



West Lothian
Council

Environment Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

25 September 2017

A meeting of the **Environment Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 3 October 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 Environment Policy Development and Scrutiny Panel held on Thursday 07 September 2017.
5. Scotland's Climate Change Declaration - Annual Report 2016/17 - Report by Head of Planning, Economic Development and Regeneration (herewith).
6. The Feed Enforcement (Scotland) Regulations 2018 Consultation - Report by Head of Planning, Economic Development and Regeneration (herewith).

7. Local Air Quality In West Lothian 2016 - Report by Head of Planning, Economic Development and Regeneration (herewith)
8. West Lothian Active Travel - Quiet Roads Project - Report by Head of Operational Services (herewith).
9. Report on the SEPA Consultation - New Compliance Assessment Scheme - Report by Head of Operational Services (herewith).
10. Report on SEPA Consultation - Environmental Regulation (Scotland) Charging Scheme - Report by Head of Operational Services (herewith).
11. Petition - Speeding Concerns of the Residents in Bankton Park East and Bankton Park West, Livingston - Report by Head of Operational Services (herewith).
12. Environment PDSP Workplan (herewith).

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

MINUTE of MEETING of the ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 7 SEPTEMBER 2017.

Present – Councillors Cathy Muldoon (Chair), Alison Adamson, Diane Calder, Chris Horne, Dave King, George Paul and Kirsteen Sullivan

Apologies – Councillor Tom Conn (Chair)

In attendance – Robin Lever, Senior People's Forum Representative

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Panel confirmed the minute of its meeting held on 8 June 2017 as being a correct record. The minute was thereafter signed by the Chair.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - TAXI FARE REVIEW

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services providing details of the proposed new changes to the current fare table in respect of fares and associated charges, details of which were attached at appendix 1 to the report.

The report explained that the council, as licensing authority, was required to comply with section 17 of the Civic Government (Scotland) Act 1982 ("the 1982 Act") by reviewing its taxi fare table every 18 months in consultation with local trade organisations and thereafter to publish notice of any proposed changes to its fare table and to consider any representations made in writing regarding the proposed changes. A copy of the notice published in the West Lothian Courier on 29 June 2017 was attached at appendix 2 to the report. The Panel was advised that the period for any representations ended on 30 July 2017. No written representations were received.

The changes proposed were to additional charges only rather than the method of calculation of fares.

A review of the fare table had been undertaken, as required under section 17 of the 1982 Act, and consultation had taken place with the relevant trade organisations, as required under section 17(4A)(a) of the 1982 Act.

The Solicitor in attendance at the meeting then responded to questions from members of the Panel. In response to a question relating to the proposed charges to passengers for soiling, which had increased considerably, he undertook to investigate and advise members thereafter,

the valet services being used by taxi drivers and whether it might be more cost effective to use more competitive services. It was noted that the charges incorporated the costs of taxis being taken off the road to be valeted.

It was recommended that the Panel notes the changes contained in the proposed new fare table and agree that the report be forwarded to the Council Executive for approval.

Decision

1. To note the contents of the report;
2. To note that the Solicitor undertook to investigate the valet services being used by taxi drivers and update members thereafter; and
3. To agree that the report be forwarded to the Council Executive for approval.

4. CLIMATE CHANGE BILL CONSULTATION RESPONSE

The Panel considered a report (copies of which had been circulated) by the Head of Finance & Property Services providing details of the proposed response to the consultation on the Scottish Government's Climate Change Bill.

The report recalled that the Climate Change (Scotland) Act 2009 (The Act) set out a range of emissions reductions targets culminating with an 80% reduction by 2050, with a principal interim target of 42% reduction by 2020.

The council's proposed consultation response was attached at appendix 1 to the report, which was comprehensive and provided input, recommendations and suggestions where appropriate. The council's response was generally in agreement with the aims of the proposed Climate Change Bill, with two exceptions as follows:

1. The revised 2020 target of 56% seemed overly ambitious when set against the context of the lower annual reductions required in following periods. It also did not take into account the fact that organisations, including local authorities, would have aligned their targets to the Government's original goals and would need to identify and resource additional projects and resources to further reduce emissions with minimal lead in times; and
2. The proposal to introduce evenly distributed linear annual targets did not allow for short term fluctuations in performance and could cause confusion and misinterpretation.

In conclusion, in light of the global events and progress being made at a national level, emissions reductions targets should be reviewed and re-aligned. The consultation sets out what these new targets should be and a methodology for ensuring that they were consistent and relevant. While

not agreeing with all of the proposals in the consultation, the council's response was generally supportive and provided suggestions for changes where necessary.

It was recommended that the Panel notes the contents of the Climate Change Bill Consultation response and recommends that the response be forwarded to the Council Executive meeting on 19 September 2017 for approval.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for approval for submission to the Scottish Government by the deadline of 22 September 2017

5. SCOTLAND'S UPDATED GEODIVERSITY CHARTER (2017) & DRAFT WEST LOTHIAN GEODIVERSITY ACTION PLAN

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development & Regeneration providing details of Scotland's updated Geodiversity Charter and its relationship with West Lothian.

The report advised that the renewed Charter stated that Geodiversity was an integral part of the natural environment that could not be taken for granted.

Integration of geodiversity into wider environmental policy and decision frameworks was vital not only to conserve vulnerable elements of our geoheritage but also to ensure more holistic conservation management of biodiversity, geodiversity and landscape through the 'ecosystem approach'.

Scotland has world-class geodiversity and its variety of rocks, landforms, sediments, soils and the natural processes which form and alter them. Scotland's revised Geodiversity Charter encourages everyone to work together to promote and manage Scotland's geodiversity and to ensure that it was better integrated in policy and guidance consistent with the economic, social, cultural and environmental needs of Scotland. Within West Lothian there were examples of good geodiversity practice outlined in the initial charter that had been translated into the Local Development Plan, supplementary guidance and the proposed Geodiversity Action Plan. The draft West Lothian Geodiversity Action Plan 2017-2020 was attached as an appendix to the report.

It was recommended that the Panel:

- Note the report and the accompanying draft West Lothian Geodiversity Action Plan; and
- Recommend to the Council Executive that it adopts the Geodiversity

Action Plan and agrees that West Lothian Council, through the Leader of the Council and the Chief Executive, signs up to Scotland's revised Geodiversity Charter 2017.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for approval.

6. BROXBURN AIR QUALITY MANAGEMENT AREA ACTION PLAN UPDATE

The Panel considered a report (copies of which had been circulated) providing details of the final draft of the Broxburn Air Quality Action Plan and the obligation upon the council to approve and publish the plan.

The report advised that the declaration of the Air Quality Management Area (AQMA) in Broxburn requires the local authority to develop an action plan in pursuit of the achievement of air quality standards and objectives. The first consultation on the draft plan took place between 7 March and 18 April 2016. The consultation involved both internal and external parties and included transport operators, local residents, community council representatives, local businesses and elected members. The measures currently listed in the final draft Air Quality Action Plan for Broxburn were attached at appendix 1 to the report and the Broxburn Air Quality Action Plan was attached at appendix 2 to the report.

To ensure appropriate consideration and transparency in the determination of the AQAP for Broxburn, it was necessary that a final consultation was completed. The final draft AQAP required to be appraised and accepted by the Scottish Government and the Scottish Environment Protection Agency. The Council Executive also required to approve the final draft AQAP before the consultation process could begin. Once approved the final draft AQAP would be made available for consultation. Following the consultation period a further report would be provided for the Council Executive to approve and adopt the AQAP for Broxburn, and to pursue appropriately the implementation of the measures within the plan.

The activities being undertaken were part of the process of approving the AQAP for Broxburn, and in particular, ensured that those involved and impacted had an opportunity to contribute.

The Senior Environmental Health Officer then responded to questions from members of the Panel. The Panel also noted the comments from Councillors Calder and Sullivan highlighting their concerns in relation to pollution caused by the impact of Edinburgh Airport altering flight paths over the ward area and the increased number of planes flying directly over Broxburn and the surrounding areas. In response to a question about whether air traffic was considered in the final draft AQAP, the

Senior Environmental Health Officer advised that it was not possible to monitor emissions from aircraft due to the distance of the aircraft and the changes in chemistry within the air environment.

It was recommended that the Panel notes the contents of the report and agree that the report be submitted to the Council Executive for approval.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for approval.

7. RESPONSE TO "RAISING STANDARDS AND IMPROVING THE QUALITY OF ROAD WORKS IN SCOTLAND - A CONSULTATION"

The Panel considered a report (copies of which had been circulated) providing details of a formal consultation by Transport Scotland seeking the views of the council on a proposed package of reforms intended to make changes to regulation of road works in Scotland.

The report explained that the consultation being undertaken by the Scottish Government aimed to raise standards and improve the quality of road works in Scotland, which should be welcomed. West Lothian Council's proposed response was attached as an appendix to the report. The consultation response reflected benefits and disadvantages to the council that would arise should the proposed legislative changes be made.

It was recommended that the Panel notes the consultation response and agree that this be forwarded to Council Executive for approval.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for approval.

8. UPDATE REPORT ON PERFORMANCE AND EFFICIENCY OF COMMUNITY RECYCLING CENTRE OPERATIONS

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services providing details of the outcomes from previously agreed proposals to improve the efficiency and performance at the council's Community Recycling Centres (CRC).

The Waste Services Manager advised that a number of factors affected the volume of site use and the nature of disposal habits which included the closure of sites in the City of Edinburgh to commercial users, the increasing population within West Lothian and impacts following the roll-

out of the 140l kerbside residual bins.

It was considered that the recycling performance of the sites would be greatly aided by the additional control allowed by the centralising of commercial waste activities at the CWRC Whitehill Service Centre. This would assist in managing the increased demand and provide capacity to allow the site operatives to assist the public in making positive choices with respect to their recycling habits. These changes provided the service with the best opportunity to continue to manage increasing demand with the resources available, improving the performance of the sites to deliver both financial and environmental benefits.

The report explained that all of the CRC sites have become busier since the end of 2014. The quietest times continued to be the first and the last hour. It was observed that the last hour during the extended opening times (June-September) was significantly quieter than the last hour during the normal opening hours. It was recommended that consideration be given to altering the opening hours to be 10.00 a.m. to 6.00 p.m. all year round to reduce the confusion caused to the public through the seasonal approach currently used, to smooth out the demand caused by the shorter hours for eight months of the year and to allow users to access the site after 5.00 p.m. throughout the year.

The Waste Services Manager then responded to questions from members of the Panel.

It was recommended that Panel note the contents of the report and recommend that the proposals to revisit the opening hours be forwarded to Council Executive for consideration.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for consideration.

9. 2017/18 WINTER SERVICE POLICY - ROADS AND TRANSPORTATION

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services providing details of the Winter Service Policy 2017/18, details of which were summarised within the appendix to the report.

The report recalled that the council's current Winter Service Policy was well established and based on The Code of Practice "Well-managed Highway Infrastructure" – 2016, which recommended that councils should review and approve their Winter Service Policy annually. Following review of the 2016/17 Winter Service Policy by officers, it was recommended that no changes were required and that the 2017/18 policy be approved for the coming winter season 2017/18.

It was recommended that the Panel notes the 2017/18 Winter Service

Policy and agree that the report be forwarded to the Council Executive for approval.

Decisions

1. To note the contents of the report; and
2. To agree that the report be forwarded to the Council Executive for approval.

10. WORKPLAN

The Panel considered the contents of the workplan that would form the basis of the work over the coming months.

Decision

To note the contents of the workplan.



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

SCOTLAND'S CLIMATE CHANGE DECLARATION – ANNUAL REPORT 2016/17

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to inform the Panel of West Lothian's annual Scottish Climate Change Declaration Report for 2016/17.

B. RECOMMENDATIONS

It is recommended that the Panel:

1. notes the contents of the Declaration at Appendix 1; and
2. considers and comments on the annual report prior to its submission to the Council Executive for approval and, subject to that approval, onward submission to Sustainable Scotland Network and the Scottish Government.

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 council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act:</p> <ol style="list-style-type: none">(a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of this Act;(b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;(c) in a way that it considers is most sustainable. <p>The project does not raise any equality issues.
SEA not required
None.</p> |
| III. Implications for Scheme of Delegations to Officers | |

IV. Impact on performance and performance indicators	Action to reduce greenhouse gas emissions, adapt to climate change and promote sustainability links to a number of performance indicators under the Single Outcome Agreement and relating to performance of the council on climate change issues and responses across all council services.
V. Relevance to Single Outcome Agreement	Contributes to all outcomes and specifically; Outcome 7 - We live longer, healthier lives and have reduced health inequalities, and; 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	This is the first referral to PDSP.
VIII. Other consultations	Climate Change and Sustainability Working Group

D. TERMS OF REPORT

D1 Background

The council has been voluntarily reporting on Climate Change since becoming a signatory to Scotland's Climate Change Declaration in 2007. Reporting has been mandatory since the 2015/16 reporting year, in compliance with the Public Bodies Duties of the Climate Change (Scotland) Act 2009 (the Act). Reports must be submitted to the Sustainable Scotland Network (SSN) by 30 November each year.

D2 Reporting requirements

The reporting template used this year is essentially the same as that used in 2015/16. We received very positive feedback on our return last year, and in fact areas of the report were used as "best practice" examples in the latest SSN guidance. This year we have continued our efforts to enhance the quality and quantity of the information presented, based on the feedback provided to us.

D3 Summary of the Declaration for West Lothian Council

The Declaration is split into two sections. There is a "Required" section which must be completed and a "Recommended" section which is optional.

The first part of the required section provides key information about the organisation and the reporting year covered.

Part two includes information on how the council provides effective governance, leadership and management of climate change. There is a particular emphasis on the role of senior staff and elected members in climate change initiatives and groups and in promoting awareness and action on climate change.

Part three addresses the council's corporate greenhouse gas emissions including targets, performance and actions to reduce emissions. The footprint includes buildings (electricity, gas and other fuels), waste to landfill, recycled waste, waste electrical and electronic equipment recycling (WEEE), composted food waste, composted green waste, fleet diesel, fleet petrol, own use mileage, water consumption and external lighting. The council's target to reduce emissions by 20% by 2020/21 is set out in the Climate Change Strategy and Carbon Management Plan which were approved in November 2015.

The footprint for 2016/17 has been calculated to be 56,831 tCO₂e, a significant decrease of 4295 tonnes (or seven percent) on the 2015/16 footprint of 61,126. The most substantial contributors to this reduction are electricity, gas and a reduction of waste to landfill with fleet fuel consumption and reductions in mileage also contributing. Table 1 below compares some of the key figures from 2016/17 with those from 2014/15 which was the first year of reporting on the new standardised template. It shows significant reductions across a range of contributing areas and highlights the progress being made to deliver our services in a more sustainable, low-carbon way.

Source	2014/15	2016/17	Reduction
Electricity (kWh)	52,099,822	49,737,322	2,362,500
Gas (kWh)	71,447,350	63,179,253	8,268,097
Municipal Waste to Landfill (tonnes)	38,009	33,952	4,057
Commercial Waste to Landfill (tonnes)	15,501	13,130	2,371
Diesel (litres)	1,793,726	1,738,609	55,117
Petrol (litres)	45,731	39,713	6,018
Own vehicle use (km)	1,164,840	857,342	307,498

Table 1 – Reductions in emissions contributors

Some of the key projects that have delivered carbon savings in the reporting year are the continued replacement of conventional street and building lighting with low energy LED equivalents, the completion of our biomass heating plants and further enhancements to our waste collections leading to increased recycling and more food waste composting.

Section four relates to the council's approaches to dealing with the already changing climate in Scotland. This includes assessing risks, physical works such as flood prevention and the development of local and national action plans.

Sustainable procurement is covered in section five, with information on how the council's policies and activities contribute to compliance with the climate change duties.

The final section of the required reporting area is for the council to outline how the reporting document and the information contained within it has been validated, and a declaration to confirm that it is correct. The annual return is in the process of being audited internally which will be complete prior to submission to Council Executive. Consumption data for gas & electricity has been audited as part of our annual Carbon Reduction Commitment process while waste data is audited annually by SEPA - we are still awaiting their confirmation that

waste figures are correct.

The “Recommended” section of the report outlines the council's wider impact, including partnership working, awareness raising campaigns and behavioural change programmes.

E. CONCLUSION

The council's Climate Change Declaration Report for 2016/17 demonstrates significant progress in the council's efforts to reduce our impact on the environment and to adapt to future climatic changes. The Declaration, if approved, will be submitted to the Sustainable Scotland Network and the Scottish Government for publication.

F. BACKGROUND REFERENCES

Climate Change (Scotland) Act 2009

<http://www.gov.scot/Topics/Environment/climatechange/scotlands-action/climatechangeact>

Climate Change Act – Public Bodies Duties

<http://www.gov.scot/Topics/Environment/climatechange/howyoucanhelp/publicbodies/publicsector>

Climate Change Reporting Information

<http://www.keepsotlandbeautiful.org/sustainability-climate-change/sustainable-scotland-network/climate-change-reporting/>

Scottish Government's Sustainability Reporting Guidance

www.scotland.gov.uk/Publications/2013/07/4721

Sustainable Procurement and the Flexible Framework

www.scotland.gov.uk/Topics/Government/Procurement/policy/corporate-responsibility/csr

Biodiversity Duty

www.biodiversityscotland.gov.uk/duty/

Scottish Climate Change Adaptation Programme *Climate Ready Scotland*

www.scotland.gov.uk/Publications/2014/05/4669

Public Bodies Climate Change Duties: Putting Them Into Practice

Guidance Required By Part 4 Of The Climate Change (Scotland) Act 2009

www.scotland.gov.uk/publications/2011/02/04093254/0

Appendices/Attachments: One

Appendix 1: West Lothian Council Climate Change Declaration 2016-17

Contact Person: Peter Rogers, Energy & Climate Change Manager, peter.rogers@westlothian.gov.uk, 01506 281107

Craig McCorriston,

Head of Planning, Economic Development And Regeneration

3 October 2017

TABLE OF CONTENTS

Required

- PART 1: PROFILE OF REPORTING BODY
- PART 2: GOVERNANCE, MANAGEMENT AND STRATEGY
- PART 3: EMISSIONS, TARGETS AND PROJECTS
- PART 4: ADAPTATION
- PART 5: PROCUREMENT
- PART 6: VALIDATION AND DECLARATION
- Recommended Reporting: Reporting on Wider Influence
- RECOMMENDED – WIDER INFLUENCE
- OTHER NOTABLE REPORTABLE ACTIVITY

PART 1: PROFILE OF REPORTING BODY

1(a) Name of reporting body
West Lothian Council

1(b) Type of body
Local Government

1(c) Highest number of full-time equivalent staff in the body during the report year
6810

1(d) Metrics used by the body			
Specify the metrics that the body uses to assess its performance in relation to climate change and sustainability.			
Metric	Unit	Value	Comments
Population size served	Population	180130	https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-estimates/mid-year-population-estimates/mid-2016/list-of-figures

1(e) Overall budget of the body	
Specify approximate £/annum for the report year.	
Budget	Budget Comments
386000000	Approved revenue budget.

1(f) Report year	
Specify the report year.	
Report Year	Report Year Comments
Financial (April to March)	

1(g) Context
Provide a summary of the body’s nature and functions that are relevant to climate change reporting.
As a local authority in an area with an expanding population of over 175,000, West Lothian Council provides services such as Education, Social Work, Housing, Highways, Street lighting and Cleansing. It also works closely with other public bodies such as police, fire and health through its Community Planning Partnership. There are, however, four main areas where the nature and functions of the organisation make a significant contribution to greenhouse gas emissions and are therefore relevant. These are: the operation of over 250 buildings including offices, partnership centres, schools, sheltered housing and depots; street lighting and other road furniture (signage etc); operation of the council's fleet of vehicles, and; waste collection and disposal throughout the area. In addition, the council's Planning function shapes future policy to ensure that mitigation and adaptation to the impacts of climate change are considered in the Local Development Plan and associated planning guidance.

PART 2: GOVERNANCE, MANAGEMENT AND STRATEGY

2(a) How is climate change governed in the body?		
Provide a summary of the roles performed by the body's governance bodies and members in relation to climate change. If any of the body's activities in relation to climate change sit outside its own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify these activities and the governance arrangements.		
<p>Climate change and sustainability is embedded within the governance structure of West Lothian Council as outlined in the simplified diagram attached. Council Executive has overall responsibility for ensuring the council's compliance with the Climate Change (Scotland) Act 2009 and is responsible for the approval of all climate change strategies, policies, action plans and monitoring reports.</p> <p>The Environment Policy Development and Scrutiny Panel (PDSP) is comprised of elected members who develop new policies for the council, or review existing policies to see if changes are needed. The panel does not make decisions, but it makes recommendations to the Council Executive. The Environment PDSP has responsibility for consideration of the Climate Change Strategy and associated Action Plans and climate change reports, including the annual Climate Change Duties report and regularly reviews Performance Indicators relating to climate change.</p> <p>The Community Planning Partnership (CPP) Steering Group has responsibility for monitoring performance against the Environment outcome of the Single Outcome Agreement 2013-2020 including targets for climate change and sustainability. The chair of the CCSWG reports quarterly to the Steering Group. The minutes of the CCSWG / Environment Forum are submitted to the Steering Group for scrutiny and minutes from the Steering Group circulated to CCSWG members.</p>		
2(b) How is climate change action managed and embedded by the body?		
Provide a summary of how decision-making in relation to climate change action by the body is managed and how responsibility is allocated to the body's senior staff, departmental heads etc. If any such decision-making sits outside the body's own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify how this is managed and how responsibility is allocated outside the body (JPEG, PNG, PDF, DOC)		
<p>The council's principal corporate decision making body is its Executive Committee which is chaired by the Leader of the council. The attached table summarises the council's internal management structures relating to climate change. The Head of Planning, Economic Development & Regeneration has direct responsibility for climate change, is the council's nominated Sustainable Procurement Champion and chairs the Climate Change and Sustainability Working Group (CCSWG).</p> <p>In support of the Head of Planning, Economic Development & Regeneration's role, each Head of Service is a lead officer for climate change with responsibility for climate change actions and targets within their service area. Heads of Service may delegate their responsibility to a direct report to ensure that day to day management responsibilities are clear and that delegated decision making is undertaken at the appropriate level.</p> <p>All activities relating to climate change are set out in the council's Climate Change Strategy and associated Action Plans, and are coordinated by the Energy & Climate Change Manager through the CCSWG. Lead officers for specific actions provide quarterly progress reports through the council's performance management system (Covalent).</p> <p>The Emergency Planning Service is located in the Chief Executive Office. The service is responsible for ensuring that the council has emergency response arrangements in place to enable it to respond effectively in times of crisis. The impact of climate change has also been identified in the council's Corporate Risk Register and progress against actions to address climate risk is monitored by senior management through the appropriate service management team.</p> <p>Climate Change is also embedded throughout the organisation in a number of ways:</p> <ul style="list-style-type: none">- Corporate Induction includes a section on energy and climate change awareness;- When new projects or plans are being developed, the Strategic Outline Business Case includes a section on Sustainability which must be considered and completed in all cases;- The council's Corporate Procurement Strategy sets out the vision to "achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders" and a number of Performance Indicators have been developed which are regularly monitored and reported on.		
2(c) Does the body have specific climate change mitigation and adaptation objectives in its corporate plan or similar document?		
Provide a brief summary of objectives if they exist.		
Objective	Doc Name	Doc Link
Improving waste recycling rates across West Lothian by implementing the Scottish Government's Zero Waste Strategy.	Corporate Plan, Priority 8 (p.25)	https://www.westlothian.gov.uk/media/3641/West-Lothian-Council-Corporate-Plan-2013-2017/pdf/corporateplan.pdf
Introducing low carbon and renewable energy solutions and encouraging behavioural change across all council activities to ensure that services are delivered with the minimum environmental impact from energy consumption to meet challenging targets for reducing energy consumption and carbon emissions.	Corporate Plan, Priority 8 (p.25)	https://www.westlothian.gov.uk/media/3641/West-Lothian-Council-Corporate-Plan-2013-2017/pdf/corporateplan.pdf
Protecting the environment through a range of regulatory and enforcement activities that will protect the health, wellbeing and safety of local people.	Corporate Plan, Priority 8 (p.25)	https://www.westlothian.gov.uk/media/3641/West-Lothian-Council-Corporate-Plan-2013-2017/pdf/corporateplan.pdf

Enhancing and protecting the local environment for residents, visitors and future generations by maintaining public spaces, gardens and the provision of country parks and encouraging the community to play a more active role in looking after their local environment.	Corporate Plan, Priority 8 (p.25)	https://www.westlothian.gov.uk/media/3641/West-Lothian-Council-Corporate-Plan-2013-2017/pdf/corporateplan.pdf
<p>The council is committed to working with its partners on mitigating and adapting to climate change and promoting sustainable development. This will be achieved through a range of activities relating to:</p> <p>Waste - minimising the amount of waste that is sent to landfill and increasing recycling;</p> <p>Transport - promoting sustainable and active modes of transport and increasing access to sustainable transport;</p> <p>Sustainable use of resources - reducing energy use through the introduction of renewable technology and energy efficiency measures in buildings and encouraging behavioural change to reduce energy consumption; and,</p> <p>Measures to adapt to both current and future changes in the climate.</p>	Single Outcome Agreement - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment (p.48-50)	https://www.westlothian.gov.uk/media/13834/West-Lothian-Single-Outcome-Agreement/pdf/West_Lothian_SOA_(Updated_Sept_2016).pdf
The council's assets will be managed to ensure that their useful operational life meets expected life expectancy, as well as minimising the potential adverse impact on the environment. Sustainability should make sure that council assets are available to support ongoing service delivery in the long term.	Corporate Asset Management Strategy, Outcome 6 (p.13)	https://www.westlothian.gov.uk/media/12449/Corporate-Asset-Management-Strategy-13-18/pdf/Corporate_Asset_Management_Strategy_2013-2018.pdf

2(d) Does the body have a climate change plan or strategy?
If yes, provide the name of any such document and details of where a copy of the document may be obtained or accessed.
West Lothian Council approved its Climate Change Strategy 2015-2020 and Carbon Management Plan in November 2015. These can be found at: www.westlothian.gov.uk/article/2211/Climate-change---what-are-we-doing

2(e) Does the body have any plans or strategies covering the following areas that include climate change?				
Provide the name of any such document and the timeframe covered.				
Topic area	Name of document	Link	Time period covered	Comments
Adaptation	Climate Change Strategy	https://www.westlothian.gov.uk/media/10479/West-Lothian-Council-Climate-Change-Strategy-2015-2020/pdf/West_Lothian_Council_Climate_Change_Strategy_2015-2020.pdf	2015-2020	Adaptation Action Plan being developed.
Business travel	Green Transport Policy and Green Transport Procedure Note	http://intranet.westlothian.gov.uk/article/13346/Green-Transport	2017-2023	The policy and procedure notes were developed to assist employees meet the objectives of an internal transport review project and set out employee responsibilities and the procedures that should be followed in relation to how they approach business travel.
Staff Travel	Green Transport Policy and Green Transport Procedure Note	http://intranet.westlothian.gov.uk/article/13346/Green-Transport	2017-2023	The policy and procedure notes were developed to assist employees meet the objectives of an internal transport review project and set out employee responsibilities and the procedures that should be followed in relation to how they approach business travel.
	Active Travel plan	https://www.westlothian.gov.uk/activetravel	2016-2021	
Energy efficiency	Carbon Management plan	https://www.westlothian.gov.uk/media/10480/West-Lothian-Council-Carbon-Management-Plan-2015-2020/pdf/Carbon_Management_Plan_2015-2020.pdf	2015-2020	
Fleet transport	Operational Services Management Plan	https://www.westlothian.gov.uk/article/4072/Management-Plans-and-Corporate-Strategies	2017-18	
Information and communication technology	ICT Strategy	http://intranet.westlothian.gov.uk/CHttpHandler.ashx?id=6859&p=0	2015-2017	

Renewable energy	Carbon management Plan	https://www.westlothian.gov.uk/media/10480/West-Lothian-Council-Carbon-Management-Plan-2015-2020/pdf/Carbon_Management_Plan_2015-2020.pdf	2015-2020	
Sustainable/renewable heat	Carbon Management Plan	https://www.westlothian.gov.uk/media/10480/West-Lothian-Council-Carbon-Management-Plan-2015-2020/pdf/Carbon_Management_Plan_2015-2020.pdf	2015-2020	
Waste management	Operational Services Management Plan 2017/18	https://www.westlothian.gov.uk/article/4072/Management-Plans-and-Corporate-Strategies	2017/18	
Water and sewerage	Carbon Management Plan	https://www.westlothian.gov.uk/media/10480/West-Lothian-Council-Carbon-Management-Plan-2015-2020/pdf/Carbon_Management_Plan_2015-2020.pdf		
Land Use	West Lothian Local Development Plan	https://www.westlothian.gov.uk/media/9837/Proposed-Plan/pdf/CONSOLIDATED-ProposedPlan-FINAL.pdf	2015-2019	The council's proposed Local Development Plan sets out in its aims that it will "Help achieve climate change objectives by minimising the area's carbon footprint through promoting development in sustainable locations and supporting mitigation and adaptation measures."
Other (state topic area covered in comments)	Beecraigs Forest Long term Forest plan	https://www.westlothian.gov.uk/media/5468/Beecraigs-Forest-Summary-Long-term-Forest-Plan/pdf/BeecraigsForestSummary-LongtermForest_Plan.pdf	2014-2033	Adaptation - Increase diversity in tree species and structure to enable adaptation to change in growing conditions, and likely increases in diseases and storm frequency.
Other (state topic area covered in comments)	Corporate Procurement Strategy	https://www.westlothian.gov.uk/media/4210/Corporate-Procurement-Strategy-2013-2018/pdf/CorporateProcurementStrategy1318.pdf	2013-2018	Procurement - wide ranging influence

2(f) What are the body's top 5 priorities for climate change governance, management and strategy for the year ahead?
Provide a brief summary of the body's areas and activities of focus for the year ahead.
Implementation of the recently approved Green Transport Policy and Procedure Note. These documents were developed to assist employees meet the objectives of an internal transport review project and set out employee responsibilities and the procedures that should be followed in relation to how they approach business travel.
Development of the Adaptation Action Plan
Implementation of council wide Heating Guidance
Progress review of Climate Change Strategy.

2(g) Has the body used the Climate Change Assessment Tool(a) or equivalent tool to self-assess its capability / performance?
If yes, please provide details of the key findings and resultant action taken.
The CCAT tool has been used to assess the council's progress and results will be shared as part of strategy reviews.

2(h) Supporting information and best practice

PART 3: EMISSIONS, TARGETS AND PROJECTS

3a Emissions from start of the year which the body uses as a baseline (for its carbon footprint) to the end of the report year							
Complete the following table using the greenhouse gas emissions total for the body calculated on the same basis as for its annual carbon footprint /management reporting or, where applicable, its sustainability reporting. Include greenhouse gas emissions from the body's estate and operations (a) (measured and reported in accordance with Scopes 1 & 2 and, to the extent applicable, selected Scope 3 of the Greenhouse Gas Protocol (b)). If data is not available for any year from the start of the year which is used as a baseline to the end of the report year, provide an explanation in the comments column. (a) No information is required on the effect of the body on emissions which are not from its estate and operations.							
Reference Year	Year	Scope1	Scope2	Scope3	Total	Units	Comments
Baseline carbon footprint	2013/14				61061	tCO2e	
Year 1 carbon footprint	2014/15	17954	28003	15162	61119	tCO2e	
Year 2 carbon footprint	2015/16	13264	24883	22979	61126	tCO2e	
Year 3 carbon footprint	2016/17	16352	20494	19985	56831	tCO2e	

3b Breakdown of emission sources									
Complete the following table with the breakdown of emission sources from the body's most recent carbon footprint (greenhouse gas inventory); this should correspond to the last entry in the table in 3(a) above. Use the 'Comments' column to explain what is included within each category of emission source entered in the first column. If, for any such category of emission source, it is not possible to provide a simple emission factor(a) leave the field for the emission factor blank and provide the total emissions for that category of emission source in the 'Emissions' column.									
Total	Comments – reason for difference between Q3a & 3b.	Emission source	Scope	Consumption data	Units	Emission factor	Units	Emissions (tCO2e)	Comments
56831		Refuse Municipal to Landfill	Scope 3	33952	tonnes	421	kg CO2e/tonne	14293.8	All waste data is for 2016 calendar year.
		Refuse Commercial & Industrial to Landfill	Scope 3	13130	tonnes	199	kg CO2e/tonne	2612.9	
		Organic Food & Drink Composting	Scope 3	4006	tonnes	6	kg CO2e/tonne	24.0	
		Organic Garden Waste Composting	Scope 3	14515	tonnes	6	kg CO2e/tonne	87.1	
		Paper & Board (Mixed) Recycling	Scope 3	9990	tonnes	21	kg CO2e/tonne	209.8	
		WEEE (Mixed) Recycling	Scope 3	1329	tonnes	21	kg CO2e/tonne	27.9	
		Glass Recycling	Scope 3	1862	tonnes	21	kg CO2e/tonne	39.1	
		Plastics (Average) Recycling	Scope 3	3649	tonnes	21	kg CO2e/tonne	76.6	
		Metal Cans (Mixed) & Metal Scrap Recycling	Scope 3	3849	tonnes	21	kg CO2e/tonne	80.8	
		Refuse Municipal /Commercial /Industrial to Combustion	Scope 3	6255	tonnes	21	kg CO2e/tonne	131.4	

		Construction (Average) Recycling	Scope 3	14876	tonnes	1.37	kg CO2e/tonne	20.4	
		Grid Electricity (generation)	Scope 2	49737322	kWh	0.41205	kg CO2e/kWh	20494.3	
		Grid Electricity (transmission & distribution losses)	Scope 3	49737322	kWh	0.03727	kg CO2e/kWh	1853.7	
		Natural Gas	Scope 1	63179253	kWh	0.1840	kg CO2e/kWh	11624.8	
		Biomass (Wood Chips)	Scope 1	3134200	kWh	0.01307	kg CO2e/kWh	41.0	Metered heat - actual consumption used
		Biomass (Wood Pellets)	Scope 1	4529380	kWh	0.01307	kg CO2e/kWh	59.2	Metered heat - actual consumption used
		Diesel (average biofuel blend)	Scope 1	1738609	litres	2.61162519961375	kg CO2e/litre	4540.6	
		Petrol (average biofuel blend)	Scope 1	39713	litres	2.19697387704532	kg CO2e/litre	87.3	
		Car - diesel (average - unknown engine size)	Scope 3	857342	km	0.18307	kg CO2e/km	157.0	Work related mileage in personal vehicles
		Water - Supply	Scope 3	377342	m3	0.344	kg CO2e/m3	129.8	
		Water - Treatment	Scope 3	339608	m3	0.708	kg CO2e/m3	240.4	90% of water consumption

3c Generation, consumption and export of renewable energy					
Provide a summary of the body's annual renewable generation (if any), and whether it is used or exported by the body.					
	Renewable Electricity		Renewable Heat		
Technology	Total consumed by the organisation (kWh)	Total exported (kWh)	Total consumed by the organisation (kWh)	Total exported (kWh)	Comments
Solar PV	205735	22859			Assume 90% consumption
Biomass			7663580		0 This is the actual metered amount of biomass heat consumed by WLC in the reporting year based on meter readings.

3d Targets										
List all of the body's targets of relevance to its climate change duties. Where applicable, overall carbon targets and any separate land use, energy efficiency, waste, water, information and communication technology, transport, travel and heat targets should be included.										
Name of Target	Type of Target	Target	Units	Boundary/scope of Target	Progress against target	Year used as baseline	Baseline figure	Units of baseline	Target completion year	Comments
Percentage of household waste recycled.	percentage	50	% increase	Waste	48.5	2011	42.5		2017	Increased from 47.4 in 2015.
Reduction in emissions from the council's activities and services (from non-domestic buildings, transport, external lighting, waste and water.	absolute	48849	tCO2e reduction	All emissions	56831	2013/14	61061	tCO2e	2020/21	7% reduction achieved to date against a target of 20%
Carbon emissions from energy used in buildings (annual)	absolute	26590	tCO2e reduction	Energy use in buildings	26750	2013/14	30808	tCO2e	2018/19	

Public Sector Climate Change Duties 2017 Summary Report: West Lothian Council

Electricity Consumption (kWh/m2)	absolute	67	kWh/m2 reduction	Energy use in buildings	70.04	2013/14	71.6 kWh	2020/21	
Gas Consumption (kWh/m2)	absolute	155	kWh/m2 reduction	Energy use in buildings	167.55	2013/14	190 kWh	2020/21	
Tonnes of CO2 emissions per capita for the West Lothian district	absolute		tCO2e reduction	All emissions	6.1	2011/12	7.3 tCO2e	2023/24	Target to be below national average.
Energy generated as a result of installation of renewables and low carbon technology. MWh of heat produced	absolute	14400	Other (specify in comments)	Energy use in buildings	8017	2013/14	354 MWh	2023/24	Target to increase amount of heat generated from low carbon and renewable sources
Energy generated as a result of the installation of renewables and low carbon technology. kWh of electricity produced	absolute	390000	Other (specify in comments)	Energy use in buildings	227890	2013/14	21221 kWh	2023/24	Target to increase amount of electricity generated from low carbon and renewable sources

3e Estimated total annual carbon savings from all projects implemented by the body in the report year			
Total	Emissions Source	Total estimated annual carbon savings (tCO2e)	Comments
2318.00	Electricity	600	LED lighting replacement
	Natural gas	1300	First full year of biomass savings
	Other heating fuels	0	
	Waste	1500	Increase in food recycling - benefit of diverting 614 tonnes of food waste from landfill
	Water and sewerage	0	
	Business Travel	132	Reduction in business mileage and fuel consumption.
	Fleet transport	5	Increased number and use of electric vehicles
	Electricity	15	New solar PV

3f Detail the top 10 carbon reduction projects to be carried out by the body in the report year											
Provide details of the 10 projects which are estimated to achieve the highest carbon savings during report year.											
Project name	Funding source	First full year of CO2e savings	Are these savings figures estimated or actual?	Capital cost (£)	Operational cost (£/annum)	Project lifetime (years)	Primary fuel/emission source saved	Estimated carbon savings per year (tCO2e/annum)	Estimated costs savings (£/annum)	Behaviour Change	Comments
Business Mileage Reduction	Revenue Budget	2017/18	Actual		800000	5	Diesel (average biofuel blend)	137			
Final biomass installations	Capital	2017/18	Actual	630000		20	Natural gas	1300			
LED Lighting Projects	Capital	2017/18	Estimated	500000	0	15	Grid Electricity	600	12000		Increase in LED streetlighting and installation at a number of properties.
140l Bin rollout	Capital	2017/18	Estimated	1100000			Refuse Municipal to Landfill	1500	238000		This was reported last year, but first full year of savings is actually 17/18

Additional solar PV	Capital	2017/18	Estimated	55000	300	20	Grid Electricity	15	3500		
---------------------	---------	---------	-----------	-------	-----	----	------------------	----	------	--	--

3g Estimated decrease or increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the report year					
If the emissions increased or decreased due to any such factor in the report year, provide an estimate of the amount and direction.					
Total	Emissions source	Total estimated annual emissions (tCO2e)	Increase or decrease in emissions	Comments	
-50.00	Estate changes	50	Decrease	Reductions in emissions from estate improvements/rationalisation	
	Service provision				
	Staff numbers				
	Other (specify in comments)				

3h Anticipated annual carbon savings from all projects implemented by the body in the year ahead			
Total	Source	Saving	Comments
1055.00	Electricity	500	LED Lighting projects
	Natural gas	300	Replacement of inefficient boilers with new, high efficiency condensing boilers and installing insulation measures.
	Other heating fuels		
	Waste	200	Additional savings from 140l bin rollout
	Water and sewerage	5	Reduction in meter sizes at a number of sites and removal of storage tanks
	Business Travel	50	Further reduction in business mileage through the on-going implementation of service mileage reduction plans.
	Fleet transport		Installation of a further 4 publicly accessible electric vehicle charging points to support members of the public in the adoption of electric vehicles, help sustain the council's electric fleet and improve air quality in air quality management zones within West Lothian.
	Other (specify in comments)		

3i Estimated decrease or increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the year ahead				
If the emissions are likely to increase or decrease due to any such factor in the year ahead, provide an estimate of the amount and direction.				

Total	Emissions source	Total estimated annual emissions (tCO2e)	Increase or decrease in emissions	Comments
-60.00	Estate changes	60	Decrease	Reductions in emissions from estate improvements/rationalisation.
	Service provision			
	Staff numbers			
	Other (specify in comments)			

3j Total carbon reduction project savings since the start of the year which the body uses as a baseline for its carbon footprint	
If the body has data available, estimate the total emissions savings made from projects since the start of that year ("the baseline year").	
Total	Comments

3k Supporting information and best practice
Provide any other relevant supporting information and any examples of best practice by the body in relation to its emissions, targets and projects.
<p>To increase the amount of waste recycled, the council continues to work towards Scotland's Zero Waste Targets in partnership with our residents and local businesses. 140 litre bins were introduced in 10 phases across West Lothian to decrease waste to landfill and increase recycling.</p> <p>The service rolled out in 10 phases to around 8000 households at a time, completing the whole process by the end of December 2016. West Lothian are also reviewing our Service Standards to suit the current service provision and take recognition of the national “Household Recycling Charter” and Code of Practice, which aims to promote a more consistent household recycling service across Local Authorities, to increase recycling participation, quantity and quality and support the circular economy opportunities in Scotland</p> <p>The food waste recycling increased as a result from 3400 tonnes in 2015 to 4000 tonnes in 2016. Material recycled from the blue bin (550t). This was due to the 140 litre bin roll out.</p> <p>Internal recycling bins have been offered to all Council buildings including partnership centres, libraries, Council offices, community centres, nurseries and primary schools. 250+ Council buildings have now received internal recycling with a small number of primary schools and community centres scheduled for roll out in the immediate future. Each building received informational banners, posters and fridge magnets to inform staff of the new recycling service and a dedicated email address was set up to answer any enquiries.</p>

PART 4: ADAPTATION

4(a) Has the body assessed current and future climate-related risks?
<p>If yes, provide a reference or link to any such risk assessment(s).</p> <p>The council completed a Local Climate Impact Profile (LCLIP) in early 2015 as part of a process to assess our exposure to weather events. The LCLIP looked at historical events and the potential for future disruption to local communities. The Council along with its partners in the Forth Estuary Local Plan District have together prepared a Local Flood Risk Management Plan (LFRMP) which sets out the timescale for actions, the funding mechanisms and identifies which authority is responsible for carrying out prioritised actions aimed at reducing overall flood risk. The plan is now finalised, has been approved by all the LPD partners and the finalised Plan was published by the Lead Local Authority for the LPD - City of Edinburgh Council - on 22 June 2016 to meet the requirements of the Flood Risk Management (Scotland) Act 2009. Since that time Falkirk Council has assumed the role of Lead Local Authority.</p>
4(b) What arrangements does the body have in place to manage climate-related risks?
<p>Provide details of any climate change adaptation strategies, action plans and risk management procedures, and any climate change adaptation policies which apply across the body.</p> <p>The council's Climate Change Strategy sets out key objectives with regards to managing adaptation, including the development of a number of strategies and action plans. The Climate Change & Sustainability Working Group (CCSWG) monitors and reports progress of adaptation activities. Reports on adaptation related work are reviewed by Environment and Development and Transport Policy Development & Scrutiny Panels as appropriate. The council's Corporate Risk Register includes a risk that the council does not meet its obligations with regards to Climate Change. This is regularly monitored and updated and is reported to the appropriate service management team.</p> <p>One of the key priorities is to develop an Adaptation Action Plan and work on this will begin in 2017/18, with publication likely in 2018. A specific Adaptation Sub-group to the CCSWG has been set up to take this forward. A Severe Weather Plan is already in place which sets out the council's response to weather events and the way these are managed.</p> <p>As a measure in the Council's approved Surface Water Management Plan, work is progressing well with Scottish Water on Integrated Catchment Studies for Bathgate & Linlithgow, two of the Council's four priority areas for Surface Water Management. In addition, joint work is underway to secure vesting of so called 'legacy' sustainable drainage systems with a view to getting more of these systems into public ownership.</p> <p>The key actions for which West Lothian Council has full or partial responsibility include one Natural Flood Management study and four Flood Protection Studies. The study for Whitburn is due for completion in March 2018, instrumentation is in place to inform the study at Linlithgow and Linlithgow Bridge and topographic survey is expected to follow shortly.</p> <p>As per the newly approved Tree and Woodland Safety and Management Action Plan, the Council's trees within areas where they may cause a hazard to the public will be pro-actively inspected on a cyclical basis. There is ongoing monitoring of tree diseases such as Chalara (Ash Dieback) and Phytophthora Ramorum on Larch.</p>
4(c) What action has the body taken to adapt to climate change?
<p>Include details of work to increase awareness of the need to adapt to climate change and build the capacity of staff and stakeholders to assess risk and implement action.</p> <p>Headwalls and trash screens – we have invested in improvements to headwalls and screens to improve safe access and operation of the screen to reduce the risk of flooding; Development of remote sensing network - we have installed flow monitors and level sensors and an additional rain gauge to extend our remote sensing network and improve the response before, during and after flood events;</p> <p>Subscriptions to alerts of rising water levels - we have made contact with those people living in susceptible properties and offered a subscription to receive alerts from the monitoring network;</p> <p>Revetments - we have reinforced river banks which were eroding at Almondvale Park, Livingston and the White Burn, Whitburn;</p> <p>Unchartered culvert - we traced a large and previously unchartered culvert at Springfield in Linlithgow and have replaced 30m of the culvert which had collapsed;</p> <p>Headwalls & trash screens - we commissioned a survey of culvert head walls and screens to better understand their geometry, condition and access arrangements to inform future investment;</p> <p>Culverted watercourses - we have developed an asset amazement system for the conditional assessment of culverted watercourses which has facilitated a programme of rehabilitation;</p> <p>Improved drainage and retention - we have reduced the risk of flooding from Marrfield Park, Uphall Station by bunding and improving drainage;</p> <p>Improved drainage and interception - we have undertaken extensive work to reduce the impact of runoff from public open space on properties in the Stankards area of Uphall;</p> <p>Broxburn, the Brox Burn – The new hydrological model for the Brox Burn based on up to date topographic data and have examined the potential for property-level protection to lessen damages associated with flooding to susceptible properties.</p> <p>Livingston - funding has been obtained from Central Scotland Green Network Trust to undertake a feasibility study of 5 water courses in the Livingston North Blue / Green Network that will produce a master plan of potential water & environment improvements that could be undertaken by volunteers or contractors, subject to external grant funding being found.</p>

4(d) Where applicable, what progress has the body made in delivering the policies and proposals referenced N1, N2, N3, B1, B2, B3, S1, S2 and S3 in the Scottish Climate Change Adaptation Programme(a) ("the Programme")?					
<p>If the body is listed in the Programme as a body responsible for the delivery of one or more policies and proposals under the objectives N1, N2, N3, B1,B2, B3, S1, S2 and S3, provide details of the progress made by the body in delivering each policy or proposal in the report year. If it is not responsible for delivering any policy or proposal under a particular objective enter "N/A" in the 'Delivery progress made' column for that objective.</p> <p>(a) This refers to the programme for adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009 (asp 12) which currently has effect. The most recent one is entitled "Climate Ready Scotland: Scottish Climate Change Adaptation Programme" dated May 2014.</p>					
Objective	Objective reference	Theme	Policy / Proposal reference	Delivery progress made	Comments
Understand the effects of climate change and their impacts on the natural environment.	N1	Natural Environment	N1-10	Data has been provided to the council by SEPA	
Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-2	Supports CSGN and Lothian & Fife Green Network Partnership. New supplementary guidance part of emerging Local Development Plan (LDP). The LDP has undergone public consultation and is due back at Committee by the end of 2017. This includes protection of Local Biodiversity Sites as well as Local Geodiversity Sites.	
			N2-11	Planning guidance to be approved as part of emerging Local Development Plan.	
			N2-17	Part of the Forth River Basin management area	
			N2-18	Local Flood Risk Management Plan approved in June 2016.	
Sustain and enhance the benefits, goods and services that the natural environment provides.	N3	Natural Environment			
Understand the effects of climate change and their impacts on buildings and infrastructure networks.	B1	Buildings and infrastructure networks	B1-12	Environmental impacts are considered for major infrastructure projects. A feasibility study on an A71 active travel (walking and cycling) corridor considered flood risk.	
			B1-13	Local Flood Risk Management Plan approved June 2016	
Provide the knowledge, skills and tools to manage climate change impacts on buildings and infrastructure.	B2	Buildings and infrastructure networks			

Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks	B3-3	West Lothian Local Development Plan policy NRG-1 -Climate Change & Sustainability	
Understand the effects of climate change and their impacts on people, homes and communities.	S1	Society			
Increase the awareness of the impacts of climate change to enable people to adapt to future extreme weather events.	S2	Society	S2-2	SHQS Compliance achieved	
Support our health services and emergency responders to enable them to respond effectively to the increased pressures associated with a changing climate.	S3	Society			

4(e) What arrangements does the body have in place to review current and future climate risks?

Provide details of arrangements to review current and future climate risks, for example, what timescales are in place to review the climate change risk assessments referred to in Question 4(a) and adaptation strategies, action plans, procedures and policies in Question 4(b).

The newly formed Adaptation sub-Group are developing the Adaptation Action Plan which will set out detailed actions including consideration of whether further assessment of climate risks is required.

The council is legally obliged to reduce overall flood risk and there are systems in place to ensure a systematic approach is taken to review current and future risks from flooding and have plans in place which will deliver mitigation and increase resilience.

4(f) What arrangements does the body have in place to monitor and evaluate the impact of the adaptation actions?

Please provide details of monitoring and evaluation criteria and adaptation indicators used to assess the effectiveness of actions detailed under Question 4(c) and Question 4(d).

Where investment has been made in physical works, the council will monitor the performance of the measures in response to weather conditions to ensure that it remains effective - enhanced by the remote monitoring improvements outlined in 4c. In the event that frailties or failures are identified, it will then be reviewed and the need for further work identified.

Performance indicators are also being developed linked with the Flood Risk Management Plan and new SEPA data to measure whether the number of properties at risk of flooding, in thecontext of climate change, is reducing.

Greater incidents of tree pests and diseases including Ash Dieback (Chalara) are already affecting West Lothian and this is being informally monitored on WLC land.

4(g) What are the body’s top 5 priorities for the year ahead in relation to climate change adaptation?

Provide a summary of the areas and activities of focus for the year ahead.

In addition to the Adaptation Group taking forward the Adaptation Action Plan, we will:

continue to work with Scottish Water on Integrated Catchment Management studies for Bathgate and Linlithgow;

continue to work with Scottish Water with a view to ensuring that ‘legacy’ sustainable drainage systems located in Potentially Vulnerable Area (PVA) 10/27 are brought into public ownership;

progress flood protection studies for Whitburn, Linlithgow, Blackridge and Bathgate;

monitor the operational response to flood events and will continue to work with neighbouring authorities towards an effective mutual assistance model;

develop our knowledge of water-related assets by collating information about river revetments on the larger watercourses in West Lothian using the information to inform investment decisions;

continue to develop flood protection solutions for those areas of Broxburn which remain susceptible following review of the new model; and

improve interception of runoff from public open space in Whitburn to reduce the risk of flooding to residential property.

4(h) Supporting information and best practice
Provide any other relevant supporting information and any examples of best practice by the body in relation to adaptation.

PART 5: PROCUREMENT

5(a) How have procurement policies contributed to compliance with climate change duties?
Provide information relating to how the procurement policies of the body have contributed to its compliance with climate changes duties.
<p>The Council's Corporate Procurement Strategy 2013-2018 refers extensively to "Sustainable Procurement. The Council's Procurement Strategy, beyond 2015, is now subject to statutory guidance in line with the Procurement Reform (Scotland) Act 2015. The main activities that are undertaken to achieve this priority outcome are:</p> <ul style="list-style-type: none">- Considering sustainable procurement for spend equating to £50,000 and above- Implementing an appropriate training and awareness programme- Achieving Level 4 within the Scottish Government's Sustainability Framework Assessment- Promoting the payment of the Living Wage <p>In addition, the Council has developed a Community Benefits in Procurement Procedure to guide procurement activity. This has been in place and used in contracting activity since June 2013 and applies to all contract spend above the value of £50,000.</p> <p>More specific, sustainability policies include Sustainable Building Standards for Council Controlled Buildings, Sustainable Timber and Sustainable Printing policies. Working with service areas, part of the strategy highlights sustainable working:</p> <ul style="list-style-type: none">- Operational Services - delivering transport and contracts that support and sustain economic and population growth help in minimising traffic congestion and environmental deterioration.- Waste management contract provision helps West Lothian to improve its waste recycling rates as prescribed in the Scottish Government's Zero Waste Strategy.- Corporate - through the provision of contracts for low carbon and renewable energy solutions to support the delivery of council services which have a reduced environmental impact and help to meet the challenging targets for reduced energy consumption and carbon emissions. <p>These overarching strategies and policies reinforce the Council's commitment to climate change and provide practical guidance at all stages of the tender process, including identification of need, specification development, selection and award and contract management phases in order to reduce their carbon footprint and greenhouse gas emissions.</p>

5(b) How has procurement activity contributed to compliance with climate change duties?
Provide information relating to how procurement activity by the body has contributed to its compliance with climate changes duties.
<p>As Strategic procurement is long term planning to ensure timely supply of goods, services and works that are critical to the ability to meet core business objectives, strategic procurement covers the whole procurement cycle and considers analysis of expenditure, looking across services and partnerships to identify synergies and opportunities for improving economy, efficiency and effectiveness. Prior to commencing any procurement exercise, the Officer responsible must, in accordance with Corporate Procurement Procedures, complete a contract strategy to appraise the procurement in a manner commensurate with its complexity and value. Information contained in the strategy template includes:</p> <ul style="list-style-type: none">- Contract objective;- Funding arrangements;- Current contract status;- Historical spend information;- Market analysis;- Collaboration considerations;- Sustainability considerations;- Option Appraisal for Procurement procedure to be followed;- Proposed contract benefits;- Recommendation of procurement route. <p>Sustainability is included in the risk segmentation which is used to identify the level of Contract and Supplier Management required for each contract.</p> <p>Examples of procurement activities carried out that contribute to the three areas stated within the climate change duties are included in 5a above.</p>

5(c) Supporting information and best practice
Provide any other relevant supporting information and any examples of best practice by the body in relation to procurement.
<p>The council has a specific performance indicator which monitors the number of contract strategies incorporating sustainable procurement elements. CPU041_9b.1a is an indicator to review the number of contract strategies incorporating sustainable procurement elements. The target for this indicator is 100% and this has been consistently achieved in each of the previous three years, since the target was introduced.</p>

PART 6: VALIDATION AND DECLARATION

6(a) Internal validation process
Briefly describe the body’s internal validation process, if any, of the data or information contained within this report.
The Energy & Climate Change Manager is responsible for coordinating and compiling the report. Access to the portal is restricted to appropriate officers. Supporting data is held within the council electronic records management system.
An internal audit has been carried out on mandatory sections of the report, with the objective of conducting a high level review of the content of the Climate Change Report, and to obtain evidence to support key emissions, targets and project data reported within the Declaration.
Energy consumption data has been validated internally as part of our annual Carbon Reduction Commitment audit process. Waste figures are audited annually by SEPA.
Head of Service for Planning, Economic Development & Regeneration reviews and agrees report following completion of audit.

6(b) Peer validation process
Briefly describe the body’s peer validation process, if any, of the data or information contained within this report.
N/A

6(c) External validation process
Briefly describe the body’s external validation process, if any, of the data or information contained within this report.
N/A

6(d) No validation process
If any information provided in this report has not been validated, identify the information in question and explain why it has not been validated.
N/A

6e - Declaration		
I confirm that the information in this report is accurate and provides a fair representation of the body’s performance in relation to climate change.		
Name	Role in the body	Date
Craig McCorriston	Head of Planning, Economic Development & Regeneration	2017-11-14

RECOMMENDED – WIDER INFLUENCE

Q1 Historic Emissions (Local Authorities only)

Please indicate emission amounts and unit of measurement (e.g. tCO2e) and years. Please provide information on the following components using data from the links provided below. Please use (1) as the default unless targets and actions relate to (2).
(1) UK local and regional CO2 emissions: **subset dataset** (emissions within the scope of influence of local authorities):
(2) UK local and regional CO2 emissions: **full dataset**:

Select the default target dataset

Full

Table 1a - Subset													
Sector	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Units	Comments
Total Emissions	1239.32	1242.92	1220.62	1220.62	1092.87	1191.95	1068.91	1132.60	1083.75	935.59	892.13	ktCO2	
Industry and Commercial	559.65	568.02	540.89	542.90	467.54	542.22	471.11	513.12	473.06	382.65	347.18	ktCO2	
Domestic	435.46	430.95	428.61	433.14	386.69	412.24	364.55	391.35	385.30	322.61	312.76	ktCO2	
Transport total	244.21	243.94	251.12	244.58	238.64	237.49	233.24	228.14	225.38	230.33	232.20	ktCO2	
Per Capita	7.51	7.44	7.20	7.12	6.32	6.85	6.10	6.43	6.15	5.28	5.00	tCO2	
Waste												tCO2e	
LULUCF Net Emissions												ktCO2	
Other (specify in 'Comments')													

Table 1b - Full													
Sector	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Units	Comments
Total Emissions	1465.80	1462.36	1441.79	1431.92	1296.74	1393.41	1265.80	1329.14	1277.97	1120.04	1083.64	ktCO2	
Industry and Commercial	568.46	576.47	550.22	550.88	475.57	549.85	479.12	520.08	481.76	385.52	349.62	ktCO2	
Domestic	435.46	430.95	428.61	433.14	386.69	412.24	364.55	391.35	385.30	322.61	312.76	ktCO2	
Transport total	416.58	412.63	422.05	410.43	398.94	396.58	388.77	384.18	382.43	385.83	395.58	ktCO2	
Per Capita	8.88	8.75	8.51	8.36	7.49	8.00	7.22	7.55	7.25	6.32	6.07	tCO2	
Waste												tCO2e	
LULUCF Net Emissions	45.30	42.31	40.90	37.47	35.54	34.74	33.36	33.54	28.47	26.09	25.69	ktCO2	
Other (specify in 'Comments')													

Q2a – Targets									
Please detail your wider influence targets									
Sector	Description	Type of Target (units)	Baseline value	Start year	Target saving	Target / End Year	Saving in latest year measured	Latest Year Measured	Comments
Electricity	Tonnes of CO2 emissions per capita for the West Lothian District (% reduction)	Per capita (TCO2/per)	8	2010	2	2020	1.93	2015	

Q2b) Does the Organisation have an overall mission statement, strategies, plans or policies outlining ambition to influence emissions beyond your corporate boundaries? If so, please detail this in the box below.

The council's vision for tackling climate change, set out within our Climate Change Strategy, is:- "A resource efficient, low carbon council working in partnership with and supporting the West Lothian community to mitigate the worst effects of climate change and create a resilient and more sustainable future."

Outcome 2 of the Climate Change Strategy is "A Resource Wide West Lothian". The council's aim is to continue to monitor emissions across West Lothian, and work with partners and local communities to implement a range of measures which promote the efficient use of energy and water and waste minimisation.

Q3) Policies and Actions to Reduce Emissions														
Sector	Start year for policy / action imple - mentation	Year that the policy / action will be fully imple - mented	Annual CO2 saving once fully imple - mented (tCO2)	Latest Year measured	Saving in latest year measured (tCO2)	Status	Metric / indicators for monitoring progress	Delivery Role	During project / policy design and implementation, has ISM or an equivalent behaviour change tool been used?	Please give further details of this behaviour change activity	Value of Investment (£)	Ongoing Costs (£/ year)	Primary Funding Source for Implementation of Policy / Action	Comments
Transport	2017	2022				In Implementation	Number of schools with a school travel plan in place. Number of cycle friendly schools. Aiming for 100% uptake in Bikeability Levels 1 and 2 at primary school level.	Enabling	Yes-ISM	West Lothian Active Travel Plan 2016-21 contains an action to promote adoption of school travel plans by all schools in West Lothian. Related actions to encourage schools (primary and secondary) to become Cycle Friendly Schools - baseline 0 early 2015, 6 in early 2016. Increase number of children receiving Bikeability Level 2 training.			Only staff time required to develop travel plans - actions within them may require budget which is sourced as and when possible (e.g.Sustrans and council funding for new cycle or scooter parking). NHS and West Lothian Council funding of council Health Improvement Team; Transport Scotland funding of Smarter Choices Smarter Places programme; Cycling Scotland funding for cycle friendly community and school work.	
Transport	2016	2022					Qualitative - progress recorded on an annual basis	Direct	Yes-ISM	Modal shift - Private Vehicle to Active Travel (Cycling/Walking). Actions include: Provide cycle training to adults; providing bike lending libraries within communities to overcome barrier of no access to a bike; improve information on sustainable travel; build community capacity on community mapping to increase awareness of smarter travel opportunities.			NHS and West Lothian Council funding of council Health Improvement Team; Transport Scotland funding of Smarter Choices Smarter Places programme; Cycling Scotland funding for cycle friendly community and school work.	Engagement using ISM approach recorded in Active Travel Plan at www.westlothian.gov.uk/activetravel .
Transport	2016	2021				In Implementation	Delivery of strategic and local walking and cycling infrastructure as per prioritisation framework within Active travel Plan.	Direct	Yes-ISM	Delivery of Active Travel Plan for West Lothian, 2016-21 - approved and adopted by West Lothian Council Executive in April 2016. Planning guidance associated with the council's Proposed Local			Cycling Walking Safer Streets grant allocation from Transport Scotland to West Lothian Council; Transport Scotland's Community Links programme;	ISM work with a high school group of pupils and teachers was carried out in the development of the West Lothian Active Travel Plan and linked to a broader project on behaviour change (Green Impact).

										Development Plan http://www.westlothian.gov.uk/proposedplan			other funding as and when it becomes available e.g. linked to open space, green networks.	
--	--	--	--	--	--	--	--	--	--	---	--	--	---	--

Please provide any detail on data sources or limitations relating to the information provided in Table 3
Data and evidence provided within the Active Travel Plan for West Lothian - www.westlothian.gov.uk/activetravel

Q4) Partnership Working, Communication and Capacity Building. Please detail your Climate Change Partnership, Communication or Capacity Building Initiatives below.									
Key Action Type	Description	Action	Organisation's project role	Lead Organisation (if not reporting organisation)	Private Partners	Public Partners	3rd Sector Partners	Outputs	Comments
Communications	Awareness raising/behaviour change	Behaviour Change	Lead		Suppliers and contractors	NHS Lothian, Educational institutions	Community Councils, Community Development Trusts, other community groups	Maps, social media postings, online information, route planners etc	
Communications	Earth hour	Partnership working of climate change or sustainability	Lead		Chamber of Commerce	CPP Partners	Voluntary Sector Gateway West Lothian, Youth Congress	All CPP Partners were informed of Earth Hour and encouraged to participate.	CPP team continue to help promote Earth Hour with partners
Partnership Working	Data Centre sharing	Partnership working of climate change or sustainability	Supporting			West Lothian College		Reduced emissions for West Lothian College	West Lothian College share a data centre with the council where all their service hardware is now located. The council's data centre is modern and purpose built and therefore energy efficient. The cost of heating and cooling their original data centre was high because of the age and construction of the building. The shared arrangement has therefore reduced the College's CO2 emissions.
Partnership Working	Development of Partnership Centres	Partnership working of climate change or sustainability	Participant			Various partners		Reduced emissions through property rationalisation, modernisation and the use of shared buildings.	

OTHER NOTABLE REPORTABLE ACTIVITY

Q5) Please detail key actions relating to Food and Drink, Biodiversity, Water, Procurement and Resource Use in the table below.				
Key Action Type	Key Action Description	Organisation's Project Role	Impacts	Comments
Biodiversity	Pond improvements at Almondell Park	Lead	Maintenance/improvement of species diversity	Funding from land Trust
Biodiversity	Grant application submitted for pond improvements at Polkemmet Country Park	Lead	Maintenance/improvement of species diversity	
Biodiversity	Introduction of grazing management to two meadows at Beecraigs Country Park	Lead	Maintenance/improvement of species diversity	Funding from Land Trust and Scottish Rural Development Programme (SRDP)
Biodiversity	New hedgerow creation and management at Beecraigs Country Park	Lead	Maintenance/improvement of species diversity	Funding from SRDP
Biodiversity	20ha at Beecraigs Forest restructured with over forty thousand young trees of mixed species replanted with improved areas around rivers and streams.	Lead	Improvement of species diversity, forest structure and water quality.	Funding from SRDP
Biodiversity	Long term Woodland Management Plan prepared for Almondell Country Park	Lead	Planned long term maintenance and improvement in diversity of woodland and openspace.	Grant funding from SRDP
Biodiversity	Long term Woodland Management Plan prepared for Calderwood Country Park	Participant	Planned long term maintenance and improvement in diversity of woodland and openspace.	Grant funding from SRDP. Central Scotland Green Network Trust (CSGNT) partner.
Biodiversity	Long term Woodland Management Plan prepared for Polkemmet Country Park.	Participant	Planned long term maintenance and improvement in diversity of woodland and openspace.	Grant funding from SRDP. Central Scotland Green Network Trust (CSGNT) partner.

Q6) Please use the text box below to detail further climate change related activity that is not noted elsewhere within this reporting template



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

THE FEED ENFORCEMENT (SCOTLAND) REGULATIONS 2018 CONSULTATION

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the panel that Food Standards Scotland (FSS) are consulting on the proposed Feed Enforcement (Scotland) Regulations 2018 and that a draft response has been prepared for submission to FSS prior to the consultation deadline of 20 November 2017.

B. RECOMMENDATION

To note and consider the proposed response to the consultation by Food Standards Scotland in relation to the Feed Enforcement (Scotland) Regulations 2018 which is intended to be submitted to Council Executive for approval and submission.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	There are no Strategic Environmental Assessment, equality or risk assessment issues.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	The authority currently reports on feed enforcement activities to FSS. The consultation proposals would remove the need to report on such activities as feed enforcement responsibilities would be transferred to FSS.
V	Relevance to Single Outcome Agreement	SOA3 West Lothian is an attractive place for doing business. SOA7 We live longer, healthier lives and have reduced health inequalities. SOA8 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 nominal reduction of £8,000 to the overall council's financial settlement is proposed in the FSS consultation.
VII Consideration at PDSP	This is the first report to PDSP on this consultation.
VIII Other consultations	Financial Management Unit, Legal Services.

D. TERMS OF REPORT

D1 Background

During the period 2009 - 2014, the auditors of the European Union Food and Veterinary Office (FVO) and the Food Standards Agency (FSA) identified a number of issues relating to how feed official controls were organised and delivered by local authority trading standards in Scotland, including inspection frequencies not in accordance with risk, lack of feed safety controls, including cross contamination, and concerns about officer competency. In addition, a review of inspection numbers across Scotland from the period 2010/11 to 2015/16 identified a year on year decrease from 3,313 to 1,327.

FSA undertook a full review of how feed controls were delivered in the UK in 2012 and implementation of the outcomes of the review took place from 2013 in England, Wales and Northern Ireland. Scotland delayed the progress of a new delivery model in order to establish Food Standards Scotland (FSS).

In September 2015, the FSS Board agreed that as a result of the concerns raised at audit, and evidence from the local authority enforcement returns, the model of delivery of official controls (inspections and sampling etc.) in Scotland should change. It recommended a model which has greater accountability and control, and dedicated resource, should be implemented to address concerns raised about the performance of feed official control delivery in Scotland, in line with changes made elsewhere in the UK. In January 2016, the FSS Board agreed that its executive should develop a centralised model of delivery for implementation. With time required to secure support for the model, and make the necessary legal amendments which are the subject of this consultation, implementation is now planned for early 2018/19. A previous FSS consultation on the review of animal feed enforcement was the subject of a report to Council Executive on 2 August 2016.

D2 Proposals

The options being considered are:

Option 1 – Do nothing.

Scotland is legally required to provide for the enforcement of European Union (EU) legislation and regulations relating to feed safety and hygiene within *inter alia* EU Regulation No. 1831/2003, EU Regulation No. 178/2002 and EU Regulation No. 853/2004. If FSS does not implement an effective model of feed delivery of official controls, this could ultimately result in non-compliance with EU feed law, risking trade and the revenue generated from the feed industry. The feed industry is worth about £153 million to the economy in Scotland. This could be significant in securing future trade deals following the UK's exit from the EU. To 'do nothing' i.e. leaving current arrangements unchanged, is not an option that would be legally acceptable for the Scottish Government.

Option 2 – Introduce domestic legislation to provide for effective enforcement and delivery of feed official controls.

This option describes the implementation of legislation to transfer full competence for feed law to FSS which will give effect to the centralised model of official control delivery and enforcement. FSS currently has some legal competence for feed law; however it is restricted to administrative functions only.

Using outcomes from stakeholder engagement events, FSS has developed a delivery model making use of the existing experience and competence of local authority officers by operating on a regional basis. FSS, as competent authority, will authorise local authority officers to undertake official controls and enforcement work on its' behalf.

D3 Initial considerations and implications for West Lothian Council

Within West Lothian, feed controls are currently delivered by the council's trading standards service and it is estimated this typically accounts for less than 0.3 FTE across a range of administrative, management and frontline officer functions. The FVO has recommended that individual officers delivering feed controls should spend at least 0.5 FTE on this function to maintain professional competencies. It is understood the proposed regional delivery model would see West Lothian placed within a group of authorities served by Scottish Borders Council which has been identified as having the necessary expertise to act as lead authority. However no formal agreement has currently been reached on this issue.

The consultation document identifies West Lothian's share of the £325,000 funding currently allocated to local authorities for feed controls is £8,000 and the consultation proposes there would be a consequential reduction in the overall financial settlement from the Scottish Government and transferred to FSS for subsequent redistribution to the lead authorities.

D4 Response to the consultation

The proposed response to the consultation is attached as Appendix 1.

E. CONCLUSION

The consultation published by FSS seeks views on the introduction of new legislation designed to address the EU and FSA concerns relating to how official feed controls are organised and delivered in Scotland. The proposed response is attached.

F. BACKGROUND REFERENCES

Food Standards Scotland Consultation on the Feed Enforcement (Scotland) Regulations 2018, launched on 28/8/17 - <https://consult.foodstandards.gov.scot/enforcement-delivery/feed-enforcement-scotland-regulations-2018feed-enforcement-scotland-regulations-2018>

Report to Council Executive – Animal Feed Review in Scotland, 2 August 2016.

Appendices/Attachments: Appendix 1. Proposed response to consultation
Contact Person: Ed Machin, Trading Standards Manager, 01506 282476,
ed.machin@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development and Regeneration

Date of meeting: 3 October 2017

Appendix 1

THE FEED ENFORCEMENT (SCOTLAND) REGULATIONS 2018 CONSULTATION

West Lothian Council proposed response to Food Standards Scotland:

Question 1. In order for FSS to have assurance of compliance with feed law, a change of delivery model of feed official controls in Scotland is required. FSS considers that centralisation is the only feasible option available.

We invite all stakeholders to comment on the assumption that a centralised model, using local authorities to deliver on a regional basis, is required to achieve effective feed safety controls. If you disagree, please provide comments as to why you consider such a model should not be introduced. If stakeholders consider that alternative model(s) would be effective, it would be helpful to provide evidence to support this.

Proposed response:

One of the major concerns identified by EU Food and Veterinary Office (FVO) auditors was that authorities responsible for feed safety controls should employ officers who devote at least 0.5 FTE to such work, thereby maintaining competencies and expertise. The *'Current allocated funding per Local Authority in Scotland (block grant)'* listed in the consultation indicates that West Lothian's allocation amounts to £8,000, which equates to approximately 0.2 - 0.3 FTE. If Local Authorities were appropriately funded to provide feed controls, there would be no need to move to a centralised service.

FSS should provide details of a third option whereby the proposed funding to set up the regional delivery model is used to strengthen the current Local Authority model.

Question 2. The Scottish Statutory Instrument is intended to transfer full competence for feed law from local authorities to FSS to give effect to a centralised delivery model of feed official controls for feed businesses in Scotland. It is not possible, in the near future, to transfer competence by amendment to primary legislation (the Agriculture Act). However, an amendment to secondary legislation will provide for the transfer of a significant proportion of the feed functions. In recent years, EC official controls for feed have been accommodated in other statute and by amendment to the Act itself.

a. Do stakeholders agree that the draft instrument gives effect to the model proposed and does not have any unintended consequences?

b. Do stakeholders agree with the analysis of legislation presented that The Feed Enforcement (Scotland) Regulations 2018 provides sufficient transfer of legal competence from local authorities to FSS to enable the implementation of a centralised feed delivery service?

Proposed response:

a. The legislation as drafted appears to allow the proposed model to be delivered within the limitations set out in the consultation document. It is unclear what, if any, potential implications this may have on local authorities. Whilst the legislation would appear to support the regional delivery model, it must be recognised the successful operation of the model is predicated on the assumption that lasting agreement can be reached with the respective lead authorities with regards to funding etc.

b. Analysis of the proposed legislation appears to provide sufficient transfer of legal competence for this specific function; however it is unfortunate that authorities appear to be left with some limited responsibilities, even after the associated funding has been removed. It is therefore considered desirable that if the feed part of the function is transferred, that the remaining functions within the Agriculture Act will duly be transferred to FSS to ensure clarity of enforcement.

Question 3. To help inform the Business and Regulatory Impact Assessment, we would like to invite all stakeholders, including local authorities and other Government departments, to comment on the following in relation to retaining the 'status quo' or 'do nothing' option:

a. The benefits of retaining the 'status quo' or 'do nothing' option. Consider the impact of implementing a centralised model (as described above) on feed and food safety and animal health on all stakeholder groups.

b. The approximate financial impact and disbenefits/costs and risks of retaining the 'status quo' or 'do nothing' option. Consider the impact of implementing a centralised model (as described above) on feed and food safety and animal health on all stakeholder groups.

Proposed response:

a. It is accepted that the status quo or do nothing options are unacceptable, however a third option of sufficiently funding each local authority to provide feed controls should have been included within the considerations. The benefits of doing so would ensure clarity of responsibility and provide continuity of existing local knowledge and established relationships.

b. It is accepted that retaining the 'status quo' or 'do nothing' option would jeopardise future trade deals at international level. Compliance with EU feed law, or equivalent domestic legislation, is likely to be required to satisfy future trade deals with EU members.

Question 4. Scotland's food and feed export market adds considerable value to the economy as a whole and there are a number of factors that can affect the demand and the price of food and feed. An incident similar to those described would have a detrimental effect on trade.

Can feed businesses provide an indication of costs associated with a feed incident in Scotland, on the feed industry? Please provide details.

Proposed response:

Not applicable as the question is directed to feed operators.

Question 5. Feedback from those local authorities that will no longer carry out the delivery functions, indicate that there should be little to no effect on the officers' employment terms or conditions. FSS considers that the new delivery model should in fact benefit officers employed by those authorities and allow them to focus on other non-feed functions.

FSS would like to receive information from local authorities in response to this assumption with supporting evidence.

Proposed response:

The proposals will be see a reduction in the council's financial settlement therefore the impact on staffing, terms and conditions will need to be determined once the actual financial reduction is confirmed. Local government has suffered ongoing

reductions in the overall financial settlement therefore it should not be assumed that the original funding for feed enforcement has not been reduced. The funding, as part of the overall settlement, has been spread across administrative, supervisory and frontline functions.

Question 6. Agricultural analysts are currently appointed by LAs to carry out feed analysis work. Under the new arrangements, FSS shall appoint analysts. This will be an administrative process only and it is anticipated that samples will continue to be sent to the appropriate analysts in accordance with current arrangements.

FSS does not consider there to be any detriment to the Agricultural analysts in Scotland as a result of this proposal, but FSS would be grateful to hear views from Analysts, particularly in relation to staffing of laboratories.

Proposed response:

Not applicable as the question is directed to feed analysts.

Question 7. Under the current arrangements, local authorities are competent to process approval applications, appeals against suspension or revocation of approvals. Under the new arrangements, FSS will be competent. The transition arrangements allow for proceedings raised by, or against, a feed authority, and any application made to a feed authority to be treated as having been made to FSS. No transitional period has been provided for these matters because of the lack of competence of LAs to handle appeals, should they be received.

FSS would like to hear local authority views on the transitional arrangements and any difficulties they foresee with such arrangements. Please provide evidence to support these views.

Proposed response:

Historically, no appeals have ever been lodged in West Lothian therefore no concerns are anticipated with the transitional arrangement.

Question 8. Specific financial costs associated with the introduction of the new model are listed below. All costs currently met by local authorities for the delivery of official controls will, under the proposed funding model, be met by FSS in the future. FSS would like to hear from local authorities on the following:

- a. The financial impact and assumptions made on the development of the model
- b. The financial impact and assumptions made on the familiarisation with the model and training

Proposed response:

West Lothian has not been identified as a potential lead authority therefore have not been involved in the discussions about the financial impact of developing the model.

Question 9. Feed businesses may now be subject to official controls by an officer who has previously worked in a different local authority. The officer may be unfamiliar with the business and therefore they may have to allocate more time for the initial inspection. There may also be a handover by the original local authority to the new authority.

a. FSS would like to hear from local authorities about whether they agree with the assumptions made to calculate the financial impact on local authorities of a handover process for the more complex businesses. Please provide data to support these views.

b. FSS would like to hear from industry about whether they agree with the assumptions made to calculate the financial impact on feed businesses

Proposed response:

a. The financial proposals are considered acceptable. Only one business has been identified within West Lothian which will be subject to the handover process.

b. Not applicable as the question is directed to businesses.

Question 10. Under the new delivery model, the geographical boundaries are changing and therefore opportunities to carry out other official controls may not be available as this will depend on authorisation to do so by the original local authority. It is not known if there is a willingness to do so. It is possible therefore that the new model may result in a slight increase in footfall for non-feed purposes.

FSS would like to hear from local authorities about the potential impact of the new feed delivery model to deliver other types of official controls. Please provide data to support these views.

Proposed response:

West Lothian does not currently support the transfer of any other official controls as this would have significant legal, financial and employment implications for a number of staff and statutory functions. It is not accepted that the new model would see any significant increase in footfall as existing functions are currently delivered by a range of professional disciplines.

Question 11. The Feed Enforcement (Scotland) Regulations 2018 provides an opportunity to address a historic gap that exists in the Official Feed and Food Controls (Scotland) Regulations 2009. The regulations provide powers for food authorities on the procurement of samples, analysis of samples and powers of entry relating to imports of food of non-animal origin from third countries. However, there are no parallel powers available for feed authorities and therefore cannot be transferred under the proposed arrangements, to FSS. Further investigation is required to establish the extent of this gap and its impact.

FSS would like to hear from stakeholders on the impact this gap in powers has had to date and what the impact will be, should it be possible to address through the Feed Enforcement (Scotland) Regulations 2018. Please provide evidence to support your response.

Proposed response:

The council is not aware of any gaps in powers to date.



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

LOCAL AIR QUALITY IN WEST LOTHIAN 2016

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise and invite comments on the ongoing and future actions associated with air quality monitoring and action planning activities, and to advise that the statutory Annual Progress Report has been submitted to and accepted by the Scottish Government.

B. RECOMMENDATION

It is recommended that the panel:

1. notes that the Annual Progress Report submitted in relation to air quality monitoring in West Lothian has received satisfactory feedback from both the Scottish Environment Protection Agency (SEPA) and the Scottish Government and has been approved for publication.

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; and working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Environment Act 1995 (Part IV)</p> <p>Scottish Local Air Quality Management Policy Guidance LAQM PG(S)(16)</p> <p>Technical Guidance LAQM.TG(16)</p> <p>The terms of the report do not raise any equality or risk assessment issues and no strategic environmental assessment is required.</p> <p>The Annual Progress Report is a statutory requirement.</p>
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	EH046_9b.1a reports the levels of particulate matter per cubic metre of air measured at the

		Broxburn monitoring unit as a 3 year average. Data is now available to report a 3 year average for Linlithgow and Newton for the first time.
V	Relevance to Single Outcome Agreement	Our children have the best start in life and are ready to succeed. People most at risk are protected. We live longer, healthier lives and have reduced health inequalities.
VI	Resources - (Financial, Staffing and Property)	Monitoring is carried out using existing resources. External funding bids are sought for additional studies or action plans from the Scottish Government.
VII	Consideration at PDSP	This is the first report to the PDSP on the 2016 Annual Progress Report.
VIII	Other consultations	Annual reports on air quality are submitted to the Scottish Government and are subject to review by their appointed consultants and by the Scottish Environment Protection Agency (SEPA). Development Management. Development Planning. Transportation.

D. TERMS OF REPORT

D1 Significance

The direct impact on health of poor air quality continues to retain a high profile. Air quality related ill health and premature deaths are now recognised as fact. Repeated publication of research makes the health implications increasingly clear and well understood. At both UK and Scottish level, it is accepted that action is necessary tackle poor air quality, which is also viewed as an equality matter. The statutory [Joint Health Protection Plan](#) indicates that '*cancers, cardiovascular and respiratory issues feature as the top three most common causes of death in Lothian. All three of these causes are impacted by air quality*'.

Of particular note since the last year's report to the PDSP are:

The Scottish Government published the [first annual progress report](#) (9June 2017) on its '[Cleaner Air for Scotland – The Road to a Healthier Future](#)' (CAFS) strategy. The six key objectives remain the same. Cleaner air provides multiple benefits, and the responsibility for better air quality rests with many groups, including local government. There are also opportunities to generate efficiencies and cost savings by linking air quality to related policy interventions, such as climate change adaption and mitigation, and noise reduction. A key highlight is the adoption of World Health Organization (WHO) guideline values for fine particulate matter (PM_{2.5}) in Scottish legislation. Scotland is the first country in Europe to include this WHO guideline value in domestic legislation and local authorities are now legally required to assess PM_{2.5} as part of their LAQM duties

The case for anti-idling enforcement has been made in a [joint report](#) (Jun 2017) by the National Institute for Health and Care Excellence (NICE) and Public Health England (PHE). It estimates 29,000 deaths annually in the UK due to poor outdoor air quality. (Anti-idling is included in the Broxburn Air Quality Action Plan). The report emphasises taking a number of actions in combination, because multiple interventions, each producing a small benefit, are likely to act cumulatively to produce significant improvement in air quality. In addition, a tool is being developed for local authorities to test the long term impact of different air pollutants (NO₂, O₃, PM_{2.5}) on chronic disease in their areas and the associated costs to the NHS.

The continuation of court action (July 2017) by environmental legal group ClientEarth, which takes the view that ministers failed to conduct their recent public consultation on clean air (Spring 2017) properly. ClientEarth's case centres on the disparity between the consultation document the government produced for the public, and a related technical document. This makes it clear that the best way of combating pollution is for councils to set up clean air zones and then to charge vehicles for entering them. The consultation document advocated that councils should try all other measures before imposing charging zones. ClientEarth also says the government's pollution plans for Scotland, Wales and Northern Ireland are too vague;

The Environment, Climate Change and Land Reform Committee of the Scottish Parliament requested views on the Government's strategy to tackle air quality in Scotland (July 2017). Since CAFS was launched the EU has introduced a new directive to reduce air pollution and there has been the High Court judgement in relation to the adequacy of the UK response. An officer response was prepared and submitted for 25 August.

The UK Government published [its plan for tackling roadside nitrogen dioxide concentrations](#) (July 2017). It recognises that resolving excessive NO₂ levels is considered an urgent problem and that it is caused in part by a shift towards diesel vehicles since the mid-1990s and the failure of the European regulatory system to deliver expected improvements in vehicle NO₂ emissions. As problems are localised, the UK government and devolved administrations take the view that it is principally for local authorities to devise solutions. Local authorities with NO₂ exceedances will have until March 2018 to set out 'initial plans' and December 2018 for 'final plans'. Plans must deliver improvement in the '*shortest time possible*' and be implemented '*at pace*'. Restrictions on traffic are only to be considered if other measures are not sufficient. This applies to Broxburn and Linlithgow.

D2 2017 Annual Progress Report

The Air Quality (Scotland) Regulations 2000, as amended, lay down standards and objectives to be achieved by specified dates for eight priority pollutants. Previous reports have identified that only Nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) need to be monitored therefore reporting is limited to these pollutants.

The 2017 Annual Progress Report is the second to follow the revised technical and policy guidance and covers the calendar year 2016. It includes reporting on progress with Air Quality Management Areas (AQMA's) and was submitted on time to the Scottish Government.

The report uses a template provided by the UK Government and is highly technical in nature. In view of this, an accompanying non-technical summary has been produced and is available on the council's web site at <http://www.westlothian.gov.uk/article/2216/Air-Pollution>.

The full report, along with preceding reports, is available from the same web page. It gives more detail of the standards, objectives, and measured pollution levels in West Lothian. SEPA has provided satisfactory feedback on the report, although has recommended a review of the status of the Linlithgow and Newton AQMAs following a further year's monitoring. The Scottish Government's consultant has approved the report for publication.

The report confirms that:

Air quality in West Lothian in 2016 was within the relevant Air Quality Objectives (AQO) (standards). Levels of pollutants have continued to decline, but not significantly in 2016. Pollutant levels may have been affected by the relatively mild winter and elevated levels still exist.

Monitoring data from the station located in Broxburn, within the declared [Broxburn AQMA](#), did not exceed the annual Air Quality Objective for NO₂ or PM₁₀. Measured 2016 PM₁₀ levels were the same as those in 2015. Measured NO₂ levels were higher than those in 2015. However, the AQMA will remain due to the planned extensive residential development which is part of the Core Development Area (CDA) in Broxburn and Winchburgh. Scottish Government policy is to take a long term approach to decisions on revocation of AQMAs. This combined with the ongoing development in north Broxburn and Winchburgh, traffic from which will directly affect the AQMA, makes it prudent for it to remain in place.

Linlithgow pollutant levels measured within the [Linlithgow AQMA](#) for PM₁₀ in 2016 were lower than 2015 and below the PM₁₀ Air Quality Objective. Measured NO₂ levels in Linlithgow were slightly higher in 2016 than in 2015 but still below the Air Quality Objective. PM_{2.5} measurements commenced in mid-December and therefore are excluded from reporting.

The 2016 Newton PM₁₀ pollutant levels within the [Newton AQMA](#) were lower than 2015 keeping the pollutant levels below the air quality objective. The main source of PM₁₀ is background, with domestic fuel combustion accounting for 50-90% of the remainder. Measured NO₂ levels are still below the air quality objective level in Newton as in previous years.

The next Annual Progress Report will be submitted by the end of June 2018. The outcomes will be reported to the PDSP in autumn 2018 following receipt of feedback from SEPA and the Scottish Government.

D3 Monitoring Arrangements

Air quality in West Lothian is monitored by deploying three real-time analysers and a selection of suitably located passive diffusion tubes. Passive diffusion tubes absorb pollutants onto a coating and are subsequently analysed in a laboratory. The deployment of passive tubes is generally used to ascertain whether installation of a real-time analyser is required or to supplement real-time monitoring.

The highly sensitive real-time instruments measure pollutant levels constantly and feed the results automatically to the web site www.scottishairquality.co.uk, provided by the Scottish Government.

A new FIDAS monitor was installed within the Linlithgow air quality monitoring cabinet in November 2016. This replaces the existing unit and in addition to PM₁₀, also measures PM_{2.5}. This unit, funded by Scottish Government grant provides the first capacity to measure PM_{2.5} within West Lothian and follows the new requirement placed on local authorities to monitor for this pollutant under the [Air Quality \(Scotland\) Amendment Regulations 2016](#). A 'FIDAS' combined PM_{2.5} and PM₁₀ monitor has been installed in Broxburn using Scottish Government 2017-18 grant funding

In early 2017, an AQMesh instrument, which measures a number of pollutants with a good degree of precision was purchased using Scottish Government funding. It is easily relocated and will be used for screening and providing additional information for calibration of modelling within AQMAs. It is currently measuring Sulphur dioxide (associated with coal burning) in Newton.

D4 Progress with West Lothian Air Quality Management Areas (AQMA)

Broxburn

The Broxburn Air Quality Action Plan (AQAP) is complete and was presented to the Broxburn LAC on 15 June prior to wider consultation. It was presented to the Environment PDSP on 7 September and subsequently to the Council Executive on 19 September to approve the final stage of public consultation. Subject to no significant new information or matters arising, a report will be presented direct to the Council Executive in early 2018 to adopt the plan.

Once approved, work will focus on obtaining funding to deliver the measures in the AQAP.

The Electric Vehicle (EV) charging point funded by the 2016-17 Scottish Government grant is in place in Broxburn, but not yet operational. This is being followed up at the time of writing. As part of the 2017-18 grant funding, provision of additional public charging points associated with other areas is being investigated. This is in line with CAFS, however, the long term funding of such facilities will need to be determined before being progressed.

Linlithgow

Measures identified as potential activities to improve air quality in Linlithgow and Newton have been screened and prioritised. Draft Air Quality Action Plans for Linlithgow and Newton have been developed for internal scrutiny before being presented to the PDSP and Council Executive this winter requesting consent for public consultation. Funding for ongoing support of this activity by Ricardo Energy and Environment has been secured from the Scottish Government.

The ANPR based travel survey for Linlithgow (funded by Smarter Choices, Smarter Places Programme via Transportation) has reported. Additional analysis is required to make it fully useful to inform future decision making. This is included as a measure in the emerging Draft AQAP for Linlithgow.

The draft Active Travel Plan for Linlithgow lists a number of possible measures to increase use of active travel within the town and to and from the station. Whilst some of the Scottish Government Action Planning grant funding could be used for these, the measures have yet to be assessed for value, deliverability etc. and are not therefore prioritised. Few, if any are likely to be deliverable in the current financial year, but will be examined for delivery in future years.

As measured pollutant levels are below Air Quality Objectives, the status of the Linlithgow AQMA will be reviewed following ratification of 2017 monitoring data. This will include, for the first time, PM_{2.5} data from the instrument installed in December 2016.

Newton

The draft AQAP is being developed alongside that for Linlithgow, above, and will follow the same development path.

As measured pollutant levels are below Air Quality Objectives, the status of the Newton AQMA will be reviewed following ratification of 2017 monitoring data.

D5 Other related work

The real time vehicle emissions testing project commenced on the [A8 at Maybury](#) on Monday 20 March. Pre-deployment publicity was used, including television, radio, web site and social media based material. Deployment on the [A89 at Broxburn](#) commenced on 27 March, with an on-site information event held on Wednesday 29th March. Following the release of funding by the Scottish Government, North Lanarkshire Council secured a two week end on deployment on the [A725 at Whifflet](#). The combined effect was the largest deployment to date in the UK and the first in Scotland. Prior to commencement, Transport Scotland organised a very informative multi-disciplinary meeting on 24 February which brought together some of the best technical expertise on the subject, including the supplier (by phone) and the installation contractor.

The project outcomes report has been received in draft and is to be reviewed. This will be reported to a future Environment PDSP. In addition, the dataset has been shared with both Transport Scotland and academics working for the Department for Transport. The academics will carry out a further more in depth analysis of the data which will help inform policy decisions relating to motor vehicle pollution across the UK. This has been given particular urgency by the continued legal challenges against the UK and devolved administrations for failure to meet EU air pollution standards.

The need to integrate Air Quality into spatial planning is emphasised by CAFS. Draft Supplementary Guidance was drafted with external assistance paid for by Scottish Government grant. The [public consultation](#) has recently ended. Ensuring consistent policy for electric vehicle charging points is being discussed with Planning.

Associated with increased consideration of air quality associated with development has been a significant rise in the number and complexity of developers' Air Quality Impact Assessments received. These are often contradictory to existing information or recent assessments from other developers. External reviews of these are now regularly carried out.

E. CONCLUSION

Air Quality management continues to be an increasing national and local priority. The implications for health are becoming ever clearer and cannot be ignored. Government and public expectations for clean air are increasing. In particular, Cleaner Air for Scotland will continue to require and shape cross service delivery for some years to come.

In West Lothian, air quality is generally good, but Broxburn, Linlithgow and Newton all have Air Quality Management Areas due to past exceedances, or likely exceedances of the permitted pollutant levels. However, improvements in relation to some pollutants

will see the AQMAs for Linlithgow and Newton reviewed following ratification of 2017 monitoring data.

The UK Plan for tackling Roadside Nitrogen dioxide Concentrations gives local authorities until March 2018 to set out 'initial [Air Quality Action] plans' and December 2018 for 'final [Air Quality Action] plans'. This applies to Broxburn and Linlithgow and will be met.

F. BACKGROUND REFERENCES

[Air Quality \(PM_{2.5} particulate air pollution\) and Mortality in Scotland](#) (April 2014)

[Cleaner Air for Scotland, the Road to a healthier Future' \(CAFS\)](#) (November 2015), and [Annual Progress Report 2016](#) (June 2017)

[Air pollution: outdoor air quality and health](#) (NICE / CIEH, June 2017)

[UK Plan for tackling Roadside Nitrogen dioxide Concentrations](#) (July 2017)

[Environment Act 1995 \(Part IV\)](#)

[Every Breath We Take](#), The Royal College of Physicians published 2016

[Local Air Quality Management Technical Guidance LAQM.TG\(16\)](#)

[Scottish Local Air Quality Management Policy Guidance LAQM PG\(S\)\(16\)](#)

[Lothian Joint Health Protection Plan](#)

Appendices/Attachments: None

Contact Person: David L Brewster, Senior Environmental Health Officer, Telephone 01506 282376, e-mail <mailto:david.brewster@westlothian.gov.uk>

Craig McCorriston, Head of Planning, Economic Development and Regeneration

Date of meeting: 3 October 2017



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

WEST LOTHIAN ACTIVE TRAVEL - QUIET ROADS PROJECT

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to advise the Environment Policy Development and Scrutiny Panel (PDSP) of public consultation work undertaken in November 2016 on the concept of quiet roads in West Lothian, with recommended next steps to progress the project.

B. RECOMMENDATION

It is recommended that the Environment PDSP note and consider the following recommendations which are intended to be submitted to Council Executive for approval:

1. notes the content of this report and the progress made to date on exploring the feasibility of establishing quiet roads in certain parts of West Lothian to promote walking and cycling for everyday journeys and active access to the outdoors;
2. notes the high levels of public support for the concept of quiet roads and individual routes;
3. approves the routes shown on the map in appendix 3 as locations identified as suitable for inclusion in a quiet roads network; and
4. notes that following detailed design a further report for a pilot project for the approved routes will be presented to Council Executive to commence the statutory procedures for speed limit changes.

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; and working in partnership. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | This project is one of several listed in the Active Travel Plan for West Lothian. This Plan is a requirement of the Cycling Action Plan for Scotland. The Active Travel Plan is also linked to the West Lothian Local Development Plan.. A risk assessment will be carried out of the quiet roads project as part of its development, and |

		data has already been gathered to inform this assessment.
		Reducing speed limits on rural roads is contrary to the previously agreed council Speed Limit Strategy but is considered to be justifiable in this case.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Delivery of sustainable transport projects and policies have a positive, direct impact on the West Lothian SOA indicators as follows: Tonnes of CO2 emissions per capita for the West Lothian district, % of primary school children travelling actively to school, % of secondary school children travelling actively to school, number of people killed or seriously injured in road accidents. The quiet roads project could also have indirect positive impacts on other SOA indicators including those pertaining to jobs and economic growth by improving accessibility to job opportunities by active travel and by promoting visitor access to support local economic growth.
V	Relevance to Single Outcome Agreement	<p>Outcome 2: We are better educated and have access to increased and better quality learning and employment opportunities.</p> <p>Outcome 3: Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>Outcome 4: We live in resilient, cohesive and safe communities.</p> <p>Outcome 6: Older people are able to live independently in the community with an improved quality of life.</p> <p>Outcome 7: We live longer, healthier lives and have reduced health inequalities.</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)	To date, any costs associated with the project have been secured through external funding applications to Community Links. Further external funding will be sought for any costs associated with the delivery of the quiet roads project (e.g. signage, legal processes, selected infrastructure improvements). Ongoing revenue costs of the project will be met from future road maintenance revenue budgets.

VII Consideration at PDSP

28 April 2016 PDSP advised of the consultation proposals.

VIII Other consultations

Internal consultation has been undertaken, Planning and Economic Development, Finance and Estates and Police Scotland.

D. TERMS OF REPORT**Background**

Since 2002, a number of local authorities in Scotland have pursued the quiet road concept. Established in guidance from the UK Department for Transport and the Scottish Government, quiet roads are typically rural roads where walking, cycling and horse riding are encouraged through speed limit reduction, signage and other measures.

Clackmannanshire Council has developed a cycling network which connects all settlements within Clackmannanshire, with routes comprising a combination of off-road paths and cycle friendly roads. More recently, Perth and Kinross Council has implemented a similar concept, internally to the authority area and linking with cycle friendly routes in Clackmannanshire. Evidence from Clackmannanshire suggests their cycle friendly roads are popular with communities, are being used for everyday journeys including the journey to school and are attracting visitors to the area.

In West Lothian, the feasibility of quiet roads was first explored in research commissioned by Scottish Natural Heritage and West Lothian Council in 2002, focusing specifically on the Bathgate Hills. That research recommended that quiet roads were feasible, and design work and further public consultation should be carried out. The concept was however put on hold at that time.

Given the time lapsed since 2002 and the more recent successful implementation of the concept in Clackmannanshire where it has proven popular with communities and users, West Lothian Council applied for funding from Sustrans via their Community Links fund in 2014 to re-explore the feasibility of quiet roads in the Bathgate Hills. Additional funding was sought in 2015 to explore the concept of quiet roads elsewhere in West Lothian.

Analysis of feasibility of quiet roads and public consultation

Based on experience elsewhere and technical guidance, rural roads eligible for quiet road status should have relatively low traffic volumes and average speed. Clackmannanshire Council has used a threshold of 800 vehicles daily, and speed limits implemented in line with 85th percentile measurements or where perceived speeds are below 30mph. Routes should form part of a network, linking to each other or other walking and cycling infrastructure.

Using the Sustrans Community Links funding, data was gathered on road traffic on an initial set of selected routes across West Lothian which were perceived to meet these criteria. Suggestions for routes were gathered from officers across services within the Council who had knowledge of local areas, and some ideas for routes also emerged from community engagement carried out during the preparation of the Active Travel Plan for West Lothian in 2015. The data suggested that many of the routes surveyed are potentially eligible for quiet road status. All routes were either Class C or Unclassified roads.

A public consultation exercise was carried out in November 2016 on the concept of quiet roads and a report on the findings is attached as appendix one of this report. In summary:

- Some 229 people responded to a survey on the concept of Quiet Roads, and over 200 comments were made on an online mapping consultative tool;
- Some 82% of question respondents indicated they supported the concept of Quiet Roads, with 78% saying it would encourage them to walk, run, cycle or ride a horse more on rural roads;
- Reduced speed limits and the ability to access Quiet Roads as part of an active travel network were viewed to be slightly more important than signage, though all were viewed to be essential by over two-thirds of respondents to this question;
- Some respondents indicated concern that signage and speed limit reductions would not be enough to slow vehicle drivers down on rural roads; this suggests the concept of Quiet Roads needs to be clearly communicated to all users more effectively if the project is taken forward – that is, Quiet Roads are routes which already see low traffic volumes and low vehicle speeds, where active travel is encouraged;
- The majority of survey respondents were West Lothian residents. Most survey respondents who rode a bike or rode a horse stated they rode on-road.
- Over 90% of survey respondents said they had access to a car as a driver.

Proposed initial quiet road network

Following the results of the consultation it is considered that there is sufficient support to take forward a pilot scheme based on the initial potential quiet roads suggested by the council at the consultation stage. Appendix two to this report gives a network analysis of the suggested council routes and those identified by the public during the consultation process. A number of the suggestions from the participants of the survey need further assessment to see if justification exists for these suggestions being taken forward.

The network analysis using detailed speed information collected supports the introduction of the routes identified below and as shown on the attached plans.

- **U11 Ballencrieff to Torphichen (between C17 and Torphichen)**
- **U12 Easton Rd (Armadale-Bathgate)**
- **C18 between Ballencrieff C17 & Beecraigs U14**
- **C12 south east of Knock**
- **C9 Knock**
- **U15 Beecraigs Loch (between C21 and U14)**

- **U14 Beecraigs (between C18 and C17 (playpark area))**
- **U32 Leyden Road**
- **Routes in West Calder and Harburn**
- **Stoneyburn Hens Nest Roads east-west, north to south**

Funding of £5,000 has been made available through the Sustrans Community Links 2017/18 programme subject to a matching contribution of £5,000. Therefore, a total budget of £10,000 is available to develop an initial pilot scheme based on the work done to date and the findings from the consultation.

Engagement with Emergency Services

There is a formal statutory consultation process to be undertaken in the event that the proposals to implement lower speed limits on some rural roads move forward. Initial discussions with Police Scotland confirm broad support for the initiative subject to detailed proposals being agreed at the commencement of the procedures for introducing new speed limits. Other emergency services will be consulted formally during the promotion of the speed limit orders.

Quiet road measures including speed limit reduction

Quiet roads are a significantly lower cost intervention to improve conditions for walking, cycling and horse riding compared to the development of off-road paths which require land-take, and footways. Costs from Clackmannanshire suggest they can be delivered at around £1,000 per km. They seldom require any infrastructure improvements, except where additional infrastructure may be required to connect routes as part of a network (e.g. an off-road path or crossing to link quiet roads across a more heavily-trafficked road). Quiet roads are likely to be wholly on the public road network with no land-take - the only exception to this is where any supporting infrastructure improvements are required as suggested above. Consideration may need to be given to coordination with existing maintenance regimes to ensure surfacing on quiet roads is appropriate for non-motorised users

The key features of quiet roads are:

- Speed limit reductions to 40mph or lower.
- Information signs at the entry / exit to quiet roads to communicate the change in the nature of the road to vehicle drivers, and repeater speed limit signage along the route.

West Lothian Council agreed a Speed Limit Strategy in 2009 (Council Executive, 7 April 2009). This Strategy states that in West Lothian, the national speed limits will be the norm for rural roads unless accident rates exceed specific thresholds.

Whilst quiet roads may not meet the accident rate threshold specified, there is a case for reducing speed limits on selected rural roads to assist the delivery of this specific project which will support the objectives of the Active Travel Plan and policies to promote sustainable travel choices also stated within the Local Development Plan.

Moreover, it is considered that not reducing speed limits on any designated quiet roads may undermine their effectiveness and jeopardise the success of this project. Speed limits will give non-motorised users confidence when using the routes, whilst car drivers will be alert to speed limits and the potential presence of non-motorised users on the route.

Next steps

It is considered that a pilot scheme based on the suitable routes identified should be taken forward for implementation. The available budget will not enable the delivery of all the routes identified and therefore it is considered that the pilot scheme should be self-contained and be capable of being developed into a connected network over time.

E. CONCLUSION

Quiet Roads have been proven to work well in other rural parts of central Scotland. It can be a cost effective way of securing safer routes for active travel and recreational use that helps with healthy lifestyles and reducing carbon emissions.

It is proposed to identify a pilot project from the routes identified which can be delivered, build on the initial feasibility work carried out, and progress to the next steps in the quiet road project as set out above. The results of this work will be reported back to Council Executive before any installation of quiet roads commences.

F. BACKGROUND REFERENCES

The Adopted Active Travel Plan for West Lothian -
www.westlothian.gov.uk/activetravel

Speed Limit Strategy for West Lothian Council -
<http://www.westlothian.gov.uk/media/3792/Speed-Limit-Review-and-Strategy/pdf/SpeedLimit-ReviewandStrategy.pdf>

Appendices/Attachments: One – Quiet Roads Consultation Report
 Two – Quiet Roads Network Analysis
 Three- Maps of Proposed Pilot Routes

Contact Person: Jim Stewart, Jim.stewart@westlothian.gov.uk, 01506 282327.

Jim Jack, Head of Service, Corporate Operational and Housing Services.

Date of meeting: Environment PDSP 3rd October 2017

Quiet Roads consultation report

Executive Summary of the consultation

A public consultation exercise on the concept of Quiet Roads in West Lothian was carried out in November 2016. Some 229 people responded to a survey on the concept of Quiet Roads, and over 200 comments were made on an online mapping consultative tool. Some 82% of question respondents indicated they supported the concept of Quiet Roads, with 78% saying it would encourage them to walk, run, cycle or ride a horse more on rural roads.

Reduced speed limits and the ability to access Quiet Roads as part of an active travel network were viewed to be slightly more important than signage, though all were viewed to be essential by over two-thirds of respondents to this question.

Some respondents indicated concern that signage and speed limit reductions would not be enough to slow vehicle drivers down on rural roads. This suggests the concept of Quiet Roads needs to be clearly communicated to all users more effectively if the project is taken forward – that is, Quiet Roads are routes which already see low traffic volumes and low vehicle speeds, where active travel is encouraged.

The majority of survey respondents were West Lothian residents. Most survey respondents who rode a bike or rode a horse stated they rode on-road. Over 90% of survey respondents said they had access to a car as a driver.

Main Report

Introduction

A public consultation exercise on the concept of Quiet Roads in West Lothian was carried out in November 2016. This consultation followed initial feasibility work to identify potentially suitable routes, focusing on traffic data collection to understand daily volumes and average speeds of vehicles.

Consultation approach

The approach to the consultation was aimed to be as inclusive as possible. It ran for six weeks from early November to mid-December 2016. A number of mechanisms were offered to the general public to engage on the topic:

- An online mapping tool, presenting potential Quiet Roads (red lines in Figure 1 below) and a number of icons which people could use to record their comments. People were offered the ability to show routes where they currently walked, cycled or rode a horse, as well the opportunity to comment on potential Quiet Roads shown on the map.
- An online survey – this asked about people's current walking, cycling and horseriding activity on rural roads as well as their views on the concept.
- A hard copy survey and static exhibition – hard copy surveys were made available to those without access to the internet, and stored at a number of locations alongside posters and maps to explain the project. These locations were Beecraigs Visitor Centre in the Bathgate Hills, Stoneyburn Community Education Centre, and West Calder and Harburn Community Development Trust.
- All of this information was presented on a new webpage created for the project, <https://www.westlothian.gov.uk/quiet-roads>

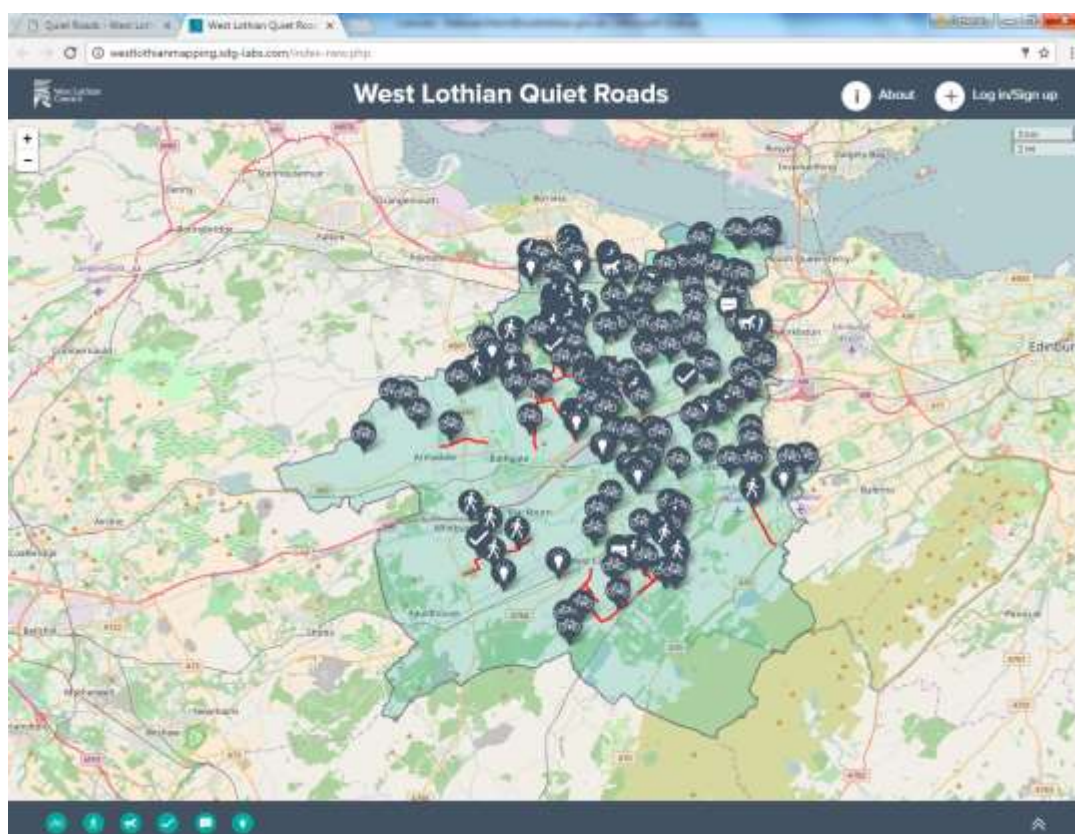


FIGURE 1

All Community Councils were sent details of the consultation, along with community organisations. The council's social media newsfeeds regularly posted information on the consultation during the six week period.

Consultation response

The online survey received 223 responses. Six hard copy surveys were completed at static exhibition locations. The online mapping tool received 206 comments.

Consultation results

The following summarises the main findings from the consultation exercise. In terms of the survey work, it should be noted that percentages (%) are presented both as % of the total number of survey respondents, and % of the total number of question respondents. All 229 survey respondents did not answer every question in the survey, hence presenting both statistics to avoid any misinterpretation of the data.

Support for Quiet Roads and views on concept?

	% of total question responses (n=178)	% of total survey responses (n=229)
Q1: Based on the description of quiet roads given at the start of this survey, would having quiet roads in place encourage you to walk, run, cycle or horseride on rural roads in West Lothian?	Yes = 78% No = 16% Not sure = 6%	Yes = 60% No = 12% Not sure = 5% Blanks = 23%
	% of total question responses (n=178)	% of total survey responses (n=229)
Q: Do you support the development of quiet roads in West Lothian?	Yes = 82% No = 8% Not sure = 10%	Yes = 64% No = 7% Not sure = 7% Blanks = 22%

Comments offered on Q1: Based on the description of quiet roads given at the start of this survey, would having quiet roads in place encourage you to walk, run, cycle or horseride on rural roads in West Lothian?

- "Yes" comments: support the concept, would feel safer, might need more physical measures to ensure vehicle drivers drive at the speed limit, quiet roads could contribute to a better connected network for walking and cycling, would calm driver behaviour on rural roads, would support more children to travel actively on quiet roads, would support cycling, walking, running and horseriding on rural roads.
- "No" comments: concerns signage and speed limit reductions will not impact on driver behaviour sufficiently, quiet roads need to be part of a network to be able to reach them by active travel modes, roads are for cars, prefer off-road paths to travelling actively on-road.
- "Not sure" comments – remaining concerns over driver behaviour regardless of signage or speed limits, need to be able to access quiet roads as part of a network.

What would encourage you to walk, run, cycle or ride a horse on a quiet road in West Lothian?

Ranking (no. of respondents and % of respondents answering question)	Reduced legal speed limits for vehicles	Road signs indicating pedestrians, cyclists and horseriders may be using the road	Ability to access the quiet road on foot, by bike or on a horse as part of a wider network
Essential	119 (67%)	112 (63%)	117 (67%)
Desirable but not essential	34 (19%)	50 (28%)	46 (26%)
Not necessary	25 (14%)	15 (9%)	12 (7%)

Access to and use of a bike and car

	% of total question responses (n=225)	% of total survey responses (n=229)
Q: Do you have access to a car in your household?	Yes as a driver = 91% Yes as a passenger = 5% No = 4%	Yes as a driver = 90% Yes as a passenger = 5% No = 4% Blanks = 1%
	% of total question responses (n=226)	% of total survey responses (n=229)
Q: Do you have access to a bike in your household?	Yes = 80% No = 20%	Yes = 79% No = 20% Blanks = 1%
	% of total question responses (n=215)	% of total survey responses (n=229)
Q: If you do ride a bicycle, is this.....	Mainly for leisure or fitness = 42% Mainly for travelling from "A" to "B", for example to work, to the shops = 7% A bit of both = 29% I don't ride a bike = 21%	Mainly for leisure or fitness = 40% Mainly for travelling from "A" to "B", for example to work, to the shops = 7% A bit of both = 28% I don't ride a bike = 20% Blank = 6%

Existing walking, cycling and horse-riding activity

	% of total question responses (n=215)	% of total survey responses (n=229)
Q: ...if you do ride a bicycle, is this.....	Mainly on-road = 28% Mainly off-road (e.g. on paths and trails) = 15% A bit of both = 37% I don't ride a bike = 20%	Mainly on-road = 26% Mainly off-road (e.g. on paths and trails) = 14% A bit of both = 34% I don't ride a bike = 19% Blanks = 6%
	% of total question responses (n=221)	% of total survey responses (n=229)
Q: Do you ride a horse in West Lothian, either occasionally or regularly?	Yes, I ride and sometimes on-road = 11% Yes, I ride but mainly off-road (e.g. on trails, paths, fields) = 4% No, I don't ride a horse = 85%	Yes, I ride and sometimes on-road = 10% Yes, I ride but mainly off-road (e.g. on trails, paths, fields) = 4% No, I don't ride a horse = 82% Blanks = 3%

	% of total question responses (n=220)	% of total survey responses (n=229)
Q: Do you walk or run in rural areas in West Lothian currently?	Yes, mainly off-road (e.g. on paths and trails) = 45% Yes, sometimes on-road = 36% No, never = 16% Other = 2%	Yes, mainly off-road (e.g. on paths and trails) = 43% Yes, sometimes on-road = 35% No, never = 16% Other = 2% Blanks = 4%

Q: If you do not currently ride a bike, walk, run or ride a horse on rural roads in West Lothian, please tell us some of the reasons why?

Response	Category (categorised post-survey)
Would consider getting a bike and cycling more if there was more options for cycling segregated from motor vehicle traffic, roads too busy and don't feel safe cycling	Perception of safety and concerns about vehicles drivers (volumes, speed)
Roadside litter and rubbish	
Laziness	Personal reasons
Don't ride horses on roads as perceive too dangerous, and cars pass fast and close	Perception of safety and concerns about vehicles drivers (volumes, speed)
Cars drive too fast on roads	Perception of safety and concerns about vehicles drivers (volumes, speed)
Visibility on rural roads are sometimes very poor and cars drive too fast making it too dangerous to walk or run on them	Perception of safety and concerns about vehicles drivers (volumes, speed)
I would be nervous about riding a bike because of traffic traveling too fast on rural roads. I do walk but again prefer the paths to roads for the same reasons.	Perception of safety and concerns about vehicles drivers (volumes, speed)
Can't ride horses on fields due to land ownership reasons, terrifying to ride on roads due to cars	Lack of choice of route Perception of safety and concerns about vehicles drivers (volumes, speed)
Roads are far too dangerous, cars overtaking on bends and articulated lorries hitting the bankment, there are also no pavements	Perception of safety and concerns about vehicles drivers (volumes, speed) Verges / pavements inadequate
Roads are for cars, and should not be encouraging leisure activity on the road	Belief that cycling, walking and horseriding are leisure activities and roads are for cars
Avoid routes with buses and low visibility due to bad experiences with car drivers when riding horse	Perception of safety and concerns about vehicles drivers (volumes, speed)
Narrow roads, cars pass too close, dangerous speeds and behaviours of drivers.	Perception of safety and concerns about vehicles drivers (volumes, speed)
Walk on rural roads but too scared to ride a bike due to cars and lorries	Perception of safety and concerns about vehicles drivers (volumes, speed)
Don't ride a bike as too much traffic and feel scared. Ride a bike when on holiday.	Perception of safety and concerns about vehicles drivers (volumes, speed)
Would prefer to drive to a park as local routes not scenic, and not very active generally	Personal reasons
Fast traffic	Perception of safety and concerns about vehicles drivers (volumes, speed)

No need to , path network is excellent	
Too dangerous, used to cycle but given up due to close shaves with vehicle drivers	Perception of safety and concerns about vehicles drivers (volumes, speed)
Cannot find good long distance horse trails as rural roads are becoming too busy	
No footpath so have to walk on road	Verges / pavements inadequate
Narrow verges, car drivers drive too fast and close	Perception of safety and concerns about vehicles drivers (volumes, speed) Verges / pavements inadequate
As a family, cycle much less than would if had direct access to a safe, quiet network, have to drive somewhere safe to go on a bike ride	Perception of safety and concerns about vehicles drivers (volumes, speed)
Disability	Disability
High traffic volumes, high speed, drivers passing too close	Perception of safety and concerns about vehicles drivers (volumes, speed)
Don't run on local roads as paths are more pleasant	Personal preference
Unsafe on roads	Perception of safety and concerns about vehicles drivers (volumes, speed)
Too dangerous to walk on road, have to drive somewhere to go for a walk	Perception of safety and concerns about vehicles drivers (volumes, speed)
Roads too narrow, aggressive driver behaviour	Perception of safety and concerns about vehicles drivers (volumes, speed)
Busy roads, good off-road walking routes	Personal preference
Car-dominated, high speed traffic, pollution, missing pavements, no alternative paths	Perception of safety and concerns about vehicles drivers (volumes, speed)
Poor road surface and aggressive car drivers deters from cycling more	Perception of safety and concerns about vehicles drivers (volumes, speed) Road surface

Survey respondents – profile (% of question respondents)

Age

18 or under	19-29	30-49	50-64	Over 65
1%	4%	56%	30%	9%

Gender

Female	Male
46%	54%

Is your day to day activity (specifically your mobility) limited in any way by a disability or long-term health issue?

Yes	Partially	No
5%	5%	90%

Which of the statements below apply to you? Select all that are relevant to you

West Lothian resident	West Lothian employee	West Lothian landowner (as opposed to a resident owning a house only)	None of the above but walks or cycles or rides horses in West Lothian	None of the above but works for an organisation with an interest in this project
137	40	11	23	5

Quiet Roads consultation report – network analysis

Proposed Quiet Roads

The public consultation presented some initial routes which could be eligible Quiet Roads. Comments made during the survey and online mapping consultative tool were analysed to identify any issues raised with proposed routes, and additional suggestions for Quiet Roads.

Potential Quiet Roads suggested by council

Potential Quiet Road	Comment made via:	Consultation comments	Council comments
U11 Ballencrieff to Torphichen	Online mapping tool	Cycle here.	Proceed as initial Quiet Road.
U12 Easton Rd (Armadae-Bathgate)	Online mapping tool	Cycle here, though perceive traffic speeds are high and used as rat run.	Survey data shows the average speed on this road by vehicles was 29mph, and 85 th percentile speed 32mph. Average daily traffic volumes (7 day) was 439. Consideration needs to be given to impact of new housing on this road (Armadae end). Proceed as initial Quiet Road.
C18 between Ballencrieff C17 & Beecraigs U14	Online mapping tool	Cycle here.	Proceed as initial Quiet Road.
C12 south east of Knock and on to A89	Online mapping tool	Cycle here.	Resurvey southern C12 section to A89. Consider scheme to give space to cycling on this road e.g. like Gogar Station road in West Edinburgh. Proceed as initial Quiet Road.
C9 Knock C9 east-west	Online mapping tool	Comment received by email suggesting access needed along C9 from west of Bathgate to this quiet road network. Seven comments on online tool suggesting C9 east-west as Quiet Road or indicating people walk and cycle here. Six comments on missing link at	Survey C9 Puir Wives Brae section, and assess gap infrastructure to cross East-West C9. Assess potential for improved cross-country walking trail at Petershill. Proceed C9 Knock as initial Quiet Road and assess gap infrastructure. C9 east-west has been surveyed, and average daily traffic volumes (7 days) were 968, which is too high for a Quiet Road.

		Bangour Fishery.	
U15 Beecraigs Loch	Online mapping tool	Three comments indicating people walk and cycle here. Comment on poor surfacing.	Proceed as initial Quiet Road.
U14 Beecraigs (playpark area)	Online mapping tool	Three comments indicating people walk and cycle here and support this as a Quiet Road.	Proceed as initial Quiet Road.
U32 Leyden Road	Online mapping tool	Two comments indicating people walk and cycle there.	Proceed as initial Quiet Road.
All routes marked in West Calder and Harburn	Online mapping tool	Several comments indicating people walk and cycle here, plus suggestions for more QRs.	Explore how to get Non-Motorised Users across the C24 – may need signage warning of cyclists crossing as a minimum. Proceed as initial Quiet Road.
Stoneyburn Hens Nest Roads east-west, north-south	Online mapping tool	Supportive comments.	Resurvey and check progress of housing in area, and accesses onto Hens Nest Road. Proceed as initial Quiet Road.

Suggested Quiet Roads and network connections by consultees

Suggested Quiet Road from consultation	Comment made via:	Consultation comments	
U11 Torphichen to A706	Online mapping tool	Two comments indicating people cycle here and it could be a quiet road	This appears to potentially meet the criteria for Quiet Roads. That said, it connects to the A706 which is a challenging route for Non-Motorised Users in terms of traffic volumes and potentially speeds, and therefore does not usefully contribute to an active travel network. Further survey and feasibility work needed.
Cathlaw Lane, Torphichen	Online mapping tool	Four comments indicating people cycle and walk here, and think it should be a quiet road	This route was surveyed as part of the feasibility work on Quiet Roads, albeit within the 40mph zone. A key barrier to this becoming a Quiet Road is the need to support Non-Motorised Users across the C17, which is busier and faster than surrounding roads (survey data exists). Further survey and feasibility work needed.

B8047 Torphichen to A801	Online mapping tool and survey	Two comments indicating people walk and cycle here	This is a B road, with geometry that makes it challenging as a Quiet Road (wide in parts, with long, straight sections where it may be difficult to adhere to reduced speed limits). Not taken forward for further assessment.
A801 – crossing point between Torphichen and Armadale (old roads)	Online mapping tool	Two comments indicating people walk and cycle on routes passing over the A801, and safer crossing needed.	This is a useful connecting point in an active travel network in this area. Further feasibility work needed on way to improve Non-Motorised Users passage over the A801, e.g. signage.
C7, U9, C14 – routes southwest of Westfield	Online mapping tool	One comment on each route indicating quiet roads to cycle one.	Potentially fit criteria of Quiet Roads, though doubt over their usefulness as part of an active travel network. Further survey and feasibility work needed.
U1 east of Linlithgow Loch	Online mapping tool and online survey	Two comments indicating people cycle here.	Potentially fits criteria of Quiet Roads although route to Boness moves into Falkirk Council area. Data gathered for U1 Linlithgow to Boness (near Oracle), and whilst traffic volumes low (305 daily), 85 th percentile speed on stretch surveyed reached 48mph. Further survey and feasibility work needed and engagement with Falkirk Council.
C16 Kingsfield (east of Linlithgow)	Online mapping tool and survey	Four comments indicating people walk, cycle and ride horses on this route.	This route was surveyed as part of the feasibility work on Quiet Roads, and traffic volumes were on average 1328 per day, which is too high for a Quiet Road. Not taken forward for further assessment.
C6 east-west canal bridge to Philipstoun	Online mapping tool	Three comments indicating people walk, cycle and ride horses on this route.	Route is lined and width most likely does not meet criteria for Quiet Road. Also a bus route. A parallel off-road route is available (canal towpath). Not taken forward for further assessment.
C5 north-south from B9080 to Philipstoun	Online mapping tool	One suggestion as a Quiet Road.	Potentially meets criteria for a Quiet Road though not part of a wider network. Further survey and feasibility work needed.
Private road connection from B8046 to A904	Online mapping tool	Three comments suggesting this is a useful cycle connecting route although marked as private.	Further feasibility work into land ownership etc and potential for a connecting link.

Drumshoreland Road	Online mapping tool and online survey		Route may be too wide though there is clear local demand for active travel on this route, and horseriding. Carry out a traffic survey.
Wester Breich/Happy Valley – C13	Online survey		Route is lined and likely to be too wide plus has an accident record. Not taken forward for further assessment.
Murieston Road	Online survey		Urban road, lined and too wide. Not taken forward for further assessment.
C24 at West Calder	Online survey		
U2 (north of A904, Hopetoun)	Online survey	Used for cycling and walking	Could fit criteria though may have limited value for functional journeys except for local access, as the route loops back to the A904 – that said, it may provide connection to National Cycle Network Route 76 and therefore alternative route to Forth bridgehead, avoiding busier A904. Further survey and feasibility work needed.
U4 from A904 towards B8020 and Winchburgh	Online survey	Used for cycling and horseriding	B8020 is lined and probably too wide to be a Quiet Road. The U4 could be a useful Quiet Road connection between the Forth Bridgehead area and Winchburgh, though partly in CEC area. Further survey and feasibility work needed, and discussion with CEC on cross-boundary classification.
U18 from Winchburgh to A89 (over canal)	Online survey	Used for cycling	Useful Quiet Road connection from Winchburgh to A89 cycle corridor, though may be changing due to Greendykes development. May be partly in CEC. Further survey and feasibility work needed, and discussion with CEC on cross-boundary classification.
U26 routes south of A89	Online survey	Used for cycling	Some of these routes have been surveyed, and should be revisited as online survey comments suggest they are part of a useful quiet network between Edinburgh and West Lothian. Re-introduce to Initial network proposals?
C19 east-west route north of Broxburn and Uphall	Online survey	Used for cycling and walking	Could be a useful connection in Quiet Road network. Further survey and feasibility work needed.
U17 east-west route north of Broxburn and Uphall.	Online survey	Used for cycling and walking	Several comments on this as a useful connection east-west. Whilst commented on in the online survey, some comments suggest Non-Motorised Users do not feel safe using this route due to traffic and geometry. Further survey and feasibility work needed.
C20 Bridgend	Online survey		Potential Quiet Road part of a network in this area. Further survey and feasibility work needed.
Missing link connecting U17 and Uphall	Online survey		Potential missing link, upgrade an existing off-road path. Further survey and feasibility work needed.

C21 Dechmont Road	Online survey		Width and likely traffic volumes and speeds will most likely prohibit this from being a Quiet Road. Not taken forward for further assessment.
Station Road and B7031 Kirknewton	Online survey	Used for cycling	Comments highlighting these as difficult to cycle on due to traffic etc. Too wide and lined. Not taken forward for further assessment.
Long Dalmahoy Road	Online survey	Used for cycling	Part of National Cycle Network, and may meet criteria, although crosses to CEC area. Further survey and feasibility work needed, and discussion with CEC and Sustrans on cross-boundary classification. Could be subject of a SEStran grant application to look at ways of making this route more cycle friendly.
U38 and U29 Harburn to Livingston	Online survey		Worth surveying these routes to see if they are viable Quiet Roads. Further survey and feasibility work needed.
C24 south of West Calder	Online survey		Likely to be too wide, and anecdotally busy with traffic. Could survey just to have traffic data, particularly as crossing needed from potential Quiet Roads north and south of this road. Survey only at connecting point with QRs north and south.
C28 north-south (southwest of West Calder)	Online survey		Likely to be too wide and busy though could survey just to have data. Include in survey.
U27 west of Addiewell and Loganlea	Online survey		Could be a useful connection. Further survey and feasibility work needed.
C26 Mossend	Online survey		Wide and lined. Not taken forward for further assessment.
B7015 Westwood	Survey		Wide and lined. Not taken forward for further assessment.



Figure 1 - U11 Ballencrieff to Torphichen (between C17 and Torphichen)

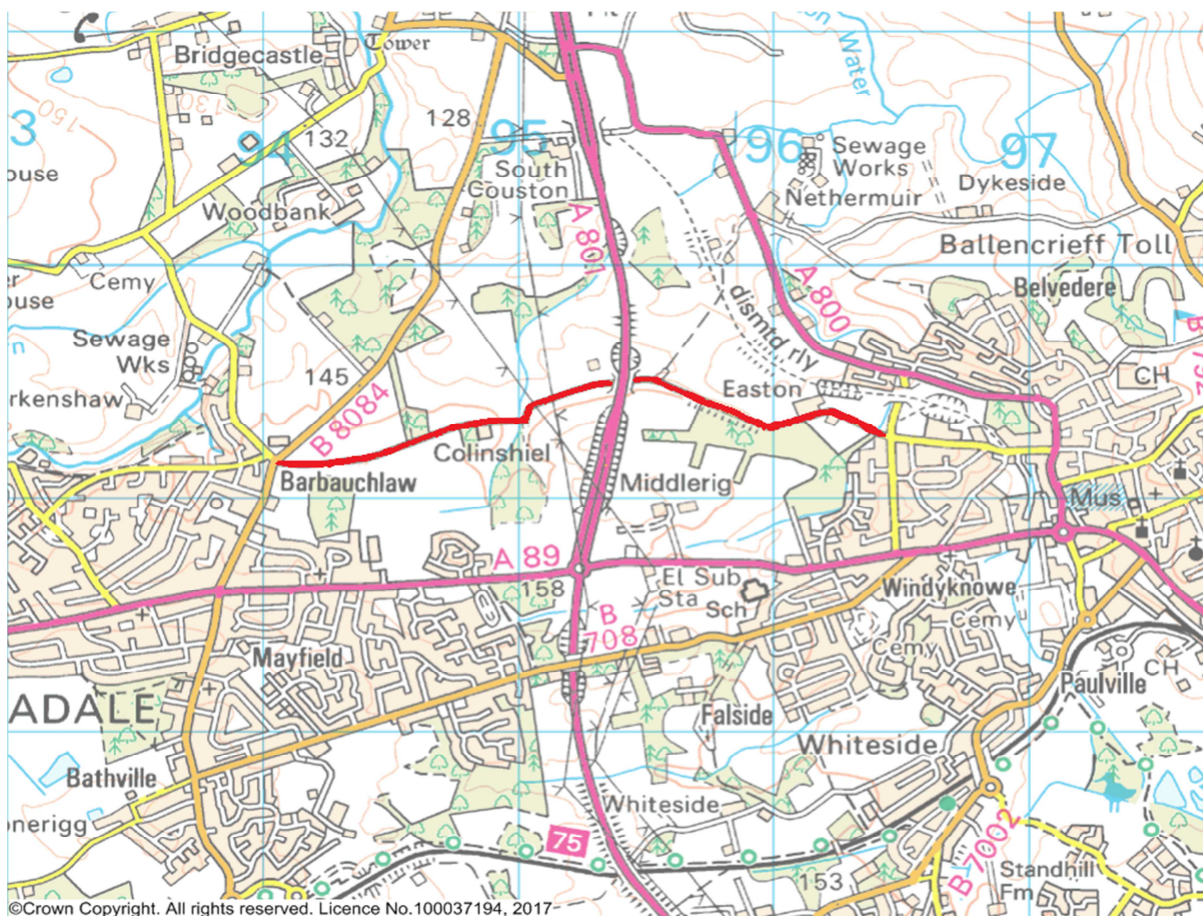


Figure 2 - U12 Easton Rd (Armadale - Bathgate)

**SUITABLE ROUTES IDENTIFIED AS QUIET ROADS
(Highlighted in RED on OS Maps)**

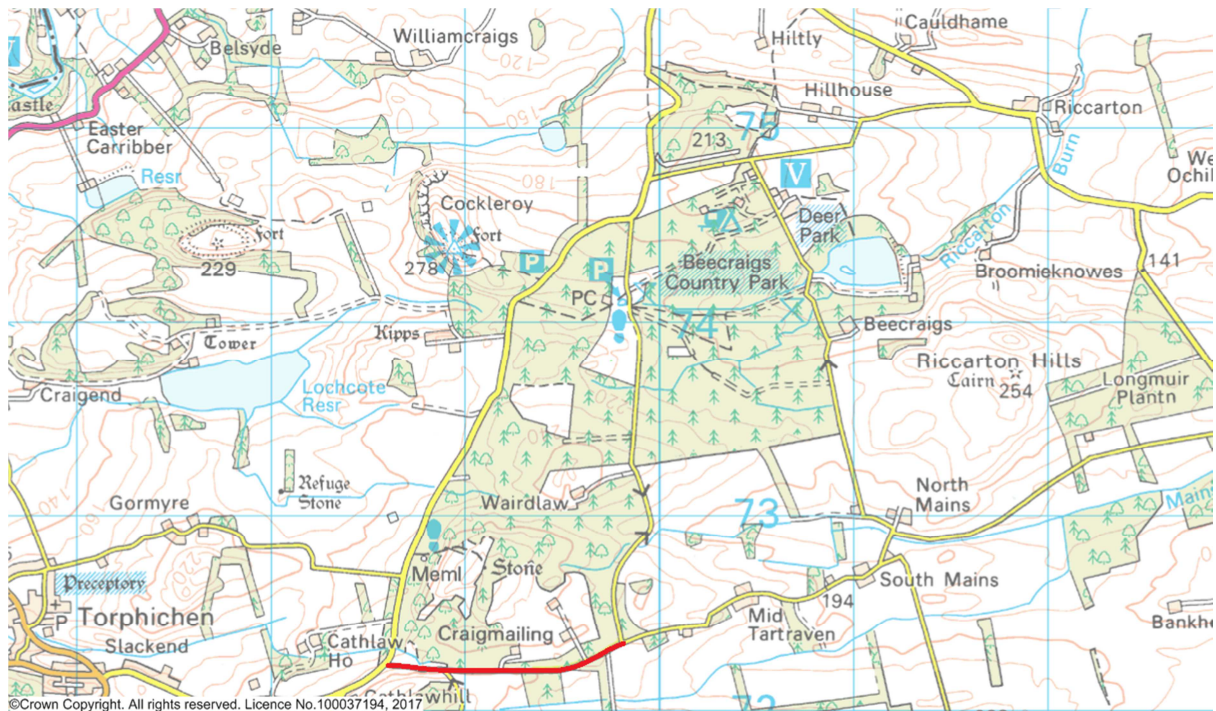


Figure 3 - C18 between Ballencrieff C17 & Beecraigs U14

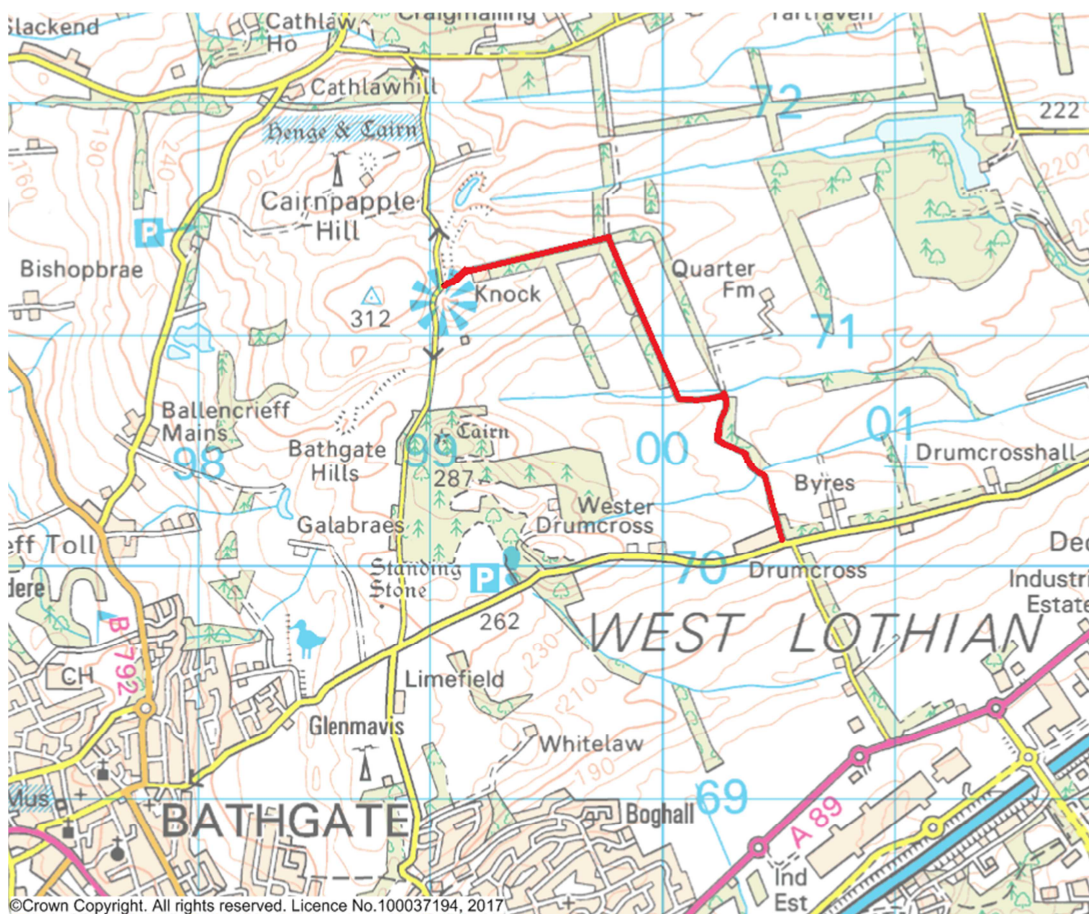


Figure 4 - C12 South East of Knock

**SUITABLE ROUTES IDENTIFIED AS QUIET ROADS
(Highlighted in RED on OS Maps)**

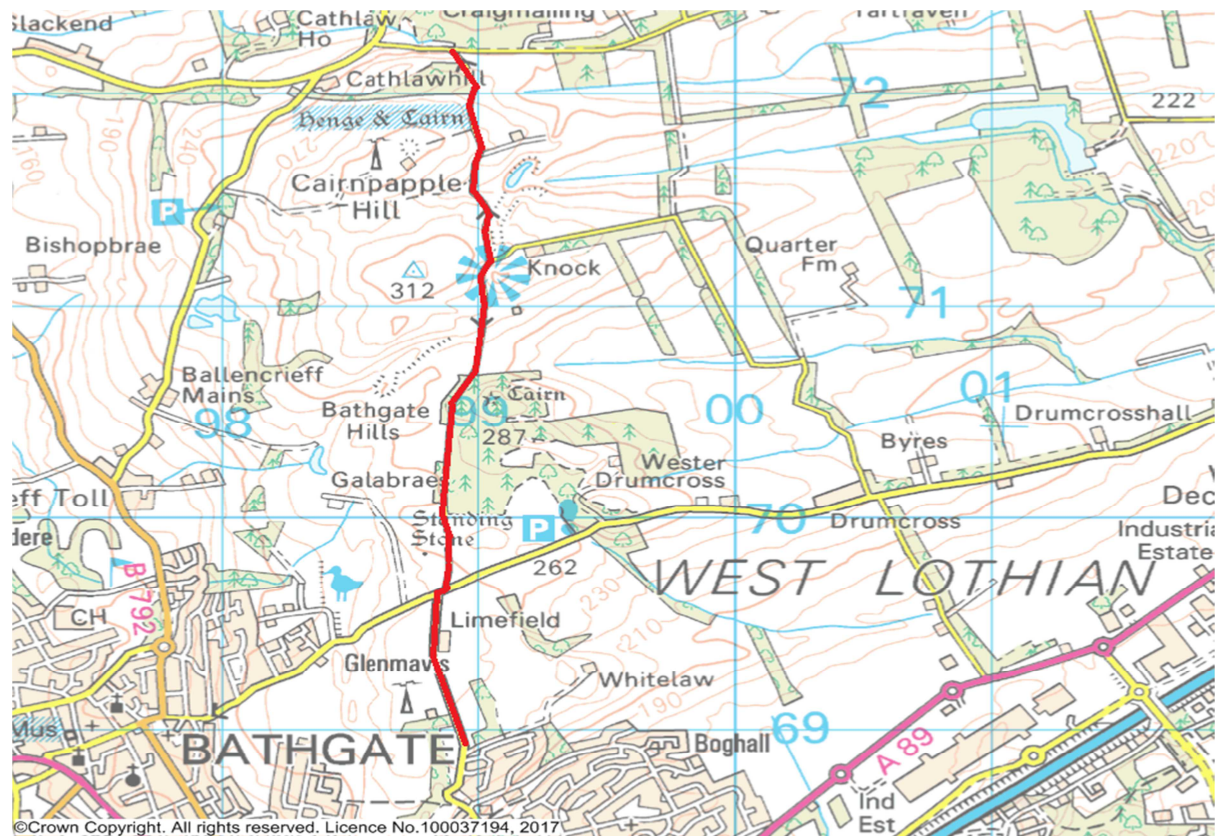


Figure 5 - C9 Knock

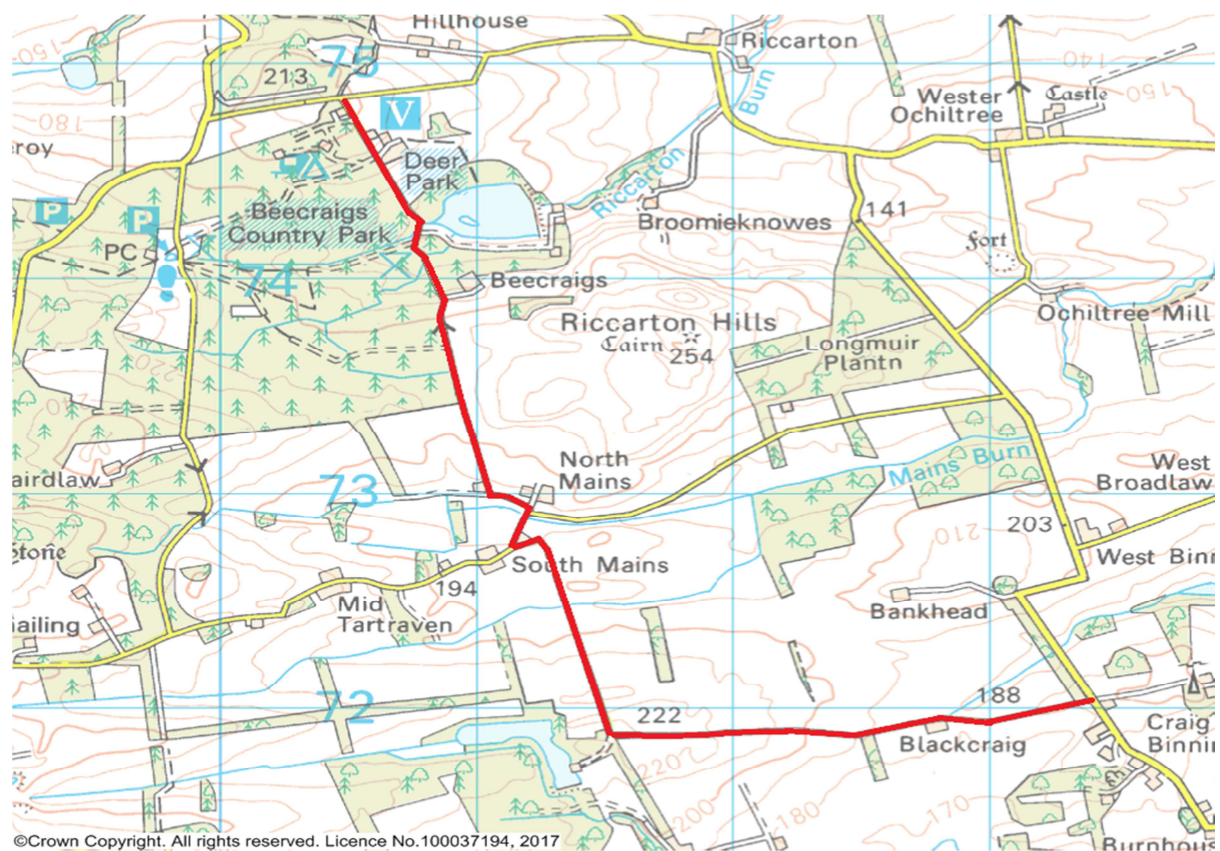


Figure 6 - U15 Beecraigs Loch (between C21 and U14)

**SUITABLE ROUTES IDENTIFIED AS QUIET ROADS
(Highlighted in RED on OS Maps)**

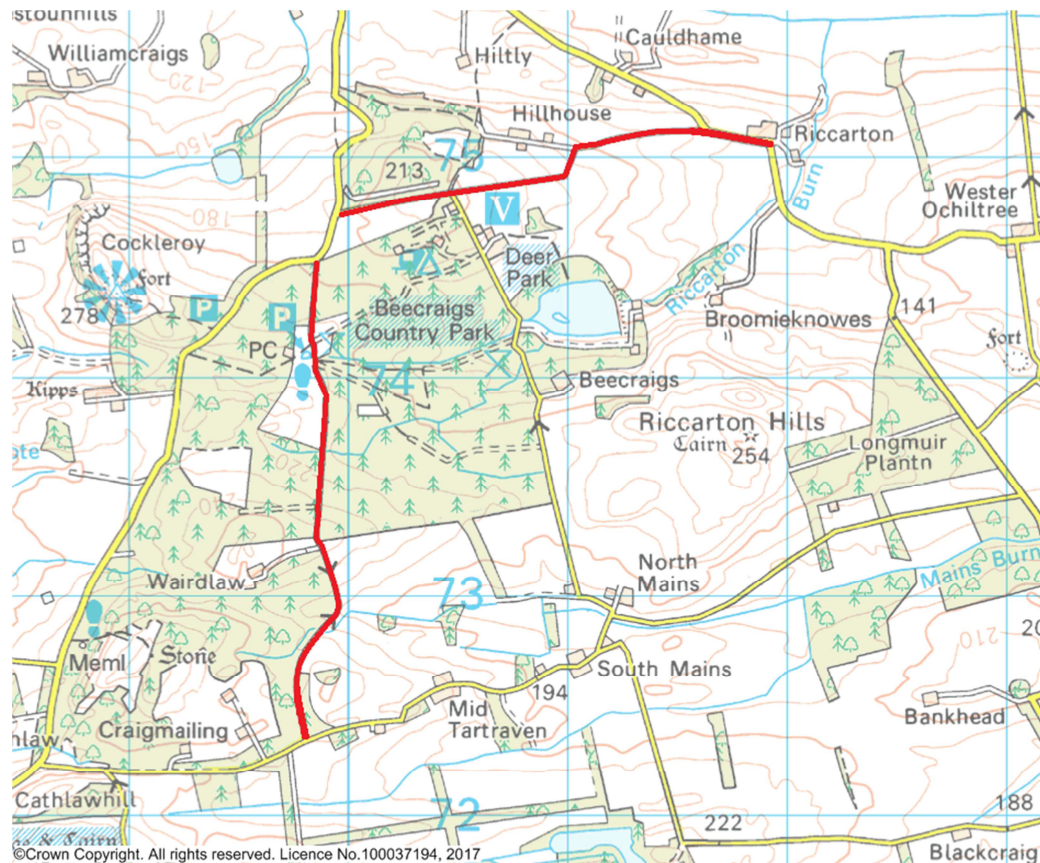


Figure 7 - U14 Beecraigs (between C18 and C17 (Playpark Area))

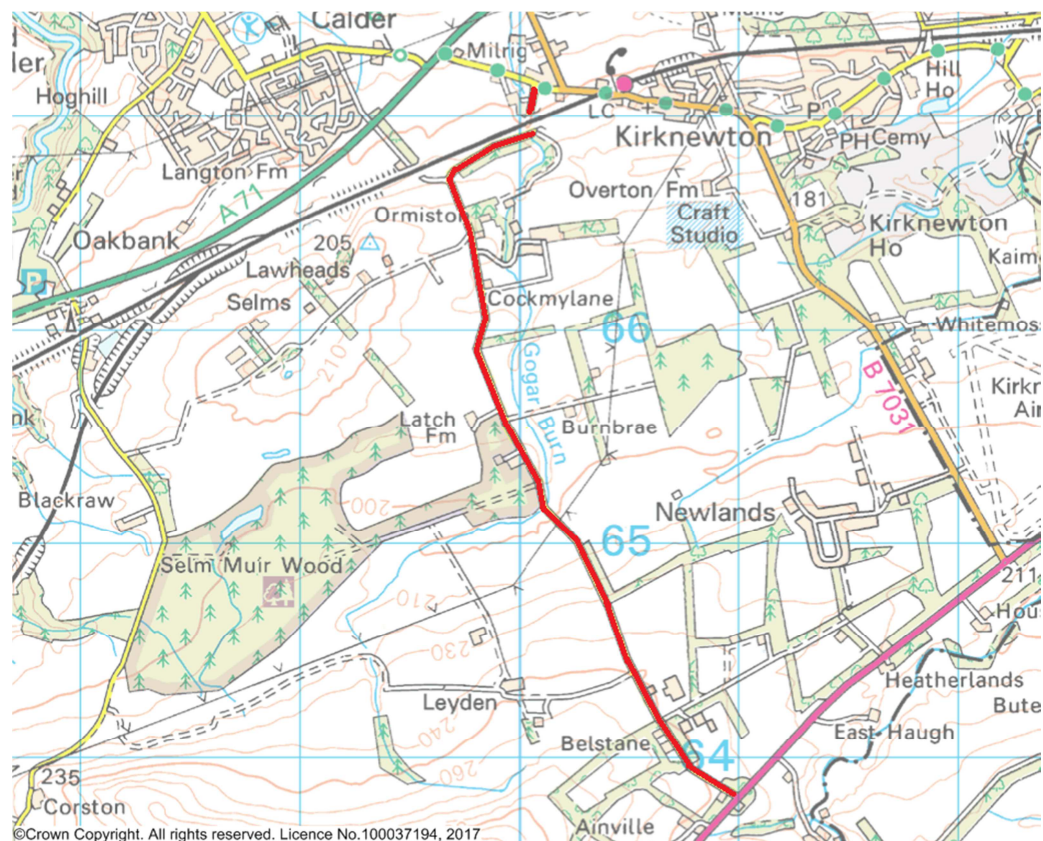


Figure 8 - U32 Leyden Road

SUITABLE ROUTES IDENTIFIED AS QUIET ROADS (Highlighted in RED on OS Maps)

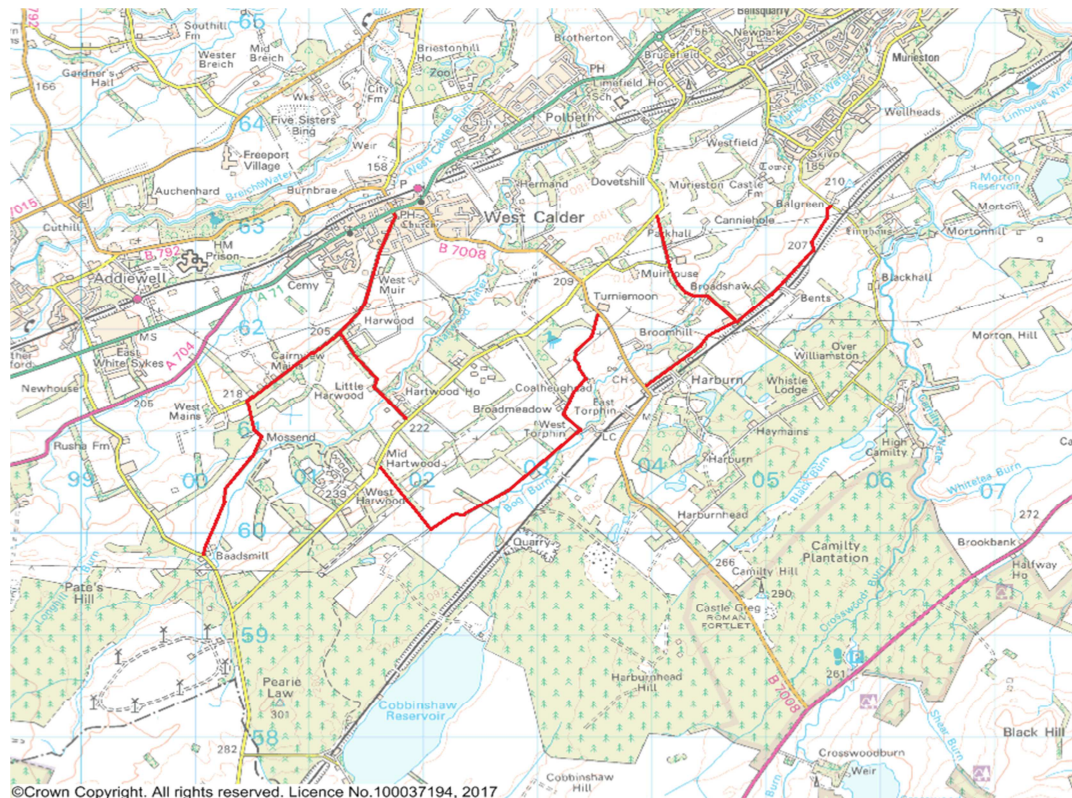


Figure 9 - Routes in West Calder and Harburn

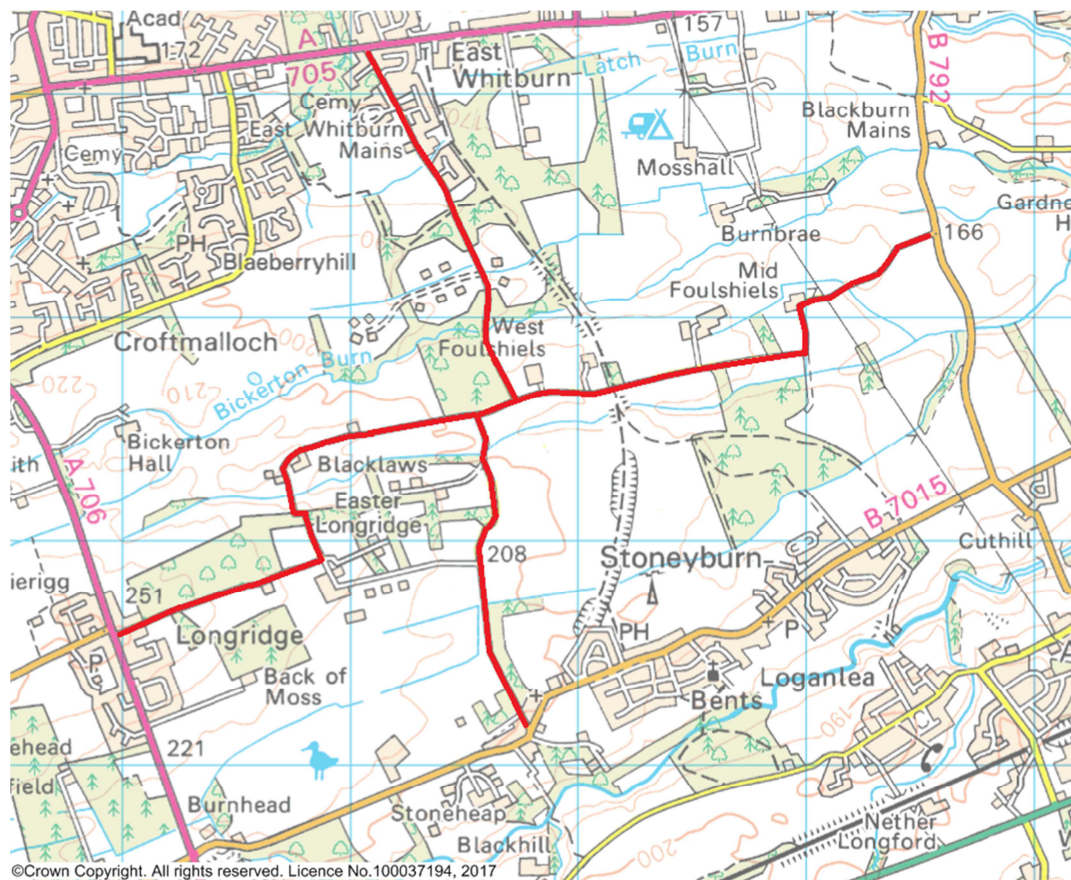


Figure 10 - Stoneyburn Hens Nest Roads; East-West, North-South



ENVIRONMENT PDSP

REPORT ON THE SEPA CONSULTATION – NEW COMPLIANCE ASSESSMENT SCHEME

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To inform the Panel of the probable impacts of the changes likely to result from the SEPA consultation on the Revised Compliance Assessment Scheme 2018.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report and the response to the consultation; and
2. Commends to the Council Executive that it approves the report allowing the response to be passed to SEPA.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | <ul style="list-style-type: none">· Making best use of our resources· Working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The SEPA consultation provides the council with an opportunity to consider and comment on the potential impacts of the changes to the annual Compliance Assessment Scheme (CAS) and is very much linked to the concurrent consultation under the Environment Regulation (Scotland) Charging Scheme 2016. This consultation relates primarily to the council's waste management sites, including the new Whitehill Depot and Community Recycling Centres, but will also impact small hydro schemes, water discharges and water abstractions. |
| III Implications for Scheme of Delegations to Officers | None. |
| IV Impact on performance and performance Indicators | The impact on the performance indicators as a result of the proposed changes are detailed within |

the report.

V	Relevance to Single Outcome Agreement	SOA 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 implications from a Staffing or Property resource arising from this report; however, there is a minor Financial implication.
VII	Consideration at PDSP	n/a
VIII	Other consultations	n/a

D. TERMS OF REPORT

D.1 INTRODUCTION

This consultation builds on the details of the planned changes outlined in the 2015 Compliance Assessment Scheme (CAS) consultation and forms the basis of the CAS methodology that SEPA will use to make decisions about compliance. SEPA has proposed that the revised Scheme should come into effect in January 2018.

SEPA's aim is to build on the best points of the current scheme to make CAS simpler, fairer, more useful and relevant for those they regulate. It will be linked to the charging scheme so that those with poor levels of compliance make a contribution to the increased costs to SEPA which other charge payers end up supporting. This consultation forms the basis of the CAS methodology that SEPA will use to make decisions about compliance.

The council has an opportunity to provide feedback on this consultation to SEPA and help inform the revised regulations. All relevant council services have been approached for a response on the consultation.

D.2 BACKGROUND

The information produced by the CAS will allow SEPA to direct its resources more efficiently, supporting those operators that meet their environmental obligations and target its efforts on the minority of operators that are in non-compliance.

Compliance Assessment information should inform:

- Consumer demand for environmental credentials;
- Investor requirements for environmental performance;
- Supply-chain requirements for environmental performance;
- Assessment by external rating bodies, trade associations and membership standards;
- Expectations of potential employees about environmental performance; and

- Social scrutiny e.g. communities, residents, NGOs, media.

Under the existing CAS, a distinction is made between :-

- Environmental limit conditions which set limits for emissions, discharges and abstractions and ensure these activities do not cause harm to the environment, or human health and well-being; and
- Environment management conditions which sets conditions on how regulated activities are managed and particularly relevant to waste management activities.

Under the new CAS, there will no longer be a distinction between these different condition types. SEPA will expect operators to comply with all relevant conditions and permits will be assessed as being in compliance, non-compliance or major non-compliance.

SEPA aims to link the CAS to the annual charging regime from 1 April 2019.

D.3 IMPLICATION OF PROPOSED CHANGES TO THE COUNCIL

SEPA has provided an indication of the impact the changes will have on the CAS categories, now shown in Table 1:

Existing CAS	2015 Consultation	Proposed CAS
		Not assessed
Excellent	Compliant	Compliance
Good	Broadly compliant	Non-compliance
Broadly compliant		
At risk	Improvement required	Major non-compliance
Poor	Poor	
Very Poor	Very Poor	

Table 1: SEPA Charging CAS changes: comparison of the proposed CAS categories

What is evident is that SEPA is keen to encourage a higher standard of environmental compliance, moving the previously “Good” and “Broadly compliant” categories to being assessed as “Non-compliance” under the proposed scheme.

Based on the results of the 2017 CAS for West Lothian’s six Recycling Centres, which were all classed as “Excellent”, this proposal has no major implications for the council’s waste management operations.

D.4. IMPLICATION OF PROPOSED CHANGES OUTWITH THE COUNCIL

The new Compliance Assessment Scheme is considered to represent a major shift change that will improve operator environmental compliance in Scotland through time.

The new CAS is one product of the Better Environmental Regulation (BER) work aimed at supporting The Regulatory Reform (Scotland) Act 2014 implementation. It is seen as key to the successful implementation of SEPA’s regulatory strategy by further developing the link between operator permit conditions and environmental compliance.

From 2019, SEPA proposes to introduce a compliance multiplication factor to permit charges under the Environmental Regulation (Scotland) Charging Scheme. This change is considered significant in encouraging sites in non-compliance to achieve compliance.

These proposed changes can only benefit Scotland on the whole.

E. CONCLUSION

This consultation is considered to represent an important part of an on-going improvement to the regulatory framework within Scotland.

It is proposed that council broadly support this consultation and provide feedback via the consultation questions in Appendix 1 to help inform and improve its outcomes.

There are further developments of the scheme planned for 2019 relating to additional environmental obligations which will be duly considered during the relevant consultation period.

F. BACKGROUND REFERENCES

SEPA Consultation Hub website:-

<https://consultation.sepa.org.uk/regulatory-services/cas/>

Appendices/Attachments:

Appendix 1: Council Response to SEPA Consultation Questions

Contact Person: David Goodenough, Waste Services Manager, Unit 6, Nairn Road, Deans Industrial Estate, Livingston, West Lothian, EH54 8AY
david.goodenough@westlothian.gov.uk

Jim Jack
Head of Operational Services
3rd October 2017

Appendix 1: Council Response to SEPA Consultation Questions

Question 1: Do you have any comments on the proposed timing of the scheme?

No, we feel that the proposed timing of the scheme is appropriate.

Question 2: Do you have any comments on the proposed new categories?

No, the simplification of the grading provides more consistency and clarity of performance for operators.

Question 3: Do you have any comments on this approach to defining compliance?

No, we feel that the decision to no longer distinguish between Environmental Limit conditions and Environmental Management conditions is a pragmatic approach that makes sense.

Question 4: Are there any changes that you would like to see in the criteria for defining major non-compliance listed in Annex I?

No, the criteria provided are very wide ranging and cover the majority of major non-compliance type events.

Question 5: Are there any changes that you would like to see to the way in which we propose to assess compliance?

No, the new proposals to assess compliance seem to be quite comprehensive.

Question 6: Are there any other environmental obligations that you consider should be included in the future development of the scheme?

The obligation to have a fully backed restoration and aftercare plan for any environmentally permitted activity would be a welcome addition to the scheme as the impact of a failure to restore a site can be more significant than any active breaches during operation.

Question 7: Are there any other comments that you wish to make about the proposals?

No.



ENVIRONMENT PDSP

REPORT ON THE SEPA CONSULTATION - ENVIRONMENTAL REGULATION (SCOTLAND) CHARGING SCHEME

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To inform the Panel of the probable impacts of the changes likely to result from the SEPA consultation on the Environment Regulation (Scotland) Charging Scheme 2016 and to propose the council's consultation response.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report and the response to the consultation; and
2. Commends to the Council Executive that it approves the report allowing the response to be passed to SEPA.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | <ul style="list-style-type: none">· Making best use of our resources· Working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The SEPA consultation provides the council with an opportunity to consider and comment on the potential impacts of the changes to the annual licencing charging mechanism. This relates primarily to the council's waste management sites, including the new Whitehill Depot and Community Recycling Centres, but will also affect small hydro schemes, water discharges and water abstractions regulated under the Environment Regulation (Scotland) Charging Scheme 2016. |
| III Implications for Scheme of Delegations to Officers | None. |
| IV Impact on performance and performance Indicators | The impact on the performance indicators as a result of the proposed changes are detailed within |

the report.

V	Relevance to Single Outcome Agreement	SOA 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 implications from a Staffing or Property resource arising from this report; however, there is a minor Financial implication.
VII	Consideration at PDSP	n/a
VIII	Other consultations	n/a

D. TERMS OF REPORT

D.1 INTRODUCTION

This consultation presents the details of the planned changes outlined in the 2015 Charging Scheme consultation (2015 Consultation) to further develop the Environmental Regulation (Scotland) Charging Scheme 2016 which came into force on 1 April 2016. SEPA have proposed that the revised Scheme should come into effect on 1 April 2018.

While it builds on the Environmental Regulation (Scotland) Charging Scheme 2016 which came into force on 1 April 2016, its scope is much narrower and the proposed changes within it were:- 1.Planned by SEPA as a staged implementation of certain parts of the Scheme for 2018; 2. Changes proposed in the 2015 consultation by respondents; 3. Changes identified by SEPA as a result of their experience and resulting from statute or policy modifications.

The council has an opportunity to provide feedback on this consultation to SEPA and help inform the revised regulations. All relevant council services have been approached for a response on the consultation.

D.2 BACKGROUND

SEPA changed its licence charging methodology significantly on 1 April 2016 and this consultation forms part of on-going review of this annual charging mechanism. West Lothian has six CRCs spread across the area in Broxburn, Blackburn, Deans, Linlithgow, Oakbank, and Whitburn. Each site is licenced by SEPA and these sites incur an annual charge in the form of a waste management licence. Currently, the licence for Deans also includes the waste transfer station; however, this will shortly be replaced by the new waste facility at Whitehill.

D.3 IMPLICATION OF PROPOSED CHANGES TO THE COUNCIL

A link to the consultation questions is provided in Section F, and the proposed responses to the SEPA consultation are provided in Appendix 1.

SEPA has provided an indication of the impact the changes will have on the council's annual charging costs under the current and proposed scheme over the next 3 years. Table 1 provides the total scheme charges for all six of the council's waste management

sites.

Year	Current Scheme	Proposed Scheme
2018/19	£35062	£36023
2019/20	£32538	£33810
2020/21	£30015	£31598

Table 1: SEPA Charging scheme changes comparing current and proposed (indicative) annual costs

What is evident is that there is an initial increase in annual licence costs for 2018/19 between the current and proposed schemes, of around £1,000. This difference gradually increases heading towards 2020/21; however, the annual cost under both schemes decreases over time. Charges shown include licences issued before 29 May 2017; therefore the licence charges for the new Whitehill Depot are not included here. The total annual costs under both schemes (current and proposed) decreases through time as a result of SEPA's proposal to lower the threshold at which the Environmental Charge component of the licence applies. The lower the threshold the more operators have an Environmental Charge. This lowers the overall charge per operator and reduces the step-change between those who pay the Environmental Charge and those who don't.

- D.4** It was felt that there was some ambiguity in the SEPA consultation document around one of their consultation questions (question 9); however, this matter was discussed with the SEPA Charging Team by one of the council Waste Strategy team and clarification was provided by SEPA.

IMPLICATION OF PROPOSED CHANGES OUTWITH THE COUNCIL

The Environmental Charging (Scotland) Scheme is one product of the Better Environmental Regulation (BER) work aimed at supporting The Regulatory Reform (Scotland) Act 2014 implementation. It is seen as key to the successful implementation of SEPA's regulatory strategy by recovering more of its costs from those who are not compliant and thereby increasing the incentives for compliance. By further developing the link between charges and actual environmental performance, this can only benefit Scotland on the whole.

E. CONCLUSION

This consultation is considered to represent an important part of an on-going improvement to the regulatory framework within Scotland.

It is proposed that council broadly support this consultation and provide feedback via the consultation questions in Appendix 1 to help inform and improve its outcomes.

F. BACKGROUND REFERENCES

SEPA Consultation Hub website:-

<https://consultation.sepa.org.uk/evidence-and-flooding/charging2018/>

Appendices/Attachments:

Appendix 1: Council Proposed Response to SEPA Consultation Questions

Contact Person: David Goodenough, Waste Services Manager, Unit 6, Nairn Road, Deans Industrial Estate, Livingston, West Lothian, EH54 8AY

david.goodenough@westlothian.gov.uk

Jim Jack

Head of Operational Services

3rd October 2017

Appendix 1: Council's Proposed Response to SEPA Consultation Questions

Question 1: What are your views on the scale and escalation of the Compliance Factor?

We broadly agree with the implementation of the Compliance Factor, although we believe that the multiplication factors in the model could be increased for persistent non-compliance of licence conditions.

It is not specified in the model what happens in the event of non-compliance lasting more than 12 months.

Question 2: Do you have any suggested changes to the way the Compliance Factor is calculated?

We believe that the multiplication factor used for a major non-compliance should be proportionately greater after each month of non-compliance. There should also be a non-compliance factor used starting after 1 month of non-compliance, as opposed to a factor of 0 which is used for the first 3 months of non-compliance.

Question 3: What do you think of the rules for hydropower schemes between 0.1 and 2MW?

Clearly a balance between encouraging these schemes as much as possible through lower charging, and recovering the costs of regulation has to be met. The current proposal would seem to have struck this balance.

Question 4: Should we continue with the exemption from charges for small hydropower schemes that generate less than 0.1MW after 2020/21?

Yes, small scale hydro should continue to be exempt from charges. Charges on these schemes could have an impact on their viability. We are supportive of small scale renewable energy generation where appropriate, so keeping costs low for the smallest scale makes sense.

Question 5: Do you agree with the scale of the proposed charges for non-active permits, if not why not?

Yes, applying standard reduced charges for non-operational permits seems fair.

Question 6: Does the scale of the charges for 'not routinely monitored activities' - have any adverse or beneficial consequences?

Not that we are aware of.

Question 7: Do you have any changes that you would like to see in the methodology proposed for calculating Environmental charges for abstractions?

No.

Question 8: What adverse or beneficial consequences do you consider will result from the application of the new methodology?

In the long term, making the abstraction charges directly linked to volume used makes sense.

Question 9: Do you have any changes that you would like to see in the methodology proposed for calculating waste management charges?

No. It is however slightly confusing to understand that if the threshold at which the Environmental Charge applies is reduced, that the overall charge per operator is also reduced.

Question 10: What adverse or beneficial consequences do you consider will result from the application of the new methodology?

Simplifying the charging regime makes sense.

Question 11: What are your views on the options proposed for BATC reviews and which is your preferred option?

A tiered approach seems sensible, reflecting the cost to SEPA for undertaking the BATC review.

Preferred option is option 2.

Question 12: What are your views on the proposed changes for para 47 exemptions below 20 tonnes?

We would suggest that 20 tonnes, which equates to around 300 washing machines, is too small a quantity for any viable operation to be considered under the scheme, and this should be increased to 40 tonnes.

Question 13: What are the benefits / disadvantages of: a) making it a condition of all permits under the scheme that charges shall be paid, b) charging interest on the late payment of charges?

A) Recover costs. This should mean that SEPA can ensure that its time and resources are directed more towards regulation rather than administrative work.

B) Encourages swift payment of charges.

Question 14: Do you agree with the principle of SEPA returning and / or charging for the time spent on poor quality applications?

Yes. As long as SEPA encourage early dialogue with applicants as an incentive to produce good quality applications, i.e. they do not consider future charges for their time spent prior to an application.

Question 15: We would welcome responses on the further development of the Charging Scheme over the period to 2020/21.

Regarding Special Waste and Transfrontier Shipment Charges, we would ask that any review SEPA makes ensures that what they propose does not adversely affect the viability of both. For example, reuse and recycling on the small scale for some electrical items and the necessary shipments of recyclates to foreign markets where there is limited or no processing capability in Britain.



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

PETITION – SPEEDING CONCERNS OF THE RESIDENTS IN BANKTON PARK EAST AND BANKTON PARK WEST, LIVINGSTON

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the panel of the receipt of a petition from the residents of Bankton Park East and Bankton Park West in Murieston, Livingston. This petition was remitted to the PDSP from the Council Executive at its meeting on the 29 August 2017.

B. RECOMMENDATION

The Panel should note and consider the following recommendation which is intended to be submitted to the Council Executive for approval :-

It is recommended that the Council Executive approves that Bankton Park East and Bankton Park West continue to be monitored through the annual Accident Investigation and Prevention programme.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none">· Focusing on our customers' needs; and· Being honest, open and accountable;
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: The council's procedures on dealing with petitions require that petitions are considered by the Council Executive. Legal: 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)	Financial: None

Staffing: None.

Property: None.

VII Consideration at PDSP	N/A
VIII Other consultations	None

D. TERMS OF REPORT

Background

- D1** A petition signed by 100 residents of Bankton Park East and Bankton Park West in Murieston, Livingston has been received, by the council.

The petition states the following:

“We the undersigned residents of Bankton Park East and Bankton Park West express our strong and growing concerns with regards to the speeds of vehicles within our estate. We note that, sadly, a number of pets have recently been killed by speeding traffic and believe that it is only a matter of time before a child or vulnerable adult is hurt. We therefore call upon West Lothian Council to urgently consider the placing of traffic calming measures, including speed bumps, within our estate to ensure a safer local environment.”

D2 Investigation and assessment of the site

Concerns regarding the reported speeding of vehicles within Bankton Park East and Bankton Park West were reported and an officer has previously met with the petition signatory. An officer subsequently inspected the estate on two occasions (23rd and 24th of May 2017) to assess the present situation and to try and ascertain if there was a speeding issue within the estate. The results of these inspections did not witness any concerns regarding speeding vehicles. The present road geometry, shown in Appendix 1, in this estate comprises of bends and gradients with numerous on street parking and private driveway accesses, common with an estate of this design and age.

Following these site visits, officers have highlighted the concerns raised by the residents to Police Scotland and requested that attention to be given to carrying out patrols and to take any necessary action against offending speeding motorists. The Police have since carried out patrols in this area and concluded that they did not have any concerns with regard to speeding vehicles or general road safety within this estate.

- D3** The council receives many requests for traffic calming throughout West Lothian but has a limited casualty reduction budget that must be prioritised. The annual Accident Investigation and Prevention (AIP) programme aims to identify locations where engineering measures are likely to have the greatest impact on casualty reduction. Bankton Park East and Bankton Park West have never been identified as a site for concern through the AIP programme and a review of our injury accident database for the latest 5 year period (up to December 2016) shows that there have been no injury accidents in Bankton Park East and Bankton Park West. On this basis there would be no justification for the introduction of traffic calming in the Bankton Park East and Bankton Park West estate at the present time.

E. CONCLUSION

The petition that has been received has requested traffic calming features to be installed in Bankton Park East and Bankton Park West to reduce vehicle speeds. Owing to officers' survey results, the Police information collated and the results from an interrogation of the recent accidents statistics, traffic calming cannot be justified in this estate at this time.

It is therefore recommended that Bankton Park East and Bankton Park West continue to be monitored through the annual AIP programme and any accident trends or changes be analysed accordingly through this programme.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments:

Appendix 1 – Plan showing the road layout in Bankton Park East and Bankton Park West

Contact Person: Gordon Brown, Senior Engineer - Road Safety and Traffic Management tel: 01506 282340, e-mail: gordon.brown@westlothian.gov.uk

Jim Jack, Head of Operational Services, Whitehill House, Whitestone Place, Bathgate, West Lothian

Date: 3rd October, 2017

Environment Policy, Development and Scrutiny Panel

Workplan 2017/ 2018

	Issue	Purpose	Lead Officer	Date	Referral to Council Executive
1.	Update Report on the Performance and Efficiency of Community Recycling Centre Operations	To update the Panel on the outcomes from previously agreed proposals to improve the efficiency and performance at the councils Community Recycling Centres. Report to be submitted to the PDSP in September 2017	David Goodenough	7 th September 2017	Yes
2.	Winter Maintenance Policy 2017/18	The <i>Code of Practice "Well-managed Highway Infrastructure"</i> – 2016 recommends that councils should review and approve their Winter Service Policy annually. The purpose of this report is to seek approval for councils Winter Service Policy for 2017/18 Report to be submitted to the PDSP in September 2017	Graeme Malcolm/David Wilson	7th September 2017	
3.	Review of Taxi Fares	To inform the Panel regarding the steps taken so far as part of the review of the council's table of taxi fares and associated charges, and to ask the Panel to note the proposal that a fare table for the period 5 October 2017 to 4 April 2019, containing changes to the current fare table, is approved. Report to be submitted to the PDSP in September 2017	Audrey Watson	7th September 2017	Yes
4.	Broxburn Air Quality Management Area Action Plan update	The purpose of this report is to make the panel aware of the final draft of the Broxburn Air Quality Action Plan and the obligation upon the Council to approve and publish the plan. Report to be submitted to the PDSP in September 2017	Andrew Blake/Craig Smith	7th September 2017	Yes

5.	West Lothian Geodiversity update and Action Plan	To update members on the Geodiversity issues in West Lothian and endorse the WL Geodiversity Action Plan and consider WLC re-signing the updated Scottish Geodiversity Charter (2017) Report to be submitted to the PDSP in September 2017	Chris Alcorn	7th September 2017	Yes
6.	Climate Change Bill Consultation Response	The purpose of this report is to advise the panel of the proposed response to the consultation on the Scottish Government's Climate Change Bill and to agree the council's response to the consultation. Report to be submitted to the PDSP in September 2017	Peter Rogers	7th September 2017	Yes
7.	Response to 'Raising Standards and Improving the Quality of Road Works in Scotland – A Consultation'	The purpose of this report is to advise the Panel of a formal consultation by Transport Scotland seeking the view of the council on a proposed package of reforms intended to make changes to regulation of road works in Scotland. Report to be submitted to the PDSP in September 2017	Jason Halliday	7th September 2017	Yes
8.	Quiet Roads Consultation	The purpose of this report is to advise the Environment Policy Development and Scrutiny Panel (PDSP) of public consultation work undertaken in November 2016 on the concept of quiet roads in West Lothian, with recommended next steps to progress the project. Report to be submitted to the PDSP in October 2017	Jim Stewart	3 rd October 2017	Yes
9.	Annual Progress Report on Air Quality in West Lothian	Annual report made to the PDSP following feedback received from the Scottish Government on the submitted report on air quality in 2016 Report to be submitted to the PDSP in October 2017	David Brewster/Andrew Blake	3rd October 2017	

10.	Scotland's Climate Change Declaration – Annual Report 2016/17	The purpose of this report is to inform the Panel of West Lothian's annual Scottish Climate Change Declaration Report for 2016/17 Report to be submitted to the PDSP in October 2017	Peter Rogers	3rd October 2017	Yes
11.	The Feed Enforcement (Scotland) Regulations 2018 Consultation	The purpose of this report is to advise the panel that Food Standards Scotland (FSS) are consulting on the proposed Feed Enforcement (Scotland) Regulations 2018 and that a draft response has been prepared for submission to FSS prior to the consultation deadline of 20 November 2017 Report to be submitted to the PDSP in October 2017	Ed Machin	3rd October 2017	Yes
12.	Report On The SEPA Consultation– New Compliance Assessment Scheme	To inform the Panel of the probable impacts of the changes likely to result from the SEPA consultation on the Revised Compliance Assessment Scheme 2018 Report to be submitted to the PDSP in October 2017	Steve Gilfillan/David Goodenough	3rd October 2017	Yes
13.	Report On The SEPA Consultation - Environmental Regulation (Scotland) Charging Scheme	To inform the Panel of the probable impacts of the changes likely to result from the SEPA consultation on the Environment Regulation (Scotland) Charging Scheme 2016 and to propose the council's consultation response Report to be submitted to the PDSP in October 2017	Steve Gilfillan/David Goodenough	3rd October 2017	Yes

14.	Petition – Speeding Concerns Of The Residents in Bankton Park East and Bankton Park West, Livingston	The purpose of this report is to inform the panel of the receipt of a petition from the residents of Bankton Park East and Bankton Park West in Murieston, Livingston. This petition was remitted to the PDSP from the Council Executive at its meeting on the 29 August 2017 Report to be submitted to the PDSP in October 2017	Gordon Brown	3rd October 2017	Yes
15.	Linlithgow and Newton Draft Air Quality Action Plans	Report to be submitted to the PDSP in December 2017	David Brewster	5 th December 2017	Yes
16.	WLR - Year End 2016	Report to be submitted to the PDSP in December 2017	Keith Johnstone	5 th December 2017	
17.	Real time Vehicle Emissions Monitoring Pilot Project	The purpose of the report is to advise the panel of a pilot project to monitor real time vehicle emissions within West Lothian. Report to be submitted to the PDSP in December 2017	David Brewster	5 th December 2017	No
18.	Section 7 Agreements	Report to be submitted to the PDSP in December 2017	Graeme Hedger	5 th December 2017	
19.	Litter Bin Strategy	The purpose of the report is to inform members of the panel with the details of the draft Litter Bin Strategy for West Lothian that will provide criteria for the type, size and location of litter bins across the area and to seek support to consult key stakeholders.	Andy Johnston	To be confirmed	Yes

20.	Open Space Strategy Refresh	The purpose of this report is to make the panel aware of the content and adoption of the Open Space Plan refresh for the period 2015-2020 and highlight to the panel the plans for the document going forward.	Andy Johnston	To be confirmed	No
21.	Broxburn Flood Prevention Scheme - Update	To update members on the progress being made to reduce the risk of flooding from out of bank flows in the Broxburn	Graeme Hedger	To be confirmed	Yes
22.	Environment PDSP Performance Report	To report the current levels of performance for all indicators which are the responsibility of the Environment Policy Development and Scrutiny Panel. Report to be submitted to the PDSP in June 2018	Jim Jack	5th June 2018	No
23.	Linlithgow Loch – update on related projects	To update members on various projects in and around Linlithgow Loch and work of the related Working Groups Report to be submitted to the PDSP in June 2018	Chris Alcorn/ Graeme Hedger	5th June 2018	No

Jim Jack
Head of Operational Services

3 October 2017