that only exploratory boreholes to take core samples have been permitted in Scotland over the period.

When the consultation closes on 31 May, and the results have been independently analysed and published, the Scottish Government will use this evidence to inform its position on whether or not UOG technologies should have a role in Scotland's energy mix. It will then ask the members of the Scottish Parliament to vote on its preferred approach and a final decision on the future of UOG is anticipated before the end of 2017. A summary of the main elements of the consultation documents is set out in Appendix Two. The full consultation document can be accessed at:

https://consult.scotland.gov.uk/energy-and-climate-change-directorate/fracking-unconventional-oil-and-gas/user_uploads/talking-fracking-a-consultation-on-unconventional-oil-and-gas.pdf-3

The proposed response to the consultation which comprises ten questions is set out in Appendix 3.

D3 Consideration by Development and Transport Development Policy Development and Scrutiny Panel

The report and proposed response to the consultation was considered by the Development and Transport Policy Development and Scrutiny Panel on 3 April 2017. Four members of the panel wished for the consultation response to reflect a position of "No to Fracking" while two members of the panel recommended that the report go forward to the Council Executive for approval with no further changes to be made but on the understanding that the Council Executive may itself wish to contribute to and/or amend the response at that time.

The consultation document does not set out a policy position in relation to fracking and as such does not seek specific views on the acceptability or otherwise of fracking. However, should the Council Executive wish to forward its views on the principle of fracking to the Scottish Government, this could be incorporated within the response to question 10 of the consultation.

E. CONCLUSION

Conventional oil and gas reserves are primary sources of energy in Scotland. However they are both finite natural resources which are being depleted through our energy and manufacturing requirements and there is an urgent need to sustainably secure their replacement.

While unconventional oil and gas development and fracking has been identified as a potential solution to the issue, it is concluded that exploiting these indigenous resources in this manner would be incompatible with the Scottish Government's ambitious climate change targets to reduce emissions of greenhouse gases by 80 per cent by 2050, from 1990 levels and that the council's response to the Scottish Government reflects this.

F. BACKGROUND REFERENCES

Scottish Government consultation paper: Talking "Fracking" A Consultation on Unconventional Oil and Gas

West Lothian Local Development Plan Proposed Plan

Appendices/Attachments: Three

Appendix 1: Key terminology

Appendix 2: Summary of Key Findings of Scottish Government commissioned research papers

Appendix 3: Draft consultation response

Contact Person: Stephen Lovell, Principal Planning Officer, Development Planning, 01506 282430 Email: steve.lovell@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development & Regeneration

25 April 2017

APPENDIX 1

SCOTTISH GOVERNMENT CONSULTATION:

TALKING "FRACKING" – A CONSULTATION ON UNCONVENTIONAL OIL AND GAS

It is helpful to have an understanding of some of the key terminology associated with the subject of unconventional oil and gas (UOG), in particular:

Unconventional gas - shale and coal are source rocks for unconventional gas, producing shale gas and coal bed methane (CBM), respectively. The term unconventional gas refers to natural gas held in rocks that cannot be exploited using traditional methods.

Hydraulic fracturing or the more commonly used term **fracking** - is a drilling technique used to exploit hard-to-get fossil fuels such as shale gas. It is the process of drilling down into the earth (typically at a depth of 1-3 km below ground) before a high-pressure mixture of water, sand and sometimes chemicals is injected into the rock so that it fractures and releases the trapped oil and shale gas inside.

Coal bed methane (CBM) or sometimes referred to as **coalbed gas/coal seam gas** - is a form of natural gas extracted from buried coal seams. CBM differs from a conventional gas reservoir in that the methane is stored in pores and fractures ('cleats') within coal seams instead of being trapped in a buried sandstone reservoir. To extract the gas, a steel-encased hole is drilled into the coal seam 100 to 1,500 metres below ground. Water is pumped off, decreasing the pressure and allowing gas to be drawn to the well. Both gas and produced water come to the surface through the well. The gas is sent to a compressor station and into natural gas pipelines. Shale gas and CBM development are entirely different process and should not be confused. However, the infrastructure required for both processes is similar.

APPENDIX 2

SCOTTISH GOVERNMENT CONSULTATION: TALKING "FRACKING" – A CONSULTATION ON UNCONVENTIONAL OIL AND GAS

SUMMARY OF KEY FINDINGS OF SCOTTISH GOVERNMENT COMMISSIONED RESEARCH PAPERS

Economic impacts

To gain a better understanding of the potential economic implications in Scotland, research examined the impact that unconventional oil and gas could have on jobs and the wider Scottish economy under a range of potential oil and gas production scenarios.

- total gas production up to 2062 would be 947 billion cubic feet, equivalent to around 5.5 years of Scottish gas consumption at current levels;
- volumes of natural gas that are likely to be commercially recoverable from unconventional oil and gas reserves in Scotland would not have an impact on global gas prices and there would be no noticeable effect on energy costs for households;
- there may be opportunities for natural gas from unconventional oil and gas developments to provide a cost-effective gas supply to local energy networks, particularly for high energy use industries;
- it is estimated that the industry would add £1.2 billion in total to Scotland's economy through to 2062, which is approximately equivalent to 0.1% of Scottish GDP and would support 1,400 jobs in Scotland at its peak; and
- the development of unconventional oil and gas could provide a positive effect on the petrochemical industry in Scotland, an industry that supports around 3,500 direct jobs.

Climate change impacts

The Scottish Parliament has set ambitious climate change targets to reduce emissions of greenhouse gases by 80 per cent by 2050, from 1990 levels. As of 2014, a 45.8% reduction from baseline levels has been achieved – meeting annual target for that year and exceeding the 2020 target for a 42% reduction, six years early.

In response to the potential significance of emissions from unconventional oil and gas to Scotland's ambitious climate change targets, research provided advice on the potential impact of unconventional oil and gas on Scottish and global greenhouse gas emissions.

- unconventional oil and gas is likely to add between 0.6 and 2.6 Megatonnes (Mt) of CO₂ equivalents depending on the scale of the industry and robustness of the regulatory regime. To put these figures into context, Scotland's annual emissions target in 2032 is 26.4 Mt of CO₂ equivalents, so 10%;

- exploiting unconventional oil and gas is only compatible with Scottish climate change targets if emissions are limited through tight regulation, Scottish unconventional oil and gas production displaces imports, rather than increasing domestic consumption and unconventional oil and gas emissions are offset through reductions in emissions elsewhere in the Scottish economy; and
- initial evidence suggests that tightly regulated unconventional oil and gas production is likely to have a broadly neutral impact on global emissions, with emissions savings due to switching from higher-carbon fossil fuels, approximately offsetting emissions increases due to increased use of unabated gas.

Seismic activity

Many activities involve small amounts of induced seismicity (ground vibrations or earthquakes) including construction, quarrying and many commonly occurring drilling operations. Research was undertaken to gain a better understanding of the risks of seismic activity that could be presented by unconventional oil and gas developments in Scotland.

- recognises that hydraulic fracturing is accompanied by low levels of seismicity. However, the size of these events is usually less than 2.0, making them too small to be felt by people;
- the process of hydraulic fracturing as presently implemented poses a low risk of inducing felt, damaging or destructive earthquakes;
- reported instances of earthquakes in many areas of the United States where fracking is undertaken have been linked to the disposal of wastewater by injection into deep wells rather than hydraulic fracturing itself;
- following induced seismicity near Blackpool in 2011, the UK Government put steps in place to mitigate risks. This included identifying a limit of 0.5ML where operations should be halted. An event of this magnitude is unlikely to be felt, does not pose any seismic hazard, and would only be detected by sensitive monitoring equipment in the vicinity of the epicentre; and
- a dense network of monitoring station would be essential for reliable detection and discrimination of induced seismic events, and to allay public concern.

Transport

One of the most significant and visible impacts for communities could be increased traffic volumes on certain nearby roads, in particular from Heavy Goods Vehicles. Possible further impacts could include increased noise and local air pollution and the potential for an increased number of traffic incidents. Research sought to better understand the potential for local increases in traffic volume during an unconventional oil and gas development and also explored how traffic volumes and impacts might vary by location (such as remote rural or urban centres) as well as the duration of impacts, that is, whether the impacts are short-term or longer lasting.

- additional traffic movements associated with onshore oil and gas resources are unlikely to be significant or detectable at a regional or national scale, in view of the much greater numbers of traffic movements resulting from other activities;

- assuming the appropriate strategic policies are put in place, and appropriate mitigation is carried out, local communities would nevertheless experience an increase in traffic numbers, potentially for a number of years;
- a typical well pad could require traffic movements to be sustained at around 190 per week for a period of approximately 2 years during the exploration and appraisal phase. For comparison, a warehouse /distribution centre generates approximately 5,000 two-way HGV movements per week; and
- provided the planning and Environmental Impact Assessment is properly implemented, any significant impacts would be avoided through the use of appropriate mitigation measures.

Decommissioning, site restoration and aftercare

Research was commissioned to provide a better understanding of potential environmental risks, industry best practice, the adequacy of regulatory controls over decommissioning, including for long-term monitoring, and the treatment of financial liabilities.

- the risk of leakage from wells was likely to be low, provided best practice is implemented during well construction and decommissioning operations under a strong regulatory regime. There was however a residual risk that a small proportion of wells would fail, and that leaks could occur from these wells under certain circumstances;
- with appropriate regulatory oversight and monitoring, and with minor modification to licensing powers, Scotland's regulatory framework is sufficiently robust to manage risks of well leakage consistent with the aim of providing suitable protection for communities and the environment; and
- taking lessons from opencast coal mining, there are financial guarantees available which can minimise the risk of operators failing to honour their commitment to decommissioning, and the risk of the costs of repair of leaking orphaned wells falling on the public purse.

Public health impact

It is recognised that one of the most prominent concerns for communities is potential impacts on human health and Health Protection Scotland were engaged to undertake a rigorous and robust assessment of the available evidence on the health impacts arising from unconventional oil and gas extraction.

- a Health Impact Assessment of the potential health consequences of developing unconventional oil and gas found that there was inadequate evidence available to draw conclusions on whether it would pose a risk to public health. To provide context, it was further explained that the available studies were of insufficient quality, consistency or statistical power to allow a conclusion to be drawn regarding the presence or absence of an association between unconventional oil and gas -related activities and health outcomes, or activities and exposure above health based limits. Or there were no studies available; and

- if unconventional oil and gas developments were to take place, Health Protection Scotland discuss a precautionary approach based on a range of mitigation measures involving operational best practice, regulatory frameworks and community engagement.

APPENDIX 3



**DRAFT RESPONSE BY WEST LOTHIAN COUNCIL
TO
SCOTTISH GOVERNMENT CONSULTATION
TALKING "FRACKING" - A CONSULTATION ON UNCONVENTIONAL OIL AND GAS**

West Lothian Council welcomes the opportunity to consider the Scottish Government consultation paper "*Talking 'Fracking' - A Consultation on Unconventional Oil and Gas*" and offers the following response.

1. What are your views on the potential social, community and health impacts of an unconventional oil and gas industry in Scotland?

The consultation document makes it clear that communities would be involved in the development of any licenced production facilities through a mandatory Strategic Environmental Assessment and the local authority Planning processes. Strong cognisance should be taken of local views and considerations in any application.

Geology inevitably dictates the location of shale oil and gas reserves across Scotland and it is unfortunate that deposits tend to predominate within the more densely populated central belt. As a consequence, their commercial exploitation is likely to be potentially more disruptive and impact on a significantly larger number of people than might otherwise have been the case.

The council is very much alert to the fact that communities close to areas which may become candidates for UOG development would potentially be subject to:

- air pollution and related health impacts;
- noise pollution and related health impacts;
- increased road traffic movements and related safety and health impacts;
- localised wildlife and habitat disturbance; and
- localised loss of visual and environmental amenity

These concerns, while entirely pertinent, are not however unique to UOG and are often cited in relation to many other categories of development. They are issues which routinely fall to local planning authorities to consider and address in the context of deciding a planning application. However, whilst strict regulation can help to control the potential negative effects of unconventional oil and gas on the local (and wider) environment, it will be appreciated that it cannot remove all risk. Any contamination of air or water could have a significant impact on communities and the environment and it is questionable whether trying to mitigate the impacts of UOG on communities constitutes an acceptable response and we should perhaps be asking if it is necessary or right for communities to be put in the position of being negatively impacted in the first place.

The West Lothian Local Development Plan (Proposed Plan) contains policies for dealing

with mineral extraction in general and on shore gas and oil in particular (Policies MRW 2, MRW 3 and MRW 5), advising that such operations will only be supported where they can, among other things:

- be demonstrated not to have a unacceptable detrimental impact on communities, the environment, or the economy;
- provide an appropriate buffer zone between site boundaries and settlements to protect the amenity of houses and occupied properties;
- meet the relevant requirements set out in Supplementary Guidance “Minerals”
- be demonstrated that the traffic generated would not create an unacceptable impact on road safety or amenity; and
- satisfactorily address the attendant implications for haulage, including road cleanliness and the need to minimise nuisance to communities around the site and on the preferred haul routes.

Notwithstanding the above, West Lothian Council is concerned that the Health Impact Assessment carried out by Health Protection Scotland found that there was inadequate evidence available to draw conclusions on whether UOG development would pose a risk to public health. There are very specific public health concerns associated with fracking, particularly water contamination, air pollution, noise and HGV traffic. If the moratorium was to be lifted, it would therefore be important to take a precautionary approach and ensure the regulatory regime prevented people being exposed to hazards at all stages from commissioning to de-commissioning. Additionally, it needs to be appreciated that there are health issues associated with the level of distress and anxiety people may experience, with perceived loss of community control and identity, pressures on housing and services.

As well as enhancing the current regulatory regime (and ensuring this was adequately resourced), it would be important to ensure effective and meaningful engagement with affected communities to address their concerns, to conduct more specific health impact assessments of proposed developments, and to gather baseline data and then monitor the environmental and health impacts of any developments.

2. What are your views on the community benefit schemes that could apply, were an unconventional oil and gas industry to be developed in Scotland?

The principal of a community benefits scheme has already been established in other fields of development, for example in relation to renewable energy, and West Lothian Council is not opposed to the underlying principle. Indeed, Scottish Government publication *Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments* could serve as a template for progressing guidance on UOG related community benefits.

Any community benefit schemes developed should be fair, proportionate and based on revenues from production. A minimum level for payments should be set above the industry average which ensures a significant return to the communities involved (the 4% figure suggested in the paper seems reasonable). Identifying suitable environmental projects which would benefit from funding should be an early priority.

Discussion with developers on community contributions with the council should not however be construed as predetermining an application and it is important that it should be understood that community benefits are not a material consideration in the assessment of a planning application for a proposed UOG development.

3. What are your views on the potential impact of unconventional oil and gas industry on Scotland's economy and manufacturing sector?

The benefits accruing to the Scottish economy, as a consequence of escalated UOG development, are, unfortunately, not conclusive. They appear to be largely predicated on an analysis of the US economy and this should sound a warning of caution as there are significant differences which make like for like comparisons inherently difficult. For example, the much smaller scale of production that can be achieved in Scotland compared to the US is likely to result in higher costs. It has already been established that the volumes of natural gas that are likely to be recoverable from unconventional oil and gas reserves in Scotland would not have an impact on global gas prices and there would be no noticeable effect on energy costs for Scottish households either. The commercial viability of a fracking industry in the UK is therefore by no means clear, with volatile oil prices and 'Brexit' adding further to an already challenging financial background at this time. The consultation paper acknowledges that if oil and gas prices were to remain at historically low levels, it would be unlikely that UOG resources in Scotland would be economically viable to develop at scale.

While there would be some positive impact economically, and the creation of any number of jobs is always welcome, it does appear that these jobs are likely to be relatively small in number and short term, reflecting the capital intensive nature and proportionately short term life of the UOG industry itself. Given that there are long term environmental risks associated with UOG, it does at the very least call into question whether UOG development represents a better investment decision than non-fossil fuel renewable energy and whether the benefits can be offset against the potential impacts from an environmental/climate change perspective.

The reported benefits which UOG development has brought to the petrochemical industry in the US are substantive and have made it globally competitive again. If replicated in a Scottish context it would of course be a significant boost to the economy, helping to sustain employment and manufacturing industry in what is recognised as a major employment sector. However, as previously observed, Scotland is not the US and it does not have an established UOG industry which would more readily facilitate comparisons and more tailored judgements to be made. The conclusion reached is that the case has not been made.

It does however appear that a key beneficiary of there being a guaranteed supply of ethane (one of the products of UOG development) would be the operators of new storage facilities and a gas import terminal at Grangemouth and that this could go a long way to sustaining the long-term future of the existing plant. It has been indicated that securing a source of imported ethane from the US has enabled the ethylene cracker to be brought back to full capacity and thus securing employment. While these developments are welcome it should not be the case that the energy policy of the Scottish Government is allowed to be unduly influenced by a single commercial operator. In any event, that company has stated that it can still economically service the ethylene cracker using imported ethane, thereby diminishing the justification for a ramping up of UOG development.

A final economic consideration would be the potential negative impact on the tourism and travel related economies due to the industrialisation of the landscape that UOG development has the potential to bring about.

4. What are your views on the potential role of unconventional oil and gas in Scotland's energy mix?

The recently published Energy Strategy and Draft Climate Change Plan both set out the need to decarbonise supplies of heat and power. With regards to heating, 79% of primary heating is currently supplied by natural gas. The focus should be on replacing high carbon gas with lower carbon sources such as biogas, hydrogen and biomass rather than producing more fossil fuels. The draft Climate Change Plan sets out for non-domestic sector in particular that “After 2025 we will prioritise low carbon heat with virtually all natural gas boilers being replaced by low carbon heat technologies by 2032”. The production of additional unconventional oil and gas for use within the energy sector would seem to contradict these objectives.

Significant inroads have been made in reducing the amount of gas used in electricity generation, and further targets have been set to fully decarbonise the electricity grid by 2030. Without the effective and widespread rollout of Carbon Capture and Storage technology, additional sources of natural gas should not be considered for electricity generation.

5. What are your views on the potential environmental impacts of an unconventional oil and gas industry in Scotland?

Physical impact

The physical and visual impact of UOG developments have the potential to be intrusive and dominant features in the local setting and the wider landscape, principally as a consequence of the requirement for drilling rigs of some 38m in height during the exploration and appraisal phases and the general urbanisation that inevitably results from the establishment of a drilling pad and attendant structures. Depending on which production scenario becomes the reality, i.e., high, central or low, these impacts will be greater or lesser.

Water

It is evident from published literature relative to UOG development that significant quantities of water are required as an integral part of the hydraulic fracturing process. UOG producers generally extract water from local surface and ground water sources for drilling and hydraulic fracturing and there are concerns that this may have a series of adverse consequences for the longer term prospects for water supplies in some areas. Specifically, water withdrawals from surface water sources like streams and rivers can decrease downstream flows which can render these sources more susceptible to changes in temperatures. Warmer temperatures in summer months can affect the reproduction and development cycles of aquatic species. Reduced in-stream flows can also damage riparian vegetation and affect water availability for wildlife. If we add in the volatile organic compounds present in flow back fluids (hydraulic fracturing fluids that can return to the surface) and the propensity for water and soil contamination (allied to leakages and waste disposal activity), water related issues can very quickly be seen to have a significant environmental impact. As an absolute minimum, these matters require very close oversight and detailed control mechanisms to be put in place.

While water can of course be piped to drilling sites using local pipe networks, this is likely to be an expensive option and in practice it may be the case that it is instead physically transported to the fracking sites by tanker. This raises a raft of other sustainability concerns together with increased road traffic activity, localised road congestion, vehicle emission and safety issues.

Air Quality

Air pollution is a contributory factor to thousands of premature deaths each year in Scotland and is also responsible for adversely affecting the quality of life for many more people, particularly children, older people and those with chronic health conditions. One of the biggest sources of air pollution is vehicle emissions.

There are 32 Local Air Quality Management Areas (AQMA) across Scotland where local authorities have had to formally declare that levels of pollution are dangerously high and breach Scottish Regulatory Standards for Nitrogen Dioxide (NO₂) and coarse particles (PM₁₀). A number of the Local Authority areas with AQMA correspond with where shale oil and gas and coalbed methane resources and licenses are located, including West Lothian, and it should therefore be a priority in any AQMA to make sure no development/planning decision serves to aggravate an already unsatisfactory situation. To do so would be to undermine the Scottish Government's 'Cleaner Air for Scotland' commitments and risk perpetuating a further breach of Scotland's air quality obligations under European law.

Ground stability

It is unfortunate that UOG reserves are found in the most densely populated parts of Scotland, and in particular the Midland Valley where there are a large number of former mine workings, both recorded and un-recorded, and which could be at particular risk of instability caused by any seismic activity associated with UOG drilling activity. There are also other highly sensitive pipelines and industrial complexes located within this area which would be vulnerable to seismic activity and which could have adverse consequences for local populations.

6. What are your views on the potential climate change impacts of unconventional oil and gas industry in Scotland?

Climate change is regarded as one of the most serious threats facing the wellbeing of the planet and in the context of an existing global climate crisis it seems perverse to pursue and exploit new fossil fuels such as shale gas and coalbed methane which are known key drivers of global warming.

Without effective global agreements to reduce greenhouse gas emissions, new fossil fuel exploitation will increase overall emissions and the attendant risk of climate change given that it is a relatively high carbon fuel.

Any move to access more fossil fuel reserves by using fracking appears to be in direct contravention of the Scottish Government's much vaunted ambition of securing half of all of Scotland's energy needs from renewables by 2030. Developing UOG can only serve to make it harder for Scotland to meet, and, hopefully, even eclipse these targets.

National Planning Framework 3 and Scottish Planning Policy (2014) state that Scotland should be transitioning to a low carbon economy, making the most of an abundance of renewable energy resources, developing and implementing renewable energy technologies. The Scottish government has established this as a priority in its Economic Strategy. It stresses the opportunity to secure investment and jobs from this growing sector and to ensure that the benefits of this transformational change are shared across the economy and communities. It therefore does not make sense to encourage the development of a fracking industry within this time frame in order to compete with a retrenching offshore oil and gas industry for a reducing share of the remaining carbon budget.

The Committee on Climate Change set out that if unconventional oil and gas were to be brought forward, it should be as a replacement and not an addition to existing gas supplies/usage. The Scottish Government have set out ambitious goals in the recently published Draft Climate Change Plan (RPP3) which include decarbonising grid electricity and moving heating sources for residential and non-domestic sectors from gas to lower carbon sources. The production and use of unconventional oil and gas would seem to be contradictory to the aims and objectives of RPP3.

While recognising that there may well be 'positives' for energy security and employment as a consequence of the large-scale exploitation of UOG resources, West Lothian Council believes that the environmental risks far outweigh any benefits that might accrue.

7. What are your views on the regulatory framework that would apply to an unconventional oil and gas industry in Scotland?

Scotland is fortunate in so far as it already benefits from a long established, comprehensive and well regarded regulatory framework governing land use, development and public health and safety.

In a planning context, Scottish Planning Policy (paragraphs 245–246) already sets out detailed and explicit policy on assessing and mitigating environmental, health or amenity impacts from unconventional oil and gas extraction.

West Lothian Council therefore concludes that it would in principle be feasible to accommodate the regulation and oversight of a UOG industry within the existing regulatory architecture, i.e. a multi-layered regulatory planning and environmental regime that embraces Scottish Government, local authorities, executive non-departmental public bodies such as the Scottish Environment Protection Agency (SEPA) and the Health and Safety Executive, albeit with clarification of their roles and responsibilities and the implementation of refinements and adjustments.

One area that may however require additional strengthening would be the decommissioning and restoration process.

There is a legacy of so called dirty industries in Scotland having consistently failed to satisfactorily decommission plant and implement site restoration works, in many instances decades after the industrial processes have ceased. The **Scottish Vacant and Derelict Land Survey (2015)** stands testament to this and indicates that at least 32% of the vacant derelict land in Scotland is associated with former extractive industry land. Local government has all too often been called upon to draw down public finances in order to meet the costs of dealing with the failure of rogue extractive operators who, having profited from the industry, have managed to walk away and burden others with the clean-up costs. This does not inspire confidence that a new generation of mineral activity will fare any better and the financial climate is also much more problematic and uncertain. It would therefore be important for decommissioning and restoration to be very strongly regulated to ensure the minimum long term impact.

There would inevitably be resource implications and financial costs arising, and these should explicitly be borne by the industry. Furthermore, the public bodies charged with regulation must be adequately resourced and supported by the Scottish Government.

8. Overall, and in light of the available evidence, what do you think would be the main benefits, if any, of an unconventional oil and gas industry in Scotland?

The safe and responsible development of UOG has the potential to create employment and to provide economic benefits to chemical and other manufacturers who would benefit from lower feedstock and energy costs. It could also contribute to improving the security of supply. It is however very much debatable as to whether this is worth the associated climate change and environmental impacts.

9. Overall, and in light of the available evidence, what do you think would be the main risks or challenges, if any, of an unconventional oil and gas industry in Scotland?

The main risk of supporting and encouraging UOG by fracking on any significant scale in Scotland is to undermine and erode the substantive progress that has been made towards achieving climate change targets. By encouraging and incentivising investment in shale gas production there is a danger that it may lock-in significant carbon emissions for many years to come and that this could in turn impact negatively on innovation in and the development and deployment of the even lower-carbon options, including renewables and energy efficiency, required to limit climate risks, and by which so much store has been set. Other risks relate to the potential environmental impact - while regulation can help to ensure that the process can be as safe as possible, the risks cannot be fully negated.

10. If you have any other comments on the issues discussed in this consultation, please provide them here.

The West Lothian Local Development Proposed Plan contains a positive 'vision statement' which anticipates that *"by 2024 West Lothian's population will have grown and an improved employment position within a more diversified local economy will have been established. ...Development will take place in a way that is sustainable, meeting the challenges of climate change and renewable energy, and sensitive to the area's many built and natural heritage assets. At the same time development will be used as a vehicle to help regenerate communities and for improving the quality of life for all living in West Lothian."*

The development of UOG does not sit easily with these aspirations, indeed, it could be argued that it would actually conspire against achieving them.

DATA LABEL: PUBLIC



West Lothian
Council

COUNCIL EXECUTIVE

TIME LIMITED THIRD SECTOR AMBITION FUND

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to obtain Council Executive's approval for a funding application process and the means of disbursement of the monies held in Third Sector Ambition Fund. The fund has been established following an allocation of £200,000 of time limited funding in the council's revenue budget for 2017/18.

B. RECOMMENDATIONS

It is recommended that the Council Executive:

1. notes the availability of the Third Sector Ambition Fund; and
2. approves the application process and proposed means of assessing applications and disbursing funds as set out in this report.

C. SUMMARY OF IMPLICATIONS

I. Council Values	Working in partnership Focusing on customers' needs Being honest, open and accountable
II. Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The report does not raise any policy, legal strategic environmental assessment, or risk matters. The fund should assist organisations to address equality and health issues.
III. Implications for Scheme of Delegation	None
IV. Impact on performance and performance indicators	Supports the development of third sector organisations to delivery new activities and services.
V. Relevance to Single Outcome Agreement	Supporting the delivery of outcomes at a local and council wide level.

VI. Resources (Financial, Staffing and Property)	£200,000 time limited expenditure approved as part of the 2017/18 revenue budget.
VII. Consideration at PDSP	None.
VIII. Other consultations	Finance and Social Policy. There has been consultation with the third sector.

D. TERMS OF REPORT

D.1 Introduction

Time limited expenditure funding of £200,000 to create a Third Sector Ambition Fund was confirmed as part of the council's budget for 2017/18. The purpose of fund is to enable third sector organisations to increase their capacity to improve and grow existing and new services.

D.2 Purpose and Approach

As per the earlier approval by Council Executive the fund can be used to:

- Purchase capital equipment which would improve their ability to develop and / or deliver services.
- Support the development of existing and / or new services by front-loading staff and other costs.
- Provide match funding for grants from external organisations for investment in new projects to lever in additional external funding to pilot, develop and / or improve delivery of services.

It is important to engage with the Third Sector to ensure that the broad criteria set out above meets the needs of the sector and will deliver the outcomes expected from the fund.

A short term working group comprising council officers and representatives from the Third Sector was established to inform the efficient and effective operation of the fund. The working group is chaired by the Head of Planning, Economic Development & Regeneration and the Voluntary Sector Gateway was invited to appoint three representatives to the working group. Council officers from Economic Development & Regeneration and Finance also attend the working group.

Following earlier discussions with third sector representatives the working group met on 18 April to finalise the proposed eligibility criteria, application and funding limits.

The working group agreed the following should be recommended to Council Executive as the basis of the funding stream:

- The fund is open to voluntary and third sector organisations based or working in West Lothian.
- Applicants must have a Constitution and / or Articles of Association; a bank account in the name of the organisation; confirmation that a minimum of two people are required to sign and counter-sign cheques; provide Audited or Independently Examined annual accounts; and confirms that surpluses or profits are retained and not distributed.
- There are two levels of funding. (i) £5,000 to £20,000 and (ii) over £20,000. It is expected that the majority of grants will be £20,000 or below.

- Any application for more than £20,000 would have to demonstrate that it will lever in significant levels of 'match' funding.

The funding available is £200,000 which must be committed in 2017/18. Subject to Council Executive approval there will be a three month period, commencing in early May, for bids to be developed and submitted to the council. Projects will be expected to commence in 2017/18 and be completed within 12 months of funding approval.

The application process will include a form which will require:

- A description of what the project is and the level of funding requested
- How the funding will help the project to improve or grow its services
- Details of how the improvements will be measured.
- Details of which council priorities the project will contribute to:
 - Delivering positive outcomes and early intervention for early years
 - Improving the employment position in West Lothian
 - Improving attainment and positive destinations for school children
 - Improving the quality of life for older people
 - Minimising poverty, the cycle of deprivation and promoting equality
 - Reducing crime and improving community safety
 - Delivering positive outcomes on health
 - Protecting the built and natural environment

The applications will be scored by a panel comprising council officers and representatives from the third sector.

E. CONCLUSION

The Third Sector Ambition Fund follows an allocation of £200,000 of time limited funding to provide funding for third sector organisations which will enable them to increase their capacity to improve and grow existing and new services.

F. BACKGROUND REFERENCES

West Lothian Council Approved Revenue Budget: Report to West Lothian Council on 20 February 2017.

Time Limited Third Sector Ambition Fund: Report to Council Executive on 8 March 2017

Appendices/Attachments: None

Contact Person: Ian Hepburn. Email: ian.hepburn@westlothian.gov.uk Phone 01506 281089.

Craig McCorrison
Head of Planning, Economic Development and Regeneration.

25 April 2017



COUNCIL EXECUTIVE

SUPPORTING BOWLING IN WEST LOTHIAN

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is for Council Executive to consider a proposal to provide one off time limited financial assistance by the council of £10,000 to support the range of activities in support of West Lothian's Bowling community in 2017/18 and 2018/19.

B. RECOMMENDATION

It is recommended that Council Executive agrees:

1. The establishment of a £10,000 time limited development fund to the West Lothian Bowling Association for 2017/18 which includes £1,000 for the provision of indoor bowling equipment to support the delivery of bowls within primary and secondary schools across West Lothian.
2. The sponsorship of a Gents, Ladies & Juniors Bowling Cup
3. Promotion of Invest in West Lothian in the club tournaments shirts

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; providing equality of opportunities; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	We are better educated and have access to increased and better quality learning and employment opportunities. We live longer, healthier lives and have reduced health inequalities.

VI Resources - (Financial, Staffing and Property)	One off expenditure of £10,000 over two years, which will be funded by a one off rebate the council is to receive from the Lothian Joint Valuation Board in 2017/18.
VII Consideration at PDSP	None
VIII Other consultations	Finance and Property Services

D. TERMS OF REPORT

West Lothian has a very active indoor and outdoor bowling community. The outdoor bowls in particular through the West Lothian Bowling Association which has 34 active clubs.

Bowling has a long history (135 years) in West Lothian with the association formed under the name of Linlithgowshire Bowling Association in April 1882 with a name change to West Lothian Bowling Association in 1999.

After many years of the sport been seen as attracting mainly more senior members active campaigning over the last number of years has seen a change in membership and the attraction of a much younger bowler.

Health professionals recommend playing bowls, as it provides a number of health benefits, including:

- Improved fitness
- Improved coordination and skill development
- Increased confidence and self esteem
- Enhanced mental wellbeing
- Community connectedness and support

West Lothian clubs have been very successful in competitions over the recent years at both national and international level. An opportunity has arisen for West Lothian Council to sponsor a West Lothian cup for the men's, women's and junior bowlers. In addition Invest in West Lothian would be printed on the front of the bowler's shirts giving a great opportunity to market West Lothian.

This would provide the opportunity to support the development of the sport in West Lothian and give additional sustainability to the sport.

East Calder Bowling Club & West Lothian Bowling Association– Pilot Project

To support future generation experience the sport of bowling, West Lothian Council, through the Active Schools and Community Sport service, are working in partnership with East Calder Bowling Club and local schools to introduce the sport to pupils.

This pilot programme utilises the skills and experiences of local bowlers who are supported to delivery activities within curricular time for East Calder and St Pauls RC primaries.

Club volunteers have delivered a series of bowling activities for primary 5, 6 and 7 pupils within the primaries, facilitated by the Active Schools Coordinator. Activities take place within the games hall using a specially modified indoor version of bowls.

A bowling festival for the pupils has also been planned to take place on 1 June 2017 to encourage the children to continue to participate in bowls in a community setting. East Calder Bowling club currently provide opportunities to take part in junior bowls sessions and it is anticipated that the school taster sessions will ensure more local children are aware of the provision of bowls within the local community and that they are also encourage to attend. In total, the partnership project will have provided the opportunity for 76 pupils to take part in participative and competitive bowling activities.

It is anticipated that this pilot project, involving local bowling club volunteers, is used as a template to further support the delivery of bowls within other localities within West Lothian and promote increased school and community participation in the sport.

In addition to the strengthening of school to community links, the Active Schools Coordinator has also supported the club with regards to additional training and qualifications for coaches to ensure sustainability of provision for junior bowlers at the club.

E. CONCLUSION

West Lothian provides a range of opportunities relating to participation and performance in bowling. Bowling provides a range of health benefits, especially for older people but, as evidence by the East Calder pilot project, can also act as a catalyst sport to encourage more children and young people to take part in sport and physical activity.

The time limited investment of £10,000 would create the opportunity for the clubs to sustain competitive advantage, encourage new members and an opportunity to promote West Lothian.

F. BACKGROUND REFERENCES

Appendices/Attachments:

Contact Person: Alice Mitchell, Economic Development and Regeneration Manager, 01506 283079
Paul Stark 01506 281755

Craig McCorriston, Head of Planning, Economic Development and Regeneration

Date of meeting: 25 April 2017



**West Lothian
Council**

COUNCIL EXECUTIVE

BUDGET PROCESS REVIEW GROUP - CONSULTATION

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to seek approval from the Council Executive for a submission from the council in response to the Finance and Constitution Committee consultation on the Scottish Parliament's budget process.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the content of the Budget Process Review Group – Interim Report, as set out in section D2 of the report;
2. Notes the content of the proposed consultation response from West Lothian Council, as set out in appendix 1 of the report;
3. Agrees the content of the consultation response and agrees that a response is provided to the Finance and Constitution Committee on behalf of the council by the Head of Finance and Property Services.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable, making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	None.
VI	Resources - (Financial, Staffing and Property)	None.
VII	Consideration at PDSP	The Finance and Constitution Committee issued the Budget Process Review Group Consultation on 10 March 2017. The Partnership and Resources PDSP

was held on 17 March 2017, meaning there was insufficient time for reporting and consideration at PDSP prior to Council Executive.

None.

VIII Other consultations

D. TERMS OF REPORT

D.1 Introduction

The Finance and Constitution Committee has established a review group to examine the Scottish Parliament's budget process following the devolution of further powers in the Scotland Act 2012 and Scotland Act 2016.

The Budget Process Review Group has been tasked with developing a revised budget process which incorporates an increased level of responsibility arising from the devolution of new powers. The review group have published an interim report which is subject to public consultation to help inform the review.

The Finance and Constitution Committee issued the Budget Process Review Group Consultation on 10 March 2017, with a deadline for responses to be made by 28 April 2017. The Partnership and Resources PDSP was held on 17 March 2017, meaning there was insufficient time for a review to be completed and reported to PDSP ahead of Council Executive on 25 April 2017.

D.2 Overview

The Budget Process Review Group – Interim Report is structured into five key themes for consideration. An overview of each theme is set out below.

Theme 1: How effective is the existing budget process?

The review group have agreed to adopt a principles based approach. The review group have reviewed the timing of the budget cycle and considered public engagement in the process. The review has been based on the existing three stages of the budget process:

1. Stage 1 – Budget Strategy Phase – originally identified as the stage for Parliament to discuss strategic priorities.
2. Stage 2 – Draft Budget Scrutiny Phase – A written agreement between the Scottish Government and the Finance Committee requires publication of the draft budget by 20 September. If the Scottish Government will not meet this deadline, it is required to consult with the committee on a revised timetable. The Finance Issues Advisory Group (FIAG) recommendation is that this stage is an opportunity for alternative spending proposals to be debated, however this power has not been widely used. Timing is also reliant on UK Government budget announcements.
3. Stage 3 – Budget Bill Phase – The written agreement states that the Scottish Government will introduce a Budget Bill by 20 January each year or the first day thereafter on which Parliament sits.

Theme 2: What is the impact of the Fiscal Framework?

The Fiscal Framework Agreement sets out the rules and arrangements required for the new tax and welfare powers devolved to the Scottish Parliament. Key elements include:

- How the Scottish block grant will be adjusted to reflect the transfer of fiscal responsibilities.
- Forecasting arrangements and responsibilities.
- Arrangements for revenue borrowing and cash management to smooth revenue volatility and differences between revenue forecast and outturn.
- Capital borrowing.
- Other issues, including administration costs, data sharing arrangements and dispute resolution.

The Finance and Constitution Committee has emphasised the importance of full transparency in securing public confidence in the operation of the Fiscal Framework and the Scottish block grant.

Theme 3: How effective is the current approach to multi-year budgeting?

The review group noted the Scottish Government's ability to deliver multi-year budget settlements is linked to the UK Government budget cycle. At present, the UK Government has published budget plans to 2020/21, which could allow the Scottish Government to prepare a multi-year budget for the same period. The group also noted the Fraser of Allander Institute view that a "single year budget is difficult to reconcile with medium term plans and priorities for government" and suggests that "it will be essential to return to multi-year budgeting as early as possible". The timing of the presentation of multi-year budgets would need to be considered to allow for effective scrutiny.

Theme 4: How effective is the current approach to medium-term financial planning?

The Finance and Constitution Committee recommended that the review group should explore options for a more strategic approach to financial planning. This would provide a wider understanding of the economic and fiscal conditions and provides an opportunity for scrutiny of the overall approach to the management of public finances.

Theme 5: How effective is the current approach to outcomes-based scrutiny?

The Finance and Constitution Committee noted that it will continue to develop a more outcome-based approach to financial scrutiny focussing on prioritisation and value for money. This would also involve the scrutiny of public bodies to identify the extent to which they are adopting priority-based budgeting and whether spending allocations were achieving outcomes.

E. CONCLUSION

The Scottish Parliament Finance and Constitution Committee have invited responses on the Scottish Parliament's budget process. The Council Executive is asked to agree the proposed response in order that the council can meet the deadline for responses of 28 April 2017.

F. BACKGROUND REFERENCES

Budget Process Review Group – Interim Report
(<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/100930.aspx>)

Appendices/Attachments:
Appendix 1 – Consultation Response

Contact Person: Ailsa MacKerrow, Accountant
Email: ailsa.mackerrow@westlothian.gov.uk, Tel No: 01506 281306

Donald Forrest
Head of Finance and Property Services
25 April 2017

APPENDIX 1 – CONSULTATION RESPONSE

Theme 1: How effective is the existing budget process?

Consultation Question	Consultation Response
Principles Based Approach	
1. What adjustments do you consider are required to the existing FIAG principles to support a world class financial scrutiny process for Scotland in 2017?	The principle of timely and relevant fiscal information being published, with a focus on medium and longer term policies and objectives.
Full Year Approach	
2. Should the Parliament pursue a full-year approach to budget scrutiny, and what are the challenges and opportunities of this approach?	Currently local government follow a full year approach to budget scrutiny and this is approved and promoted by Audit Scotland. An ongoing increase in budget scrutiny results in better transparency and increases confidence in the budget process.
Public Engagement	
3. How effective is current public engagement in the budget process and how can this be improved?	Currently the public engagement in the budget process can be considered as minimal, and engagement with other public bodies viewed as being a tick-box exercise rather than an open engagement process. To improve engagement a more focussed and publicised consultation would be beneficial, providing transparent and easy to understand information. This should include seeking the views of public bodies as part of the budget process to better understand the demands on public bodies but also to listen to suggestions for improvements that will achieve better outcomes.
4. What examples are there of good practice in delivering meaningful public engagement in budget scrutiny and/or the formulation of government spending proposals?	Examples of good practice can be drawn from Local Government engagement with the public on future planning and budgets. For example West Lothian Council's Delivering Better Outcomes consultations in 2012 and 2014 successfully involved asking the public for their views on what should be the priority areas of the council and then providing feedback on proposals to change the way services were delivered to enable savings to be achieved. The consultation process successfully focused on involving traditionally hard to reach groups.
5. What should be the purpose of public engagement on the Scottish Budget?	The purpose of the public engagement should be to establish the values that the public consider the most important and to identify any gaps in meeting demand. The engagement builds relationships with the public and public bodies and should be used to provide insight into what the public expect the budget to achieve.

Consultation Question	Consultation Response
Stage 2 (Draft Budget Scrutiny Phase)	
6. What should be the core objectives of parliamentary scrutiny of the draft budget?	The core objectives of parliamentary scrutiny should be to ensure that the Scottish Budget has been appropriately prepared, utilising independent information to prepare forecasts and that the budget has been prepared in the best interests of the Scottish public.
7. How effective is the existing parliamentary scrutiny of the draft budget and how can it be improved?	Currently the scrutiny process has been effective in its current role, however with the increased powers being devolved to the Scottish Government the role of parliamentary scrutiny will need to be enhanced. This role should include more effective engagement with local authorities and should consider the impact of the budget on medium and longer term planning.
8. How does the new UK Autumn budget process affect the timing of the Draft Budget?	The timing of the new UK Autumn Budget would suggest that the Scottish Budget would be delayed to incorporate the outcome of the UK announcements, however the UK Government have published their spending plans to 2020/21 meaning that the Scottish Government could progress with their draft budget allowing scrutiny to happen without delaying the budget.
9. In what ways can the level of transparency of the draft budget and other budget documents be improved?	The process of alternative spending recommendations should be further explored, reducing the requirement for closed-door negotiations, this would also provide further scrutiny of the budget as the alternative recommendations would be required to be considered and the outcome of the consideration documented. More user friendly documentation which shows clear links to priorities and outcomes would be useful to allow users to identify where spending is being allocated and why.
Stage 3 (Budget Bill Phase)	
10. How effective is the existing Budget Bill process and what, if any, changes are required?	The timing of the Budget Bill process can cause issues for local government, as significant changes are being made in January or February, leaving councils with minimal time to revise their proposed budgets.
11. Should the Parliament have the opportunity to lodge amendments to the Budget Bill or should non-Government amendments still only be proposed at the pre-legislative stage?	This is a matter of Parliamentary procedure which the council would not wish to comment on directly. The council would support measures that enable constructive engagement by the Parliament in the Budget process.
12. If the former what, if any, should be the limits on the power of the Parliament to lodge amendments?	This is a matter of Parliamentary procedure which the council would not wish to comment on directly. The council would support measures that enable constructive engagement by the Parliament in the Budget process.

Theme 2: What is the impact of the Fiscal Framework?

Consultation Question	Consultation Response
<p>13. What information should be provided, and when, to ensure full transparency of how the following elements of the Fiscal Framework operate:</p> <ul style="list-style-type: none"> • The adjustments to the block grant; • The reconciliation process, including interim outturn information; • Borrowing powers; • The Scotland Reserve. 	<p>It would be useful and more transparent to provide detailed information on the elements of the Fiscal Framework. The information should be provided as part of the budget cycle, for example a forecast, as part of the budget and then reconciled/monitored. This should include detail on the block grant adjustment and how the adjustment has been linked for revenue forecasts.</p>
<p>14. How should parliamentary scrutiny of the following new aspects to the budget process operate:</p> <ul style="list-style-type: none"> • The adjustments to the block grant; • The reconciliation process, including interim outturn information; • Borrowing powers; • The Scotland Reserve. <p>For example, should these new aspects be carried out as part of the budget process, or as a separate scrutiny process focussing on the operation of the Fiscal Framework?</p>	<p>There is merit in a separate scrutiny process for the operation of the Fiscal Framework due to the complexity of the tax and revenues forecasts. The results of the separate scrutiny should feed into the budget scrutiny process for information to inform the process of its findings.</p>

Theme 3: How effective is the current approach to multi-year budgeting?

Consultation Question	Consultation Response
15. What should be the core objectives of Scottish Government Spending Reviews, how often should they be carried out and when?	The core objectives should be to ensure that spending is focussed on achieving priorities and outcomes, while providing public bodies with planned settlement information to allow better medium term financial planning. The review of spending should focus on areas which do not contribute to priorities ensuring value for money. Scottish Spending Reviews should be carried out at the start of each parliamentary term and used to form the basis of the financial strategy for that parliamentary term.
16. What level of information should the Scottish Government publish?	It would be useful for public bodies to have departmental spending limit information (level 3) provided for a multi-year budget. Due to economic uncertainty, volatility and the demands placed on local government to produce multi-year budgets, it would be useful to have multi-year departmental expenditure budget information published by the Scottish Government. By providing this information local government would be able to better plan ahead and would be able to implement strategies that have the potential to have a more positive impact on outcomes, rather than receiving one year settlement information which does not assist local government with longer term planning.
17. What should be the role of the parliament's committees in scrutinising Spending Reviews?	The role of the parliament's committees in scrutinising Spending Reviews should be to ensure that the review has focussed on ensuring the budget is allocated in accordance with the priorities of the Government. Scrutinising the review to make sure it has followed the agreed priorities and has focussed on value for money. The parliament's committees should consider the area of interest of the committee but also the impact of the budget on wider public bodies and interests.

Theme 4: How effective is the current approach to medium-term financial planning?

Consultation Question	Consultation Response
18. Should the Scottish Government publish a medium term financial strategy for parliamentary scrutiny and wider public scrutiny?	<p>Yes. Audit Scotland has confirmed that it is best practice for Local Government to prepare a medium term financial strategy and that this should be publicly available and scrutinised by elected members. It would seem reasonable for the Scottish Government to also produce a medium term financial strategy.</p> <p>A medium term financial strategy would benefit public sector bodies as it would allow them to better forecast the grant settlement they will receive allow them the opportunity to better develop their medium term financial strategies with an element of certainty regarding settlement figures.</p>
19. If so, what should it include, what should be the role of the SFC (Scottish Fiscal Commission) in its preparation and how frequently should it be updated?	The SFC should have a key role in producing forecasts for the Scottish economy and forecast tax receipts. This will play a fundamental role in the development of the Scottish Government's financial strategy and will also provide assistance to public sector bodies when considering their financial strategies when considering how the Scottish economy will perform.

Theme 5: How effective is the current approach to outcomes-based scrutiny?

Consultation Question	Consultation Response
Consultation Question	Consultation Response
20. How effective is the emphasis on prioritisation and value for money in delivering a more outcome-based approach and how could it be improved?	Currently the Scottish Budget does not provide a clear link to prioritisation and no information is provided on how prioritisation is considered in preparation of the budget. The emphasis on prioritisation and value for money has been adopted by many public bodies; however it is not clear how the Scottish Budget focuses on this approach.
21. What should be the role of public bodies in supporting a more outcomes-based approach to financial scrutiny?	Public bodies have a detailed understanding of how what they deliver impacts on priorities and outcomes, therefore public bodies are well placed to support an outcomes based approach to financial scrutiny. For example, many councils have been following a priority based budgeting process for many years and are able to demonstrate how the activities undertaken contribute to priorities and how financial resources are allocated to these activities.
Performance and Reporting	
22. What information should the Scottish Government provide in its budget documents to show how the links between its budget allocations and the NPF?	The Scottish Government budget documents should provide information on how spending decisions link and achieve targets for the NPF, to demonstrate how budget allocations link to the 55 national indicators.
23. What level of performance information should Scotland's public bodies publish against the National Performance Framework?	The National Performance Framework should link with the Single Outcome Agreement allowing public bodies to identify and align with relevant targets, meaning that public bodies would be able to demonstrate how they are contributing to the targets/indicators.
24. What should be the role of parliament in scrutinising the performance of Scotland's public bodies in delivering outcomes?	Where key partnership arrangements are in place parliament should have a role in scrutinising how effective the arrangements are and how effective the Scottish Government have been in building and maintaining the relationships.
Public Audit	
25. In what ways can the work of Audit Scotland be used more effectively in supporting a more outcomes-based approach to financial scrutiny within the Parliament?	Audit Scotland currently prepare reports for local government which make recommendations of improvements on financial planning and scrutiny. This could be adopted by the Scottish Parliament, with Audit Scotland providing an overview of the outcomes based approaches being undertaken by Scottish public bodies.



West Lothian
Council

COUNCIL EXECUTIVE

**INDUSTRIAL LAND 0.83 HA (2.05 ACRES) BLACKBURN ROAD, BATHGATE -
PROPOSED SALE TO A1 AUTOMOTIVE**

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To obtain Council Executive approval for the sale of 0.83 ha (2.05 acres) industrial open storage land at Blackburn Road, Bathgate.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Approves the sale of 0.83 ha of land at Blackburn Road, Bathgate to A1 Automotive Limited, for the sum of £90,000, and,
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the transaction, including any required alteration to the sale price, on the basis that any revised terms and conditions still represent the highest capital receipt available to the council.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs.
	Making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Contributes towards the performance indicator for capital receipts.
V Relevance to Single Outcome Agreement	SOA 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.

VI Resources - (Financial, Staffing and Property)	The capital receipt of £90,000 will contribute to the council's approved capital receipt programme for the financial year 2017/18.
VII Consideration at PDSP	Not applicable.
VIII Other consultations	The elected members for the ward have been provided with a copy of this report for their information.

D. TERMS OF REPORT

The land at Blackburn Road, Bathgate is situated to the rear and adjoining the former Paterson's cement works which has now been bought by A1 Automotive Limited. The land is effectively landlocked and it is believed was originally acquired for the proposed development of a link road between Bathgate and Blackburn which was subsequently superseded by the development of the M8 motorway.

The subjects which extend to 0.83 ha (2.05 acres) are irregularly shaped and consist of undeveloped land. Due to the nature of the site and its lack of access, the site is considered to be of little use to anyone other than A1 Automotive as adjoining owners. The acquisition of the site will allow A1 Automotive to expand their operations on site.

Following negotiations with the company terms have provisionally been agreed subject to Council Executive approval, and are as follows;

- The subjects will comprise approximately 0.83 hectares, as indicated on the attached plan
- The sale price will be £90,000 (ninety thousand pounds) exclusive of VAT, payable in full on the date of entry
- The date of entry will be on conclusion of legal formalities
- The purchaser will be solely responsible for obtaining any necessary statutory consents
- The purchaser will satisfy themselves as to the suitability of the subjects for the intended purpose
- Each party will meet their own legal costs in the transaction

It is also recommended that delegated powers be granted to the Head of Finance and Property Services to conclude any further negotiations that may be required with the purchaser, whilst maintaining the best price for the council.

E. CONCLUSION

Given the capital receipt the Council will receive from the sale of the land, it is considered to be in the Council's best interests to conclude a sale to A1 Automotive Limited for the sum of £90,000 exclusive of VAT.

F. BACKGROUND REFERENCES

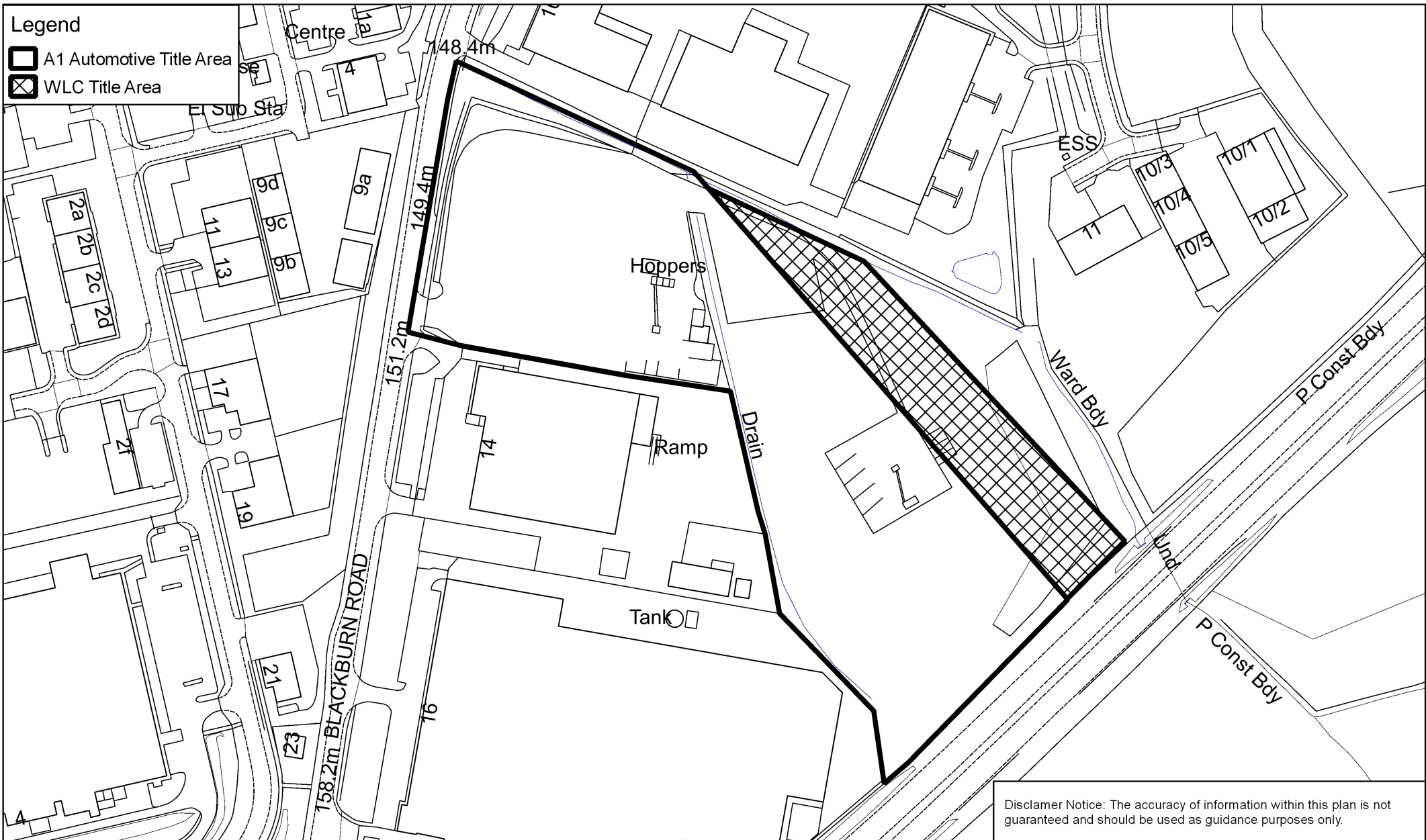
None



Appendices/Attachments: Plan of subjects of sale

Contact Person: Niall Carlton, Commercial Property Surveyor
Property Management and Development
Tel: 01506 283287
Email: niall.carlton@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 25 April 2017



 <p>West Lothian Council</p>	<p>Land at Blackburn Road, Bathgate</p> <p>Property Management, West Lothian Civic Centre, Livingston, EH54 6FF</p>	<p>1:2,500</p>	<p>N</p> 
	<p>2017-04-04T14:53:29</p>	<p>Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office. Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings. ©Crown copyright. All rights reserved. Licence 100037194 2016</p>	



West Lothian
Council

COUNCIL EXECUTIVE

**CARMONDEAN HOUSE, CARMONDEAN CENTRE SOUTH, LIVINGSTON.
PROPOSED SALE TO MRS. EILEEN STAHL**

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of Carmondean House, Carmondean Centre South, Livingston to Mrs. Eileen Stahl in accordance with the details set out below.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of Carmondean House, Carmondean Centre South, Livingston to Mrs. Eileen Stahl for the sum of £177,000 subject to the terms and condition set out in this report, and,
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the sale of the property, on the basis that any revised terms and conditions still represent the best capital receipt for the council.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Making best use of our resources. Being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	The sale of this property will contribute towards the council's 2017/18 approved capital receipts target and in doing so will assist the associated capital receipts performance indicator.
V	Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.

VI Resources - (Financial, Staffing and Property)	A capital receipt of £177,000 will be received during the 2017/18 financial year. This receipt will contribute to the budgeted receipts target for that year.
VII Consideration at PDSP	Not applicable.
VIII Other consultations	The local elected members for the ward have received a copy of this report for their information.

D. TERMS OF REPORT

Carmondean House, Carmondean Centre South, Livingston is a single-storey detached office pavilion comprising 280m² of office space plus associated car parking space. The property is owned by the council and forms part of the Tenanted Non-Residential Property (TNRP) portfolio. The subjects are shown outlined in black on the plan attached to this report.

Despite being openly advertised for lease by the council for some time, there was no meaningful commercial interest in this property. The building was vacant and the council as owner was liable for the ongoing payment of vacant non-domestic rates.

With minimal prospect of letting the property commercially, the property was re-advertised on the open market for sale, and a closing date for offers to purchase was set for noon on 24 February 2017.

The highest offer received at that closing date came from Mrs. Eileen Stahl and the main terms of that offer are summarised as follows:

Purchaser:	Mrs. Eileen Stahl
Price:	£177,000
Entry:	Entry with vacant possession will follow purification of all suspensive conditions.
Proposed use:	Yoga studio with complimentary therapies and ancillary office use.
Suspensive conditions:	<p>The sale is conditional upon:</p> <ul style="list-style-type: none"> • The purchaser securing change of use planning permission for Class 11 use (as defined by the Town and Country Planning (Use Classes) (Scotland) Order 1997). • The purchaser undertaking a full building survey and being satisfied as to its findings. • The seller providing statutory information, including but not limited to an asbestos register, energy performance certificate, electrical and gas safety certificates.

Analysis of the offer being recommended for approval confirms that the proposed £177,000 purchase price compares favourably with values currently being achieved locally in the area for similar properties.

In light of the foregoing, it is recommended that the council accept the highest offer of £177,000 received at the closing date from Mrs. Eileen Stahl. It is also recommended that delegated powers be granted to the Head of Finance and Property Services to conclude any further negotiations that may be required with the purchaser, including any required amendment to the purchase price, provided always that the amended purchase price would still represent the best capital receipt for the council.

E. CONCLUSION

It is considered to be in the Council's best interests that:

1. Carmondean House is sold to Mrs. Eileen Stahl for £177,000 and in accordance with the terms set out in this report.
2. The Head of Finance and Property Services be authorised to carry out any further negotiations with the purchaser in respect of the sale of the property, on the basis that any revised terms and conditions still represent the best capital receipt for the council.

F. BACKGROUND REFERENCES

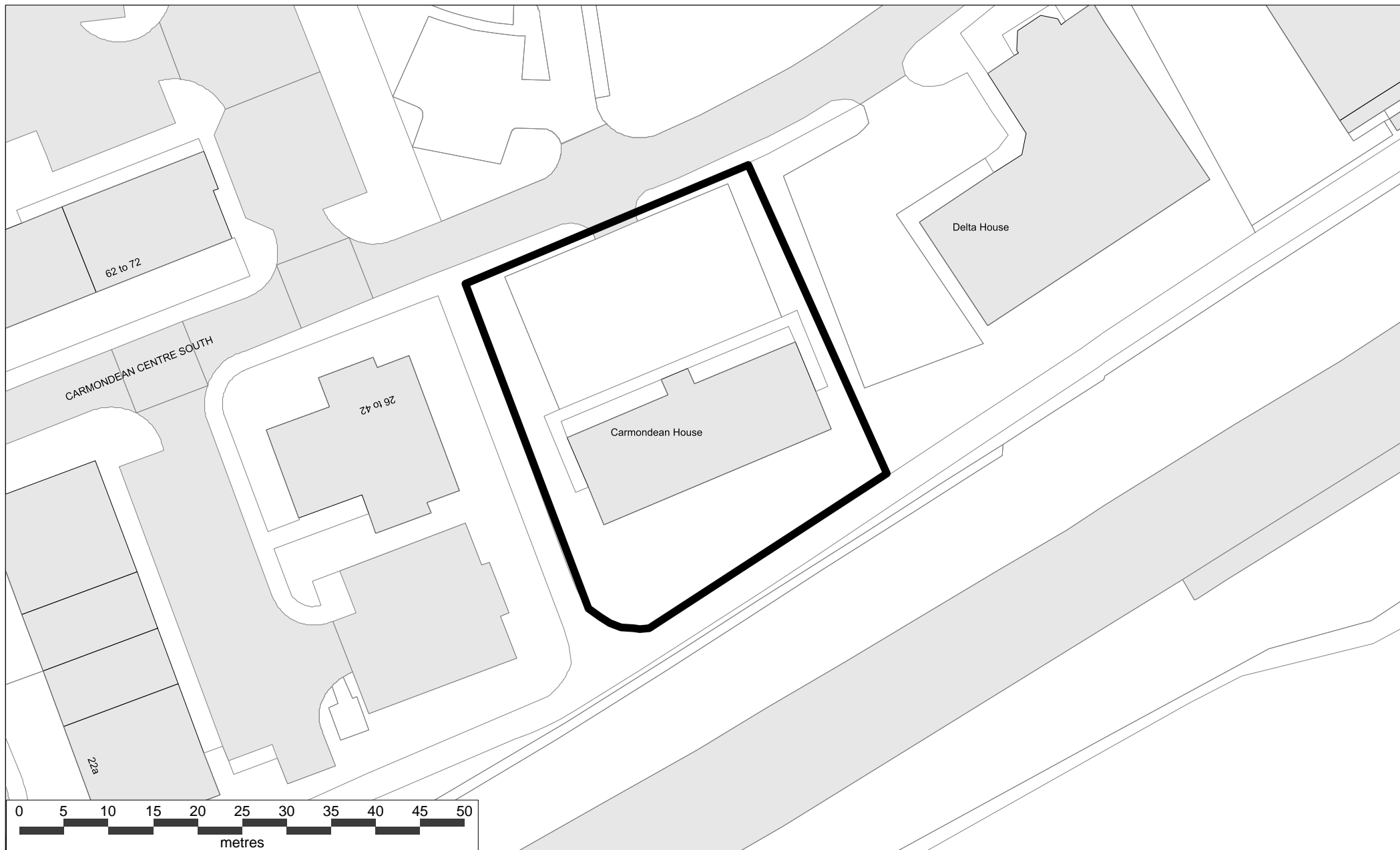
None

Appendices/Attachments: Location plan attached.

Contact Person: Tracey Thomson, Commercial Property Surveyor, Tel. (01506) 281834

Donald Forrest, Head of Finance and Property Services

Date of meeting: 25 April 2017





West Lothian
Council

COUNCIL EXECUTIVE

**0.29HA (0.79 acres) OF LAND AT HAMILTON SQUARE, MURIESTON
PROPOSED SALE TO DR EDWARD RUSSELL-SMITH**

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To obtain Council Executive approval for the sale of 0.29ha of Land at Hamilton Square, Murieston, Livingston.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Approves the sale of 0.29ha (0.79 acres) land at Hamilton Square, Murieston, Livingston to Dr Edward Russell-Smith for £250,000, subject to the terms and conditions set out below, and,
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the sale of the land, including any required alteration of the sale price, on the basis that any revised terms and conditions still represent the highest capital receipt available to the council.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	The sale of this site will contribute towards the appropriate performance indicator for capital receipts.
V	Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	The capital receipt of £250,000 will contribute to the council's approved capital receipt programme for the financial year 2017/18.

VII Consideration at PDSP

Not applicable.

VIII Other consultations

The local elected members for the ward have received a copy of this report for their information.

D. TERMS OF REPORT

Background

The subject land, measuring 0.29ha (0.79 acres), is located at Hamilton Square, just off the Alderstone Road. The land was formally used as a site for the temporary Murieston Health Centre, which has since moved to the land adjacent. The railway line is situated to the south east of the land. A plan showing the subjects outlined is attached.

The land is allocated in the West Lothian Local Plan for local area uses. Further discussions with the planning department indicate that this includes any small scale business, retail, leisure, recreational and residential developments.

Current Position

The site was formally vacated by the previous health centre in March 2017 and it was subsequently marketed. A closing date was subsequently set for 28 March 2017.

At the closing date, the council received seven offers for purchase. The main details of the highest offer received are as follows:

1. Purchasers – Dr Edward Russell-Smith for £250,000.
2. Date of entry – to be agreed between the parties.
3. Proposed use - The site will be used for the development of commercial units. Prospective uses include a café and health services amongst others.
4. Suspensive conditions - The offer is subject to the Purchaser receiving planning permission for their proposed use and the satisfactory connection to services.

It is also recommended that delegated powers be granted to the Head of Finance and Property Services to conclude any further negotiations that may be required with the purchaser, whilst maintaining the best price for the council.

E. CONCLUSION

It is considered to be in the council's best interests that the site in question at Hamilton Square be sold to Dr Edward Russell-Smith in accordance with the terms set out in this report.

F. BACKGROUND REFERENCES

None

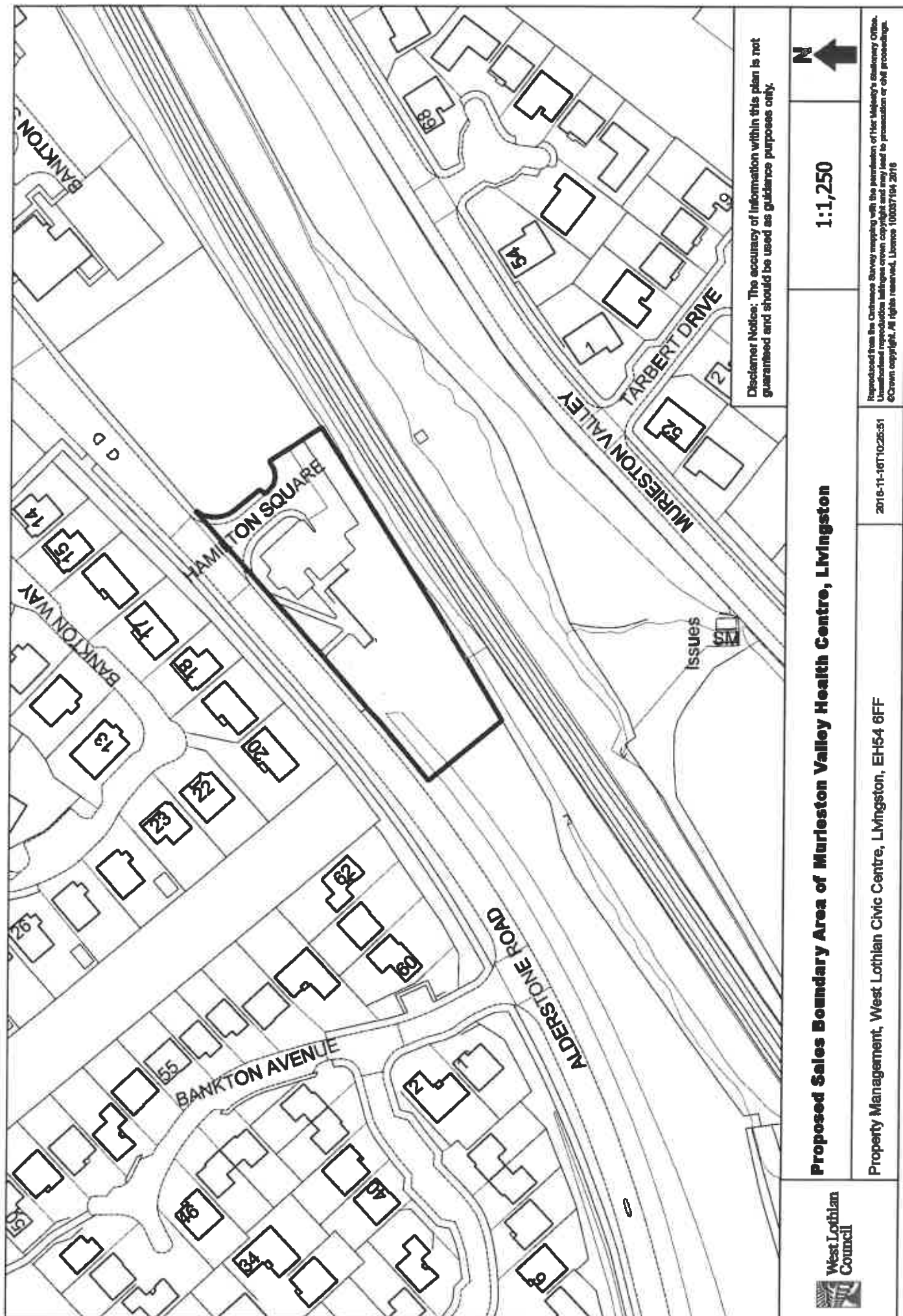
Appendices/Attachments: Location plan attached.

Contact Person: Hannah Sturgess (Property Management & Development Unit)

Tel. (01506) 283405, Email: Hannah.Sturgess@Westlothian.gov.uk

Donald Forest, Head of Finance and Property Services

Date: 25 April 2017





COUNCIL EXECUTIVE

B8084 WHITBURN TO ARMADALE CYCLEPATH - PROPOSED COMPULSORY PURCHASE ORDER

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek Council Executive approval for the use of compulsory purchase powers to acquire the area of land shown on the attached plans for the provision of a new cyclepath between Armadale and Whitburn.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. approves the promotion of a compulsory purchase order to acquire the land shown hatched in black on the plan in Appendix 1, extending to 1.68 acres (0.68Ha) under Section 189 of the Town and Country Planning (Scotland) Act 1997, and,
2. grants delegated powers to the Head of Finance and Property Services and the Chief Solicitor to take matters forward, including any negotiations regarding the payment of statutory compensation or amendments to the statement of reasons and associated submission.

C. SUMMARY OF IMPLICATIONS

I	Council Values	<ul style="list-style-type: none">• Focusing on our customers' needs.• Being honest, open and accountable.• Making best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Enabling powers available under the Town and Country Planning (Scotland) Act 1997. Duty to ensure public safety.</p> <p>Statutory compensation to be assessed in accordance with the Land Compensation (Scotland) Acts, 1963 and 1973, as amended.</p>
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.

V	Relevance to Single Outcome Agreement	<p>We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p> <p>We live longer, healthier lives and have reduced health inequalities.</p>
VI	Resources - (Financial, Staffing and Property)	<p>Financial: Capital cost of scheme £860,000. Funding - 50% from council approved capital budget, 50% through a grant from Sustrans.</p> <p>Staffing: None</p> <p>Property: The property, once acquired will be used in connection with the council's statutory provision of roads, footpaths and cycleways.</p>
VII	Consideration at PDSP	Not applicable
VIII	Other consultations	Roads and Transportation; Legal Services; Land owners representatives; Planning

D. TERMS OF REPORT

Background

The council was awarded grant funding from Sustrans (Scotland) in 2014 in order to assist in the development and delivery of a number of missing cycle links between communities throughout West Lothian. One of the key routes identified is between Armadale and Whitburn, which will not only provide a link between the communities but also to Armadale railway station and the national cycle network (NCN75). The designed scheme runs along the east side of the B8084 providing a direct route between Whitburn and Armadale. This traffic free cyclepath will provide a safe route for cyclists and pedestrians that will remove the risk of them having to use the busy road.

Planning permission for the proposed works was approved on 28 May 2015 with no objections.

The proposed cyclepath would run along the current road/field boundary which is a post and wire fence and would be three metres wide. The location of the cyclepath is shown on the plan attached as appendix 1.

In order to implement the proposals, the council needs to acquire land from the current owner, EWP Investments Ltd.

Current Situation

Property Management and Development have been in negotiation with representatives of the landowner since mid-2014 to acquire the necessary land by agreement. Terms were agreed in January 2016 for the purchase of the land and solicitors appointed. However, no communication has been forthcoming since despite reminders. Officers are concerned that the owner has abandoned the deal without any further notification. Officers have therefore written advising that the council will seek to progress a compulsory purchase should we not

have confirmation of a concluded transaction from them by 24 April 2017. It should be noted that the council has successfully agreed terms for the acquisition of further land required for the scheme from the neighbouring owners.

Where similar situations have been encountered by the council in the past, and the acquisition of land has not been possible through negotiation, the council has used compulsory purchase powers as a last resort.

Given the current circumstances, and in order to minimise any further delays, it is proposed that the council should begin proceedings to acquire the land using compulsory purchase powers under Section 189 of the Town and Country Planning (Scotland) Act 1997. Once a compulsory purchase order is made, the procedure includes applying to the Scottish Ministers for confirmation of the order. A copy of the proposed statement of reasons which will form part of this submission is attached at Appendix 2.

Planning consent, approved council capital funding and external grant funding for the proposed scheme are all in place.

In the event that the council is successful in obtaining a compulsory purchase order, this will ensure that the council obtains the required land and would enable the project to be implemented. Completion of the project would benefit a number of communities across West Lothian.

The compensation payable to any owner whose land is compulsorily acquired is determined by statute. In situations where no agreement is possible with an owner, then either party is able to refer any dispute to the Lands Tribunal for Scotland for determination.

E. CONCLUSION

Given that, to date, the council has been unable to acquire the land necessary to complete the cyclepath scheme by agreement, and to minimise further delays in implementing the proposals, it is proposed that the council pursue compulsory purchase proceedings through the appropriate enabling legislation.

F. BACKGROUND REFERENCES

Sustrans Community Links Projects Funding 2014 – 2016. Report to Council Executive – 27 May 2014

Appendices/Attachments:

Appendix 1 - Plan of Armadale to Whitburn Cycle Path – indicative land acquisition plan

Appendix 2 - Statement of Reasons

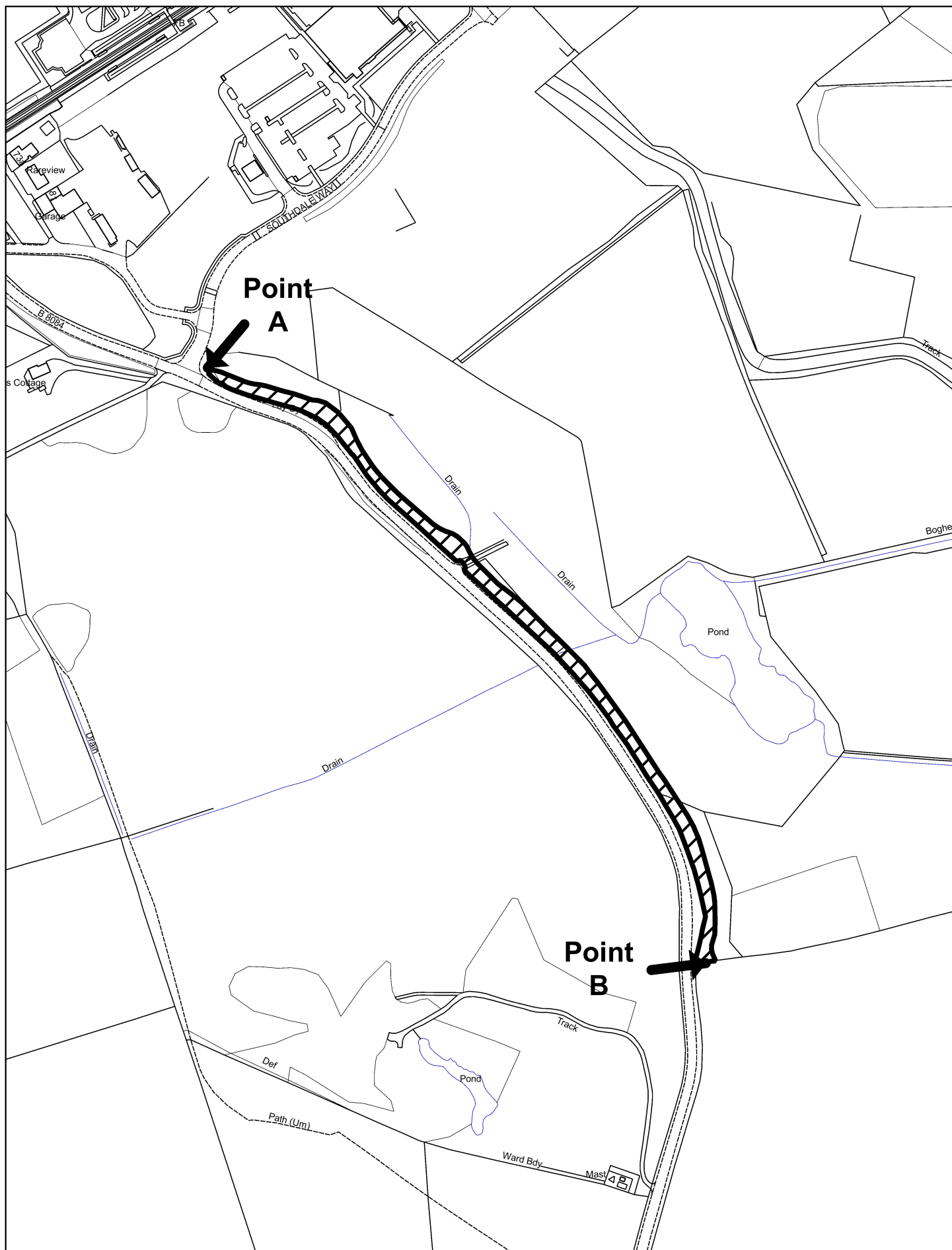
Contact Person: Hannah Sturgess, Commercial Property Surveyor, Property Management and Development

Email: Hannah.Sturgess@Westlothian.gov.uk Tel: (01506) 283405

Donald Forrest

Head of Finance and Property Services

Date: 25 April 2017



Appendix 2 – Statement of Reasons

STATEMENT OF REASONS

COMPULSORY PURCHASE ORDER UNDER THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997, FOR B8084 WHITBURN TO ARMADALE CYCLEPATH, WEST Lothian

The Land

The land in question lies to the east side of the B8084 Armadale to Whitburn Road, and follows the road towards Whitburn from the junction of Southdale Way. The full area in question is shown hatched in black on the annexed plan.

The area proposed for acquisition on the annexed plan is currently contained within the Core Development Area, Southdale, and extends to 1.68 acres (0.68Ha). The West Lothian Local Plan categorises the land for acquisition as both employment and housing land.

The acquisition land falls in elevation from Point A at Armadale Station to Point B towards Whitdale Roundabout.

Purpose for seeking the land

The council wishes to use the land for proper planning of the area and implementation of infrastructure. In particular, the council wishes to construct a cyclepath to between points A and B on the plan attached which when completed will form a significant connection in the local network.

Proposal for use after acquisition

The use of the land would be for a cyclepath to connect the current paths between Whitburn and Armadale. The works were originally scheduled to take place in summer 2015 but due to the difficulties with land acquisition, the works will now take place as soon as practicable after the land has been acquired.

Description of any new rights being created

Not applicable.

An explanation of the use of the particular enabling power

The enabling powers are contained within Section 189 of the Town and Country Planning (Scotland) Act 1997 where on approval from the Scottish Ministers, a local authority may compulsorily purchase land which is:

(1) suitable for and is required in order to secure the carrying out of development, redevelopment or improvement (2) required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

In considering whether land is suitable for development, regard is to be had for the following:-

- The provisions of the development plan, so far as material.
- Whether planning permission for any development is in force.

Date: 06/4/17

Appendix 2 – Statement of Reasons

- Any other considerations which would be material for the purpose of determining an application for planning permission

Material considerations are as follows:

1. The creation of the cyclepath will allow a link between the communities of Armadale and Whitburn. A safe traffic-free path for cyclists and walkers will be created removing the need for them to walk/cycle on the busy road. It will also improve the economic and social links of the communities and promote sustainable travel.
2. The cyclepath will offer wider connectivity across West Lothian and other areas of Scotland as the existing provisions of the National Cycle Path would be accessible.
3. The cyclepath will also increase benefits to the health of the residents of West Lothian through increased access to activity. Residents would not be reliant on bus or car to travel between the two towns.
4. The amount of land being permanently acquired has been limited to the minimum possible for each land owner. The track has been designed specifically to minimise disturbance to the business operations of the affected landowner. Accommodation works have been agreed with the landowner previously.
5. Part of the land will be needed for construction of the proposed accommodation works. It is intended that this land will be re-conveyed to the current owner following completion of the works.
6. Planning permission [LIVE/0213/FUL/15] has been granted for the site with one constraint relating to temporary works and the protection of the surrounding built environment.

A statement of the Authority's justification for compulsory purchase, including reference to how regard has been given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and Article 8, if appropriate.

The council respects an owner's peaceful right to enjoy their possessions and that no person should be deprived of their rights unless in the public interest. The proposed development of the cyclepath is within the public interest and will benefit the communities of Armadale, Whitburn and beyond.

The land is not used as a residential dwelling and the council has taken all necessary steps to ensure that the minimum amount of land is taken for the scheme from the affected owner.

How the Authority engaged with people

The council has made all reasonable attempts to negotiate with the owners of the affected land to try and acquire the land by agreement, and thereby avoid the use of compulsory purchase powers.

Discussions had been held with representatives from the company since mid-2014. As previously noted an agreement was accepted by the landowner. However, when asked to

Date: 06/4/17

Appendix 2 – Statement of Reasons

confirm the seller's legal position, it was stated that the offer had to be re-approved. No contact has been received since then despite Officers attempts to confirm the position.

The proposed cycleway/footpath has been designed so that disturbance to each affected owner has been minimised. Servitude rights have been provisionally agreed with the owner of the agricultural land and it would be expected that this agreement would be upheld after acquisition.

Funding

The council has received confirmation of grant funding from Sustrans in order to implement a number of cycle paths across West Lothian, of which £430,000 was allocated to this project. This funding will be matched by the council from its approved capital budget.

The Planning Position

The West Lothian Local Plan defines the land to be acquired as part of the core development area. The proposal will not affect this designation and the cyclepath is included in the developer's proposals for the area.

The proposal for the new cyclepath is included within the new Local Development Plan which is in the final stages of being approved by the council.

Planning consent for the proposed scheme was granted on 28 May 2015.

Barriers to Completing the Scheme

Once the land has been acquired the council would be in a position to start the work as soon as possible (subject to the procurement/tender process etc.)

As both funding and planning consent to implement the proposals have been obtained, these no longer present barriers to the scheme.

Special Considerations

At the time of writing the council is not aware of any special considerations.

List of documents

Appropriate maps and planning information can be seen at the Planning Permission link below:

https://planning.westlothian.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=DCAPR_143015

[Details on funding can be found from the report below:](#)

[Report by Head of Operational Services, Council Executive. May 27 2014:](#) Sustrans Community Link Projects Funding 2014 to 2016.



West Lothian
Council

COUNCIL EXECUTIVE

LINLITHGOW PARTNERSHIP CENTRE
PROPOSED LEASE TO LINLITHGOW HERITAGE TRUST

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for a 25 year lease of an area within Linlithgow Partnership Centre to Linlithgow Heritage Trust.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the lease of 210 square metres of office/exhibition space plus ancillary storage for a period of 25 years subject to terms and conditions set out in this report, and,
2. Grants delegated powers to the Head of Finance and Property Services to agree to any changes required to the current terms in order to conclude the transaction, on the basis that any revised terms and conditions still comply with approved leasing procedures.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The Disposal of Land by Local Authorities (Scotland) Regulations 2010</p> <p>West Lothian Council's strategy for the delivery of arts and cultural services.</p>
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	None.

VII Consideration at PDSP

Not applicable

VIII Other consultations

The elected members for the ward have been provided with a copy of this report for their information.

D. TERMS OF REPORT**Background**

Linlithgow Heritage Trust (LHT) is currently based in Annet House, High Street, Linlithgow and operates the property as a museum. The property is owned by the council and has been leased to the Trust since late 1980's. LHT's internal repairing lease of Annet House reached its natural expiry date on 31 March 2014, and since that time it has continued to run on a year to year basis. LHT receive an annual funding package from the council in support of the services they deliver from the property. Whilst the LHT have occupied Annet House for a significant number of years, the building has always had accessibility issues due to the configuration over multiple floors and no lift. In essence, this has meant that the physically disabled or those with mobility issues have been unable to access much of the museum.

LHT was identified as a potential partner for the new Linlithgow Partnership Centre in the early stages of planning the new building. LHT will occupy a prominent area on the first floor of the building overlooking the High Street and The Cross. The new location will be more readily accessible to visitors being in the heart of the historic town. The building will also be more accessible to less able-bodied visitors with lifts to the first floor of the building, together with the provision of accessible toilets. The co-location of the Linlithgow Library, Local History Library, Family History Library and LHT all centrally based in the Linlithgow Partnership Centre will be a benefit to locals and tourists alike. LHT also plan to stage events such as reminiscence days which may be of interest to older clients attending the day care centre within the building.

LHT are making an application to Heritage Lottery for funding to assist them in their proposed relocation to the new partnership centre and set up of new exhibitions including specialised effects and lighting. This is a staged process which means that, should the LHT be successful in their application, they would not be in a position to relocate until Spring 2018. Currently, LHT have successfully passed Stage one and are shortly to submit their Stage two application.

At its meeting of 30 June 2015, Council Executive approved a report on the modernisation of leases, the purpose of which was to ensure that leases to a variety of different groups satisfied the requirements set down in the Disposal Of Land (Scotland) Regulations, 2010. As part of that report, it was agreed that where a tenant was already in receipt of funding from the council through a funding agreement, then obligations on the tenant to meet property costs, including rent, should be supported by an addition to that funding agreement to ensure that the tenant was able to comply with their lease obligations, whilst the matter remained budget neutral for the council.

Current Position

A number of detailed discussions have taken place with LHT regarding space requirements and lease terms. Provisional Heads of Terms have been agreed to include:

1. Tenant: Linlithgow Heritage Trust.

2. Lease period: 25 years.
3. Rent: The annual rent passing shall be set at a market value of £25,819. That rental will be met fully by the council by way of an increase to the tenant's annual funding package. In practice, the rent element would be automatically deducted from the tenant's annual award at source and credited back to the relevant council service. As a result, the payment of rent will be cost neutral to both the council and the tenant whilst ensuring proper compliance with the requirements of the Disposal of Land Regulations.
4. Service charge: There will be an annual service charge to cover caretaking, repairs and maintenance, cleaning, insurance, gas, electricity, water & sewerage, grounds maintenance, management fee. This will be based on the percentage of the overall floor area occupied by the tenant.
5. Repairs and maintenance: All repairs and maintenance other than tenant's fixtures and fitting will be covered as part of the service charge.
6. There will be a number of other standard terms and conditions contained in the lease which are common in a commercial lease of a multi-occupancy property.

E. CONCLUSION

It is considered to be in the council's best interests to approve the lease to Linlithgow Heritage Trust on the terms and conditions set out in this report.

F. BACKGROUND REFERENCES

Linlithgow Partnership Centre – Options appraisal – Report by Head of Finance and Estates to Council Executive 27 January 2015

General Services Capital Programme – Report by Head of Finance to Council Executive 19 June 2014

Linlithgow Partnership Centre – Project Update – Report by Head of Area Services to Council Executive 10 June 2014

Modernising leases at less than market rental – Report by Head of Finance and Estates to Council Executive 30 June 2015

Appendices/Attachments: None.

Contact Person: Janet Rutherford, Commercial Property Surveyor, Tel: 01506 281831, email: janet.rutherford@westlothian.gov.uk

Donald Forest, Head of Finance and Property Services

Date of meeting: 25th April 2017



COUNCIL EXECUTIVE

**INDEPENDENT INQUIRY INTO THE CONSTRUCTION OF EDINBURGH SCHOOLS
UPDATE**

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To provide the Council Executive with an update in relation to the recommendations set out in the Independent Inquiry into the Construction of Edinburgh Schools and to provide an indication of the measures already in place within the Council in relation to the Council's construction project processes.

B. RECOMMENDATION

It is recommended that Council Executive notes:

1. the recommendations contained within the Independent Inquiry into the Construction of Edinburgh Schools and the Council's position in relation to these;
2. the areas of good practice already in place in relation to management of construction projects and quality assurance processes, and;
3. the additional measures outlined in this report have been progressed by officers as part of ongoing management of the Council's construction projects.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable; focusing on customers' needs; making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Construction Design & Management (CDM) Regulations 2015
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	None.
VI	Resources - (Financial,	Allocations within the 2017/18 General Services

Staffing and Property)	Capital and Revenue Budgets for Property Planned Improvements, Projects and Reactive Repairs and Maintenance
VII Consideration at PDSP	None.
VIII Other consultations	None.

D. TERMS OF REPORT

D1 Background

The Independent Inquiry into the Construction of Edinburgh Schools was undertaken following the collapse of part of an external wall at Oxfords Primary School in January 2016 and subsequent investigative surveys indicating defects in the construction of the external walls in 16 schools, a secure unit and a community centre, all of which had been built as part of the same Public Private Partnership (PPP) contract. As a result the properties concerned were closed for a period of several months.

The inquiry was led by Professor John Cole, CBE an architect and retired Civil Servant supported by Stewart Macartney, a structural engineer specialising in forensic investigations and director in a multi-disciplinary engineering consultancy together with Chris Phillips, a lawyer and a partner in an established legal practice.

D2 Inquiry Investigations and Remit

The remit of the inquiry extended over a number interrelated matters including:

1. The rationale for the Council entering into the PPP contract for schools and the effect this financing arrangement may have had on the construction process being considered together with the actual contractual arrangements;
2. Reasons for and the necessity of the school closures, including a review of the reasons for the Oxfords Primary School wall collapse;
3. The role of the Council with regard to the quality assurance, including the granting of completion certificates, the management of risks to the Council and if standard practice regarding quality assurance provided adequate checks and balances for all parties to the contract;
4. Ongoing management of the contract and maintenance of the buildings since construction, including advising on whether the current defects should have been found earlier;
5. Providing advice and recommendations on any specific or wider lessons which can be learned; and
6. Any further matters the Chair of the Inquiry wishes to pursue relevant to this matter.

D3 Inquiry Findings Summary

The findings of the inquiry have been categorised into a number of specific areas including procurement, independent certification, client's relationship with design team, information sharing, construction, training and recruitment, building standards, further inspections and those specific to City of Edinburgh Council.

In summary the findings indicate that the primary cause of the Oxbgangs school wall collapse was poor quality construction in the building of the wall. In particular the brickwork and the positioning of the wall ties, the direct supervision of the laying of the bricks and the positioning of wall ties and the quality assurance processes employed by the sub-contractor and main contractor were all deficient.

In addition, secondary findings included a lack of adequate understanding of the PPP construction contract requirements and specifically the roles and responsibilities of the parties involved relating to quality control. A lack of staff resources deployed and experienced in the delivery of such projects within the City of Edinburgh Council and the lack independent scrutiny we also noted as contributing factors. Final construction information was also considered insufficient.

A general conclusion of the inquiry was that the issues encountered are likely to be prevalent elsewhere across Scotland, particularly in relation to Design & Build (D&B) or Public Private Partnership (PPP) buildings.

An additional issue that came to light as a consequence of the inspections of the schools and has been reported on by the inquiry was the identification of multiple breaches at a number of properties in fire stopping. These breaches, if originating from the construction stage, should have been identified during final inspection stages and, if not, they should have been identified by the facilities management company through regular inspections of the integrity of the fire-stopping in the building.

D4 Council review of the report findings

Following presentation and publication of the inquiry report on 9 February 2017 officers from Finance and Property Services and Building Standards have reviewed the findings and provided comments on the position in relation to the councils delivery of large construction projects, the ongoing management of property assets and in particular PPP schools and the regulatory requirements of Building Standards.

The council's current position in relation to the recommendations within the report can be summarised as follows:

- **Procurement** - West Lothian Council has a number of suitably qualified and experienced professionals within Finance and Property Services who have the requisite expertise to manage diverse and complex construction projects, including PPP and Design Build Finance and Maintain (DBFM - the replacement for PPP). This includes the ongoing contractual management of properties that were delivered via previously entered PPP contracts;
- **Independent Certifier** - The procurement of the Independent Certifier is undertaken through an approved framework operated by the Scottish Futures Trust which ensures that experienced and appropriate professionals are available for appointment. (applicable mainly to D&B and DBFM contracts);
- **Clients Relationship with Design Team** - West Lothian Council has in place a consultant framework agreement which covers traditional forms of construction and retains the services of the design team throughout the duration of the contract. The form of contract clearly defines the scope of services to be performed. For D&B and DBFM contracts the timing of novation of the design team to the contractor is key;

- **Information Sharing** – the council currently requires consultants and contractors to provide information throughout the procurement and delivery processes and upon completion provide final construction drawings as part of contracts for all projects;
- **Construction** – the council acknowledges that building inner and outer leaves of brickwork separately is poor building practice and the practice is specifically not permitted within the terms of council contract requirements within traditional contracts. Clerks of Works monitor quality of the workmanship on site and have authority to stop work on site if necessary;
- **Training and Recruitment** (of skilled bricklayers, clerks of works, building inspectors) – the council acknowledges that there is an issue with recruiting appropriate qualified staff. The council is however, committed to apprenticeships both delivered directly and through community benefits to train the next generation of construction related trades and professions and endeavours to maximise these opportunities;
- **Building Standards** – the council awaits the response of the Scottish Government Building Standard Division to mandatory inspections and certification of construction. Any proposed increase in inspections will require a review of staff resources and be subject to a separate report relating to Building Standards; and
- **Further Investigations** – the council has implemented surveys on a risk based approach - these have been intrusive and some minor remedial work has already been completed. The council undertakes annual maintenance assessments and has a rolling programme of five yearly building condition surveys for property assets to ensure the identification of priority works for implementation as part of planned improvement programmes.

Officer responses to the inquiry recommendations outline a robust approach already exists within the council which ensures quality assurance is paramount throughout the delivery of large scale construction projects.

As outlined above, the council currently adopts a robust approach to the delivery of large scale construction projects and the ongoing management of property assets; in addition, there are a number of recommendations which officers have considered and which have been incorporated into council procedures.

These primarily relate to how the council manages projects particularly during the tender and construction stages. In summary the main areas are as follows:

- Suitably qualified and experienced staff from Construction Services will provide technical expertise on all large building construction projects;
- Independent Certifiers will be appointed on all Design and Build (D&B) and Design Build Finance Maintain (DBFM) contracts with the scope of service required aligned to the scale of the project;
- Within D&B or DBFM projects, retention of the design team until a later stage in the contract will be considered;
- Final construction issue drawings will be provided at practical completion by consultants and 'as-built' drawings obtained from the contractor. This will be included as mandatory in the scope of services for all projects;
- Tender process will include marked questions regarding contractor quality assurance processes. Inclusion of a requirement to provide digital photographic evidence at regular intervals and prior to any closing up of work will also be required for all large construction projects;

- A risk based approach to fire surveys of all council buildings is being implemented as part of the ongoing management of the councils property assets; and
- Further intrusive investigations of older buildings (pre 2000) on a risk based approach will be implemented.

Following review of the findings by the Scottish Government Buildings Division a separate report will be presented which will relate primarily to the implications for the councils Building Standards Service.

E. CONCLUSION

The Inquiry, whilst focused on City of Edinburgh Schools raises a number of matters that should be considered by all local authorities. To this end officers have reviewed the findings in the context of West Lothian's practices and processes and have progressed the required actions.

It should be recognised that the primary causes of the issues identified during the inquiry are not prevalent in West Lothian.

F. BACKGROUND REFERENCES

Report of the Independent Inquiry into the Construction of Edinburgh Schools – 7 February 2017 -

http://www.edinburgh.gov.uk/info/20074/schools/1423/independent_inquiry_into_ppp1_schools

Appendices/Attachments: None

Contact Person:

Marjory Mackie, Construction and Design Manager, Tel: 01506 281119

Email: Marjory.mackie@westlothian.gov.uk

Donald Forrest

Head of Finance and Property Services

25 April 2017

MEETING Council Executive

DATE 25 April 2017

ITEM NO.

Note the action taken in terms of Standing Order 31 (Urgent Business)



West Lothian
Council

COUNCIL EXECUTIVE

**APPLICATION FOR GRANT FUNDING THROUGH SEEP CALL FOR PILOT PROJECTS
PHASE 2**

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To advise Council Executive that an application has been submitted to Scottish Government for the SEEP Call for Pilot Projects Phase 2 seeking an award of £325,000 to fund the extension of the pilot Ground Source Heat Pump (GSHP) project in Westfield, the development of a Local Heat and Energy Efficiency Strategy for West Lothian and investigating possible energy efficiency measures to council buildings prior to transfer to community organisations.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Note that the application process for SEEP phase 2 pilots has changed significantly from the first phase of pilots with new scheme details being published by Scottish Government on 15 February 2017;
2. Note that it had been envisaged that a pilot SEEP project in Craigshill would be progressed in 2017/18 but because of a change of circumstances to the terms of the SEEP phase 2 pilots having been changed by Scottish Government at short notice it was not possible to develop a suitable project in Craigshill; and
3. Approve the submission of an alternative SEEP Project application for 2017/18 in light of the changes to the phase 2 application with the alternative project being for the extension of the pilot GSHP project in Westfield, the development of a Local Heat and Energy Efficiency Strategy and investigating energy efficiency measures for council buildings prior to transfer to community organisations.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	none
III	Implications for Scheme of Delegations to Officers	none
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	We make the most efficient use of our resources by minimising our impacts on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	There is budget in the Housing Revenue Account for the Westfield GSHP pilot project that the application is seeking to match fund. There is budget in the General Services Account for Miscellaneous Project Feasibilities that the application is seeking to match fund. There will be a request in the next round of the capital programme for legacy funding to support improvements to council buildings prior to transfer to community groups.
VII	Consideration at PDSP	The Services for the Community PDSP has considered reports on proposed SEEP projects for 2017/18 on 7 February 2017.
VIII	Other consultations	None

D. TERMS OF REPORT

D.1 SEEP Round 2 Call for Pilot Projects

Officers previously advised Council Executive of the intention to develop a SEEP project in the Craigshill area to support the EWI work being carried out by Almond Housing Association on 14 February 2017. This intention was based on the process of the phase 1 applications. The phase 2 call for pilot projects was issued on 15 February 2017 and was different to the first phase of SEEP pilot projects where the council secured funding for a project in Dedridge. Officers had not been made aware previously to the call being published of a change in the application process and eligibility criteria.

For the first phase call for SEEP pilot projects in January 2016 it was possible to apply for funding to perform external wall insulation to domestic properties to make up the domestic aspect of the pilot project. The pilot in Dedridge therefore consists of 43 domestic properties in Templar Rise receiving EWI alongside the Lanthorn Centre which will receive EWI and improved roof insulation. Officers were working on the basis that the phase 2 applications would be similar which is why an EWI programme for Craigshill was proposed to Council Executive on 14 February 2017.

With the publication of the phase 2 call for pilot projects guidance on 15 February 2017, Scottish Government no longer accepted projects where EWI is the sole measure to be performed to domestic properties as these can be funded from other sources (HEEPS:ABS). Officers investigated increasing the scope of measures being carried out to domestic properties but because no non-domestic buildings in Craigshill could be identified to be included it was not possible to develop a project for the area as proposed.

Fortunately, officers were working on the Westfield GSHP project and this project met the eligibility criteria of the phase 2 guidance. Therefore, in order to aim to secure SEEP funding it has been necessary to apply for funding to expand the scope of the pilot GSHP project in Westfield to include a further 6-8 council owned properties. This supports the council's aim of maximising grant funding being secured for West Lothian whilst providing further measures to address fuel poverty in areas off the mains gas network.

In the previous Council Executive report of 14 February 2017 this was not proposed as an option as the West Lothian Council capital budget for the Westfield GSHP project had not been confirmed and it did not meet the criteria of the previous phase 1 pilots.

As part of the Scottish Governments Draft Energy Strategy they are seeking consultation feedback on a range of related issues; one of which is the proposal that all Local Authorities are required to develop a Local Heat and Energy Efficiency Strategy (LHEES). Part of the SEEP application is for grant funding to carry out a feasibility study into how this could be achieved and start to develop a LHEES for the council.

For the non-domestic part of the pilot project it is proposed to seek funding to perform initial feasibility into energy efficiency measures that could be carried out to council buildings prior to being transferred to community. Transferring council buildings can be progressed when the council is approached by a community organisation and this funding will be to develop a model to support the community group understand the energy efficiency performance of the building and help implement energy efficiency measures in order to support the viability of the transfer and ongoing operation once under community organisation control.

A total of £325,000 in SEEP funding has been applied for.

The phase 2 application process required a completed expression of interest to be submitted by 31 March 2017; if the expression of interest is successful the council will be invited to provide a full application the week commencing 10 April to be submitted by 12 May 2017. A full update on the application will be presented at future PDSP and Council Executive meetings.

SEEP is an ambitious programme looking to combine domestic and non-

domestic energy efficiency measures together; however the development of the SEEP approach via the call for pilot projects prior to being rolled out in 2018/19 has been difficult to both plan for and react to. Information prior to the call for pilots is very limited and timescales to develop an application once information is provided are very short and do not account for the approval processes required of a Local Authority.

E. CONCLUSION

The SEEP Call for Pilot Projects Phase 2 application was different from the first phase of pilot projects and was issued after officers had proposed to Council Executive to develop a project to support the EWI work Almond Housing Association are going to be doing in Craigshill. As a result it was not possible to develop a project as proposed.

Therefore officers have submitted an application to; expand the pilot GSHP project in Westfield as this will still allow for grant funding to be secured to be spent in West Lothian to address the issue of fuel poverty and fuel costs for areas without access to the mains gas network, develop an LHEES for the area and investigate possible energy efficiency measures that could be carried out to council buildings prior to transfer to community organisations to support the viability of community lead projects involving council assets.

F. BACKGROUND REFERENCES

Council Executive February 2017 Update on Home Energy Efficiency Programmes for Scotland: Area Based Schemes (HEEPS:ABS) 2017/18 and SEEP projects

Services for the Community PDSP February 2017 – Update on Home Energy Efficiency Programmes for Scotland: Area Based Schemes (HEEPS:ABS) 2017/18 and SEEP projects

Services for the Community PDSP October 2016 – Update on Energy Efficiency Programmes and Proposals

Services for the Community PDSP June 2016 – Update on Energy Efficiency Programmes and Proposals

Services for the Community PDSP April 2016 - update on home energy efficiency programmes for Scotland (HEEPS) 2016/17 and Scotland's energy efficiency programme (SEEP) call for pilot projects 2016/17

Services for the Community PDSP December 2015 – Westfield Gas Study Update

Council Executive June 2014 Home Energy Efficiency Programmes for Scotland (HEEPS) 2014/15

Services for the Community PDSP April 2014 Home Energy Efficiency Programmes for Scotland (HEEPS) 2014/15

Council Executive March 2014. Home Energy Efficiency Programmes for Scotland (HEEPS)

Services for the Community PDSP April 2013 Home Energy Efficiency

Programmes for Scotland

Council Executive February 2015 – Home Energy Efficiency Programmes for Scotland (HEEPS)

Services for the Community PDSP 4 October 2016 – Update on energy efficiency proposals

Appendices/Attachments: Scotland's Energy Efficiency Programme Pilot Projects Pathfinder Fund – Phase 2

Contact Person: Euan Marjoribanks, Housing Investment Officer (Energy Efficiency), 01506 283766

Email: ewan.marjoribanks@westlothian.gov.uk

Alistair Shaw

Head of Housing, Customer and Building Services

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