



Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

18 October 2017

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 24 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 Minutes of Meeting of Council Executive held on Tuesday 10 October 2017 (herewith)

Public Items for Decision

5. West Lothian Villages Improvement Fund - Applications - Report by Broxburn, Uphall and Winchburgh Local Area Committee Lead Officer (herewith)
6. Standards Commission Roadshow - Attendance by Elected Members - Report by Head of Corporate Services (herewith)
7. Petition - Speeding concerns of the residents in Bankton Park East and Bankton Park West, Livingston - Report by Head of Operational Services (herewith)

8. West Lothian Local Police Plan 2017-2020 - Report by Head of Housing, Customer and Building Services (herewith)
9. West Lothian Strategic Housing Investment Plan 2017-2023 - Report by Head of Housing, Customer and Building Services (herewith)
10. Local Housing Strategy 2017-2022 - Report by Head of Housing, Customer and Building Services (herewith)
11. Affordable Housing Delivery Update - Report by Head of Housing, Customer and Building Services (herewith)
12. Elected Member Attendance at Scottish Government 2017 "Quality in Planning Awards" - Report by Head of Planning, Economic Development and Regeneration (herewith)
13. Supplementary Guidance - Residential Development Guide - Report by Head of Planning, Economic Development and Regeneration (herewith)
14. The Feed Enforcement (Scotland) Regulations 2018 Consultation - Report by Head of Planning, Economic Development and Regeneration (herewith)
15. 7 Nairn Road, Deans Industrial Estate, Livingston - Proposed Sale to DFDA (Property) Limited - Report by Head of Finance and Property Services (herewith)
16. Community Planning Partnership Board- Depute by Depute Chief Executive (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 10 OCTOBER 2017.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Harry Cartmill, Chris Horne, Peter Johnston, Charles Kennedy, Cathy Muldoon, George Paul, Damian Timson, Dave King (substituting for David Dodds), Sarah King (substituting for Frank Anderson)

Apologies – Councillor Frank Anderson, Tom Conn, David Dodds, Peter Heggie

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Council Executive confirmed the Minute of its meeting held on 19 September 2017 as a correct record. The Minute was thereafter signed by the Chair.

3. CORRESPONDENCE

The Council Executive noted correspondence arising from previous decisions.

4. DESIGNATION OF LOCAL SENIOR OFFICER

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive advising of the proposed appointment of a new Scottish Fire and Rescue Service Local Senior Officer (LSO) for the West Lothian Council area following Area Manager Gary Laing's retirement.

The Deputy Assistant Chief Officer, Head of Service Delivery (East) for the Scottish Fire and Rescue Service had advised the council of their proposals to replace the LSO for the West Lothian Council area. The person appointed to the statutory role of LSO was responsible for carrying out a number of delegated functions as summarised in the report.

The Depute Assistant Chief Officer had notified the Chief Executive of his intention to appoint Area Manager David Lockhart as the LSO for the West Lothian Council area. Mr Lockhart had previously worked as Deputy Commander within the West Lothian area and brought with him a wealth of experience and knowledge in a number of strategic roles within the Service.

The Chief Executive further advised that he had recently met with Mr Lockhart to discuss the role and therefore had no hesitation in recommending to Council Executive to support the appointment of Area Manager David Lockhart as the

LSO for the West Lothian Council area.

Decision

To approve the terms of the report

5. TIMETABLE OF MEETINGS

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing details of proposed changes to the timetable of meetings from October 2017 to July 2018.

The report advised that the council sets its timetable of meetings in March each year and that covered meetings from August till July. That was done on 14 March 2017. In approving that timetable it was noted that changes after the May elections could mean that the timetable would be revisited and amended where required.

On 26 September 2017 the council considered a report about family friendly working arrangements in relation to council, committee and PDSP meetings and agreed that meetings of bodies in the Scheme of Administration should not be timetabled to take place during West Lothian summer, October, Christmas and spring school holiday periods unless for regulatory business.

It was also agreed that meetings of the bodies in the Scheme of Administration should not except where required for regulatory business, be timetabled to start before 9.30am and that meetings of full council should be timetabled on an eight-week cycle rather than the current six-week cycle. In view of these agreed changes a revised timetable was attached as appendix 1 to the report.

The report also advised that to reflect council's decision some changes may be made to Standing Orders for the Regulation of Meetings and the Scheme of Administration. These changes could only be made by full council but were outlined in the report for consideration and comment and were as follows:-

- Standing Orders 4, 41 and 47 deal with ordinary scheduled meetings of council, committees and sub-committees, respectively. It was proposed that the time and date constraint and the eight-week cycle provisions were added into those Standing Orders.
- For some regulatory committees, but not all, the Scheme of Administration allowed a meeting to be cancelled if there was no business to be done. The decision was made by the Clerk in consultation with the Chair. It was proposed that the same provision be added for Development Management Committee and the Licensing Committee. That would allow greater flexibility for these meetings, especially those timetabled for school holiday periods.

The report recommended that the Council Executive:-

1. Agree with immediate effect the revised meeting dates and times shown in Appendix 1 which were required to give effect to the council's decision on 26 September 2017 in relation to the cycle, dates and times of meetings of bodies in the Scheme of Administration.
2. Agree that Lead Officers for the nine Local Area Committees (LACs) should take steps to have revised meeting dates and times in place for those committees from 1 January 2018 onwards to comply with that decision
3. Agree that the Clerk in consultation with the Chairs and Lead Officers for Policy Development and Scrutiny Panels (PDSPs) should take steps to have revised meeting dates and times in place for them from 1 January 2018 onwards to comply with that decision.
4. Note that no other changes were required for the remaining bodies in the Scheme of Administration to comply with that decision.
5. Authorise the Chief Executive to adjust and publish the calendar of meetings to take account of changes as they are made.
6. Note and consider the proposed changes to Standing Orders for the Regulation of Meetings and the Scheme of Administration.

Decision

To approve the terms of the report and appendix as amended to reflect:-

1. Current meeting of Full Council scheduled for 7 November 2017 remained unchanged and 21 November as proposed removed.
2. Current meeting of Education Quality Assurance scheduled for 21 November remained unchanged and 7 November as proposed removed.

6. PROCUREMENT ARRANGMENTS – DIRECT AWARD TO HIDDEN GIANTS FOR BESPOKE TEACHER TRAINING SUPPORT SERVICES

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval to make a direct award to Hidden Giants to provide bespoke packages to six primary schools in relation to promoting creativity in the classroom. The schools identified wished to use the Pupil Equity Fund (PEF) to implement the initiative.

The Pupil Equity Funding was additional funding allocated directly to schools and was to be targeted at closing the poverty related attainment gap.

Headteachers had identified a range of companies that they wished to use to provide a broad range of products/services. They had selected these companies as they believed the goods/service provided by them would have the biggest

impact on pupils and would close the poverty related gaps which had been identified.

The schools had been introduced to Hidden Giants through the West Lothian Creative Network (CLN) who had already done some work with Hidden Giants.

The Head of Corporate Services continued by providing an overview of the bespoke service that would be put together for each school. The Hidden Giants model would also help schools in at least of the four of the twelve intervention areas as identified by the Scottish Government.

Pupil Equity Funding would be received over the next four years and would allow schools to meet this three year commitment.

It was recommended that Council Executive :-

1. Approve a direct award to Hidden Giants to provide bespoke classroom packages to select primary schools to a total aggregated sum of £90,000 over three years. This equated to £5,000 per school; and
2. Notes the schools that wished to utilise the services of Hidden Giant were :-
 - Dedridge PS
 - Our Lady of Lourdes RC PS
 - St Anthony's RC PS
 - Blackburn PS
 - St John the Baptist RC PS
 - St Joseph's Whitburn

Decision

To approve the terms of the report

7. PROCUREMENT ARRANGEMENTS - DIRECT AWARD TO UNIVERSITY OF STIRLING

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval to make a direct award to University of Stirling for fees in respect of the delivery of Masters level professional learning opportunities for West Lothian teaching staff.

West Lothian Council had worked directly with the University of Stirling to provide Masters level study for teachers for the past eight years.

Approximately 50% of Masters level candidates had now been promoted to Head Teacher, Depute Head Teacher or Principal Teacher within West Lothian. A significant number continued to study and develop the necessary knowledge, skills and experience to undertake a promoted post.

At school level, Masters candidates were committed to leading school improvement projects which had a direct and measureable impact on pupil learning. This also formed part of staff annual professional review and development.

The Central Scotland Partnership (CSP) provided West Lothian teachers with professional learning opportunities on an annual basis, with no cost to the authority or teaching staff, which was evaluated very positively by staff undertaking this training.

The report recommended that the Council Executive approve an initial award to the University of Stirling to the value of £25,000, and up to three further annual awards of the same value to a total of £100,000 over the total four year period. Successive awards would be subject to ongoing funding provision and officer satisfaction with the service provided.

Decision

To approve the terms of the report.

8. ALCOHOL DIVERSIONARY ACTIVITIES

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy seeking approval for funds to be released from the Alcohol Diversionary Fund to undertake the activities detailed within the applications received.

The Head of Social Policy advised that the applications detailed in the report and attached as a series of appendices met the West Lothian Alcohol Drug Partnership Joint Commissioning Plan outcomes.

Therefore it was recommended that the Council Executive agree to the release of £57, 4587 from the Alcohol Diversionary Fund to support the applications made by West Lothian Youth Action Project and West Lothian Youth Foundation.

Decision

To approve the terms of the report

9. TIME LIMITED THIRD SECTOR AMBITION FUND

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration seeking approval for the disbursement of the monies held in Third Sector Ambition Fund. The fund had been established through an allocation of £200,000 of time limited

funding in the council's revenue budget for 2017-18.

The Third Sector Ambition Fund had been established through an allocation of £200,000 of time limited funding in the council's revenue budget for 2017-18. The purpose of the fund was to provide additional support for third sector organisations to enable them to increase their capacity and to improve and grow existing and new services.

A short term working group comprising of council officers and representatives from the Third Sector was established to inform the efficient and effective operation of the fund. The working group was chaired by the Head of Planning, Economic Development and Regeneration and the Voluntary Sector Gateway was invited to appoint three representatives to the working group.

There were two levels of funding agreed by Council Executive – applications for between £5,000 and £20,000 and applications for over £20,000. Applications for more than £20,000 had to include “match” funding. A description of the application process was provided in the report.

A total of 68 applications were received with total funds requested of £1,227,094. Following an analysis of the applications received the panel were recommending approval of eight applications as follows :-

| Organisation | Funding |
|--------------------------------------|-----------------|
| West Lothian Youth Action Project #2 | £46,635 |
| Open Door Accommodation Project | £49,532 |
| The School Bank West Lothian | £5,200 |
| 1 st Step Café | £17,320 |
| Eczema Outreach Scotland | £14,965 |
| West Lothian Women's Aid | £14,579 |
| Carers of West Lothian | £20,000 |
| West Calder and Harburn CDT | £18,900 |
| TOTAL | £187,131 |

Two of the applications being recommended for approval are above £20,000 which would require match funding. However in both cases the organisation bids for external funding had not yet been approved, although both were due to be considered shortly. Should either or both fail, the conditions for funding would not be met and projects would no longer be eligible for funding through the ambition fund.

On the basis of the above proposals there would be £12,869 unallocated from the fund and it was intended that this funding was not allocated but would be added to the available funding should it be necessary to reconsider applications if either of the match funds bid fail.

The Head of Planning, Economic Development and Regeneration provided an update in relation to one of the applications that required match funding. It was advised that West Lothian Youth Action Project #2 had not been able to provide match funding and therefore did not meet conditions and was no longer eligible for funding. A report in relation to the use of the resulting balance would be brought back to the next appropriate meeting of Council Executive.

It was recommended that Council Executive :-

1. Notes the application and scoring process used in the evaluation of Third Sector Ambition Fund applications; and
2. Considers and agrees the recommended disbursement of funds as set out in the report.

Decision

1. To approve the terms of the report and approve all applications with the exception of West Lothian Youth Action Project #2; and
2. Agree that a that a report be brought to the next appropriate meeting of Council Executive in relation to use of the resulting balance of funds.

10. CITY REGION DEAL - WINCHBURGH CORE DEVELOPMENT AREA SCHOOL ESTATE INVESTMENT

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of future education requirements relating to the Winchburgh Core Development area (CDA) and to outline projects, funding, risk sharing and delivery proposals to meet these requirements in the context of the City Region Deal.

The report advised that West Lothian Council was committed to supporting sustainable development and had an established vision with partner organisations to increase population, encourage economic diversity, enable greater housing choices, support high quality education, health, community and recreation capacity.

The council had worked collaboratively with the other Lothian local authorities, Scottish Borders Council and Fife Council to secure Scottish Government and UK Government commitment to a City Region Deal. Heads of Terms were agreed in July 2017.

A large proportion of the agreed City Region Deal support for West Lothian centred on the Winchburgh Core Development Area. The funding support model proposed was being facilitated with reference to the agreed City Region Deal commitment to guarantee on a risk-sharing basis alongside the council of up to £150m of infrastructure investment in Winchburgh.

The Head of Planning, Economic Development and Regeneration

explained that the Winchburgh Development had around 400 houses completed with around 150 per annum forecast over the coming years. As a consequence of this education capacity would require a denominational primary school, a non-denominational secondary school and a denominational secondary school.

The current projected cost of the construction of the new schools based on the agreed Scottish Government Schools for the Future metric was as follows:-

- Denominational Single Stream Primary School and Nursery – approximate construction cost - £8m;
- Non-denominational First Phase Secondary School including shared swimming pool – approximate construction cost - £26.5m
- Denominational First Phase Secondary School – approximate construction cost - £25m; and
- Non-denominational Two Stream Primary School and nursery cost - £15m

Further information on costs was contained in appendix 2.

The report further advised that under the existing Winchburgh CDA Section 75 legal agreement and conditions attached to the planning consent, WDL were responsible for the costs and enabling delivery of strategic infrastructure and education developments at key milestones through the development which were primarily linked to house completions.

Winchburgh Developments Ltd (WDL) advised that, due to the scale of upfront investment required to fully fund all development infrastructure in advance of the majority of house completions, a number of market changes, including finance costs and construction cost inflation, had resulted in greater commercial uncertainty around the development.

As a consequence of this WDL approached the council and the Scottish Government to seek a change from the currently agreed “up front” financing model for education and strategic infrastructure as it was no longer viable and if retained would be likely to result in development stalling.

In principle WDL would agree to commit to making roof tax contributions equivalent to at least 150 completions each year. This contribution would meet the majority of the council's capital and interest charges for the borrowing associated with delivery of the non-denominational school. The small balance would come from other developments within the catchment areas of the new school and/or Linlithgow Academy as the new school, in time would free up capacity at Linlithgow Academy. Importantly the developer was committing to fund the equivalent value of 150 completions, even if fewer houses were occupied in any one year.

The circumstances of the Winchburgh CDA and WDL were not unusual within the wider UK property and development market. There were a number of instances of other authorities enabling strategic level development through a variety of means including providing direct funding, procuring and undertaking infrastructure works direct, entering into asset backed joint ventures and risk sharing agreements or when involving devolved and national administration City Region Deal arrangements.

The Head of Planning, Economic Development and Regeneration went on to explain that following the approach by WDL a number of support models were considered with a move from “up front” developer contributions to a “per house” approach which would enable a risk sharing approach to be adopted by all parties. The proposal risks were also outlined in the report.

In order to develop the proposal further, officers would be required to negotiate the detailed terms with WDL and the Scottish Government to agree in principle heads of terms for the relevant development, funding and legal agreements to enable consideration by Council Executive. The next stages to take the proposal forward were outlined in the report.

In conclusion the report advised that the Winchburgh CDA was recognised as forming a significant role in the delivery of the council's strategic priorities including delivery of socio-economic, regeneration and housing supply strategies. The proposals set out and the approvals sought would enable the development to progress more effectively and would ensure the successful delivery of education capacity to support wider development in the east of the county.

The report recommended that the Council Executive:-

1. Note the education capacity requirements for a new denominational primary school, a new non-denominational secondary school and new denominational secondary school at Winchburgh;
2. Note that it was proposed that the first phase of the denominational and non-denominational secondary school infrastructure in the Winchburgh and Broxburn Core Development Area would be funded by a “per house contribution” (also known as roof tax) with the council undertaking borrowing for the required capital investment with the borrowing underwritten partly through the City Region Deal and guarantees delivered by the lead developer at Winchburgh;
3. Note the estimated capital construction and enabling costs associated with the proposed new denominational primary school, new non-denominational secondary school and new denominational secondary school;
4. Note the locations being considered for the development of the

proposed new school projects;

5. Note that subject to the council agreeing to move forward with the schools project, there would be a need for statutory education consultations including pre-consultations on the development of the proposed new schools and that these would be reported to a future Education Executive for consideration;
6. Note the current developer funding requirement associated with the CDA and the context of Winchburgh Development Ltd seeking to meet these on a per house contribution basis;
7. Approve progressing the financial arrangements agreed in principle with the Scottish Government (SG and Winchburgh Development Ltd) to enable the delivery of the proposed schools and infrastructure;
8. Delegate authority to officers to progress negotiations on agreements and agree heads of terms if appropriate, noting that any final decision to approve proposals would be reported to a future Council Executive for agreement;
9. Note the wider Winchburgh and Broxburn CDA proposals included a new motorway junction, railway station, park and ride and other infrastructure works which would support the delivery of 5,500 new homes;
10. Note that it would be necessary for the council to receive guarantees that the wider infrastructure projects would be funded and delivered before it commits to forward funding the school infrastructure; and
11. Note the potential for collaboration on pupil placement with City of Edinburgh in relation to primary and secondary capacity provision.

Decision

To approve the terms of the report subject to adding the following to recommendation 11:-

- Agree that officers should enter into discussions with City of Edinburgh Council and to report back to the Council Executive.

11.. WEST LOTHIAN VILLAGES IMPROVEMENT FUND – EAST CALDER AND EAST LIVINGSTON APPLICATIONS

The Council Executive considered a report (copies of which had been circulated) by the Lead Officer for the East Livingston and East Calder Local Area Committee seeking the ratification of the recommendations contained within the Villages Improvement Fund Report which had been considered by the East Livingston and East Calder Local Area Committee at its meeting on 14 September 2017

The members were advised that the East Livingston and East Calder Local Area Committee considered a report on the subject of Village Improvement Fund applications at its meeting on 14 September 2017. The report was seeking approval of funds from the village improvement fund for a number of projects in the ward.

The two members present at that meeting agreed with the recommendations in the report but as the meeting was inquorate the committee could not approve the proposals. Therefore in such cases the Lead Officer was required to present a report to Council Executive asking that the views of the Local Area Committee be considered.

It was recommended that Council Executive approves the recommendations set out in the Village Improvement Fund Report as consideration the East Livingston and East Calder Local Area Committee at its meeting on 14 September 2017.

Decision

To refer the report back to the next East Calder and East Livingston Local Area Committee and to invite Pumpherston Community Council to that meeting.

12. CHARTERED INSTITUTE OF HOUSING (CIH) SCOTLAND 2017 EXCELLENCE AWARDS

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services seeking approval for attendance of the appropriate elected member(s) to attend the CIH Excellence Award Event on 27 October 2017.

The CIH Scotland Excellence Awards celebrate the best of housing and the people and teams that go above and beyond their approach to providing housing in our communities.

The Performance and Change Team within the Housing, Customer and Building Services had been shortlisted as finalists under the "Housing Team of the Year" category for this year's awards.

The award winners would be announced at the Excellence Awards Dinner being held at Murrayfield Stadium in Edinburgh on Friday 27 October 2017.

The cost of the event was £105.00 excluding VAT.

It was recommended that Council Executive approves that the Executive Councillor for Services for the Community attends the CIH Excellence Awards 2017 on 27 October 2017.

Decision

To approve the terms of the report

13. 2017-18 WINTER SERVICE POLICY – ROADS AND TRANSPORTATION

The Council Executive 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 Council Executive approves the Winter Service Policy 2017-18 as detailed in Appendix A attached to the report.

Motion

To approve the terms of the report.

- Moved by Councillor Fitzpatrick and seconded by Councillor Dave King

Amendment

To continue with the status quo until consultation takes place on how the Winter Service Policy review was carried out.

- Moved by Councillor Peter Johnston and seconded by Councillor Sarah King

A roll call vote was taken which resulted as follows:

Motion

Harry Cartmill

Lawrence Fitzpatrick

Chris Horne

Dave King

Charles Kennedy

Cathy Muldoon

George Paul

Kirsteen Sullivan

Damian Timson

Decision

Amendment

Sarah King

Peter Johnston

Following a vote the motion was successful by 9 votes to 2 and it was agreed accordingly.

14. APSE ANNUAL SEMINAR 2017 - LOCAL AUTHORITY SUPERHEROS : FIGHTING FOR A QUALITY ENVIRONMENT

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval for attendance of the appropriate elected member(s) to attend the APSE Annual Seminar 2017 – Local Authority Superheroes Fighting for a Quality Environment on 19th and 20th October 2017.

The APSE Annual Seminar 2017 – Local Authority Superheroes explored excellence in frontline services and provided an opportunity to participate in discussion around key issues affecting a range of frontline services.

The council was successful in having apprentices, Leigh-Jane Drummond from Fleet and Community Transport Services and Luke Taylor from NETS, Land and Countryside services selected as finalist for the APSE Annual Apprentice Awards Ceremony.

The award winners would be announced at the Excellence Awards Dinner being held at Murrayfield Stadium in Edinburgh on Friday 27 October 2017.

It was recommended that the Council Executive:-

1. Note that NETS, Land and Countryside apprentice Luke Taylor and Fleet Community Transport Service apprentice Leigh-Jane Drummond had both been successful in being selected as finalists for the APSE Annual Apprentice Awards 2017; and
2. Approve the attendance of the Executive Councillor for Development and Transport at the APSE Annual Seminar 2017.

Motion

To approve the terms of the report.

- Moved by Councillor Fitzpatrick and seconded by Councillors Kirsteen Sullivan

Amendment

To nominate Councillor Frank Anderson to attend the APSE Annual seminar.

- Moved by Councillor Peter Johnston and seconded by Councillor Sarah King

A roll call vote was taken which resulted as follows:

Motion

Harry Cartmill

Lawrence Fitzpatrick

Dave King

Cathy Muldoon

George Paul

Kirsteen Sullivan

Amendment

Chris Horne

Peter Johnston

Charles Kennedy

Sarah King

Damian Timson

Decision

Following a vote the motion was successful by 6 votes to 5 and it was agreed accordingly

15. ELECTRICAL SAFETY POLICY AND MANAGEMENT PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the Electrical Safety Management Plan in relation to the council's statutory obligations in respect of property assets, a copy of which was attached to the report at Appendix 1.

The council had a duty of care to ensure employees and other parties entering council buildings were not at risk of danger of electric shock, electric burns, electrical explosion or arcing or from fire or explosion initiated by electrical energy.

The proposed Electrical Safety Policy and Management Plan had been developed using good practice identified in the Electricity Regulations, HSE Guidance, 17th Edition of the IEE regulations and BS7671. The aim of the policy was to minimise exposure to electrical injury by :-

- Setting clear lines of responsibility for ensuring employees and visitors to council premises were not exposed to the risk of electrical injury;
- Ensuring risk associated with electrical injury was adequately controlled;
- Treating all fixed electrical items with the specified frequency; and
- Using electrical appliances safely and testing them at suitable intervals.

It was recommended that Council Executive :-

1. To note and approve the Electrical Safety Policy and Management Plan attached as an appendix to the report; and
2. To agree that the Policy and Management Plan should be implemented with immediate effect.

Decision

To approve the terms of the report

16. PROPOSED SHORT TERM LET OF THE REGAL THEATRE, BATHGATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services and the Head of Education (Learning, Policy and Resources) advising of a proposal to let the Regal Theatre, Bathgate from 18 November to 31 December 2017 to facilitate the staging of the pantomime.

The report recalled that the Regal Community Theatre in North Bridge Street, Bathgate was owned by the council. The property was leased to and managed by a registered charity named Regal Community Theatre Bathgate Limited (RCTBL). On 20 September 2017 RCTBL was placed into liquidation on the instruction of its directors resulting in the termination of their lease of the building. As a result of the liquidation all artistic performances after 31 August 2017 were cancelled, including the pantomime.

The council immediately put measures in place to assume responsibility for operation of the building following the liquidation of RCTBL. This included existing caretaking staff being retained by the council on a supply basis to allow community lets within the building to continue without disruption.

The council has now been approached by Mr Peter Sneddon with a request for a let of the auditorium and café bar from 18 November to 31 December 2017 as he wished to produce the pantomime in partnership with the majority of the cast and crew that were previously engaged by RCTBL. As the producer Mr Sneddon would fully fund, market and manage all of the artistic, operational and technical aspects of the production and would carry the full financial risk.

It was proposed that the terms of the let would include covering the councils' additional facilities management costs during the period of the let together with the additional staffing costs required to facilitate the pantomime. As part of the due diligence process a business plan and a cash flow to demonstrate the financial viability of the production had been submitted.

It was to be noted that the financial viability of the production was dependent on strong ticket sales which would be impacted on by demand, price level and local competition. There was a risk that if the production did not achieve the forecast of ticket sales and revenue the production would run at a loss. While any losses due to low ticket sales would reduce profitability the risk would be borne solely by Mr Sneddon and the council would have no financial exposure to this risk.

The report concluded that the proposed letting would enable the planned pantomime to proceed and would enable the community to demonstrate its support for the theatre which would help guide whether there was a long term viable venue proposition.

It was recommended that Council Executive :-

1. Notes the letting of the Regal Theatre, Bathgate to Mr Peter Sneddon from 18 November to 31 December at no cost to the council to facilitate the staging of the pantomime; and
2. Notes that the letting would facilitate the staging of the pantomime during the period of community consultation to investigate any future potential use for the building.

Decision

To approve the terms of the report

17. FORMER EAST CALDER LIBRARY, MAIN STREET, EAST CALDER – PROPOSED LEASE TO SIMONE DOUGLAS AND DANIELLE JOHNSTONE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for a five year lease of the former East Calder Library, Main Street, Bathgate to Simone Douglas and Danielle Johnstone.

The report recalled that Council Executive at its meeting held on 25 August 2017 noted that the existing East Calder Library building would no longer be required for the delivery of services upon completion of the new East Calder Partnership Centre.

The new East Calder Partnership Centre was now nearing completion and the Head of Finance and Property Services wished to ensure the timely and efficient disposal of the surplus library building.

The property was openly marketed during July and August 2017 and following the closing date a total of six offers had been received. Three offers were to lease the building; the other three were offers of sale. No community assets transfer requests were received. The highest offer for sale was £275,000 and the highest offer for lease was £24,000 per annum.

Having analysed and compared each of the offers received the Head of Finance and Property Services considered that the projected revenue income stream available from the ongoing lease would provide an important contribution towards the council's annual income targets going forward.

The highest offer of lease was a joint submission from business partners Simone Douglas and Danielle Johnstone with the main terms and conditions summarised in the report.

Preliminary discussions had been undertaken with planning colleagues who had indicated that the proposal would not require planning permission for a change of use, although this would be subject to further detailed discussions with the proposed tenant.

It was recommended that Council Executive approves the lease of the former East Calder Library, Main Street, East Calder to Simone Douglas and Danielle Johnstone for a period of five years at a rental of £24,000 per

annum.

Decision

To approve the terms of the report

18. COMMUNITY PLANNING PARTNERSHIP BOARD

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive inviting the Council Executive to note the terms of the Minutes of the Community Planning Partnership Board meetings held on 9 May 2016, 22 August 2016 and 21 November 2016, copies of which were attached to the report.

Decision

To note the terms of the report

19. ST JOHN'S HOSPITAL STAKEHOLDER GROUP

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive inviting the Council Executive to note the terms of the Minutes of the St John's Hospital Stakeholder Group meeting held on 19 April 2017, a copy of which was attached to the report.

Decision

To note the terms of the report



COUNCIL EXECUTIVE

WEST LOTHIAN VILLAGES IMPROVEMENT FUND - APPLICATIONS

REPORT BY BROXBURN UPHALL AND WINCHBURGH LEAD OFFICER

A. PURPOSE OF REPORT

The purpose of this report is to seek approval for the attached Village Improvement Fund application which was heard at Broxburn, Uphall and Winchburgh Local Area Committee (LAC) on 5th October 2017. Members of the LAC agreed with the recommendations in the report but could not approve it as the meeting was inquorate.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Supports village improvement project funding of £15,000 for St Philomena's Catholic Church, Winchburgh
2. Agrees to release £10,000 previously agreed for Winchburgh Bowling club toilet upgrade without the need for match funding

C. SUMMARY OF IMPLICATIONS

| | |
|---|---|
| I Council Values | Focusing on our customers' needs; Making best use of our resources; and Working in partnership. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The project meets the funding eligibility criteria. There is no requirement for a strategic environmental assessment and the projects do not raise any equality or health issues. |
| III Implications for Scheme of Delegations to Officers | None. |
| IV Impact on performance and performance Indicators | None. |
| V Relevance to Single Outcome Agreement | Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business. We live in resilient, cohesive and safe communities. |

| | |
|--|---|
| VI Resources - (Financial, Staffing and Property) | A total of £1.65m capital fund is available for projects and the proposal can be met from within this budget. |
| VII Consideration at PDSP | These projects have not been considered by a PDSP. The overall Villages Improvement Fund was considered by Development and Transport PDSP. |
| VIII Other consultations | The report was considered at the Broxburn Uphall and Winchburgh Local Area Committee on 5 th October 2017. Members of the Local Area Committee agreed that the report should be forwarded to Council Executive for approval. |

D TERMS OF THE REPORT

D1 Background

The Broxburn Uphall and Winchburgh Local Area Committee considered the report as detailed in Appendix 1 on 5th October 2017. The report recommended distribution of funds from the Village Improvement Fund for the Broxburn Uphall and Winchburgh ward. The two members present agreed with the report; however, as the meeting was inquorate, the committee could not approve the proposals. In such cases, the Lead Officer is required to present the report to the Council Executive asking that the views of the Local Area Committee be considered. This report fulfils that requirement.

E. CONCLUSION

The members of the Broxburn Uphall and Winchburgh Local Area Committee agreed the content of the attached report; however, due to the meeting being inquorate, it could not approve the proposals. Council Executive is now requested to approve the report on behalf of the Broxburn Uphall and Winchburgh Local Area Committee.

F. BACKGROUND REFERENCES

Reports to Development and Transport PDSP (April 2013), Council Executive (May 2013 and 15 April 2014).

Appendix 1: Broxburn Uphall and Winchburgh Local Area Committee -
West Lothian Villages Improvement Fund applications

Contact Person: Hazel Hay, Town Centre Manager Tel. 01506 283098,
Hazel.Hay@westlothian.gov.uk

Alan Bell,
Lead Officer, Broxburn Uphall and Winchburgh Local Area Committee

24 October 2017



BROXBURN AND UPHALL LOCAL AREA COMMITTEE

WEST LOTHIAN VILLAGES IMPROVEMENT FUND- APPLICATIONS

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Local Area Committee of the applications received from within the local area committee area seeking funding from the West Lothian Villages Improvement Fund (WLVIF).

B. RECOMMENDATION

It is recommended that the Local Area Committee:

1. notes that one application has been received for funding;
2. notes that the proposal meets the eligibility criteria for supported projects;
3. supports funding for the St Philomena's Catholic Church – village improvement project;
4. agree to release the £10,000 previously agreed for the Winchburgh Bowling club toilet upgrade without the need to match fund as project now reduced in size.
5. agrees that the Head of Planning, Economic Development and Regeneration should make an offer of funding as per the details set out in this report.

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) | The project meets the funding eligibility criteria. There is no requirement for a strategic environmental assessment and the project does not raise any equality or health issue. |
| III | Implications for Scheme of Delegations to Officers | None. |
| IV | Impact on performance and performance Indicators | None. |

| | | |
|------------|---|---|
| V | Relevance to Single Outcome Agreement | Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business. We live in resilient, cohesive and safe communities. |
| VI | Resources - (Financial, Staffing and Property) | A total of £1.65m capital fund is available for projects and the proposal can be met from within this budget. |
| VII | Consideration at PDSP | This project has not been considered by a PDSP. The overall Villages Improvement Fund was considered by Development & Transport PDSP. |

VIII Other consultations

D TERMS OF THE REPORT

D1 Background

In 2012 the Council Executive agreed the eligibility criteria for a West Lothian Villages Improvement Fund (WLVIF). Funding of £1.65m is available to support eligible schemes with the funding phased over five years. The fund has the following two work streams:

1) A shop frontage/shop improvement scheme, to which local independent retailers can apply. This operates in a similar way to the shop frontage improvement schemes for traditional town centres i.e. a grant of up to £750 and no more than 50% of the cost of the shop front improvement.

2) Small scale village improvements and initiatives, this can include a number of types of investment, including both physical improvements to the streetscape and investment in community provision:

- Provision of street furniture such as seating, cycle stands and direction signs.
- Improved village gateways (e.g.; through planting, landscaping and/or signage).
- Improved sense of place in village centres through hard landscaping, planting and soft landscape improvements.
- Tidying and landscaping of gap sites within villages.
- Access improvements in and around villages.
- Investment in projects that engage and support young people.
- Investment in other local community facilities.

Three villages within the Broxburn, Uphall and Winchburgh ward are eligible under the scheme.

Distribution of funding is based on village size. In April 2014 Council Executive agreed to full allocations to each village to add to the monies already announced for 2013-14 the following represent the full money allocated to each of the eligible villages in the ward and the amount remaining:

- Dechmont - £55,000 (£46,000 remaining)
- Eccelsmachan/Oatridge - £20,000 (£0 remaining)
- Winchburgh - £55,000 (£20,957 remaining)

D2 Applications

The following application has been received for this round of funding:

St Philomena's Catholic Church -Village Improvement

St Philomena's Catholic Church is applying for £15,000 to support and match fund the re-roofing of St Philomena's church. To ensure a safe place to worship, failure to do so could result in the long term closure of this village facility.

Winchburgh Bowling Club- Village Improvement

Winchburgh Bowling Club has agreed to reduce the toilet improvement project to a manageable size which can be accommodated within the previously agreed funding of £10,000. They request that the previously agreed funding of £10,000 now be release without the need to find match funding as the works can be accommodated within this budget.

E. CONCLUSION

Three villages within the Broxburn, Uphall and Winchburgh ward are eligible to apply to the Villages Improvement Fund. The application from St Philomena's Catholic Church to carry out the re-roofing is eligible under the scheme and the Local Area Committee is asked to support the application.

F. BACKGROUND REFERENCES

Reports to Development and Transport PDSP (April 2013), Council Executive (May 2013) and Linlithgow Local Area Committee (September 2013).

Appendices/Attachments: Appendix 1: St Philomena's Catholic Church_Village improvement fund application

Contact Person:

Hazel Hay, Town Centre Manager, Tel. 01506 283098

hazel.hay@westlothian.gov.uk

Alice Mitchell, Economic Development & Regeneration Manager, Tel. 01506 283079,

alice.mitchell@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development and Regeneration

13th September 2017

West Lothian Villages Improvement Fund**Application form**

- Please refer to the guidance notes when completing this form
- Please complete in **BLOCK CAPITAL LETTERS** and use **black ink**
- No project should start or commit expenditure before receiving the approval of grant

1. Applicant Organisation Details

| | |
|--|---|
| Organisation Name | St Philomena's Catholic Church |
| Project title | St Philomena's Roof Project |
| Contact person | [REDACTED] |
| Position | Chair, Roof Project Finance and Bids Committee |
| Address | [REDACTED] |
| Telephone number | [REDACTED] |
| Email Address | [REDACTED] |
| Type of organisation | Religious |
| What date was your organisation formed? | St Philomena's was built in 1924/25 |
| Are you a charity, please quote your number | St Philomena's is a parish within the Archdiocese of St. Andrews and Edinburgh which is a registered charity no. SC008540 |
| What are the main activities of your organisation? (please answer in no more than 100 words) | St. Philomena's is a place of worship at which daily religious services are available and from where pastoral care is provided to the parishioners. |

| | |
|--|------------|
| Do you have an equal opportunities policy or statement? If yes please provide a copy | No |
| Does your organisation take account of equality issues around age, disability, gender, race, religion or belief? | Yes |

| Are you applying for other funding, if so, please detail | Approved | Anticipated |
|--|----------|-------------|
| LandTrust | | £20,000 |
| Viridor Credits | | £20,000 |
| National Churches Trust | | £20,000 |
| St. Philomena's Social Club | £25,000 | |
| Funds generated by Parish | £70,000 | |
| | | |

2. Project details

| | |
|----------------------------|--|
| Council Ward | Ward 2: Broxburn, Uphall & Winchburgh |
| Project location | 28 Niddry Road Winchburgh EH52 6RY |
| Project start date | Spring 2018 |
| Project finish date | Approx. 10-12 weeks |
| Estimated Outcome | Repairs to St Philomena's Church roof will ensure that the congregation can continue to worship in Winchburgh and not have to make a journey to the Catholic church in Broxburn. |

Project description

Describe fully the project for which grant is being sought (background and context of the project, description of works).

Over the years, ongoing repairs have been carried out to the Church roof to address persistent water ingress. A Construction and Property Consultant, Summers Inman, were employed to survey the overall condition of the roof and concluded that it was suffering from nail sickness causing tiles to slip and so facilitating the water ingress.

It was also established that the roof coverings were at the end of their serviceable life and need to be replaced. Further surveys revealed evidence of sagging in places which will require additional structural work.

A solution has been developed to address the problems and a comprehensive tender package issued to five experienced, competent contractors. Subsequently a company was identified as the preferred contractor.

All surveys, structural engineering drawings and the tender package can be made available if required.

| |
|--|
| |
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| | |
|---|--|
| Partners involved (other local organisations you are working with) | Winchburgh Community Development Trust |
|---|--|

| |
|---|
| <p>Evidence of need</p> <p>What evidence is there that your project is needed? It is vital that you show that you have identified the need for your project, eg letters of support, or local survey.</p> |
| <p>The surveys referenced above clearly identify that to ensure a safe place of worship, this project must be undertaken. Failure to do so could result in the long term closure of this valuable village facility.</p> <p>With approximately 460 new houses occupied, the population of Winchburgh is estimated to be about 3,500. A further 3,000 houses are allocated by West Lothian Council – this could bring the overall population to around 10,000. This will increase the size of the congregation at St Philomena’s by perhaps a factor of 3. The Church has proved a place where catholic newcomers are welcomed and integrated into the community.</p> <p>Various individuals have petitioned the Archbishop to support the project and we have the support of the Winchburgh Community Development Trust.</p> |

| |
|--|
| <p>Outcomes</p> <p>Describe what your project will deliver.</p> <p>Village Improvements; e.g Number of sites improved Area of landscaping</p> |
| <p>St. Philomena’s Church is a large building in the centre of Winchburgh. Whilst the grounds have been improved over the years by mono blocking and the provision of some off street parking, the replacement of old worn tiles and the correction to the sagging of the roof will continue to improve the overall look of the building and so the aesthetics of Niddry Road.</p> <p>The roof project will ensure a vibrant future for the church for both the Roman Catholic parishioners and community of Winchburgh. If the church were to fall into</p> |

disrepair, without the roof project being completed, it could mean the collapse of a community that has sustained its identity and independence as a place of worship for nearly 100 years.

Winchburgh is expanding bringing very substantial numbers of additional parishioners to the church. It is therefore a priority to carry out the necessary works to repair the roof of St Philomena's Church.

The project fully supports the local development priorities, which are noted above, by ensuring existing and new parishioners as well as the public in general, have a safe and welcoming church in the heart of the village. At a time of development and expansion it is critical that this valuable resource is made available for current and future generations.

Community Facilities: e.g number of facilities improved
-Projected usage

Securing the existence of the Church will ensure a continued public benefit to the entire village not just the Catholic community. St Philomena's has a very close ecumenical association with the Winchburgh Parish Church community and holds numerous joint events throughout the year.

St Philomena's parish community provides social welfare assistance to all of Winchburgh's residents, regardless of their religious belief, when in need. It sustains a church hall that is a focal point for many Community organisations for meetings, leisure and social activities.

The church has a very strong sense of social responsibility and, each year, uses its facilities to raise considerable amounts of money for local, national and international charities.

3. Project Costs

| | |
|------------------------------------|---------|
| Amount of funding requested | £15,000 |
|------------------------------------|---------|

| Item of expenditure | Cost |
|--------------------------------|---------|
| General Items | £12,800 |
| Alterations | £ 7,600 |
| Joinery | £14,000 |
| Roof Coverings | £91,400 |
| Rainwater Goods and Decoration | £ 3,800 |
| Provisional Sums | £26,500 |
| Dayworks | £ 5,600 |
| Surveys and Management Fees | £14,700 |

Project management

Describe how your project will be managed and administered including details of any:

- Design / plans
- Implementation arrangements e.g contract tenders
- Planning Approval

The project has been surveyed, designed and will be managed by Summers Inman, Construction and Property Consultants. All documentation can be made available as required.

4. Declaration

We wish to apply for a Village Improvement Capital Grant. The above is an accurate outline of the proposed project. We have read and understood the guidance notes for applicants and agree to the conditions therein. We understand that the grant may be modified or withdrawn, if all the conditions are not adhered to. We are willing to co-operate in the monitoring of the grant scheme and to meet with their representatives if required to do so. We will acknowledge the support of the Fund in any related PR activities.

| | |
|---------------------|--|
| Name | |
| Position | Chair, Roof Project Finance and Bids Committee |
| Organisation | St. Philomena's RC Church |
| Date | August 27 2017 |

Please send your completed forms to:

Community Regeneration Officer for your area in the first instance (see guidance notes for contact details)

Or

Hazel Hay
Town Centre Manager
Economic Development
West Lothian Council
1st Floor North
West Lothian Civic Centre
Howden South Road
Livingston
EH54 6FF

Tel: 01506 283098

E-mail: Hazel.Hay@westlothian.gov.uk

| Attachment checklist - as applicable | Please Indicate (x) |
|---|--------------------------------|
| Constitution or Articles and Memorandum | |
| Committee Members or Directors List | |
| Bank Statements - three statements | |
| Annual accounts | |



COUNCIL EXECUTIVE

STANDARDS COMMISSION ROADSHOW – ATTENDANCE BY ELECTED MEMBERS

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To approve the attendance of all members at the training events being run by the Standards Commission for Scotland in October, November and December 2017.

B. RECOMMENDATIONS

To authorise the attendance of elected members at one of the Standards Commission's Code of Conduct Roadshows in October, November and December 2017 as an approved duty for the purposes of recovery of expenses.

C. SUMMARY OF IMPLICATIONS

| | |
|---|--|
| I Council Values | Focusing on our customers' needs, being honest, open and accountable, making best use of our resources |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | Local Government (Scotland) Act 1973; Local Government (Allowances and Expenses) (Scotland) Regulations 2007; Scheme of Elected Members' Remuneration, Allowances And Reimbursement of Expenses 2017/18; Ethical Standards in Public Life etc. (Scotland) Act 2000 |
| III Implications for Scheme of Delegations to Officers | None |
| IV Impact on performance and performance Indicators | None |
| V Relevance to Single Outcome Agreement | N/A |
| VI Resources - (Financial, Staffing and Property) | None |
| VII Consideration at PDSP | Not required |
| VIII Other consultations | HR Services |

D. TERMS OF REPORT

Members are entitled to recover expenses and allowances for carrying out “approved duties”. The list of those duties is in the council’s Scheme of Elected Members’ Allowances and Expenses. It was last approved at full council on 25 May 2017.

The Standards Commission for Scotland is holding a series of roadshows for councillors in relation to the Councillors’ Code of Conduct. They are scheduled to take place on 20 November 2017 in Edinburgh; on 9 November in Ayr; on 15 December in Glasgow; and on 5 October in Inverness. Members of this council have been invited to attend the Edinburgh event, but if they cannot do so they may attend one of the others.

All councils have duties to promote the observance by their councillors of high standards of conduct, and to assist them to observe the councillors’ code. The Code requires councillors to make sure they are familiar with and comply with it. The statutory Guidance says that councillors should attend training and induction sessions on ethical standards and ensure they are familiar with and understand the Code and Guidance.

The list of approved duties does not include attendance at training events such as these. Council Executive is requested to authorise attendance for any members wishing to go to one of these events to ensure that they may legitimately recover the expenses they incur.

E. CONCLUSION

Authorising attendance at these training sessions will ensure members may lawfully recover their expenses and assist the council and its members in complying with their respective duties under the ethical standards regime for councils and councillors in Scotland.

F. BACKGROUND REFERENCES

- 1 West Lothian Council, 25 May 2017
- 2 Scheme of Elected Members’ Remuneration, Allowances And Reimbursement of Expenses 2017/18 - <https://www.westlothian.gov.uk/media/1861/Scheme-of-Elected-Members-Allowances--Expenses/pdf/SchemeElectedMembersRevised2017-18.pdf>

Appendices/Attachments: None

Contact Person: James Millar, Governance Manager, 01506 281613,
james.millar@westlothian.gov.uk

Julie Whitelaw, Head of Corporate Services

Date of meeting: 24 October 2017



COUNCIL EXECUTIVE

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 Council Executive of the outcome of the meeting of the Environment Policy Development and Scrutiny Panel in relation to the receipt of a petition from the residents of Bankton Park East and Bankton Park West in Murieston, Livingston.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Notes the outcome of the meeting of the Environment Policy Development and Scrutiny Panel.
2. Agrees 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) | <p>Policy: The council's procedures on dealing with petitions require that petitions are considered by the Council Executive.</p> <p>Legal: None</p> |
| 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 | Environment Policy Development and Scrutiny Panel |

D. TERMS OF REPORT

D.1 Background

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.”

D.2 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 highlight 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.

Traffic calming has previously been installed at the entrance to Bankton Park West in the form of a raised junction which slows vehicle speeds on entering the estate. This highlights to motorists that they are entering a residential area. The junction feature also provides a safer crossing for pedestrians and mobility impaired users. The surrounding footpath network was also improved when this raised junction was installed.

In Bankton Park East there are 225 residents and in Bankton Park West there are 263 residents in 246 properties. 100 people signed this petition which is a small number of residents who stay in the streets. The majority of all traffic using the estate will be residents or visitors as there is no through road.

Following site visits, officers have highlighted the concerns raised by the residents to Police Scotland and requested that attention 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.

D.3 The council has received in the region of 57 requests so far this year for traffic calming throughout West Lothian but has a limited casualty reduction budget that must be prioritised. There are 2005 adopted roads in West Lothian, 1839 of which are residential and industrial. 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 sites for concern 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.

D.4 Consultation

A report was presented to the Environment Policy Development and Scrutiny Panel at its meeting on the 3 October 2017.

The report was noted and the recommendation was approved that Bankton Park East and Bankton Park West continue to be monitored through the annual Accident Investigation and Prevention programme.

It was also noted that a comment was raised that given there were 100 residents concerned about speeding in the area, the issue was about accident prevention, therefore the opinion was that this indicated that an accident had to happen before action would be taken.

E. CONCLUSION

The petition that has been received 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 accident 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.

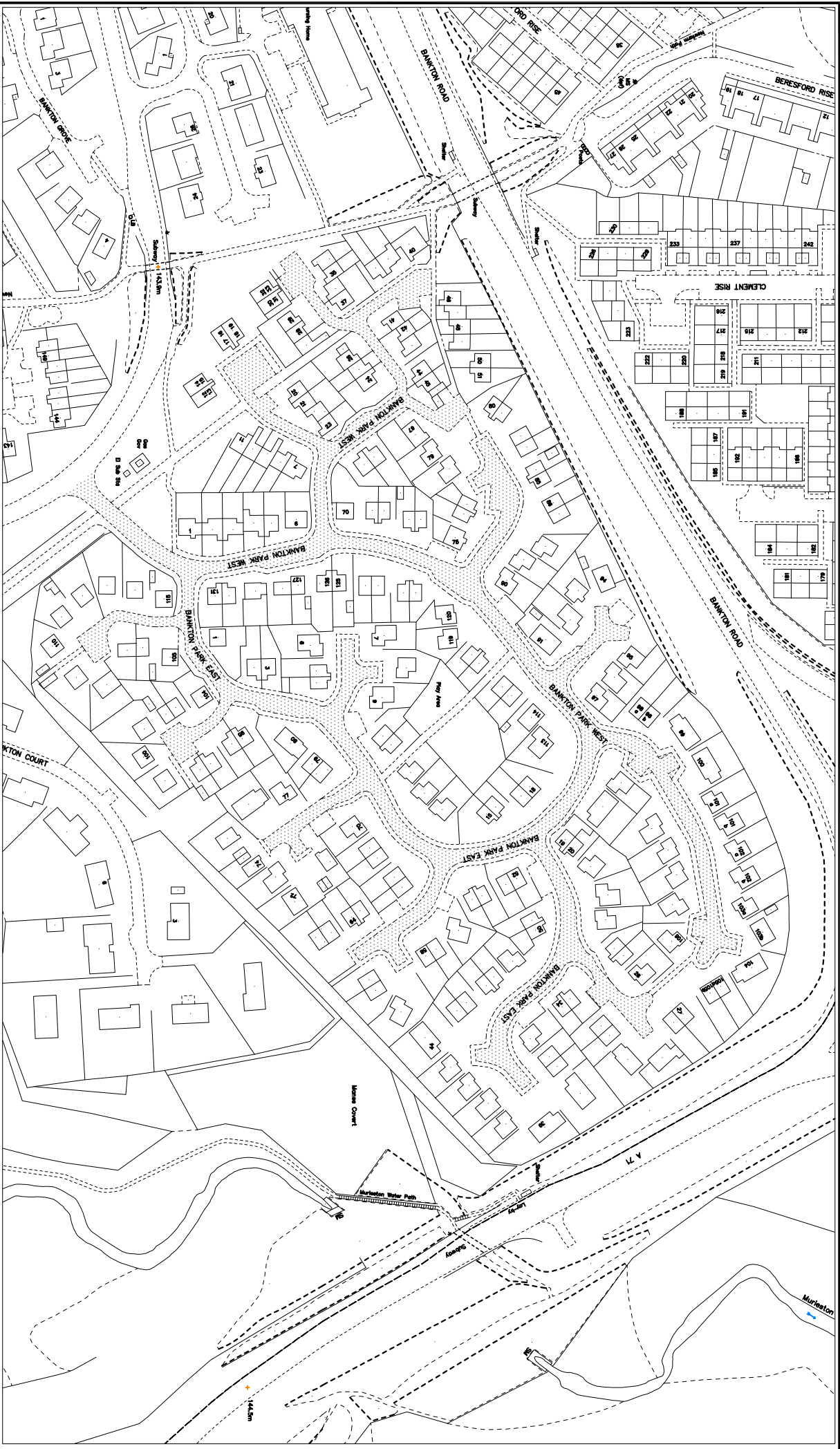
Appendices/Attachments:

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: 24th October 2017



DATA LABEL:-

Public



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WEST LOTHIAN COUNCIL

OPERATIONAL SERVICES

ROADS & TRANSPORTATION MANAGER

WHITEHILL HOUSE

WHITEHILL INDUSTRIAL ESTATE
BATHGATE EH48 2HA
TEL 01506 282351

BANKTON PARK EAST AND WEST
LOCATION PLAN

DATE:- SEPT 2017

SCALE:- NTS

Drg. No.:-

RSTM/LP/1

DRAWN BY:- GB

CHECKED BY:- KH

TRANSPORTATION

ROAD SAFETY AND

TRAFFIC MANAGEMENT



COUNCIL EXECUTIVE

WEST LoTHIAN LOCAL POLICE PLAN 2017-2020

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To seek approval from the Committee or the West Lothian Police Plan 2017-2020

B. RECOMMENDATION

It is recommended that Council Executive approves the West Lothian Police Plan 2017-2020

C. SUMMARY OF IMPLICATIONS

| | |
|---|--|
| I Council Values | Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The production and Council approval of the Local Policing Plan is a statutory requirement of the Police and Fire Reform (Scotland) Act 2012 |
| III Implications for Scheme of Delegations to Officers | None at the stage |
| IV Impact on performance and performance Indicators | A performance framework is being established following the approval of the plan |
| V Relevance to Single Outcome Agreement | The plan aligns to the Community Safety priorities. |
| VI Resources - (Financial, Staffing and Property) | The Council contributes directly and in partnership to the delivery of the plan |
| VII Consideration at PDSP | The plan is being considered by the Services for the Community PDSP on the 23 rd Oct |
| VIII Other consultations | Police Scotland has consulted a range of local partners, elected members and community groups. |

D. TERMS OF REPORT

D1 Background

Under the Police and Fire Reform (Scotland) Act 2012 section 41E, Police Scotland must prepare a Local Policing Plan for each local authority area and submit it for approval to the local authority for which the plan relates.

The current local Police Plan covers the period 2014-2017, and the new plan reflects on progress over the three year period.

D2 Police Scotland Local Police Plan 2017-2020

The Local Police Plan 2017-2020 (appendix 1) represents a positive shift in approach with a greater focus on longer-term outcomes. The plan aligns to the priorities of the Community Safety Strategy and the strategic themes of the Local Outcome Improvement Plan.

The plan has benefitted from an extensive consultation process involving local community planning partners, elected members and numerous community groups.

This process has been running since 2016 and has helped to shape the plan over the course of that period.

The final plan will be considered by the Services for the Community PDSP at its meeting on the 23rd Oct and a verbal update will be provided to Council Executive.

E. CONCLUSION

This report provides Council Executive with the opportunity to consider the West Lothian Local Police Plan 2017-2020 as a statutory requirement of the Police and Fire Reform (Scotland) Act 2012

F. BACKGROUND REFERENCES

Appendices/Attachments: West Lothian Police Plan 2017-2020

Contact Person: Alistair Shaw

Alistair Shaw

Head of Housing Customer and Building Services

Ext 81754

Alistair.shaw@westlothian.gov.uk

24th Oct 2017



West Lothian Local Police Plan

2017 to 2020

Contents

1. Introduction
2. Police Scotland
3. All About West Lothian
4. Delivery of the West Lothian Local Police Plan 2014-2017
5. Better Outcomes for Communities
6. Achieving Priorities & Outcomes
7. Measuring Success
8. Contact Us
9. Appendix 1 – Police Performance Indicators

1. Introduction

Section 47 of the Police & Fire Reform (Scotland) Act 2012 states that the local police commander must prepare a 'Local Police Plan' that sets out priorities for the policing of that local authority area. The plan must set out the reasons for selecting the priorities and identify how the success of those priorities may be measured.

This is the 2017 to 2020 Local Police Plan for West Lothian.

The policing priorities in this Local Policing Plan were identified using

- A Strategic Assessment (an analysis of risks and threats likely to impact on communities)
- Results from the Public Consultation Survey "Your View Counts" (Your View Counts is a new process for public consultation available online 365 days a year at www.scotland.police.uk. The consultation survey can also be obtained through your local police station)
- The West Lothian Council Local Outcome Improvement Plan (West Lothian Community Planning Partnership Single Outcome Agreement 2013 to 2023)

The Local Authority together with local partners and communities were consulted throughout the development of the Local Police Plan.

Not Protectively Marked

West Lothian Council say

THIS SECTION TO BE COMPLETED

Paragraph from West Lothian Council mentioning partnerships/tackling inequalities.

Statement from Executive Councillor.

2. Police Scotland

Police Scotland was formed on 1st April 2013.

Since that date the service has faced many challenges and has sought to evolve in a progressive and constructive manner reflecting changes in society and local communities. Within these challenges the service has attempted to identify and take advantage of new opportunities to strengthen both local and national policing.

Whilst this Plan confirms the local policing priorities for the next 3 years, these changes in our society and local communities mean that the police service has to adjust to continue to operate effectively.

In May 2017, Policing 2026 ‘Serving a Changing Scotland’, a 10 year strategy for policing was launched, setting a clear direction for long-term operational and financial sustainability and providing the opportunity to achieve our vision of ‘sustained excellence in service and protection’.

Over the next ten years, the police service will need to make productive use of limited resources to create the ability to focus on early intervention and prevention by addressing inequalities. Also to improve the overall impact of the service, working more intelligently with partners and the public to deliver **better outcomes for communities.**

3. All About West Lothian

West Lothian is one of the fastest growing areas in Scotland, a trend that is predicted to continue, with the population set to increase by 19.3% by 2035 (2010-2035). Notably, the population aged below 16 is projected to increase by 13.3% and by 52% in respect of those of pensionable age, within this period. The number of dwellings and households in West Lothian is further projected to increase by 30%, a figure significantly higher than the national average of 23%.

Covering 165 square miles, reaching from Broxburn in the East to Blackridge in the West, West Lothian towns and villages are located across a diverse mix of urban and rural landscapes. Covering a large portion of the central belt of Scotland, West Lothian provides an attractive base for a range of industries due to its location between the cities of Glasgow and Edinburgh together with its excellent transport links.

The predicted increases in population and housing will undoubtedly add to the demands placed on public services in West Lothian. The face of policing in Scotland has and must adapt and respond to the new challenges these changes in demographic and society will bring. The predicted rise in the elderly and under 16's will place specific demands on Police Scotland and our partners as well as challenges linked to emerging trends in criminality such as cyber crime and financial harm.

In the context of these predictions, significant disparities still exist in West Lothian with 13% of the population experiencing income deprivation and almost 9000 people in West Lothian, around 5% of its population, living within some of the most deprived areas in Scotland. With research suggesting that those affected by social inequality are more likely to have poorer physical and mental health than the general population we must continue to work collaboratively to tackle inequality.

Police Scotland also recognise that around 80% of police work relates to non-criminal events, dealing also with wider societal issues such as missing persons, mental health related enquiries and vulnerabilities.

Not Protectively Marked

A cohesive society requires engagement from all partner agencies in order to understand and better serve our communities and tackle and reduce inequalities. **With limited resources aligned to changing and increasing demands, we must work creatively with partners in the spirit engendered by the Community Empowerment Act to ensure our communities in West Lothian receive the service they expect and deserve.**

*(Source: West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013-2023).

Police Resources

Within West Lothian our operating model was established with local communities at its heart, focusing on working collaboratively with partners to improve the safety and wellbeing of people, places and communities across the county and keep people safe. Uniformed resources are split between community and response policing teams.

Named and dedicated community officers work within each council ward to deliver consistent, local engagement and effective partnership working. In addition to this, teams of response officers work in collaboration with partners to make our communities safer and improve community wellbeing as well as responding to calls from the public and emergency situations.

Within West Lothian, Youth Community Officers work in partnership across each of West Lothian's High Schools focusing on early intervention and restorative justice, developing proactive strategies to reduce truancy and exclusion, engaging with pupils and offering support and advice to improve their life outcomes.

Not Protectively Marked

Community Action Teams represent a flexible, local resource, able to respond to emerging crime trends, working proactively to address community priorities, targeting anti-social behaviour and a wealth of other related demands, all with a thread of prevention and localism as directed by the Local Area Commander.

The breakdown of locally based operational uniformed resources are 9 Inspectors, 24 Sergeants and 195 Constables split across the roles outlines above.

In support of this model, West Lothian Council provides part funding for 21 officers who work within Community Policing Teams, making a significant contribution across West Lothian to tackle Community Priorities.

A large number of specialised resources including Crime Investigation, Roads Policing, Public Protection, Intelligence Development and Pro-Active teams are also deployed locally to support front line policing.

In addition to this, our policing model is further augmented by both regional and national resources when required. Examples of these resources include Operational Support Teams, Major Investigation Teams, Cyber Crime Investigation, Domestic Abuse Investigation Unit, National Rape Investigation Unit as well as Flexible Deployment Teams who support local officers in addressing local issues.

Not Protectively Marked

Police Buildings

Police Scotland needs modern, flexible buildings, which are fit for the future. We will seek to embed modern working practices and technology to help shape future service provision, whilst maximising opportunity for partnership working, from a modern and efficient asset base.

Evidence shows that co-location and shared services between partners leads to closer collaboration and, ultimately, better outcomes for the communities they serve. An example of forward looking, creative partnership working , where the police, local authority and our communities seek to benefit from a flexible estate strategy can be seen in the West Lothian Civic Centre where police officers are co-located with Local Authority partners, providing more coherent and efficient working practices.

This approach will further enhance **collaboration and partnership working**.

4. Delivery of the West Lothian Local Police Plan 2014-2017

Over the last three years, Police in West Lothian have worked extremely hard alongside partners to address the issues of greatest concern to the communities of West Lothian.

Additional resources have been focused on tackling Domestic Abuse with significant work undertaken to target offenders and provide greater support to Victims.

Incidents of antisocial behaviour have decreased with partnership work undertaken daily to address issues as they arise. Community Safety arrangements in West Lothian continue to be viewed as Best Practice within Scotland and Police Scotland play a leading role in this regard. Our approach has been supplemented with the introduction of Community Action Teams last year, which compliment the existing arrangements.

Road Safety figures have, however, shown an increase in serious injury accidents which is attributable to a higher number of accidents on trunk roads and motorways in the past three years. Levels remain below national targets and work continues to make our roads safer.

Violent crime has also increased over the past three years and work has been undertaken to address this with dedicated weekend policing plans targeting hot spot areas. In addition, we have been working with partners to roll out prevention campaigns targeting high schools and licensed premises in particular.

We have worked to disrupt serious and organised crime with an increase noted in drug supply charges and enforcement activities in this area by robustly targeting identified groups.

Domestic housebreakings have reduced which is extremely positive with an overall increase in the number of crimes detected. A specialist team continues to monitor the trends of this crime type and tackle recidivist offenders robustly.

5. Better Outcomes for Communities

This 2017-2020 Local Police Plan represents a positive shift in approach with a greater focus on longer-term outcomes, in line with that of West Lothian Council Community Planning Partners.

The successful achievement of these outcomes will rely on excellent local delivery and joint working across the Community Planning Partnership. Our primary focus will be reducing harm within our communities, prioritising resources to the areas of greatest need, supporting the most vulnerable in our communities and targeting those who cause the greatest harm. We will work hard to engage effectively with all of our communities and maximise public trust and confidence.

Accordingly, all the identified priorities for the policing of West Lothian have been aligned to the themes within the West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013 to 2023 and the relevant outcomes centre on the reduction of harm in our communities.

The relationships between outcomes, themes and police priorities are illustrated in the following 2 tables;

Table 1 – Better Outcomes for Communities

People most at risk are protected and supported to achieve improved life chances

West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013 to 2023

| Theme as per West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013 to 2023 | Identified Police Priority | Short Term Police Outcome |
|--|---|--|
| Protecting People | Child protection | Children at risk are safer and less vulnerable |
| | Child sexual abuse & exploitation | Children at risk are safer and less vulnerable |
| | Missing persons | To reduce the harm and instances |
| | Sexual crimes | To reduce the harm |
| | Adults at risk | Adults at risk are safer and less vulnerable |
| | Financial harm including doorstep crime & fraud | To reduce the instances and harm |
| | Cyber crime | To reduce the harm |
| | Housebreakings and theft | To reduce the instances and harm |

Table 2 - Better Outcomes for Communities

We live in resilient, cohesive and safe communities

West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013 to 2023

| Theme as per West Lothian Community Planning Partnership Local Outcome Improvement Plan 2013 to 2023 | Identified Police Priority | Short Term Police Outcome |
|--|-----------------------------------|--|
| Reducing Antisocial Behaviour & Hate Crime | Antisocial behaviour & hate crime | To reduce the harm |
| Reducing Violence | Domestic abuse | To reduce the harm |
| | Crimes of violence | To reduce the harm caused by public and private space violence |
| Tackling Substance Misuse | Misuse drugs & alcohol | To reduce the harm |
| Reduce Home, Fire and Road Casualties | Road casualties | To reduce the instances and harm |
| Tackling Serious and Organised Crime and Counter Terrorism | Drugs, financial harm & fear | To reduce the harm |
| | Extremism & terrorism | To reduce the risk |

6. Achieving Priorities & Outcomes

The following pages demonstrate how we will practically achieve priorities and outcomes through policing in collaboration with partners and communities.

Achieving Priorities & Outcomes

Child Protection, Child Sexual Abuse & Exploitation, Missing Persons, Sexual Crimes, Adults at Risk, Financial Harm including Doorstep Crime and Fraud, Cyber Crime, Housebreakings and Theft

To ensure people most at risk are protected and supported to achieve improved life chances we will ...

- Be open, responsive and accountable to victims, witnesses and communities, giving them an effective voice and working to develop new ways to meet their needs such as a better understanding of cultural and diversity requirements;
- Protect victims and the most vulnerable within our communities, working in partnership, sharing relevant information and taking collaborative action as a partnership to support these individuals by providing education, support, intervention and referral, making it easier for victims of crime to get help and support;
- Enhance our investigations into missing people and provide appropriate support to individuals and families;
- Remain committed to the development of strong partnerships in order to protect children and young people and to promote wellbeing within our communities through referral, early effective intervention, education and enforcement. Through the proactive sharing of information, identify those most exposed to risk allowing us to implement effective measures for their protection.

CASE STUDY - “Fearless” Campaign & Operation Sandorne

In West Lothian a rolling programme to deliver the ‘Fearless’ campaign across all of West Lothians high schools continues aimed at educating and encouraging 11-16 year olds to speak out about crime. An anonymous reporting system run by Crimestoppers, Fearless provides a bespoke website offering advice, help and support to young people on the issues surrounding crime and criminality as well as a safe place to provide anonymous information regarding crime and its perpetrators.

Supported further by online media resources including Facebook and Twitter, providing a variety of videos, workbooks and school learning materials, Fearless is now being integrated within the curriculum for excellence reinforcing empowerment through education. See www.fearless.org

Operation Sandorne is an ongoing initiative in West Lothian, aimed at targeting drug dealing amongst schoolchildren, complimenting the prevention aspect of the Fearless campaign through robust enforcement. Formed following the suspected drugs-death of a school pupil who died after taking ecstasy tablets supplied by another pupil, Operation Sandorne delivers a zero tolerance approach to drug dealing within this peer group, with police officers taking fast executive action in response to information regarding drug dealing alongside effective interventions for those children and young persons identified as being involved in drugs supply.

Providing a multi agency approach to drug supply, supporting interventions and prevention through education, Operation Sandorne has had considerable success, including the recovery of drugs with a street value of £71,240 to date. Through collaboration with partners these schemes help empower children and young persons to make better more informed decisions about their lives.

Awaiting quote from Education.

CASE STUDY - Looked after Children as Missing Persons

In West Lothian, we recognised that looked after children were, by the very nature of their age and circumstances, a particularly vulnerable group within our communities and at even greater risk of harm if they became a missing person. (The term 'looked after children' refers to children and young people who are in care or accommodated).

Although the vast majority of missing persons return or are found quickly, missing children are at an increased risk of exposure to physical, emotional and sexual abuse and we must ensure we do all that we can in West Lothian to prevent children from going missing in the first instance and reduce the risk of exposure to harm whilst missing.

The introduction of the Missing Person Local Partnership framework together with the National Missing Person Strategy facilitates the provision of a consistent response to looked after children missing from residential units and foster care settings using the principles of Getting It Right For Every Child (GIRFEC; National approach to improving the wellbeing of every child).

In West Lothian, we recognise that tackling this issue requires a multi-agency response together with co-ordination across a range of policy areas with partners. Supported by the national framework and strategy, regular meetings are held with representatives from Education, Child Protection, Youth Inclusion and other third sector agencies that receive Community Safety partnership funding as well as senior staff from each of our residential establishments to share information, and work together to identify and address the often complex and interconnected issues that contribute to each child going missing. This allows us to reach collectively informed decisions to reduce the likelihood of these children going missing again.

By working together to protect children and minimise the harm they may experience, this process identifies those children most at risk of harm or, an increased likelihood of offending behaviour whilst missing, and aims to implement early intervention and medium and longer term strategies which enables those children to reach positive destinations beyond the horizons of their care home setting.

CASE STUDY - Financial Harm, Operation Monarda

In West Lothian we continue to successfully deliver Operation Monarda, a high profile national campaign, delivered locally to tackle all forms of bogus callers and associated doorstep crime. These crimes have a devastating impact on the lives of their victims, particularly the elderly and vulnerable and can have potentially serious consequences for their life chances.

This campaign sees police work in partnership with a range of agencies including Trading Standards, The Department of Work and Pensions, Vehicle and Operator Services Agency (VOSA), the DVLA, UKBA and HMRC focussing on prevention through locally delivered education and media campaigns.

Working with partners to deliver high profile media campaigns through the distribution of literature to the public, private and third party sectors to help raise awareness of the prevalence of financial crime and what to look out for helps our community in employing preventative measures. This also assists Police Scotland in the gathering of intelligence to identify emerging threats, prevent crime and apprehend offenders.

In addition to prevention, robust, multi-agency enforcement days are held which sees the deployment of officers utilising a range of policing tactics to specifically target the perpetrators of these crimes, disrupting and detecting criminality.

Reducing the number of individuals affected by doorstep crime, Operation Monarda keeps vulnerable groups safe and empowers our local communities.

Achieving Priorities & Outcomes

Antisocial Behaviour, Hate Crime, Domestic Abuse, Crimes of Violence, Misuse of Drugs & Alcohol, Road Casualties, Drugs Financial Harm & Fear, Extremism & Terrorism

To ensure **we live in resilient, cohesive and safe communities** we will ...

- Work with partners to prevent and reduce criminality, ensuring that the most vulnerable members of our communities are protected, focussing on the offences and offenders that cause the greatest harm, whilst ensuring our staff and services are accessible and responsive;
- Work in partnership to prevent and reduce the instances of domestic abuse and crimes of violence through effective early intervention, enforcement and education, identifying those perpetrators who present the greatest risk of harm, actively targeting and utilising all available methods to reduce the threat posed by them;
- Tackle criminality and the misuse of drugs and alcohol through effective early intervention, education and enforcement ensuring victims and perpetrators are referred and signposted to the relevant support agencies to minimise the opportunity of repeat victimisation and offending;
- Continue to work intelligently with partners and communities to tackle the issues surrounding antisocial behaviour, focussing on those most affected by this and reducing the distress caused to our communities;
- Influence road user behaviour and improve road safety awareness through education, initiatives, activities and enforcement;
- Prevent Serious organised crime and target, disrupt and deter those involved;
- Protect our communities from the threat of terrorism, contributing fully to the UK Government CONTEST Strategy in respect of terrorism locally, across the region, nationally and internationally.

CASE STUDY - West Drive

Across West Lothian road safety is a priority, with young drivers being overrepresented in many serious and fatal road accidents. It is therefore important through education to ensure that young drivers understand that the skill of driving comes with a responsibility to keep people safe.

With many serious and fatal accidents occurring on rural roads, where the cause of the collision can be attributed to driver behaviour, helping young drivers develop excellent driving skills and an awareness of safety issues is important for the continuous improved safety of our road networks.

To address the issues surrounding young drivers, a programme of events to emphasise risk and support good driving behaviour is provided for all senior pupils at high schools across West Lothian. Working with partners including Transport Scotland, the Scottish Fire and Rescue Service, the Scottish Ambulance Service, local cycling groups, West Lothian Community Safety Unit and third party organisations, Police Scotland deliver an educational event which includes a theatre performance, followed by group discussion and debate surrounding the issues arising from the play as well as inputs from partners regarding their experiences when attending road traffic collisions. The Police Scotland Roads Policing Unit provides information on some of the responsibilities that young drivers have and the potential consequences of ignoring these. Following this formal session, attendees interact with representatives from all agencies, stimulating discussion and an enhanced awareness of the dangers that can be faced on our roads.

Having run for several years this programme is very successful with 76% of attendees stating the event would have a direct impact on their driving and feeling more able to challenge other road users behaviour as a result.

Positive feedback from this year's event has been received from staff across West Lothian with the Head of Senior House at St Margaret's Academy stating *'It was a great event. The cyber goggles the pupils loved and found very realistic. Would love to bring them into school.'*

CASE STUDY - Domestic Abuse, the Disclosure Scheme

The Disclosure Scheme for Domestic Abuse in Scotland was introduced in 2015, aimed at providing a formal approach to the sharing of relevant information to potential victims of domestic abuse about their partners abusive past by providing them with a 'right to ask' and Police Scotland with a 'power to tell'.

In West Lothian, Local Decision Making Forums, comprising Police Scotland Domestic Abuse Task Force officers, Social Work Services and third sector agencies including the West Lothian Domestic and Sexual Abuse Team, work together to consider whether to disclose information regarding a persons criminal past. This is designed to enable the partner of a previously violent or abusive individual to make informed choices about whether and how to continue in that relationship. The scheme operates at both a local and national level and provides a formal mechanism for the better management of risk.

The scale of the problem of domestic abuse cannot be overstated and in West Lothian we continue our determined fight against the harm it causes.

This scheme compliments our existing policies and procedures, helping the most vulnerable members of our communities, providing them with the information and support they require to make informed choices in their lives.

CASE STUDY – Prevent E-Learning Package – Counter Terrorism

Police Scotland is committed to protecting communities by reducing and mitigating the risk and impact of terrorism to Scotland and its communities. Vulnerable individuals in our communities may be at an increased risk of radicalisation and extremism.

By creating a working group utilising specialist officers at a regional and divisional level and partners in education, NHS, Scottish Ambulance Service, utility companies, etc. the Lothian and Scottish Borders produced a bespoke 'Prevent' E Learning package for partners from the ground-up. This package was produced with the aim of stopping individuals becoming radicalised by extremists by including and working with partners in education, faith, health and criminal justice and supporting them to recognise potential risks and enabling them, through their workforce, to address those risks in the best way.

The E-learning package has provided a consistent approach to training in this important area and over 3,000 local authority staff have completed the training course so far, including West Lothian, reducing the risk of vulnerable individuals becoming radicalised, and extremism and terrorism in our communities.

7. Measuring Success

As previously indicated, this 2017-2020 Local Police Plan represents the beginning of a move from short-term 3-year objectives to a focus on longer-term outcomes. Accordingly, these outcomes will not be fully achieved during the lifetime of this Plan.

There are many factors that influence short-term performance, but to allow for appropriate scrutiny, performance indicators have been identified from Police Scotland Quarterly Management Information that reflect a better focus on outcomes.

In monitoring progress towards outcomes, these police performance indicators should be considered in context with partner indicators within the Local Outcome Improvement Plan.

Police Performance Indicators are listed in Appendix 1.

8. Contact Us

Local Contact Details:

Livingston Police Station
West Lothian Civic Centre
Livingston
EH54 6FF

Telephone number: Single Non-Emergency, Number 101

Email: For all non-emergency issues or enquiries relating to Police business, you can contact us via:
mailto:WestLothianLPP@scotland.pnn.police.uk

This group email address is provided for you to discuss non-urgent local policing issues. It should not be used to report a crime or incident.

For information about your local Community Policing Team and other services that Police Scotland provides, please refer to the Force website at: <http://www.scotland.police.uk/>

We are here to help

- If you have any concerns or issues you wish to discuss, contact your local Community Policing Team.
- Dial 999 for an emergency that requires urgent police attention.
- For non-emergency contact, call 101, the single non-emergency number.
- If you have information about crime in your area and wish to provide it anonymously, call CRIMESTOPPERS on 0800 555 111
- Service users who are deaf or have a hearing impairment can contact Police Scotland via TextRelay in an emergency on 18000 or non-emergency on 18001 101.

Social Media: [#keepingpeoplesafe](#) / Twitter: <http://twitter.com/policescotland> / Facebook: <http://facebook.com/policescotland>

9. Appendix 1 – Police Performance Indicators

People most at risk are protected and supported to achieve improved life chances

Missing Person Incidents - Source: Quarterly Management Information

Sexual Crime (Group 2) Crime Rate per 10,000 population - Source: Quarterly Management Information

Housebreakings & Theft (Group 3) Crime Rate per 10,000 population - Source: Quarterly Management Information

We live in resilient, cohesive and safe communities

Antisocial Behaviour Incidents per 10,000 population - Source: Quarterly Management Information

Racially Aggravated Conduct per 10,000 population - Source: Quarterly Management Information

Domestic Abuse Incidents - Source: Quarterly Management Information

% Domestic Abuse Incidents that result in crime report - Source: Quarterly Management Information

Serious Assault (Group 1) Crime Rate per 10,000 population - Source: Quarterly Management Information

Road Casualties - Source: Quarterly Management Information



West Lothian
Council

COUNCIL EXECUTIVE

WEST LOTHIAN STRATEGIC HOUSING INVESTMENT PLAN 2017-2023

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To seek approval for West Lothian Council's Strategic Housing Investment Plan (SHIP) 2017 - 2023.

B. RECOMMENDATION

It is recommended that Council Executive

1. approves the Strategic Housing Investment Plan (SHIP) attached as Appendix 1;
2. notes that over a 10 year period from 2012 to 2022, the aim will be to deliver 3,000 affordable homes with the majority being council houses. The establishment of a Homes for West Lothian Partnership with all housing associations in the area will assist with the delivery of this scale of housing;
3. notes that the council is consulting on a rent strategy for the period 2018/19 to 2022/23. The outcome of the consultation will inform the decision on the scale of any future new build council house programme;
4. notes that the levels of grant funding for affordable housing delivery for the period 2018-2021 have increased from previous years and that this will facilitate new affordable housing by a variety of providers;
5. notes the infrastructure projects identified for future consideration by Scottish Government for grant and loan funding; and
6. notes that the SHIP requires to be submitted to the More Homes Division of the Scottish Government once it is approved by Council Executive.

C. SUMMARY OF IMPLICATIONS

| | | |
|-----------|---|---|
| I | Council Values | Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership |
| II | Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk) | A Strategic Environmental Assessment pre-screening report and Equality Impact Assessment were carried out on the SHIP. |

Assessment)

| | | |
|-------------|---|---|
| III | Implications for Scheme of Delegations to Officers | N/A |
| IV | Impact on performance and performance Indicators | Performance indicators have been included in the SHIP |
| V | Relevance to Single Outcome Agreement | We live in resilient, cohesive and safe communities. |
| VI | Resources - (Financial, Staffing and Property) | The SHIP sets out potential opportunities to deliver affordable housing. The actual level of delivery will depend on the level of council resource and government grant available. The council has resources in place to complete the 1,000 new build council houses programme and will consider the potential for additional resources to be allocated when a new long term housing capital programme is approved. |
| VII | Consideration at PDSP | A report was put to PDSP on 23 rd October. A verbal update will be given at the Council Executive meeting. |
| VIII | Other consultations | Consultation has taken place with Housing Associations operating in West Lothian, with Scottish Government More Homes Division, Planning Services and with Finance and Property Services. |

D. TERMS OF REPORT

D.1 Background

The Scottish Government has requested that all Local Authorities submit a 5 year Strategic Housing Investment Plan (SHIP) which will augment their current Local Housing Strategies. This will now be done annually. The major objective of the SHIP is for Local Authorities, in conjunction with Registered Social Landlords (RSLs), to ascertain the viability of current and future social housing investment opportunities. The SHIP should relate to the Single Outcome Agreement (SOA) between the local authority and central government. It should be consistent with other strategies within the West Lothian Local Housing Strategy (LHS) on matters such as homelessness, housing support and private sector policy.

The Government's More Homes Division will monitor each SHIP submission and determine in conjunction with Local Authorities the best investment possibilities. This is based on analysis of the relevant merits and potential constraints for the development options provided by each Local Authority. The council currently works closely with the Government's More Homes Division to support Housing Associations in West Lothian.

The SHIP also gives the latest progress on the council's new build council housing programme.

Purpose and Engagement

The SHIP demonstrates the manner in which West Lothian Council's affordable housing investment priorities will be developed in practice. Consultation has taken place with a number of organisations involved in the development of affordable housing in West Lothian, notably WLC Planning and the RSL community.

The SHIP provides:

- An opportunity to set out key investment priorities for affordable housing and demonstrate how these will be delivered
- Identifies resources which help deliver these priorities
- Sets out the involvement of partners
- Further co-ordination between the LHS and the individual RSL's future development funding plans

D.2 Update on SHIP 2017-2022

It is proposed that a "Homes for West Lothian Partnership" will be set up with all the Housing Associations in the area to create a coordinated strategy of land assembly, finance, construction planning and targeted provision of homes based on need. A target of 3,000 affordable homes has been set for the period 2012-2022.

Over the period 2012/13 to 2016/17, 1,056 affordable homes were provided in West Lothian. In addition, there is commitment to provide 1,029 affordable homes during 2017/18 and 2018/19.

This leaves a shortfall of 915 affordable homes to be planned for over the term of this Administration to meet the 3,000 affordable homes being delivered over a 10 year period to 2022. The council has already provided, or committed to provide, 1,708 affordable council homes over the 10 year period to 2022.

It is anticipated that RSLs will play a role in addressing the 915 shortfall. Since the last SHIP, 22 homes have been developed by RSLs and West Lothian Council has completed 101 homes.

Scottish Government has confirmed funding of £8.9 million for 2017/18, £11.397 million for 2018/19, £12.894 million for 2019/20 and £13.757 million for 2020/21.

Prudential Borrowing of £32.717million has been secured to support the new build council housing programme for 2017/18.

A new Local Housing Strategy 2017-2022 is being developed and it is proposed that this will be in place during 2017.

D.3 SHIP priorities

The main priorities identified in the SHIP are to:

- Develop those projects that are already committed, including the continued development of new build council housing.
- Progress development in the Core Development Areas
- Promote housing regeneration in specific locations

Specific housing investment projects both approved and speculative are submitted by RSLs and are principally categorised by timescale, locality, house tenure, number of units and cost. The council will continue to give priority to sites in West Lothian in high demand areas including the Core Development Areas. Funding allocations will be based on best value principles.

West Lothian Development Alliance (WLDA) has identified 14 potential sites for development over the period that could accommodate up to 322 homes. Places for People have identified 10 potential sites for 251 homes.

Wheatley Group has identified 15 potential sites in West Lothian for 670 homes. Scottish Government provide one third of the grant directly to Wheatley from its core budget whilst the other two thirds are funded through the West Lothian Affordable Housing Supply Programme.

The council will be consulting on the rent strategy over the coming months and the outcome of this consultation will determine the decision on the scale of any future new build council housing programme.

A provisional list of sites have been identified that could be included in a future new build council housing programme

| Site | Number of homes |
|------------------------------|-----------------|
| Vion, Broxburn | 12 |
| Standhill, Bathgate | 24 |
| Brucefield, Livingston | 26 |
| Mossend, West Calder | 69 |
| Drumshoreland, Uphall Staton | 39 |
| Guildyhaugh, Bathgate | 50 |
| Eagle Brae, Livingston | 30 |

A number of other sites have been identified for potential future affordable housing development. These sites could accommodate up to 445 homes should funding be available.

The funding from second and empty homes Council tax can be used to support new build affordable housing. This is estimated at £200,000 per annum. The amount of funding for commuted sums is estimated at £250,000 per annum.

D.4 Housing Infrastructure Fund

Through the SHIP there is the opportunity to identify housing projects that could benefit from the Scottish Government Housing Infrastructure Fund. This fund is intended to support housing projects that have stalled or have not started due to infrastructure constraints.

The fund will support the delivery of housing through financial assistance. Priority will be given to those projects delivering affordable and private rented housing over the next 5 years.

The council has consulted with housing associations and private sector developers in drawing up a list of potential bids for infrastructure funding.

Scottish Government has agreed in principle to provide loan funding for the Heartlands development to develop a road. This should enable further housing

development to proceed. The CDA at Winchburgh may benefit from funding for infrastructure delivery including a motorway junction, rail station and access roads.

The council is proposing that the following sites be considered for infrastructure grant funding:

Drumshoreland, Pumpherston
Mossend, West Calder
Candleworks, Broxburn
Deans South, Livingston

If successful, the funding would be used to construct access roads to open up future development sites.

E. CONCLUSION

RSL partners have identified a number of development opportunities and the Council also has an ambitious programme of new build Council housing. The provision of resource planning assumptions enables the Council and RSL partners to develop a more strategic approach to the development of sites in West Lothian. However, the funding available is limited and priorities for the funding have to be identified.

F BACKGROUND PAPERS

Council Executive 6th December 2016 West Lothian Strategic Housing Investment Plan 2017 - 2022

Services for the Community Policy Development and Scrutiny Panel 22nd November 2016 West Lothian Strategic Housing Investment Plan 2017-2022.

Council Executive 15th March West Lothian Strategic Housing Investment Plan 2015-2020

Services for the Community Policy Development and Scrutiny Panel 16th February 2016 West Lothian Strategic Housing Investment Plan 2015-2020

Appendices/Attachments: 1

Contact Person: Gillian Edwards 01506 281376 gillian.edwards@westlothian.gov.uk

Alistair Shaw

Head of Housing Customer and Building Services

24 October 2017



Strategic Housing Investment Plan

**2017-2023
DRAFT**

October 2017

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1. Executive Summary

West Lothian Council's Strategic Housing Investment Plan (SHIP) identifies priorities for investment over a 5-year period from 2017 – 2023.

The core funding is already in place to deliver:-

- The current West Lothian Council New build Programme of 1000 homes. This started on site in Summer 2013 and will be completed in 2019. At the end of August 2017, 145 houses in this project have been completed with 751 under construction. Eight sites have been fully completed and work has commenced on a further 12 sites.
- An RSL programme in West Lothian continues to develop and deliver new build housing with 61 homes completed in 2016/17 and 22 homes completed 2017/18.

In addition to the current programmes, a number of potential development opportunities have been identified should additional funding from the Scottish Government be made available over the next 5 years.

2. Background

Local Authorities are required to produce a Strategic Housing Investment Plan (SHIP) to supplement their Local Housing Strategy. The purpose of the SHIP is to set out how the investment in affordable housing will be directed over a five year period, in this case, 2018–2023. This is the ninth SHIP that West Lothian Council has produced and it has been developed in line with revised guidance issued by the Scottish Government.

The SHIP informs the local development plan through identifying sites that can be developed for affordable housing.

West Lothian Council's SHIP sets out the affordable housing investment priorities for the area as identified in the new draft Local Housing Strategy 2017-2022. It demonstrates how these investment priorities will be delivered and the resources required. The SHIP sets out the national and local context by identifying West Lothian Council's investment priorities; the approach being taken to the delivery of these priorities; outlines potential risks and constraints; and how these can be mitigated.

Strategic Context

West Lothian Local Housing Strategy 2017-2022 is being prepared and contains a target of 3,000 affordable homes being delivered between 2012 and 2022. 2,085 of these have already been constructed or are committed leaving a shortfall of 915 to be planned for.

The Need for Affordable Housing in West Lothian

There is an identified need for quality affordable housing in West Lothian.

- As at August 2017 there were 9,406 applicants on the Common Housing Register for social rented housing. Some RSLs operating in West Lothian also hold their own waiting lists.
- In April 2012, the council abolished the priority need test in relation to homelessness applications and revised operational processes accordingly.
- The council's allocation policy was reviewed in 2015.

A Housing Need and Demand Assessment has been completed with councils in the SESPLAN area (City of Edinburgh, Midlothian, East Lothian, West Lothian, South Fife and Scottish Borders). The

HNDA 2 received robust and credible status from the Centre for Housing Market Analysis in March 2015.

The report estimates that for the period 2012-32, between 127,841 and 184,229 additional new units of housing are required across the SESplan area.

There is a tenure breakdown based on the likely growth scenarios. This indicates that the largest amount of growth is likely to be in the rental sector (both social and private) with growth in owner occupation being modest. The estimate for West Lothian is for 'modest increases' with a 3.6% average annual growth rate in rental prices compared with a 3.5% average annual growth rate in house prices.

The West Lothian Local Development Plan (LDP) has been published and has been submitted to Scottish Government for Examination. To comply with the Strategic Development Plan, the scale of housing required over the period 2009-2024 is 18,010 housing units across all tenures. To deliver this the main spatial strategy set out in the LDP continues with the current development strategy of supporting development in the core development areas and other strategic sites such as Heartlands (Whitburn). The LDP recommends a growth scenario that will provide an opportunity to allocate long term housing allocations in support of the preferred development strategy. The strategy would allow sites for a total of 26,037 houses (of all tenures) over the period of the LDP. The LDP proposes that in some areas, the requirement for affordable housing should increase from 15% to 25%.

Housing Supply Targets

New housing supply targets have been developed through Strategic Development Plan 2. These Housing Supply Targets will not be confirmed until they are approved by Scottish Ministers in 2018.

3 Progress since the last SHIP

a) New Build Council Housing

Good progress is being made with the remainder of the 1000 houses programme with eight sites completed and a total of 145 houses handed over and occupied at August 2017. Sites for a further 751 houses are under construction and further site starts are expected during 2017/18.

b) Other WLC Programmes

| Site | Completions 2016/17 | Completions 2017/18 |
|-----------------------------------|---------------------|---------------------|
| Rosemount Gardens, Bathgate | 30 | |
| Rosemount Court Bathgate (Refurb) | | 16 |

- c) **Other** Sites that have been identified for a further programme of new build council housing include Guildiehaugh depot, Bathgate and Eagle Brae, Livingston and sites secured via the council's affordable housing policy.
- d) As part of this SHIP we have been working closely with Social Policy colleagues to identify requirements for specialist housing provision. Discussions are underway to determine the mechanism for the possible delivery of housing for people with learning disability.

e) RSLs that develop in West Lothian

- West Lothian Development Alliance (comprising Almond Housing Association, Horizon Housing Association and Weslo Housing Management)
- Wheatley Group (Comprising West Lothian Housing Partnership and Dunedin Canmore Housing Association)
- Places for People (comprising Castle Rock Edinvar Housing Association and Places for People Scotland)

f) Shared Equity Programmes

Many people have been assisted through the Open Market Shared Equity Programme (OMSE). In 2016/17 in West Lothian, there were 246 purchases with Scottish Government support of £9.85 million. Demand for this programme remains high. This programme has assisted a number of homeowners in Deans South to purchase new property.

The Scottish Government's Help to Buy (Scotland) scheme in West Lothian has assisted 470 purchasers between Oct 2013 and March 2016 with loans amounting to £18.3 million. (No update to March 2017)

4 Prioritising the SHIP programme

There are three strands of future social housing provision:

- The Council's new build programme,
- RSL programme funded by the Scottish Government
- The Council's Affordable Housing Policy.

Priorities for Funding

The draft Local Housing Strategy 2017-2022 identified priorities for affordable housing investment. These are noted below.

| Area Priority for Investment |
|--|
| Priority 1 Broxburn, East Livingston & East Calder, Linlithgow, Livingston North, Livingston South, Uphall and Winchburgh |
| Priority 2 Armadale & Blackridge, Bathgate, Whitburn & Blackburn, |
| Priority 3 Fauldhouse & Breich Valley, |

This priority for investment will be reflected in the ongoing review of the council's affordable housing supplementary guidance. The priorities reflect the approach to housing development set out in the West Lothian Local Development Plan.

The priority for the SHIP programme is to develop those sites that already have a funding commitment. The council will continue to give priority to sites in West Lothian in high demand areas and Core Development Areas. Funding allocations will be based on best value principles.

a) West Lothian Council's new build programme

The council has agreed to develop 1000 council houses between 2012 and 2017. The council has set a capital budget of £115 million for the new homes. As part of the new build council housing programme, the council has identified 26 sites for 1000 new build council houses. The first 145 homes of the programme have been completed, 751 are under construction 37 have planning consent and a further 63 are at design stage.

RSL Programme -

RSLs in West Lothian have identified sites for 1163 homes for development over the period 2018-2023. The sites are noted at table c.

The priority has been determined on the basis of location and the sites being capable of development over the short term. Further consideration will be given to sites that can be brought into the programme in the longer term.

The majority of RSL sites are in either Priority 1 or Priority 2 areas. The SHIP has been developed to allow flexibility and ensures that sites can come forward should additional resources become available.

b) Further Joint Working

Over a 10 year period from 2012 to 2022, the aim will be to deliver 3,000 affordable homes with the majority being council houses. The establishment of a Homes for West Lothian Partnership with all housing associations in the area will assist with the delivery of this scale of housing.

The following projects have been identified as a priority;

- Deans South, Livingston – The council will explore if RSL involvement in the continued redevelopment of the estate is a possibility.
- Core Development Areas. Progress is being made on the Core Development Areas (CDAs) in at Winchburgh, Calderwood, Mossend and Armadale. Developers have approached RSLs to discuss opportunities for development in the CDAs and discussions are ongoing. Two sites at Winchburgh are currently being developed for affordable housing. one for the council and the other for Wheatley. Four sites at the Calderwood CDA in East Calder have also been made available and are being developed by the Castle Rock Edinvar. Priority will continue to be given to affordable housing delivery in the CDAs over the next five years.

c) RSL Programme (Year of Funding Required)

| | Site | 16/17 Social Rent | 16/17 Other (MMR/ Shared equity) | 17/18 Social Rent | 18/19 Social Rent | 18/19 Other (MMR/ Shared equity) | 19/20 Social Rent | 19/20 Other (MMR/ Shared equity) | 20/21 Social Rent | 20/21 Other (MMR/ Shared equity) | 21/22 Other (MMR/ Shared equity) |
|-----------------------------------|---|----------------------------------|---|----------------------------------|----------------------------------|---|----------------------------------|---|----------------------------------|---|---|
| West Lothian Development Alliance | North Street, Armadale | | | | 18 | | | | | | |
| West Lothian Development Alliance | Former Gas site, Armadale | | | | | | 24 | | | | |
| West Lothian Development Alliance | Southdale, Armadale | | | | 63 | | | | | | |
| West Lothian Development Alliance | Burnside Yard, Bathgate | | | | 15 | | | | | | |
| West Lothian Development Alliance | Waverley Garage, Mill Road, Bathgate | | | | 27 | | | | | | |
| West Lothian Development Alliance | Waverley Depot, Waverley Street, Bathgate | | | | 14 | | | | | | |
| West Lothian Development Alliance | Main Street, Bathgate | | | | 12 | | | | | | |
| West Lothian Development Alliance | Bathgate, Steelyards | | | | | | 12 | | | | |
| West Lothian Development Alliance | St Paul's Church, Livingston | | | | 12 | | | | | | |
| West Lothian Development Alliance | Central Livingston site | | | | | | 20 | | | | |

| | Site | 16/17 Social Rent | 16/17 Other (MMR/ Shared equity) | 17/18 Social Rent | 18/19 Social Rent | 18/19 Other (MMR/ Shared equity) | 19/20 Social Rent | 19/20 Other (MMR/ Shared equity) | 20/21 Social Rent | 20/21 Other (MMR/ Shared equity) | 21/22 Other (MMR/ Shared equity) |
|-----------------------------------|-------------------------------|-------------------------|--|-------------------------|-------------------------|--|-------------------------|--|-------------------------|--|--|
| West Lothian Development Alliance | Curling Pond Lane, Longridge | | | | | | 32 | | | | |
| West Lothian Development Alliance | Polbeth, church site | | | | 8 | | | | | | |
| West Lothian Development Alliance | Polbeth Farm (other funding) | | | 25 | | | | | | | |
| West Lothian Development Alliance | Stoneyburn, off Dalziel Court | | | | | | | | 40 | | |
| Castle Rock/Edinvar | Calderwood LKg | | | | 40 | | | | | | |
| Castle Rock/Edinvar | Calderwood site CWb | | | | 40 | | | | | | |
| Places for People | Calderwood site CWb | | | | | 20 | | | | | |
| Castle Rock/Edinvar | Calderwood site CWc | | | | | | 20 | | | | |
| Places for People | Calderwood Site OSD | | | | | | | 23 | | | |
| Castle Rock Edinvar | Quentin Court, Livingston | | | 18 | | | | | | | |
| Castle Rock/Edinvar | Avant, Arnadale | | | 27 | | | | | | | |
| Castle Rock/Edinvar | Brotherton Farm, Livingston | | | | 17 | | | | | | |
| Places for People Scotland | Brotherton Farm, Livingston | | | | 6 | | | | | | |
| Places for People Scotland | Deans South, Livingston | | | | | | | | | 40 | |

| | Site | 16/17 | 16/17 | 17/18 | 18/19 | 18/19 | 19/20 | 19/20 | 20/21 | 20/21 | 21/22 |
|----------------------------------|-----------------------------|----------------|-------------------------------------|----------------|----------------|-------------------------------------|----------------|-------------------------------------|----------------|-------------------------------------|-------------------------------------|
| | | Social Rent | Other (MMR/ Shared equity) | Social Rent | Social Rent | Other (MMR/ Shared equity) | Social Rent | Other (MMR/ Shared equity) | Social Rent | Other (MMR/ Shared equity) | Other (MMR/ Shared equity) |
| West Lothian Housing Partnership | Jarvey Street, Bathgate | | 42 | | | | | | | | |
| West Lothian Housing Partnership | Winchburgh | 55 | | | | | | | | | |
| West Lothian Housing Partnership | Dixon Terrace, Whitburn | | | 85 | | | | | | | |
| West Lothian Housing Partnership | Redhouse Road, Seafield | | | | 9 | | | | | | |
| West Lothian Housing Partnership | Redhouse Road, Seafield | | | | | 9 | | | | | |
| West Lothian Housing Partnership | Winchburgh Phase 2 | | | | | | | | | | 63 |
| West Lothian Housing Partnership | Glasgow Road, Bathgate | | | | | | | | 42 | | |
| West Lothian Housing Partnership | Jarvey Street, Bathgate | | | | | | 12 | | | | |
| West Lothian Housing Partnership | Heartlands Phase1, Whitburn | | | | 75 | | | | | | |
| West Lothian Housing Partnership | Kirk Lane, Livingston | | | | | | 8 | | | | |

| | Site | 16/17 Social Rent | 16/17 Other (MMR/ Shared equity) | 17/18 Social Rent | 18/19 Social Rent | 18/19 Other (MMR/ Shared equity) | 19/20 Social Rent | 19/20 Other (MMR/ Shared equity) | 20/21 Social Rent | 20/21 Other (MMR/ Shared equity) | 21/22 Other (MMR/ Shared equity) |
|----------------------------------|--------------------------------|-------------------------|--|-------------------------|-------------------------|--|-------------------------|--|-------------------------|--|--|
| West Lothian Housing Partnership | Deans South, Livingston | | | | | | 83 | | | | |
| West Lothian Housing Partnership | Deans South Livingston | | | | | | | 27 | | | |
| West Lothian Housing Partnership | Armadale Plot 2 | | | | | | 14 | | | | |
| West Lothian Housing Partnership | Almondvale, Livingston Phase 2 | | | | 98 | | | | | | |
| West Lothian Housing Partnership | Almondvale, Livingston Phase 2 | | | | | 48 | | | | | |

d) WLC future sites – These sites are identified for a future development by WLC

| Site | Number of Units | Tenure | Timescale for Approval |
|------------------------------|-----------------|-------------|------------------------|
| Vion, Broxburn | 12 | Social Rent | 2020/21 |
| Standhill, Bathgate | 24 | Social Rent | 2019/20 |
| Brucefield, Livingston | 26 | Social Rent | 2020/21 |
| Mossend, West Calder | 69 | Social Rent | 2019/20 |
| Drumshoreland | 39 | Social Rent | 2020/21 |
| Guildyhaugh, Bathgate | 50 | Social Rent | 2019/20 |
| Eagle Brae Depot, Livingston | 30 | Social Rent | 2019/20 |

e) **Other Sites** - A number of other sites have been included in the programme. The housing provider for these homes will be confirmed in due course.

| Site | Number of Units | Tenure | Timescale for Approval |
|---|-----------------|--------|------------------------|
| Winchburgh CDA | 130 | TBC | 2020/21 |
| Guildyhaugh, Bathgate | 50 | TBC | 2020/21 |
| Trim Track, Livingston | 25 | TBC | 2020/21 |
| Candleworks, Broxburn | 25 | TBC | 2020/21 |
| Houston Road, Livingston | 15 | | 2020/21 |
| Persimmon, Raw Holdings, East Calder | 63 | TBC | 2020/21 |
| Cala, Raw Holdings, East Calder | 75 | TBC | 2020/21 |
| Burnlea Place, Meadow Place, Stoneyburn | 25 | TBC | 2020/21 |

f) **Open Market Acquisitions** - It is also proposed that there will be 70 homes acquired from the open market to increase affordable housing supply in West Lothian.

g) Summary of Investment

| | 2017/18 £M | 2018/19 £M | 2019/20 £m | 2020/21 £M | 2021/22 | 2022/23 |
|--|-------------------|-------------------|-------------------|-------------------|----------------|----------------|
| Affordable Housing Supply Programme indicative planning figures | 8.900 | 11.397 | 12.894 | 13.757 | TBC | TBC |
| Slippage estimated at 25% | 3.00 | 2.849 | 3.22 | 3.44 | TBC | TBC |
| WLC Prudential Borrowing | 32.717 | 15.073 | 9.433 | TBC | TBC | TBC |
| WLC Council Tax on second and Empty Homes | 0.200 | 0.200 | 0.200 | 0.200 | 0.200 | 0.200 |
| WLC Commuted Sums | 0.250 | 0.250 | 0.250 | 0.250 | 0.250 | 0.250 |

h) Housing Infrastructure Fund Projects

As part of the SHIP, projects that require infrastructure funding can be included. Projects for the council or an RSL may be supported by Scottish Government grant, private sector projects may be supported by loans. Scottish Government has shortlisted the Heartlands development in Whitburn as potentially being suitable for an infrastructure loan. The council has identified a number of other projects for future consideration including Guilדהaugh, Bathgate, Eagle Brae, Livingston and Deans South, Livingston.

| WLC Projects (Grant Funded) | | | |
|-------------------------------|-----------------|--|--|
| Site | Number of Units | Infrastructure Requirement | Amount of Grant Funding Required £m |
| Drumshoreland, Pumpherston | 460 | Additional access road | 0.925 |
| Mossend, West Calder | 125 | Additional access road | 0.800 |
| Candleworks, Broxburn | 100 | Additional access road | 0.700 |
| Deans South, Livingston | 180 | Service diversions and provision of utilities. | 1.260 |

Three private sector housing projects have been identified for £40.960million of infrastructure loan funding during 2017/18 and 2018/19. The Scottish Government has not yet decided if these are to be funded.

| Private Sector Projects (Loan Funded) | | | |
|---------------------------------------|-----------------|---|------------------------------------|
| Site | Number of Units | Infrastructure Requirement | Amount of Loan Funding Required £M |
| Heartlands | 950 | Distributor Road | 6.32 |
| Winchburgh CDA | 2,950 | Motorway Junction; rail station; land remediation;utilities | 26.00 |

The list of potential projects to be considered for bids to the Scottish Government Housing Infrastructure Fund will be kept under review.

5 The Economic Climate

The housing market has shown signs of improvement in recent years.. Many of the sites that were stalled are now starting to pick up with development continuing on a number of sites, particularly in the Core Development Areas. Private sector completions increased from 279 in 2012/13 to 477 in 2016/17.

According to the Registers of Scotland, the average house price in West Lothian in June 2016 was £139,426 and in June 2017 it was £158,761. House prices in West Lothian increased by 13.8% between June 2016 and June 2017. The average house price for Scotland was £168,655 in June 2016 and £173,472 in June 2017. House prices in Scotland increased by 2.86% between June 2016 and June 2017.

<https://www.ros.gov.uk/property-data/property-statistics/monthly-house-price-statistics>

6 Welfare Reform

West Lothian Council has developed an anti-poverty strategy that sets out a series of actions to support people affected by welfare reform and those at risk of poverty. The Scottish Government's Discretionary Housing Payment is being used in West Lothian to assist with housing costs and in particular to mitigate the effects of the removal of the spare room subsidy.

A key challenge for the council and other providers is to provide smaller houses for people to move to while ensuring that there is a sufficient range of house types and sizes available for applicants and tenants not affected by welfare reform.

7 Investment in Affordable Housing

The table below shows Scottish Government historic investment levels in West Lothian between 2013/14 and 2015/16 -

| Year | Actual Expenditure (£m) |
|---------|-------------------------|
| 2013/14 | £0.887 |
| 2014/15 | £4.614 |
| 2015/16 | £10.347 |
| 2016/17 | £10.429 |

Future Resource Planning Assumptions

| Year | Indicative Planning Figure (£m) | Affordable Housing Supply Programme indicative planning figures including slippage (£m) |
|---------|---------------------------------|---|
| 2017/18 | £8.900 | £11.125 |
| 2018/19 | £11.397 | £14.246 |
| 2019/20 | £12.894 | £16.114 |
| 2020/21 | £13.757 | £17.197 |

West Lothian Council's Investment in new build Council housing

West Lothian Council is highly committed to partnership in the delivery of LHS outcomes. This is demonstrated through the provision of new build council housing and direct assistance to RSLs to enable their development proposals to proceed. Scottish Government direct funding remains important across the range of projects.

The council delivered 800 new build council homes between 2009 and 2015. This was funded with £68 million prudential borrowing and £14 million grant from Scottish Government. For the current 1000 house build programme a commitment has been given by Scottish Government to contribute grant to the majority of the homes. Grant Funding levels are likely to be in excess of £22 million. The Scottish Government provided £8.984 million to support new build council housing in 2016/17.

Mid Market Rent

Registered Social Landlords in West Lothian have completed projects for mid market rent in Bathgate and Armadale. These developments have proved popular with tenants and there is high demand for the properties. WLDA, Wheatley and Places for People have identified 224 units for mid market rent.

Other Funding

Funding from a Charitable Trust has been identified to support a project in West Lothian. The funding will support a development at Polbeth by Almond Housing Association. This is particularly beneficial to the area and will free up other funding for additional projects.

8. Development Constraints

The key development constraints centre on the provision of funding for infrastructure such as primary and secondary schools.

The Local Infrastructure Fund (LIF) has been successful in funding various infrastructure projects which have removed constraints and enabled housing to proceed. Completed projects include a new distributor road at Drumshoreland, new primary school in Armadale and school extensions in Armadale and Broxburn. The council will explore the potential to forward fund other projects to remove constraints.

Scottish Government has also launched the Housing Infrastructure Fund to accelerate new build development. Bids have been made for additional grant or loan funding to support projects that have stalled or can be brought forward. A number of projects have been identified as candidate projects to be considered for support by the Scottish Government Housing Infrastructure Fund. These are identified in the SHIP tables. RSLs and developers were made aware of the fund and the SHIP sets out those projects which would benefit from additional funding to support their delivery.

The City Deal will also assist in addressing infrastructure constraints.

While there continues to be funding constraints, it is clear that RSLs are having some success identifying projects. Challenges remain in regard to the availability of private finance for RSLs but some larger RSLs have managed to secure bond funding. In addition, there is opportunity for front funding the purchase of development sites should this be required. The majority of RSL projects coming forward in this SHIP are likely to be for social rent rather than mid market rent or shared equity. RSLs report that there are still challenging conditions in relation to shared equity projects but there is some willingness to undertake mid market rent projects due to the funding mechanisms available.

Constraints identified by RSLs include abnormal costs, demolition and site clearance and developer contributions. To assist in trying to overcome these constraints, the council will continue to work in partnership with relevant stakeholders in relation to the provision of infrastructure.

9. Collaboration across the Housing Market Area

West Lothian is a member of the South East Scotland Housing Forum and is currently chair of the forum. This group includes representation from housing and planning from the six SESPLAN member councils and Scottish Government. The group collaborated successfully to produce HNDA2 and also to develop Housing Supply Targets that are included in the Strategic Development Plan 2.

The Housing Providers Forum has been reconvened to enable RSLs in West Lothian to come together with the council to discuss key housing matters. This includes housing supply, addressing homelessness and housing input to the Housing Contribution Statement.

West Lothian Council hosted a housing delivery workshop in January 2017 to engage RSLs and private developers in discussions on housing supply. This has resulted in further collaboration in regard to the submissions for the Housing Infrastructure fund.

It is anticipated that RSLs will provide a greater proportion of housing supply over the next five years. It has been agreed that a “Homes for West Lothian Partnership” will be set up with all the Housing Associations in the area to create a coordinated strategy of land assembly, finance, construction planning and targeted provision of homes based on need.

10. Partnership Process for producing the SHIP

West Lothian Council continue to consult with key partners to develop and deliver quality affordable housing. There are regular updates on progress towards meeting the Local Housing Strategy objectives with stakeholders. Noted below is a breakdown of the partners involved in the delivery of affordable housing in West Lothian

- **RSLs**

West Lothian Council and RSL development partners have an ongoing dialogue in relation to the delivery of affordable housing. In regard to the development of the SHIP, the RSL partners were invited to meetings to discuss their input. Meetings were held with the West Lothian Development Alliance, the Wheatley Group and Places for People. The key points discussed were in relation to identifying potential development opportunities and overcoming constraints to development including funding requirements and infrastructure. With increased level of grant funding anticipated over the period of the SHIP there is a potential to support a variety of housing providers.

- **Private Developers**

West Lothian Council maintains regular dialogue with private developers in determining the most appropriate affordable housing contribution whilst taking significant factors into account for each individual development site. West Lothian Council held a housing delivery conference in January 2017 with RSLs and private developers. The feedback received was included in the draft Local Housing Strategy 2017-2022 and there are ongoing discussions with developers who have noted interest in the housing infrastructure fund.

Lovell Partnerships were appointed as contractors to build 793 homes of the 1000 new build council housing programme. Lovell Partnerships have completed five sites for 66 homes, with a further 583 under construction. McTaggart Construction have also been appointed to build 201

homes and they have completed two sites with 20 homes and work is underway at a three sites for 181 homes.

- **West Lothian Council Service Areas**

West Lothian Council Service Areas including, Planning, Legal Services, Finance and Property Services and Housing maintain a close working relationship to deliver affordable housing and to develop a strategic approach to provision. This assists in the speed of delivery of development and the quality of housing provided.

The development of Rosemount Court has been a joint project with Social Policy ensuring that the design meets the needs of older people to facilitate independent living.

There is ongoing liaison with Social Policy to identify requirements for specialist housing provision in West Lothian.

We have worked closely with Social Policy in relation to the design of the new build houses to ensure that they are future proofed and limit the need for adaptations in the longer term.

- **Government Assistance**

The council welcomes the government funding to assist the provision of housing either through its own new build programme or to fund RSLs for site acquisition/off the shelf purchase. This funding has enabled significant numbers of affordable housing to be completed in 2013/14 both by RSLs and the council. In 2013/14 and 2014/15 West Lothian Council had the highest number of completions of new build council houses of any council in Scotland. The council has endeavoured to make best use of the sites identified to develop council housing that will optimise the use of the sites to meet a variety of housing needs.

11 Scottish Housing Quality Standard Delivery Plan

In West Lothian all council stock currently meets SHQS and the majority of RSL stock is compliant.

At Deans South, a number of blocks have now been demolished to make way for new build council housing. 117 council homes will be built on this site with the opportunity for further development being examined. .

12. Housing for People with Particular Needs

Development of housing for older people and people with disabilities in West Main St, Broxburn was completed in January 2017. The homes are purpose built amenity housing for older people. The Housing is aimed at enabling individuals and couples to live as independently as possible in their own tenancy. The works comprise partial demolition and refurbishment/ remodelling of two existing stone built buildings and the erection of two new buildings to create 18 new residential flats (7 one bed and 11 two bed). All ground floor flats will be fully adaptable for people with varying needs.

Rosemount Gardens, Bathgate was completed in June 2016. At this development there are 30 one bedroom two person flats and each flat allows for independent living. The communal facilities are a restaurant, a café, a hairdresser, a launderette, 2 multi purpose rooms and 3 offices. There are 16 bedsits that have been refurbished at Rosemount Court and these are now self-contained one bedroomed flats.

Further work will be done over the next year to develop the approach to housing for older people and consider appropriate.

As part of the new build council housing programme there has been engagement with Social Policy over the design of the mainstream new build houses. Opportunities have been identified for Core & Cluster properties for people with disabilities and work is ongoing to progress this. The new build council housing programme will provide a high number of bungalows including one bedroom bungalows so that there is a wider range of house types available for people with disabilities. Occupational Therapy staff have been involved in developing the housing design and mix and there has also been input from staff from NHS Lothian.

Discussions are ongoing with Social Policy and NHS to examine other specialist housing provision including a unit for people with learning disability.

Funding for adaptations continues to be supported through the HRA for council tenants and through Scottish Government grant for homeowners, private tenants and through Scottish Government grants to RSLs.

13. Investment Outcomes

There are several key outcomes to be achieved in the course of the 5 year period of this SHIP

- Completion of an agreed number of RSL homes through the Strategic Local Programme (SLP)
- Complete the development of the current council new build programme
- A new programme of council house building (subject to approval)
- Maximise employment and training opportunities through the provision of new build housing.
- To assist with the provision of new infrastructure by making appropriate developer contributions through new build programmes.
- Review of refreshed supplementary guidance on Affordable Housing.
- Adoption of the Local Development Plan and approval of Strategic Development Plan 2.

14. Fuel Poverty and Climate Change

The Local Housing Strategy outlines the council's approach to reducing fuel poverty and tackling emissions that contribute to climate change. The council provides advice and information on fuel poverty via the Advice shop and signposts individuals to agencies such as the Home Energy Scotland.

West Lothian Council has secured £0.9m from 2017/18 from the Home Energy Efficiency Programme for Scotland to support the installation of external wall insulation at private sector homes. £0.516m has also been secured during 2017/18 to improve the energy efficiency of council houses. The funding will be used to improve the energy efficiency of housing stock in West Lothian and help tackle fuel poverty. Particular focus will be on targeting areas of high levels of deprivation.

The council seeks to ensure that all new build housing is energy efficient. In regard to council housing, progress on the SHQS has improved the energy efficiency of the majority of council homes. The next priority will be to ensure compliance with the Energy Efficiency Standard in Social Housing (EESH)

There are 23 sites identified in the SHIP by RSLs that meet greener standards.

15. Private Sector House Condition

The condition of houses in the private sector in West Lothian is generally good. The council's Scheme of Assistance has been set up to provide information, advice and access to practical assistance to

enable homeowners to fulfil their responsibility of maintenance and repair of their property and to provide grant support to home owners whose homes need adapted to suit the needs of a disabled person.

The Scheme of Assistance was introduced in April 2010. The council has given a commitment to develop its approach to private sector housing over the coming years in order to improve house condition and this will include enforcement activity where necessary. Environmental Health has developed a Trusted Traders scheme.

Work continues in relation to bringing private sector empty homes back into use.

16. Strategic Environmental Assessment

A Strategic Environmental Assessment pre-screening report was undertaken and has determined that a full assessment is not required for the SHIP because it is unlikely to have significant environmental effect. Most of the sites that are included in the SHIP are allocated for housing in the West of Lothian Local Plan which has been the subject of a full Strategic Environmental Assessment.

17. Equalities

West Lothian Council is committed to promoting equality and diversity and eliminating discrimination and the Authority follows strict corporate guidelines which governs the manner in which these areas are approached. An equalities relevance assessment has been carried out for the SHIP and this will be made available. Both the council and RSLs specify that all new build housing will be constructed to housing varying needs standards.

18. Conclusion

This SHIP illustrates a range of approaches to the provision of affordable housing. The council's new build programme is delivering a large number of new homes in a relatively short timescale with low levels of subsidy to meet the housing needs of people in West Lothian.

Partner RSLs continue to provide much needed affordable housing in settlements across West Lothian helping to sustain investment in communities in difficult economic times. RSLs are identifying development opportunities and making use of the funding available in a variety of ways to include a mix of both social rented and intermediate tenures. The council continues to work closely with housing association partners in a variety of areas including the common housing register, homelessness, support provision as well as housing development.

19. Appendices to the SHIP Submission (not attached)

1. SHIP Templates
2. Equalities Impact Assessment
3. Strategic Environmental Assessment pre screening report

20. References

Guidance on Preparing Strategic Housing Investment Plans

<https://beta.gov.scot/publications/preparation-of-strategic-housing-investment-plans-guidance-note-2017/>

<http://www.gov.scot/Topics/Built-Environment/Housing/investment/guidancenotes/Guidance-Notes-2016>

<http://www.gov.scot/Topics/Built-Environment/Housing/supply-demand/housing-infrastructure-fund>

Registers of Scotland

<https://www.ros.gov.uk/property-data/property-statistics/monthly-house-price-statistics>

<https://www.gov.uk/government/publications/uk-house-price-index-scotland-june-2016/uk-house-price-index-scotland-june-2016>

West Lothian Council Draft Housing Land Audit 2015

West Lothian Draft Local Housing Strategy 2017-2022

West Lothian Local Housing Strategy 2012-17

October 2017



COUNCIL EXECUTIVE

LOCAL HOUSING STRATEGY 2017 - 2022

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To seek approval for the West Lothian Local Housing Strategy for 2017-2022.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Note that consultation has now been carried out on the draft Local Housing Strategy 2017-2022 and that the consultation has informed the final version of the Local Housing Strategy attached as Appendix 1;
2. Note that the Scottish Government provided comments on the draft Local Housing Strategy as have East Renfrewshire Council through the Peer Review. The comments have helped to inform the revised version of the Local Housing Strategy attached at Appendix 1;
3. Note that there will be annual monitoring of the LHS to track progress on the actions identified;
4. Approve the Local Housing Strategy 2017-2022 attached as Appendix 1.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|--|
| I Council Values | <ul style="list-style-type: none">• Focusing on our customers' needs;• Being honest, open and accountable;• Providing equality of opportunity;• Developing employees;• Making best use of our resources; and• Working in partnership. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The Housing (Scotland) Act 2001 requires that the council produces a Local Housing Strategy every five years. A Strategic Environmental pre-screening report for the Local Housing Strategy has been prepared. An Equality Impact Assessment has been undertaken. |
| III Implications for Scheme of Delegation to Officers | None. |
| IV Impact on performance indicators | None. |

| | |
|--|---|
| V Relevance to Single Outcome Agreement | <p>Our children have the best start in life and are ready to succeed.</p> <p>Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>We live in resilient, cohesive and safe communities.</p> <p>People most at risk are protected and supported to achieve improved life chances</p> <p>Older people are able to live independently in the community with an improved quality of life.</p> <p>We live longer, healthier lives and have reduced health inequalities.</p> <p>We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p> |
| VI Resources - (Financial, Staffing and Property) | <p>Resources will be required to implement the Strategy, primarily within the Housing capital programme. £57.452m is identified in the Housing Capital Programme for 2017/18. Officers are developing a programme for future years and will bring forward proposals for council approval in early 2018.</p> |
| VII Consideration at PDSP | <p>A report on the draft LHS was considered by PDSP on 23rd October 2017. A verbal update will be given at the Council Executive meeting.</p> |
| VIII Other consultations | <p>Consultation has taken place with a number of stakeholders. This includes Tenants' Networks, Tenants' Panel, West Lothian Housing Providers Forum, Joint Strategy Group for Homelessness, Homeless Network, the Landlords' Forum and Members of the West Lothian Energy Forum and the Health Improvement and Health Inequalities Alliance. The Local Housing Strategy has been developed with input from officers from a range of council services including Social Policy, Finance and Property and Planning Services</p> |

D. TERMS OF REPORT

D.1 Background

The local authority has a statutory duty to develop a local housing strategy (LHS). The purpose of the LHS is to set out the council's strategy to prioritise future investment in housing and related services across the local authority area. The current LHS was approved in February 2012.

The LHS:

- Should set out the approach of the council and its partners to delivering high quality housing and housing related services across all tenures, to meet identified need in its area.
- Has a key role to play in contributing to the effective integration of health and social care and to develop housing and housing related services that respond to the needs of individuals.
- Should set out the local authority's approach to meeting statutory housing responsibilities in relation to addressing fuel poverty, house condition, homelessness, housing support, climate change and sustainability.
- Should support and help to deliver national and local outcomes and targets whilst reflecting the needs and priorities of the local authority area.

Six key themes were agreed for the strategy in April 2016. These are:

- Supply of housing and place making
- Preventing and addressing homelessness
- Independent living and specialist provision
- Private rented sector
- House condition
- Sustainable places, fuel poverty and climate change.

A summary of the main LHS actions in relation to each of the themes is noted at Appendix 2.

The Proposed Main Outcomes of the West Lothian Local Housing Strategy are:

- Ensure that good quality housing is available in all tenures.
- Promote regeneration and sustainability to enhance communities.
- Improving housing options to prevent people from becoming homeless.
- Promoting sustainable communities, ensuring that where possible, housing need can be met in a planned manner.
- Ensure that accommodation is planned and available for people with a wide range of needs.
- Enable people to live independently where they choose to do so.
- The private rented sector in West Lothian provides good quality housing options for people.
- Improve house condition across all tenures.
- Reduce levels of fuel poverty and increase the number of people living in energy efficient homes.

To achieve these outcomes, a number of recommendations have been developed for the Local Housing Strategy. These are:

- The council will adopt a range of approaches to the supply of affordable housing including new build council housing, RSL new build provision including midmarket rent housing. There is scope for RSLs to make a more significant contribution to housing supply over the next five years.
- Increase the supply of temporary accommodation to assist homeless households.
- Develop a range of supported accommodation housing models to enable adults with mental health problems to live within local communities.

- Ensure that there is specialist housing provision to meet a range of needs.
- The council will develop its approach to private sector rented housing to enable regulation to be used effectively.
- The council and RSLs will work towards meeting the Energy Efficiency Standard for Social Housing by 2020.

D.2 Consultation on the draft LHS

Since the last report to PDSP on the LHS in December 2016, the draft Local Housing Strategy has been consulted upon extensively. A summary of the consultation is noted at appendix 3. Through the various consultation events, there was consistent support for the following actions:

- Provision of more affordable housing in West Lothian.
- Increase the number of tenures regarded as affordable housing in West Lothian.
- Ensure that appropriate support is in place for people with a range of needs to enable them to live independently.
- The need to ensure that there is a range of housing options available for older people.
- Consideration of the impact on services such as health when considering new developments.

Many of the comments made have been included in the final version of the LHS and will inform the housing strategy in West Lothian over the coming years.

Feedback from Scottish Government

The feedback from Scottish Government and the Peer Review undertaken by East Renfrewshire Council was generally positive. It outlined both the strengths and the areas for development of the LHS. The feedback letter is noted at Appendix 4.

Key Strengths include:

- The strategy was assessed as comprehensive, well laid out and easily accessible.
- The use of diagrams and tables was commended, in relation to explaining issues, priorities, outcomes and actions. It was noted that other councils could benefit from taking a similar approach.
- The LHS identifies a clear strategy for providing the right mix of housing with an emphasis on prioritising Council House New Build.

Some key areas of development that have been included in the LHS are as follows:

- There is limited information on Gypsy Travellers and Travelling People. The approach to Gypsy Travellers and Travelling People will be developed over the course of the LHS.
- Should housing supply targets change, they should be reflected in the LHS. The LHS is updated annually so if there were any change to the targets, this would be referenced in the annual update and would be subject to consultation.

- There should be further explanation of the delivery of market housing. The LHS now outlines more details on the Housing Infrastructure Fund and the City Deal. These will support the delivery of market and affordable housing.
- There will be further development of the need for specialist housing provision over the duration of the Local Housing Strategy. This will be considered as part of the review of the allocations policy.
- There should be further identification of housing stock that is in poor condition in the Private Rented Sector. This will be undertaken over the duration of the LHS through the developing approach to the private rented sector.
- A Climate Change Strategy is proposed for housing and this will provide greater detail on the actions to manage climate risks.

D.4 Future Strategic Direction

To reflect emerging priorities, the LHS makes reference to:

- The establishment of a “Homes for West Lothian Partnership” with all the Housing Associations in the area to create a coordinated strategy of land assembly, finance, construction planning and targeted provision of homes based on need.
- A target of 3,000 affordable homes being delivered in West Lothian over a 10 year period to 2022. Over the period 2012/13 to 2016/17, 1,056 affordable homes were provided in West Lothian. In addition, there is commitment to provide 1,029 affordable homes during 2017/18 and 2018/19. This leaves a shortfall of 915 affordable homes to be planned for over the period to 2022 to meet the 3,000 affordable homes target. It is anticipated that RSLs will play a role in addressing the 915 shortfall.
- The council monitoring private sector rents and practices in the private rented sector and establishing a West Lothian Fair Rents Fair Landlords Charter.
- The Allocations Policy being reviewed to ensure it reflects the needs of the community.
- Measures being taken to address fuel poverty issues and assist residents of West Lothian to access cheaper fuel tariffs.

E. CONCLUSION

The West Lothian Local Housing Strategy 2017-2022 sets out the key issues, actions, outcomes and recommendations for housing and related services for the next 5 years. The consultation undertaken to develop the strategy has informed the key issues, outcomes and actions that will be progressed over the next 5 years. There will be an annual review of the Strategy to ensure that the main housing issues are addressed. When the Strategy has been approved, it will be submitted to the Scottish Government.

F. BACKGROUND REFERENCES

West Lothian Draft Local Housing Strategy 2017-2022: Report to Services for the Community Policy Development and Scrutiny Panel 15 December 2016.

West Lothian Local Housing Strategy Report to Council Executive 21 February 2012.

West Lothian Local Housing Strategy Report to Services for the Community Policy Development and Scrutiny Panel 7 February 2012.

West Lothian Local Housing Strategy – Report to Services for the Community Policy Development and Scrutiny Panel 23 October 2017

Appendices/Attachments: Appendix 1 – West Lothian LHS 2017-2022
Appendix 2 - Summary of actions
Appendix 3 – LHS Summary of Consultation
Appendix 4 - Scottish Government Feedback Letter

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Head of Housing, Customer and Building Services
24 October 2017



Local Housing Strategy

West Lothian Council

2017-2022

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1. Introduction

The Local Housing Strategy is West Lothian Council's only strategic document which focuses solely on housing and related aspects of service delivery.

The Housing (Scotland) Act 2001 places a statutory duty on local authorities to produce a Local Housing Strategy (LHS) which sets out its strategy, priorities and plans for the delivery of housing and related services.

The LHS sets out the strategic approach in West Lothian to delivering high quality housing and housing related services across all tenures, to meet identified need. Housing has a fundamental impact on the lives of people across West Lothian.

The LHS also sets out West Lothian's approach to meeting priorities within the Single Outcome Agreement (SOA), Scottish Government National Outcomes and National Health and Well Being Outcomes. It covers statutory housing responsibilities including fuel poverty, house condition, and homelessness as well as its strategic response to national outcomes and national housing priorities.



Links to Local and National Plans and Policy

Local

- West Lothian Community Plan and Single Outcome Agreement 2013-2023
- West Lothian Local Development Plan
- West Lothian Local Plan
- SESPlan Strategic Development Plan 1 and 2
- West Lothian Corporate Plan
- Strategic Housing Investment Plan
- Housing, Customer and Building Services Management Plan
- West Lothian Council Climate Change Strategy
- West Lothian Anti-Poverty Strategy
- Community Safety Strategic Plan

National

- Scottish Planning Policy 2014
- Scottish Government National Outcomes
- Housing and Regeneration Framework
- LHS guidance 2014
- HNDA Managers Guidance 2014

The LHS provides an opportunity to engage people in consultation to identify the housing needs that matter most. To deliver the LHS requires the input of partners and it is essential that they are engaged in the process and a shared understanding of the available resources is achieved. The LHS 2017-2022 builds on the success of previous West Lothian Council strategies and supports our vision to promote "quality homes for quality lives".

2. What We Said – What We Did

Outcomes and Performance

| LHS Themes | What we said - Outcomes | What we did - Performance |
|--|--|---|
| Meeting Housing Need and Demand | People in West Lothian can find a suitable place to live and have quality housing options available to them. | Between March 2012 and March 2017 WLC completed 657 new build Council houses. During the same period, RSLs in West Lothian completed 267 homes. |
| Housing Options | Homelessness is prevented in West Lothian as far as possible and effective advice and support is put in place for people who become homeless. | The number of homeless applications has reduced from 1,728 in 2011/12 to 1,360 in 2016/17. Housing options approach has been developed with advice and assistance in place. |
| Independent Living | People living in West Lothian can access the appropriate range of care and support services enabling them to live independently in their own homes where they choose to do so. | The number of people receiving care at home has increased from 2,252 in 2011/12 to 3,147 in 2016/17. |
| Improving Communities | Our communities are attractive, safe places to live and work. | All completed new build council housing developments have achieved secured by design accreditation. Demolition of housing at Winchburgh, Deans South and Bents has been completed. Regeneration proposals have been developed for Bathville Cross, Armadale and work has started on site. |

| LHS Themes | What we said - Outcomes | What we did - Performance |
|---|--|--|
| House Condition Social Rented and Private Sector | House Condition in West Lothian is improved. In the social rented sector improved house conditions will be achieved by investment by the Council and by Registered Social Landlords in the housing they own and manage. In the private sector, the council will encourage home owners to take responsibility for repair and maintenance of their property. | 100% of WLC housing stock currently meets SHQS. At the end of 2016/17 96% of RSL stock in West Lothian met SHQS. There was a reduction in the percentage of private sector housing requiring urgent repairs from 28% to 27% between 2011 and 2014. The Scottish average is 32% (Scottish House Condition Survey, 2013-2015). |
| Fuel Poverty and addressing Climate Change | People in West Lothian live in energy efficient housing. People facing fuel poverty can access the help and support they need. Improve sustainability of existing housing. | In West Lothian, fuel poverty levels reduced from 26% to 23% between 2012 and 2013 but increased back to 29% in 2015. This remains below the Scottish Average of 34% (Scottish House Condition Survey, 2013-2015). |

3. What has changed since 2012?

West Lothian Economy

- The population of West Lothian has continued to grow. According to National Records of Scotland the population of West Lothian in 2016 was 178,550 (NRS, 2016).
- Average incomes have increased. The gross weekly average pay for full time workers has increased from £492.50 in 2012 to £507.40 in 2016 (ONS, 2012, 2016).
- Average house prices have increased from £142,569 in quarter one 2012/13 to £157,196 between April to June 2017.
- West Lothian Council rents have increased. The average rent for a 2 bedroom property in 2013/14 was £61.07 and in 2016/17 this had increased to £68.59.
- Average private rents in West Lothian have increased from £528 per month in 2012 to £578 per month in 2016 (Scottish Government, 2016).
- The working age population in West Lothian is 114,950. This has continued to increase since 2011 and is projected to be at a similar level up to 2025 (West Lothian Council, 2016).
- The numbers of residents in West Lothian claiming the key out of work benefits has fallen in line with the national trend (West Lothian Council, 2016).
- The number of pensioners in West Lothian on top-up benefit has decreased (West Lothian Council, 2016).
- The number of children in working households in West Lothian receiving working tax credits and those receiving free school meals has increased (West Lothian Council, 2016).
- In 2012, 7,200 children were living in families that were out of work. By 2016 this had reduced to 6,800 (West Lothian Council, 2016).
- The number of residents in West Lothian earning below the living wage has decreased from 16,000 in 2012 to 15,600 in 2016 (West Lothian Council, 2016).
- West Lothian Council has adopted the Living Wage for its employees.
- Attainment in West Lothian schools has reached its highest levels.
- The economic profile of *west* West Lothian continues to be less favourable than that of *east* West Lothian (CHCP, 2016).

Health Profile

- The *west* of West Lothian continues to have a less favourable health profile than the *east* of the county.
- The numbers of people aged between 64 and 75 years continues to be higher in the west of West Lothian than in the east, however the gap is narrowing. The number of those aged 75 years and over is significantly higher in the west.
- Premature mortality (including alcohol related mortality) is declining sharply, but is still significantly higher in the west of the county than the east.
- There is a higher rate of alcohol and drug related hospital admissions in the *west* than the *east*. Drug related admissions are increasing in areas across West Lothian, but are higher in the west.
- Suicide levels in West Lothian are rising in the east and fluctuating in the west, but remaining at a higher level in the west.

Housing supply

- There has been growth in the number of new council houses built. There were 657 council houses built between 2012-13 and March 2017. In 2013-14 and 2014-15, West Lothian Council built more council houses than any other Local Authority in Scotland.
- There has been a general increase in the number of affordable housing completions.

- A new affordable housing policy has been included in the West Lothian Local Development Plan and Supplementary Guidance is in development.
- There has been an increase in the number of houses in the private rented sector. The sector is now around 10% of the housing stock in West Lothian.
- There has been growth in the private house build market in recent years with 647 completions in 2015/16 compared to 259 completions in 2012/13.
- Progress has been made in developing the Core Development Areas with private sector house building being developed at Winchburgh, Calderwood, Armadale and Mossend. Development has also commenced at Heartlands, Whitburn.

Homelessness

- The number of homeless presentations has decreased from 1,399 in 2012/13 to 1,361 in 2015/16.
- The council's approach to prevention of homelessness has been further developed and the housing options approach is proving successful.

Improving Communities

- Housing regeneration has been undertaken in a number of areas with demolitions at three different localities:
 1. Bents, Stoneyburn
 2. Glendevon Park, Winchburgh
 3. Deans South, Livingston
- Regeneration is complete at the blocks at Park Road, Blackridge and is underway at Bathville Cross, Armadale.
- West Lothian Development Alliance has developed brownfield sites including Whitdale Annexe, Whitburn and a site at Station Road, Armadale. The Alliance has also purchased vacant properties.
- There has been good progress in developing the Core Development Areas.
- There has been a major strategic and corporate focus on specific areas with improvements to roads and schools being delivered in tandem with new housing development. Some of the projects have been funded by the West Lothian Local Infrastructure Fund.

House Condition

- 100% of council housing in West Lothian meets the Scottish Housing Quality Standard in 2016/17. 96% of RSLs housing stock in West Lothian met the Scottish Housing Quality Standard in 2016/17 (Scottish Housing Network, 2017).

Fuel Poverty and Climate Change

- The number of households facing fuel poverty is well below the Scottish average.
- The council has approved a Climate Change Strategy (West Lothian Council, 2015).
- 47.4% of the WLC housing complies with the Energy Efficiency Standard for Social Housing. WLC are on target for full compliance by 2020.

4. What will we do next?

4.1 West Lothian's Housing Priorities 2017-2022

Reflecting on the Scottish Government LHS guidance, West Lothian Council propose the following strategic priorities for 2017-22:

Priority 1: Housing Supply and Place Making

Increase the supply of good quality affordable housing in West Lothian.

Priority 2: Preventing and Addressing Homelessness

Improve housing options and advice and support services in West Lothian.

Priority 3: Independent Living and Specialist Provision

Enable people to live independently where they choose to do so and provide a range of housing support options for West Lothian residents.

Priority 4: Private Rented Accommodation

Ensure that the private rented sector provides good quality housing in West Lothian.

Priority 5: House Condition

Improve public and private sector house condition in West Lothian.

Priority 6: Fuel Poverty and Climate Change

Continue to develop measures to address fuel poverty and climate change.

4.2 Link to National, Local and Housing Outcomes

| National Outcome | West Lothian Single Outcome Agreement | LHS Outcome |
|--|--|--|
| We have improved the life chances for children, young people and families at risk. | Our children have the best start in life and are ready to succeed. | Ensure that good quality housing is available in all tenures. Improving Housing Options to prevent people becoming homeless in the first place. |
| We realise our full economic potential with more and better employment opportunities for our people. | Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business. | Ensure that good quality housing is available in all tenures. Maximise employment opportunities through housing investment. |
| We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others. We live our lives safe from crime disorder and danger. | We live in resilient, cohesive and safe communities. | Promote regeneration and sustainability to enhance communities. Our communities continue to be attractive and safe places to live and work. Promoting sustainable communities by ensuring that, where possible, housing need can be met in a planned manner. |
| We have tackled the significant inequalities in Scottish society. | People most at risk are protected and supported to achieve improved life chances. | Promoting sustainable communities by ensuring that, where possible, housing need can be met in a planned manner. |
| We live longer, healthier lives and have reduced health inequalities. | Older people are able to live independently in the community with an improved quality of life. | Ensure that accommodation is planned and available for people with a wide range of needs. Enable people to live independently where they choose to do so. |
| We live in well-designed, sustainable places where we are able to access the amenities and services we need. We value and enjoy our built and natural environment and protect it and enhance it for future generations. | We make the most efficient and effective use of resources by minimising our impact on the built and natural environment. | Reduce levels of fuel poverty and increase number of people living in energy efficient homes. |

5. Consultation

The Housing (Scotland) Act 2001 requires all local authorities to consult on their proposed Local Housing Strategy. Furthermore, statutory equality duties require public bodies to involve, consult and engage with as wide a range of local residents as possible.

Questionnaire

A questionnaire was developed to collect people's opinions on what they believed should be the council's main housing priorities. The questionnaire was first piloted in October 2015 at the annual Tenants and Residents Information Day. The questionnaire was improved and made available online, via the council's website and Facebook page from the 17th of June 2016 to the 29th of July 2016. Furthermore, in order to reach as wide a range of residents as possible, seven pop-up consultation sessions were conducted in seven different partnership centres and libraries across West Lothian. These pop-up sessions took place from the 17th of June until the 30th of June 2016. The pop up sessions proved valuable as they allowed for 1-2-1 engagement and to reach people who may not have had access to the internet.



Response Rate and Key Findings



In total the questionnaire was completed 170 times, of which 139 (82%) of the surveys were adequately completed and could be analysed.

Key messages which were raised by the public consultation were as follows:

1. More should be done to help first time buyers.
2. The council should provide details of future maintenance projects.
3. Concerns about rent levels in the private rented sector.
4. More council house building should be undertaken.
5. Help and advice should be provided by the council to home owners to encourage them to repair, maintain and future proof their homes.
6. More detailed information on recycling should be provided by the council.

Forums and Working Groups

Several meetings were held with representatives from housing associations, developers, voluntary organisations, tenants groups and officers from a range of council services to discuss the key LHS themes and priorities. A number of comments were received at each of the meetings and many of these have been used to inform the Local Housing Strategy.

Comments were received from a range of individuals, organisations and groups. The majority of comments were supportive of the themes identified in the Local Housing Strategy. An Equalities Impact Assessment (EIA) was also conducted. For more information see Section 13 of this document.

A supporting paper on the consultation and analysis which informed the LHS is available at Appendix 1.

Consultation on the Draft Local Housing Strategy 2017-2022

The draft Local Housing Strategy was made available for consultation between 21st December and 17th February. It was put on the council's website and links put on the council's Facebook page and West Lothian Tenants' Facebook page. Letters were issued to RSLs and private developers notifying them of the consultation on the draft LHS and there was opportunity for them to comment both at the Affordable Housing Delivery Workshop and directly through the consultation link on the website.

As part of the consultation, 13 questions were asked to cover the main LHS themes. There were 25 responses although not all people responded to every question. The findings from the questionnaire were that the majority of the respondents agreed that;

- New build council housing in West Lothian is a priority.
- New build affordable housing should be done by a range of providers including RSLs, the council and private developers.
- The supply of temporary housing should be increased.
- A range of housing options should be in place to assist people at risk of homelessness.
- Specialist housing and housing support should be a housing priority in West Lothian.
- There should be a range of housing support in place in West Lothian so that people with a range of support needs can be housed appropriately.
- House condition across all tenures should be improved.
- Addressing fuel poverty in West Lothian is a key priority for the council and its partners.
- Advice and information should continue to be provided by the council and its partners to enable people to combat fuel poverty.

There was also broad agreement on the following areas of activity in relation to private sector housing, although with fewer positive responses:

- The council should develop its approach to dealing with private landlords.
- Home owners should be provided with advice and assistance to repair and maintain their property.
- Enforcement action should be taken on owners that fail to maintain their property.

Forums and Working Groups

Following the publication of the draft Local Housing Strategy in January 2017, several meetings were held with representatives from; Housing Associations, Developers, Voluntary Organisations, Tenants Groups and officers from a range of Council services. A range of comments were received at each of the meetings and many of these have been used to inform the Local Housing Strategy.

Feedback from Scottish Government and Peer Review

The feedback from Scottish Government and the Peer Review undertaken by East Renfrewshire Council was generally positive. It outlined both the strengths and the areas for development of the LHS.

Key Strengths include:

- This is a comprehensive and well laid out strategy. It is easily accessible for both peers and interested residents of West Lothian Council, with a mix of text, pictures and tables.
- The use of a table setting out "What we said – What we did" is succinct, informative, helpful and easy to understand.
- The driver diagram approach (Main Issues- Priorities- Outcomes) creates a very useful and informative colour-coded infographic version of an executive summary. The corresponding 'Actions' box present the most pertinent points in a well-structured, succinct, and manageable format. We think other local authorities could usefully employ this and will be encouraging them to do so.
- The LHS identifies a clear strategy for providing the right mix of housing with an emphasis on prioritising council house new build.

Areas of Development (which have since been included in the LHS):

- There is limited information on Gypsy Travellers and Travelling People. The approach to Gypsy Travellers and Travelling People will be developed over the course of the LHS.
- Should housing supply targets change, they should be reflected in the LHS. The LHS is updated annually so if there were any change to the targets, this would be referenced in the annual update and would be subject to consultation.
- There should be further explanation of the delivery of market housing. The LHS now outlines more details on the Housing Infrastructure Fund, and the City Deal. These will support the development and delivery of market housing.
- More information has been included in relation to self-build.
- There was a comment about use of Compulsory Purchase Powers in relation to Strategic Acquisitions this is not something the council is currently pursuing.
- There will be further development of the need for specialist housing provision over the duration of the Local Housing Strategy. This will be done in conjunction with Social Policy.
- There should be further identification of housing stock that is in poor condition in the Private Rented Sector. This will be undertaken over the duration of the LHS through the developing approach to the private rented sector.
- The feedback suggested providing more detail on housing in abeyance of the SHQS. This has now been included.
- A Climate Change Strategy is proposed for housing and this will provide greater detail on the actions to manage climate risks.
- More detail will be provided on measuring progress towards EESSH.

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6. Profile of West Lothian



West Lothian has one of the fastest growing and youngest populations in Scotland, reflecting the area's location within the central belt close to Edinburgh and Glasgow and its appeal as a place to invest in, live, work, and visit.

West Lothian is strategically located in the central belt of Scotland and is served well by a number of motorways and trunk roads and it has direct rail links to Edinburgh, Glasgow, Stirling and beyond. West Lothian's central location and excellent business and labour market connections make the area an important economic hub. West Lothian is ideally located, with 60% of Scotland's population within a one-hour drive, making for easy access to customers, suppliers and workforce. Although West Lothian has a significant jobs base in its own right, these transport links have helped to shape West Lothian into a commuter district and as a result the population of West Lothian has continued to increase.

West Lothian was once the home of the world's first commercial oil production and the effects can be seen on the landscape from the 'red shale bings' to the 'traditional miner's rows'. Since then West Lothian has experienced economic change and become a diverse place for people to live and work.

6.1 Population

According to National Records of Scotland, the population of West Lothian in 2015 was 178,550 (NRS, 2016). West Lothian is the 9th largest local authority by population in Scotland. In the last two decades the area has undergone rapid change with almost every town and village experiencing population growth. Population growth in West Lothian has been driven by both "natural increase" (more births than deaths) and in-comers choosing to move to the area. With significant migration from Eastern Europe and further afield in the last ten years, West Lothian now has a more culturally and linguistically diverse population than ever.

6.1.1 A Growing Population

The area has experienced significant population growth in the recent past. Figure 1 shows that while there has been gradual population growth in Scotland, West Lothian's population has increased more significantly over time.

Figure 1: Comparison of West Lothian and Scotland Population, 1989-2015

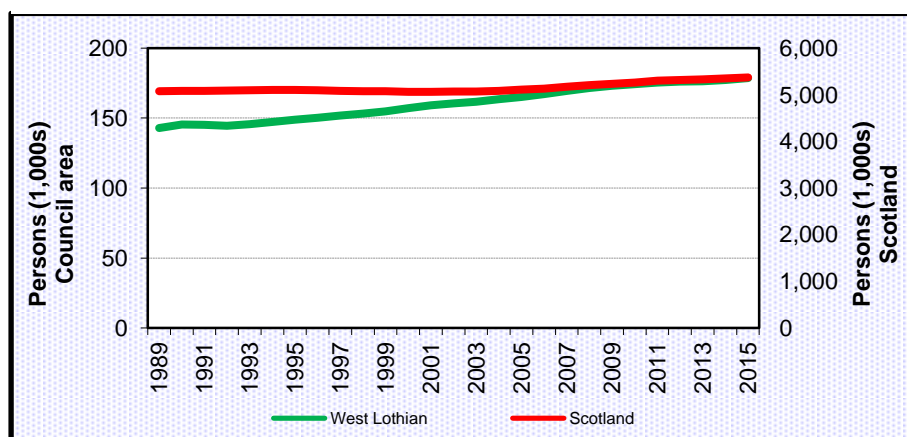


Table 1 conveys that by 2039 the population of West Lothian is projected to be 192,523, an increase of 8.6% compared to the population in 2014. The population of Scotland is projected to increase by 7.5% between 2014 and 2039. Over the 25 year period the age group projected to increase the most in size in West Lothian is the 75+ age group. This is the same as for Scotland as a whole.

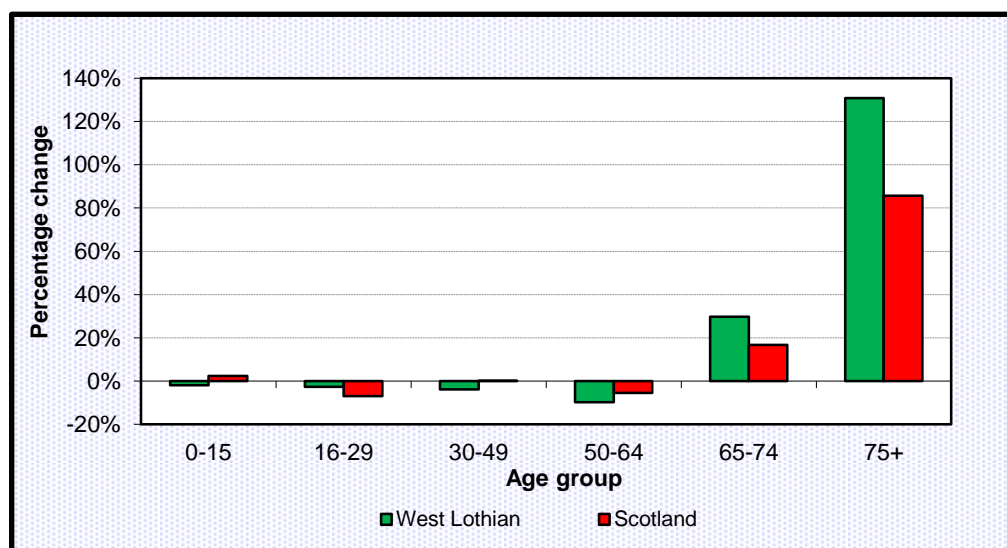
Table 1: Projected Population by age group in West Lothian 2014-2039 (NRS, 2016)

| Projected Population by age group in West Lothian 2014-2039 | | | | | |
|--|------------------|------------------------|---------|---------|---------|
| Age Group | Base Year | Projected Years | | | |
| | 2014 | 2019 | 2024 | 2034 | 2039 |
| 0-15 | 35,073 | 35,139 | 34,613 | 34,384 | 34,417 |
| 16-29 | 29,697 | 29,330 | 29,217 | 29,452 | 28,906 |
| 30-49 | 36,234 | 34,508 | 35,718 | 35,235 | 34,865 |
| 50-64 | 39,309 | 40,656 | 37,799 | 33,968 | 35,493 |
| 65-74 | 26,007 | 28,458 | 31,268 | 36,137 | 33,734 |
| 75+ | 10,880 | 13,097 | 16,359 | 21,481 | 25,108 |
| All ages | 177,200 | 181,188 | 184,974 | 190,657 | 192,523 |

6.1.2 An ageing population

Figure 2 conveys that whilst the population aged 16-64 are set to decline, the population of older people aged 65-74 and 75+ are expected to increase dramatically, more than the average increase projected for Scotland.

Figure 2: Percentage change in population in West Lothian and Scotland, 2014-2039 (2014-based projections) (NRS, 2016)

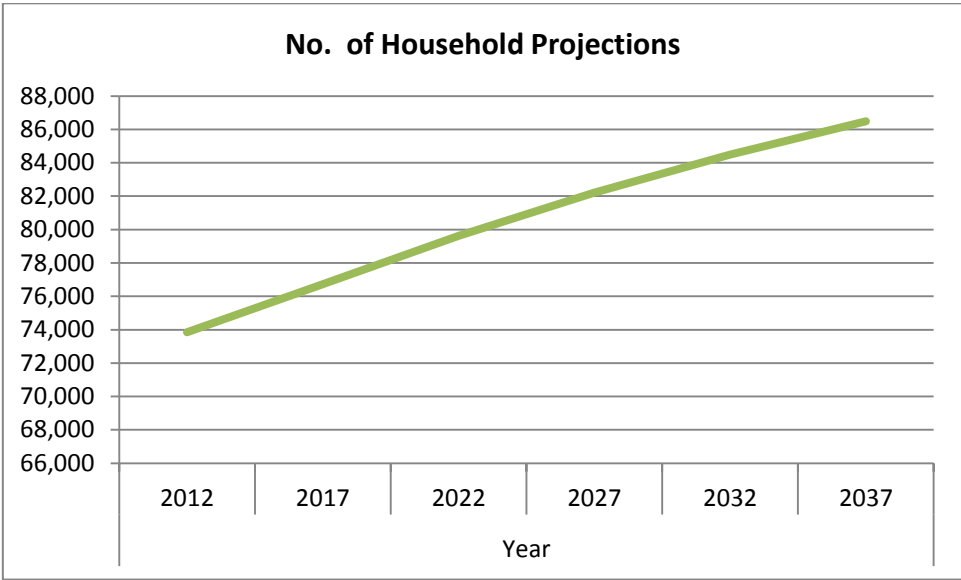


This dramatic demographical change will require careful consideration when planning future housing policies and allocating resources.

6.2 Households, Health and Economic Change

Figure 3 shows the projected increase in households in West Lothian. In line with anticipated steady population growth, it is projected that the number of households will increase by 17% between 2012 and 2037. This is higher than the average 10% increase projected for Scotland (NRS, 2016).

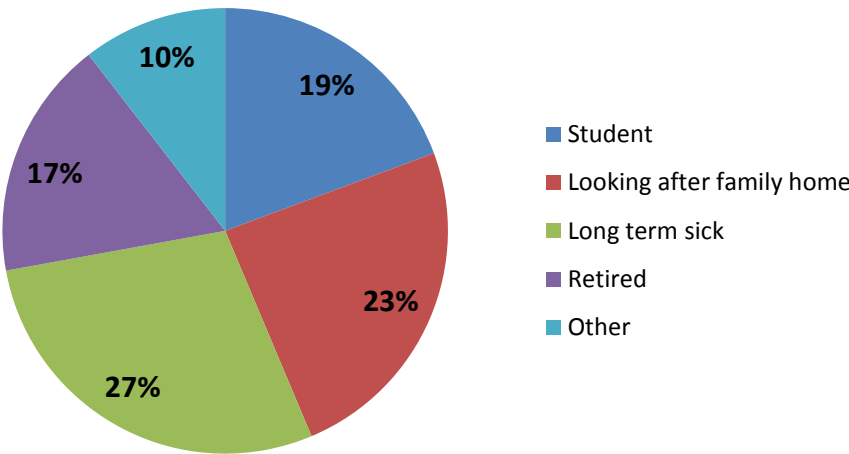
Figure 3: Projected Increase in Households in West Lothian 2012-2037 (NRS, 2016)



Employment

According to the Office for National Statistics, from April 2016 to March 2017, 78.8% of the working population in West Lothian were economically active. Figure 4, highlights the reasons for economic inactivity. While these reasons are varied, the data shows that 27% of working aged people are not working due to a long term illness. This is down from 32.4% the previous year and is in line with the Scottish national average of 27.3%.

Figure 4: Reasons for Economic Inactivity 2016-2017, (ONS, 2017)



Employment by Occupation

Employment by occupation according to the Standard Occupational groupings shows:

- 40% in group 1-3 (Managerial, Professional and Technical)
- 24% in group 4-5 (Administration, Skilled Trades)
- 18% group 6-7 (Personal and Customer Services, Sales)
- 18% group 8-9 (Elementary and Process Operators).

West Lothian has a higher percentage of employees in occupational groups 4-5 and is slightly below the national average in groups 1-3. However the number and proportion in group 1-3 has increased over recent years (West Lothian Council, 2016).

Low pay and in-work poverty

Gross wage levels for West Lothian (both residence and workplace) are below the Scottish and UK levels.

- An estimated 18% of West Lothian working residents earn below the living wage level of £8.25 per hour compared to 19% for Scotland as a whole. Living wage has since increased to £8.45.
- Similarly, approximately 18% of jobs located within West Lothian pay hourly rates below the living wage level compared to 19% for Scotland.
- Approximately 9,400 West Lothian working households receive Working Tax Credit or Child Tax Credit. This represents 19% of all working households (slightly higher than the Scottish level of 18%).
- The latest available figures show that 24% of children in West Lothian live in low income working households, compared to 25% for Scotland and UK.
- Part time jobs in West Lothian (based on 2014 data) represent 27.4% of total jobs (compared with 26% in 1998 and 27% in 2008). The West Lothian level of part time jobs is also significantly lower than the 32.5% recorded for Scotland and 31.7% for UK (West Lothian Council, 2016).

Scottish Index of Multiple Deprivation (SIMD)

The Scottish Index of Multiple Deprivation (SIMD) identifies small area concentrations of deprivation across all of Scotland in a consistent way. The SIMD was published by Scottish Government on the 24th of August 2016. It is based on both updated data and revised datazone boundaries, therefore providing a much more valid picture on the current spatial dimension to deprivation.

Income, Employment, Health and Education are the main drivers of deprivation in West Lothian. Crime is a factor insofar as the higher scoring datazones tend to have town centre locations where there is more reported crime.

Noted below is the preliminary analysis of the SIMD 2016 as it relates to West Lothian. The key points covered in the analysis include the following:

- West Lothian's relative position in terms of its share of areas in the most deprived 15% and 20% categories has not changed.
- West Lothian does not have the acute and extensive pattern of area deprivation that is evident in Glasgow and other parts of the west of Scotland.

- The number of datazones in the most deprived 15% located in West Lothian is 16. However a further 23 datazones are found within the 15 to 20% range.
- The picture in West Lothian is one of clusters of deprived datazones in some localities e.g. in Craigshill, Blackburn and Whitburn. However, elsewhere there is a more diffuse pattern with datazones in the most deprived 20% often sitting next to areas with low deprivation levels. There is also a number of outlier datazones in Uphall and Bridgend.
- Changes to the overall number and adjustments to ensure logical boundaries of datazones alongside changes to the methodology for the domains means that comparisons should not generally be made with previous iterations of the SIMD. A number of areas including two datazones in Carmondean for example show up as being moderately deprived due to more logical datazone boundaries being introduced.
- Nevertheless, the overall pattern of area deprivation in West Lothian is similar to that evidenced in previous SIMD exercises. The 2016 map is close to that derived from the deprivation mapping exercise 25 years ago.
- However, there also appears to be some positive change in that some areas where regeneration activity has been focused, most notably Boghall, no longer features within the most deprived group of datazones.

The [SIMD interactive mapping](#) allows you to view interactive maps of the SIMD results for any area of Scotland.

Poverty in West Lothian

Material poverty is still a significant issue for many households and communities. West Lothian, like many other parts of Scotland, experienced the impact of the credit crunch and subsequent recession – with substantial job losses and a rise in local levels of unemployment. Although the headline unemployment level has fallen since 2013, there are still underlying issues of poverty and deprivation – with a core of individuals and households experiencing extreme hardship and wider groups experiencing financial difficulties and challenges. Low pay as well as unemployment is a key factor (West Lothian Council, 2016).

Welfare Reform

The [Welfare Reform Act 2012](#) introduced several major changes to the welfare system. These include the introduction of Universal Credit (which replaces six current working age benefits/credits and the introduction of the Personal Independence Payment (PIP) to replace Disability Living Allowance for people of working age. Other recent changes include:

- A reduction in the household benefit cap from the current limit of £26,000 to £20,000.
- A four year freeze on most working age benefits.
- Restrictions on Housing Benefit and Pension Credits.
- Ending of the automatic right to Housing Support for single young people aged 18-21.

Local authorities were responsible for implementing many of these changes which are now in place. Currently there are approximately 140 households affected by the benefit cap in West Lothian.

The Scotland Act 2016 includes provisions to devolve eleven benefits/schemes/systems to Holyrood and the power to top up any benefits, reserved or devolved, provided the funding is met by the Scottish Government. From May 2016, the Scottish Government received some of the new devolved powers.

The main housing related benefits that will be devolved are:

- Disability, industrial injuries and carers' benefits.
- Benefits for maternity, funeral and heating expenses.
- Discretionary payments: top up of reserved benefits.
- Discretionary housing payments.
- Power to create new benefits.
- Universal credit: cost of claimants who rent accommodation.
- Universal credit: persons to whom, and time when paid.
- Employment support.

The Scottish Government introduced a new 'Social Security Bill' to the Scottish Parliament in June 2017. The Bill sets out an over-arching legislative framework for the administration of social security in Scotland and established a new 'Scottish Social Security Agency'. The Scottish Government has committed to the following housing related changes to welfare reform:

- To effectively abolish the bedroom tax; and
- To enable the Housing Support element of Universal Credit to be paid directly to Social Landlords, and to offer twice monthly payments to recipients rather than monthly payments.

Impact in West Lothian of Welfare Reform

The Discretionary Housing Payment (DHP) Fund can provide additional support to households where a tenant is entitled to Housing Benefit but where there is a shortfall between their rent and the amount of housing benefit paid. DHP can be paid to alleviate short term hardship or to assist those most affected by the welfare changes, particularly those affected by the size criteria restrictions (spare room subsidy) in the social rented sector.

The council's DHP spend for 2016/2017 was £2,193,463 (WLC Partnership and Resources Policy and Development Scrutiny Panel June 2017).

The Scottish Welfare Fund (SWF) is a national scheme but delivered by local authorities who are responsible for administering Community Care Grants and Crisis Grants. The budget for 2016/17 was £1,064,220 and the total spent was £1,078,920 (WLC Partnership and Resources Policy Development and Scrutiny Panel June 2017).

Impact in West Lothian of the roll out of Universal Credit

Universal Credit involves the integration of six core benefits and tax credits into a single payment. The Universal Credit payment brings together income based (means-tested) Job Seekers' Allowance; income based Employment Support Allowance; Income Support; Housing Benefit; Child Tax Credit and Working Tax Credit. Universal Credit is delivered by the Department of Work and Pensions. Local authorities will not have a role in the administration of Universal Credit.

6.3 Housing Market, Need and Supply

The pattern of housing tenure in West Lothian is very similar to that for Scotland. Table 2 below shows the tenure breakdown in West Lothian.

Table 2: Comparison of Tenure Breakdown in West Lothian and Scotland (2016)

| Housing Tenure | | |
|-----------------------|---------------------|-----------------|
| | West Lothian | Scotland |
| Owner occupied | 63.2% | 62% |
| Social rented | 26.2% | 24.3% |
| Private rented | 9.7% | 12.4% |
| Other | 0.9% | 1.3% |
| Total | 100% | 100% |

Private Rented

In West Lothian, there has been a significant increase since 2012 in the number of registered private landlords from 4,107 to 5,397 but the number of registered properties in the private rented sector has reduced from 7,893 to 6,878 over the same period.

Social Rented

At the end of June 2017 there were 9,406 applicants on the Common Housing Register (CHR). At the time of writing, West Lothian Council's housing stock equated to 13,106 homes (information consistent with ARC return). The ARC is to be updated in November 2017.

Owner Occupier - Average House Price

April- June 2017 figures indicate that the average house price in West Lothian was £157,196, which is lower than the Scottish average of £170,798, indicating owner occupation is a more affordable option within West Lothian than in some other areas of Scotland. The average house price in West Lothian has increased by £13,650 between 2006/07 and 2016/17 (Registers of Scotland, 2016).

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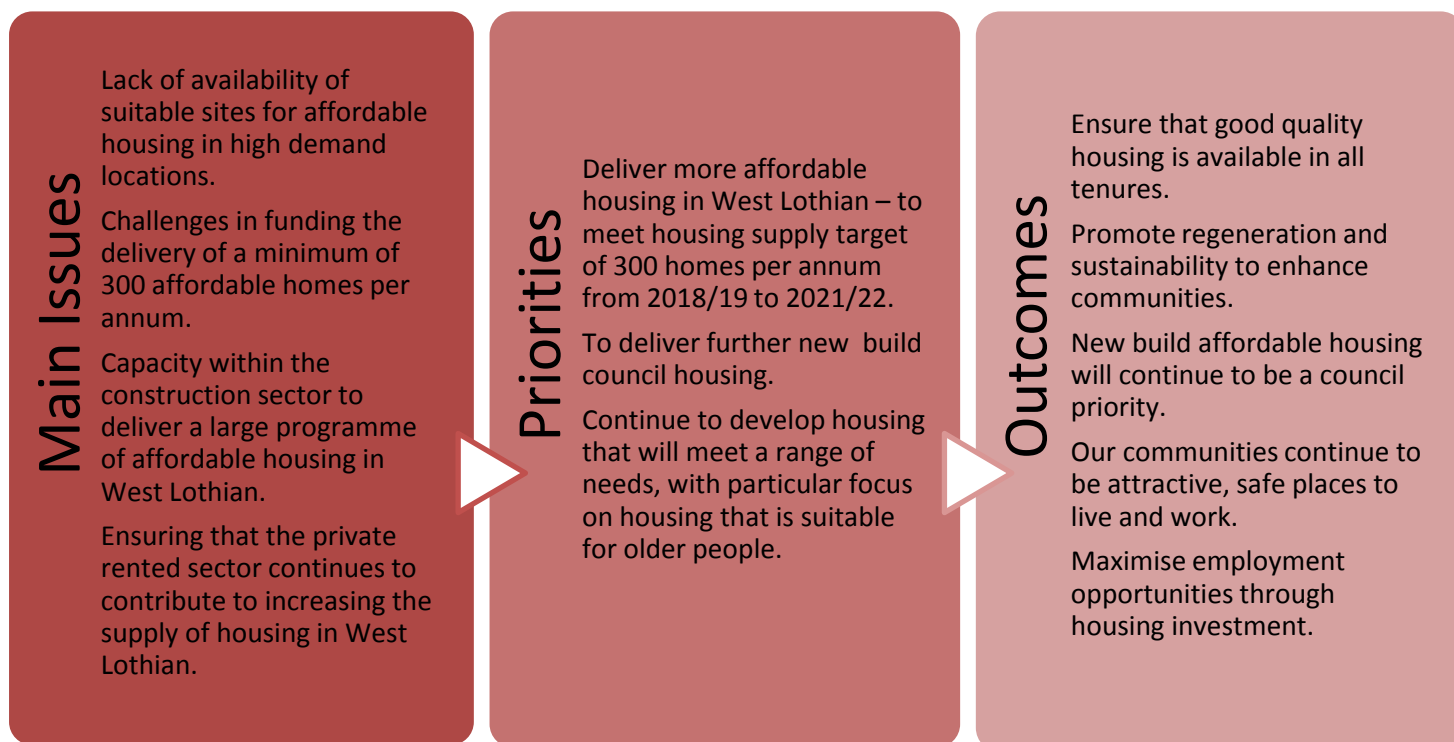
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7. Priority One: Housing Supply and Place Making



ACTIONS:

- The council will continue to work with Scottish Government and RSL partners to deliver more affordable housing in West Lothian. A 'Homes for West Lothian Partnership' will be set up with all the Housing Associations in the area to create a coordinated strategy of land assembly, finance, construction planning and targeted provision of homes based on need.
- Over a 10 year period from 2012 to 2022 the aim will be to deliver 3,000 affordable homes with the majority being council houses.
- Revise affordable housing supplementary guidance to ensure that is in accordance with emerging policy in the West Lothian Local Development Plan (LDP).
- Contribute to the wider strategic planning for housing in the South East Scotland (SESplan) area.
- The council will develop its approach to working with private landlords to ensure quality of supply within the sector.
- Regeneration will take place in areas that require it to address matters of disrepair and anti-social behaviour.
- Develop a range of housing options to assist people who are at risk of homelessness.

7.1 Background

Since the previous Local Housing Strategy, there have been major changes to the housing market in West Lothian. Demand for affordable housing remains high with more than 9,406 applicants in the waiting list for social rented housing at June 2017. There is also high demand for market housing and private rented housing.

The scale of Housing development in West Lothian is determined largely by the Strategic Development Plan which covers the six South East Scotland local authorities (West Lothian, Midlothian, East Lothian, City of Edinburgh, Scottish Borders and the southern part of Fife Council) and by the Local Development Plan (LDP) which covers West Lothian.

The first Strategic Development Plan (SDP) for Edinburgh and South East Scotland set the context for the West Lothian LDP. The spatial strategy sets the broad policy principles to be considered in implementing the SDP strategy at a local level. This includes the allocation of land in the right locations to accommodate development needs and the phasing of development to secure the provision and delivery of infrastructure to accommodate this.

In addition, the SDP requires LDPs to have regard for the built and natural environment when considering land allocations and the development strategy to be taken forward whilst also addressing the challenges of climate change. A second Strategic Development Plan has been prepared and is at examination stage. The LHS will span two Strategic Development Plan periods SDP 1 2009-2027 and SDP 2 2018-2037. It is therefore important that Housing Supply Targets reflect both plans and periods.

7.2 West Lothian Local Development Plan (LDP)

LDP Housing Aims

- Provide a generous supply of housing land and an effective five year housing land supply at all times;
- Continue to promote and support major development within the Core Development Areas (CDAs); and
- Support the council's new build housing programme.

The proposed housing allocations set out in the LDP have been informed by an assessment of the established housing land supply. This comprises the remaining capacity of housing sites currently under construction, sites with planning permission and sites with agreed potential for housing development. In addition to the planned completions to 2024, a number of housing sites will continue to deliver beyond the plan period. Taking this into consideration, this provides for a total established supply of 26,073 houses which is very considerably in excess of SDP1 requirements and the requirements set out in the Proposed Plan for SDP2, principally through on-going development within the Core Development Areas (CDAs) and other strategic allocations. The supply demonstrates that the council continues to support and promote development and continues to take a longer term view on the growth of the area.

The LDP supports the delivery of housing CDAs; Heartlands at Whitburn; Wester Inch at Bathgate; Drumshoreland, to the east of Pumpherstoun and Uphall Station; and the former Bangour Village Hospital, Dechmont. It also brings forward a small number of new housing sites in and around other communities to spread the benefits of growth and to complement the spatial strategy. Further land allocations for development are required in order to meet SESplan requirements in full. A key requirement is the provision of infrastructure to support development and maximising use of the existing infrastructure.

7.3 Housing Need and Demand Assessment

The Housing (Scotland) Act 2001 places a statutory requirement on local authorities to prepare local housing strategies supported by an assessment of housing need and demand which are a key part of the evidence base for the LHS and the development planning framework.

Housing Need and Demand Assessments (HNDAs) provide a framework to enable an understanding of additional future housing estimates and help local authorities to consider the level of housing that can realistically be delivered across an administrative or wider regional area such as SESplan. The total additional future housing estimate is then used to inform the process of setting Housing Supply Targets and Housing Land Requirements.

There have been two HNDAs prepared over the past 5 years. The first HNDA was used as evidence for the first Strategic Development Plan and consequently influenced the Housing Supply Target included in Strategic Development Plan 1.

7.3.1 HNDA2

A second Housing Need and Demand Assessment (HNDA 2) was carried out to inform the development of the second South East Scotland Strategic Development Plan. This received the Scottish Government's Centre for Housing Market Analysis "robust and credible" stamp of approval in March 2015.

HNDA2 presents a number of scenarios and has informed the housing land requirement for SDP2. It incorporates the 2012 Based Household Projections. The preferred scenario (a medium growth scenario referred to as Alternative Future Steady Recovery 2 in HNDA2 and Option 1 Steady Economic Growth in the SESplan MIR2) is 11,336 houses for West Lothian over the period 2016 to 2032. Additionally, HNDA2 identifies that a much higher percentage of housing demand in West Lothian will be for rented housing rather than owner occupied housing than was the case in the HNDA1. The two HNDAs that have been completed are based on different methodologies so the supply targets cannot be directly compared.

7.3.2 HNDA2: Preferred Scenarios

HNDA2 has four different output estimates of additional housing required based on the 2012 household projections. These are characterised as, Default, Steady Recovery, Wealth Distribution and Strong Economic Growth. The alternative futures are based on different economic and demographic assumptions. The HNDA report concludes that Steady Recovery and Wealth Distribution are the most likely futures.

HNDA 2 presents a more detailed assessment of housing demand over the projection period and breaks the overall demand figure down into four tenures: social rent, below market rent, private rent and owner occupation. On the basis of the demand figures in HNDA2, the biggest single challenge will be meeting the demand for social rented housing.

7.3.3 Housing Market Areas (HMA)

In HNDA1, West Lothian was identified as a single housing market. HNDA2 identified three Housing Market Areas in West Lothian, these are:

- WLC 01 - Livingston including "the Calders", Winchburgh, Broxburn and Uphall
- WLC 02 – Bathgate, Boghall, Whitburn, Armadale and Fauldhouse
- WLC 03 – Linlithgow and surrounding area

The purpose of housing market areas is to provide an analysis of where house purchasers come from and move to. There is a need to understand these factors so that appropriate policies can be used to address any imbalance in housing supply and demand in the area.

7.4 Housing Supply Targets

Scottish Planning Policy (SPP) states that the SDPs are required to set housing supply targets over a 12 year and subsequent 8 year period from plan approval. Housing supply targets are defined as:

“a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the periods of the development plan and the housing strategy, taking into account wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks. The target should be reasonable, should properly reflect the Housing Need and Demand Assessment (HNDA) estimate of housing demand in the market sector, and should be supported by compelling evidence. The authority's housing supply target should also be reflected in the local housing strategy”.

Housing Supply Targets have been developed for SDP2. Although a Housing Requirement was identified for SDP1, it has been agreed that the Housing Supply Targets to be included in the LHS will align with HNDA2 and SDP2 as they provide the most recent economic evidence and meet the most relevant guidance. SDP2 will not be approved until 2018. The targets will be reviewed annually as part of the LHS update. This will ensure that any recommendations on SDP2 by the Scottish Government can be taken into account.

Table 3: Proposed Housing Supply Targets for the LHS 2018-2022 (HNDA2, 2015)

| Year | Overall Target | |
|------------------|----------------|--------|
| | Affordable | Market |
| 2018-2019 | 300 | 333 |
| 2019-2020 | 300 | 333 |
| 2020-2021 | 300 | 333 |
| 2021-2022 | 300 | 333 |

Housing Supply Targets will be reviewed and monitored during the course of the LHS in discussion with Planning. A target of 3000 affordable homes over the period 2012 to 2022 has been set in West Lothian by the current administration and work is ongoing with RSLs to achieve this target. Over the period 2012/13 to 2016/17 1054 affordable homes were provided in West Lothian. In addition there is a commitment to provide 1029 affordable homes during 2017/18 and 2018/19. This leaves a shortfall of 915 affordable homes to be planned for over the period of the LHS to meet the 3,000 target.

7.4.1 Housing Supply Targets and SDP2 and HNDA2

In West Lothian, a number of factors have been taken in to account when developing the housing supply targets.

Market housing completions declined significantly between 2008/09 and 2011/12. The market has since shown evidence of recovery but completions remain historically lower than they were during the early part of the 2000s.

Table 4: New Build Completions by Tenure (West Lothian) (Housing Land Audit 2014/15/WLC Records)

| | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 - |
|----------------|---------|---------|---------|---------|-----------|
| RSL | 66 | 76 | 59 | 5 | 61 |
| WLC | 136 | 249 | 156 | 11 | 105 |
| Private | 318 | 315 | 619 | 716 | 477 |

Since 2010, levels of affordable housing completions have increased significantly due to the WLC new build programme. The use of prudential borrowing has been a major source of funding for the new build council housing but it has also been supported by Scottish Government grant funding. There has been a limited amount of mid-market rent housing built by RSLs.

The 10 year average for the delivery of completed affordable housing is 155 per annum. If this was to continue over the period of the LHS, it would represent a shortfall of 145 units per annum when compared to the proposed housing supply target for affordable housing.

It is not yet clear when SDP2 will receive approved plan status or whether the Housing Supply Targets will be accepted as they stand or require adjustment. The final position is likely to be confirmed sometime during 2018. The LHS will commence in Autumn 2017. There is no housing supply target for affordable and market housing for 2017/18.

7.4.1 Market Housing

As can be seen in Table 4 above, over the first four years of the last Local Housing Strategy 2012-2017 (figures for 2012/13-2015/16) there were 1,968 market completions. This is an increase on previous years' figures.

In order to facilitate development of private sector sites during the recession, West Lothian Council worked closely with developers to consider options to progress sites. This included deferred payment of developer contributions and the council forward funding infrastructure to enable sites to progress. This enabled progress to take place in the Core Development Areas and in other sites that were stalled.

In West Lothian, market housing is being delivered by a number of developers. There has been good progress in the Core Development Areas. There has been a good up take of the Scottish Government's Help to Buy programme by people purchasing homes in West Lothian. In addition, the Open Market Shared Equity Scheme has consistently delivered assistance to support house purchase for around 250 people in West Lothian each year for the last 5 years.

There will be a need for ongoing investment in infrastructure to enable both affordable and market housing site to be brought forward. There will be opportunity for infrastructure funding to be made available through the City Deal. The Scottish Government's Housing Infrastructure Fund also provides infrastructure support and projects have been identified in West Lothian to receive this support. These are included in the Strategic Housing Investment Plan 2017-2022.

7.5 Delivery Mechanisms for Affordable Housing

7.5.1 New Build Council Housing

Between April 2007 and 31st March 2017, the council delivered 922 new build council houses and has a programme to build a further 250 new build council houses. By March 2018, the council will clarify the scale of any future new build council housing programme.

New Build Council Housing Sites in West Lothian

The current new build council housing programme delivers on a number of fronts including making use of sites obtained through the affordable housing policy, building on brownfield sites and developing greenfield sites including a very large site at Kirkhill which is on the Housing Revenue Account.

The map below shows the location of all new build council housing developments since 2007.



For more information on the above map – [Click Here](#)

Beyond the current new build programme, a key challenge will be securing suitable sites that are well located in terms of amenity and in areas of high demand. It is likely that there will be greater reliance upon land acquisition in the future as the number and availability of council owned sites reduce.

7.5.2 Affordable Housing

Registered Social Landlords (RSLs) have also made an important contribution to the supply of affordable housing in West Lothian in recent years with 255 completions homes over the duration of the LHS covering the period 2012-2017.

Some RSLs in West Lothian have successfully secured bond funding to support new build housing. This may enable them to provide housing below benchmark levels of housing subsidy. RSLs have identified development opportunities for 700 units over the next 5 years. Funding to support these projects will be considered through the Strategic Housing Investment Plan. Sites will be prioritised for investment based on the amount of funding required and on location.

Table 5: Affordable Housing Completions by Tenure in West Lothian

| | 2012-13 | 2013-14 | 2014 -15 | 2015-16 | 2016-17 |
|------------------------------|------------|------------|------------|-----------|------------|
| Social Rent (WLC) | 136 | 249 | 156 | 11 | 105 |
| Social Rent (RSL) | 56 | 58 | 25 | 5 | 61 |
| Mid-Market Rent (RSL) | 0 | 18 | 34 | 0 | 0 |
| LCHO RSL | 10 | 0 | 0 | 0 | 0 |
| | 202 | 325 | 215 | 16 | 166 |

7.5.3 Affordable Housing Policy

To achieve appropriate levels of affordable housing in West Lothian developers of market housing are required to make affordable housing contributions, unless a specific exemption applies. The SDP identifies a benchmark figure of 25% (25% of the total number of housing units per housing site should be provided as affordable units). However, the SDP recognises that each local authority area has its own characteristics and variations in need and therefore allows for each to set out an appropriate approach to provision, compliant with SPP2014 and taking into account council house waiting list and HNDA evidence.

West Lothian Council's Local Development Plan (LDP) sets out the council's emerging affordable housing policy. Draft Affordable Housing Supplementary Guidance has been prepared. The policy will be confirmed when the LDP is adopted.

7.5.4 Open Market Acquisition Scheme (OMAS)

The council is undertaking a programme of open market acquisitions. There may be advantages to considering this in strategic locations where there are few available sites for development or to acquire flats which would consolidate the council's ownership in a block and make it easier to progress major capital works.

| | 2016-17 | 2017-18 (To date) |
|-------------|---------|-------------------|
| OMAS | 45 | 23 |

7.5.5 Open Market Shared Equity

The Scottish Government's Open Market Shared Equity scheme in West Lothian has been highly successful with over 500 purchases since 2012/13. It is anticipated that this funding stream will continue to be available and will continue to contribute to affordable housing supply in West Lothian for the duration of the Local Housing Strategy.

Table 6: Open Market Shared Equity Purchases in West Lothian

| | 2012-13 | 2013-14 | 2014 -2015 | 2015-16 | 2016-27 |
|-------------|---------|---------|------------|---------|---------|
| OMSE | 58 | 128 | 122 | 203 | 246 |

Source: Scottish Government

7.5.6 Provision of housing for people with particular needs

Sixty bungalows that are suitable for older people or people with disabilities have been built by the council since the last LHS. A further 133 are planned as part of the current new build council housing programme, with 9 completed. Housing specifically for older people and people with disabilities has been completed at Rosemount Gardens, Bathgate (46 units) and at West Main Street, Broxburn (18 units). During 2012-2015 RSLs in West Lothian built 20 homes suitable for people with particular needs.

7.5.7 Provision of Temporary Accommodation

There is particular pressure on temporary accommodation for homeless people. The use of Bed & Breakfast accommodation has increased over the past 3 years and a range of housing solutions are being developed.

The Blackburn Homeless Assessment Centre has been extended and provides 10 additional temporary flats for homeless families. Other options that may be considered will include shared accommodation for people under 35 affected by the shared room rate in relation to welfare reform. This will require engagement with private landlords and RSLs as well as examining opportunities for council provision. A need has also been identified for very short-term accommodation to enable people at risk of homelessness to be given respite and the opportunity to explore their housing options. The design of such a service may be done in conjunction with the voluntary sector.

7.6 Regeneration

7.6.1 Community Planning

The *West Lothian Community Planning Partnership* (CPP) is specifically charged with developing local Community Planning processes and delivering the Single Outcome Agreement at a local level. It is seeking to make the best use of local data and information and empower communities in order to deliver targeted positive outcomes and tackle inequalities – the key theme of the CPP. Developing the relationship between Community Planning, Development Planning and Community Regeneration is key to delivering local Community Planning.

West Lothian Council's Regeneration Framework 2013-2034 provides a long term plan for targeted action to improve the life chances of those living in the most disadvantaged communities.

Community regeneration initiatives are primarily focussed on areas identified in the Scottish Index of Multiple Deprivation 2012 as facing inequalities. This principally includes settlements in the west of West Lothian, many of which are former mining communities including Armadale, Blackburn, Blackridge, Fauldhouse, Stoneyburn and Whitburn. Other areas experiencing elements of disadvantage are Bathgate and Boghall and settlements in the Breich Valley such as Addiewell, Loganlea and Breich where headline levels of disadvantage including unemployment, financial exclusion, poor health and lower education attainment have been identified.

7.6.2 Placemaking

The importance of design and place-making in the planning process is set out in key national policy statements, *Designing Streets* (2010) and *Creating Places* (2013). Scottish Planning Policy (2014) also reaffirms the Scottish Government's intentions in respect of design and place-making. The terms of these documents are included in the council's Residential Development Guide.

All new build council housing is built to Housing for Varying Needs standards and meets Secured by Design standards. The majority of the new build council housing is no more than two storeys in height and most of the flats have individual entrances. The new build council housing is medium density. Customer and housing management staff feedback is used to inform future new build developments thus enabling continual improvement to the design, quality and standards of new housing.

West Lothian Council is committed to promoting sustainable places. The proposed Local Development Plan identifies the need for sustainable housing locations. There are several elements to this;

- Provide a generous supply of housing land and an effective 5 year housing land supply at all times.
- Continue to promote major developments within the previously identified CDAs; and
- Support the council's new build housing programme.

All housing developments will be required to meet the policy objectives on climate change and sustainability in the proposed Local Development Plan (Policy NRG 1 on climate change and sustainability page 63 of the proposed LDP).

This includes sustainable design and development covering matters such as sustainable energy, transportation, designs for passive heating and ventilation, supporting a site's biodiversity, treating and conserving water, recycling of construction materials and high speed broadband connections.

When selecting sites for new build affordable housing, key considerations include good transport links, use of brownfield sites where possible, consideration of ways to reduce the environmental impact from site works and measures to reduce any impact on biodiversity.

The council also supports sustainable places through tenant-led inspections and engagement with tenant representatives and registered tenant organisations. Several projects have been developed in conjunction with tenants to improve the environment and amenity of neighbourhoods.

7.6.3 Rural Housing

In West Lothian, the development of rural housing is relatively limited. Most development takes place in or around the main settlements or in the Core Development Areas. However, there continues to be limited opportunity for conversions of farm buildings and development of some rural sites in limited circumstances. The new build council housing programme has provided development in two very small communities at Philpstoun and Bridgend. These developments can help to make communities more sustainable and provide a wider range of housing options.

The local development plan seeks to deliver a balance between the development requirements set out in the Strategic Development Plan and the need to protect the area's valuable natural environment by setting out a policy approach which seeks to avoid sporadic development in the countryside that would erode its character and amenity, and identify those circumstances in which development may be supported.

It is possible that local communities may seek to lead development in their own neighbourhoods through Community Empowerment legislation. Some proposals are being developed. The council will consider each development on its merit along with the relevant legislation and guidance.

7.6.4 Self Build

Self-build is not a major source of housing supply in West Lothian. Where people are interested in self-build, they can get advice from the Planning team at the council. In some cases, RSLs are prepared to offer advice and assistance to groups that may wish to come together to develop a site for affordable housing.

7.6.5 Community Safety

The Safer Neighbourhood Team is part of the Community Safety Unit, dedicated to preventing anti-social behaviour and crime to ensure a safer community where people can live their lives without fear for their own or other people's safety. The Community Safety Unit (CSU) is made up of staff from the council, Police Scotland and the Scottish Fire and Rescue Service. The CSU approach is to coordinate resources through prevention, intervention and diversion; working to assess and manage potential risk; increasing partner agencies' focus on current problems; and improving information-sharing and greater accountability.

7.6.6 Empty Homes

Around 1.2% of the housing stock in West Lothian is classified as empty or second homes (9292 properties in 2016).

West Lothian Council participated in the Empty Homes Shared Service Project Pilot with Fife, East Lothian and Scottish Borders Council and Shelter between 2011 and 2014. Over the period there was a shared member of staff dedicated to empty homes work. Whilst there is no longer a dedicated resource the council continues to work with homeowners to bring their empty homes back into use.

The council is undertaking a programme of strategic acquisitions of existing housing stock and some of these may be empty homes in mixed tenure blocks or in areas where there is high demand for social rented housing. In addition, there is opportunity for owners of empty homes to make use of the HomeChoice service to rent their properties to people who are seeking private rented housing.

The council is currently not making use of Compulsory Purchase Order (CPO) powers but aware that this route is available. Strategic acquisition of properties is done in agreement with owners when they market the property and subject to council policy. This enables the council to acquire homes in blocks to consolidate council ownership so that capital investment can proceed.

Funding from empty homes and second homes council tax is used to support new housing supply.

7.6.7 Town Centres and Regeneration

In West Lothian, town centres are regarded as important in terms of creating a vibrant and attractive destination. Between 2012 and 2017 there has been significant investment in environmental improvements in town centres Bathgate, Armadale, Whitburn and Linlithgow. In addition, RSLs in West Lothian have taken the opportunity to build on a number of brownfield sites in town centre locations providing mid-market rent houses in both Bathgate and Armadale. Such developments are both convenient and attractive and are in high demand. RSLs and the council have built on brownfield sites that were formerly school sites in Whitburn, Uphall Station, Pumpherston and Broxburn. Such developments not only provide much needed social rented housing but also make best use of existing land supply and buildings and bring life back into communities. Of the 26 sites in the current new build council housing programme, 13 are brownfield sites with 230 homes being built on these sites.

There is likely to be continued use of brownfield sites in the future especially for affordable housing.

7.6.8 Housing led Regeneration

The Deans South estate is an area where the council wishes to see a comprehensive redevelopment take place in order that the houses with structural problems can be replaced with modern houses thus

creating a high quality place where people want to live. This process has commenced with the council preparing to build new homes as part of the current council house build programme.

Demolition of 184 houses has been completed and a masterplan has been prepared to inform how development proposals are taken forward.

Future Regeneration Projects

- Continuation of regeneration at Deans South, Livingston.
- Completion of regeneration at Bathville Cross, Armadale.
- Development of proposals for Almondell Road, Broxburn.
- Completion of regeneration for Mayfield, Armadale.
- Capital programme investment in various communities across West Lothian.

Examining regeneration options may also be appropriate in other areas such as Ladywell, Dedridge and Knightsridge where there is evidence of some anti-social behaviour associated with the environment. There may be some improvements that can be made to amenities and the local environment.

7.7 Constraints on Housing Delivery

7.7.1 Infrastructure

There are several constraints to the delivery of housing in West Lothian. These include:

- Constraints on school capacity.
- Transportation constraints
- Scottish Water capacity constraints

A number of solutions have been developed or are being explored including;

1. Use of the West Lothian Local Infrastructure Fund – where the council forward funds investment in schools and transportation to allow sites to come forward.
2. Joint working with developers in relation to the Core Development Areas.
3. Encouraging developers to cooperate to provide common infrastructure works.
4. Bidding for Scottish Government funding to deliver infrastructure projects.

It is proposed that as far as possible, these solutions will be used in the future to deliver sites for affordable and market housing.

7.7.2 Funding

During 2012-2017 there were significant funding constraints for both affordable and market housing. In the face of the constraints, it is a notable achievement that the council and RSLs were able to deliver more affordable housing.

West Lothian Council spent £84.6m on its new build programme over the years between 2012/13 and 2016/17 and plans to spend a further £35m in 2017/18. Scottish Government has supported WLC's new build with grants in excess of £30million since 2012. The scale of any future new build council housing programme will depend on the amount of subsidy available from Scottish Government. Early indications are that there will significant additional resources over the next 5 years for affordable housing.

Scottish Government has provided funding support through a variety of mechanisms including grants to RSLs. Recently, benchmark grants have increased for RSLs and this should assist in encouraging future development.

Scottish Government has provided funding directly to homeowners to enable them to purchase homes through taking an equity stake in the property (e.g. Open Market Shared Equity Scheme). They have also supported private developers to facilitate the sale of homes (e.g. OMSE and Help to Buy).

For prospective homeowners, availability of mortgages remains tight although Scottish Government initiatives such as Help to Buy and the OMSE scheme have been particularly successful in West Lothian and this is likely to continue in the longer term.

In the private rented sector, the Bank of England is concerned about the level of borrowing and is introducing stricter lending criteria for buy-to-let landlords. Tax changes including the Additional Dwelling Supplement and restrictions on finance cost relief are likely to deter some landlords from further investment in new supply. The Scottish Government wishes to encourage Institutional investment in housing through build to rent development. There is no evidence of such investment in West Lothian to date.

7.7.3 Actions to Overcome Development Constraints

- Continue to forward fund via the West Lothian Local Infrastructure Fund (LIF).
- Work with Scottish Government and other agencies to resolve infrastructure issues on sites that are constrained.
- Continue to develop programmes in partnership with developers and RSLs.
- Work with Scottish Government to maintain and increase levels of funding for affordable housing in West Lothian.
- Investigate options for alternative funding mechanisms for the delivery of affordable housing.
- Ensure sites that come through the affordable housing are suitable and desirable, in areas of high demand for development.
- Make best use of commuted sum funding to support new build.
- Work with the private sector to encourage private rented housing supply.

7.8 Housing Supply and Place Making - ACTION PLAN – 2017 – 2022

| Outcome: To increase supply of housing both affordable and market housing in West Lothian between 2017 and 2022 | | | | | | |
|---|---|--|--|-----------|--|-----------------|
| Action | Baseline | Indicator/Measure | Target/Milestone | Timescale | Responsible Person | Progress Update |
| Provide new council homes. | 657 council homes built between April 2012 and March 2017 2016. | Number of homes built. | Complete current council houses programme and begin a new programme. | By 2022 | Housing Strategy and Development Manager | |
| Support and Assist other providers to deliver affordable homes. | 267 RSL homes completed between April 2012 and March 2017. | Number of homes built | 700 RSL homes to be built. | By 2022 | Housing Strategy and Development Manager | |
| Private Sector Homes to be delivered. | 2,445 completed 2012/13 and 2016/17 (average of 489 per annum). | Number of homes built. | 1,516 private homes to be built. (Balance of Housing Land Requirement 2016/17 and 2017/18) Housing Supply Target of 333 per annum for 4 years). | By 2022 | Planning Services | |
| OMSE | 757 purchases between 2012/13 to 2016/17 | Number of Open Market Shared Equity Purchases. | 500 (subject to continued support of the Scheme by Scottish Government). | By 2022 | Housing Strategy and Development Manager | |
| Open Market Acquisitions | 30 homes per annum | Number of homes bought by the council for social rent. | 100 homes purchased | By 2022 | Housing Strategy and Development Manager | |
| Complete Regeneration of Deans South | To commence in 2017/18 | Number of homes built. | Complete phase 1 | By 2022 | Housing Strategy and Development Manager | |
| Progress Regeneration Project in Almondell, Broxburn | To commence 2017/18 | Common area and security improvements. | Complete | End 2018 | Housing Strategy and Development Manager | |

7.9 Resource Plan

A resource plan has been developed to set out future funding requirements. This will be reviewed as new budgets are confirmed.

| | 2017/18 £M | 2018/19 £M | 2019/20 £m | 2020/21 £m | 2021/2022£M |
|--|------------|------------|------------|------------|-------------|
| Prudential Borrowing | 35.00 | TBC | TBC | TBC | TBC |
| Affordable Housing Supply Programme Indicative planning figures | 12.00 | 11.397 | 12.894 | 13.757 | 13.757 |
| OMSE | 9.00 | 9.00 | 9.00 | 9.00 | 9.00 |
| SG Infrastructure Fund | TBC | TBC | TBC | TBC | TBC |
| Commuted Sums | 1.3 | 0.250 | 0.250 | 0.250 | 0.250 |
| Council Tax (second homes) | 0.200 | 0.200 | 0.200 | 0.200 | 0.200 |
| Non-HRA (housing related) Projects | TBC | TBC | TBC | TBC | TBC |

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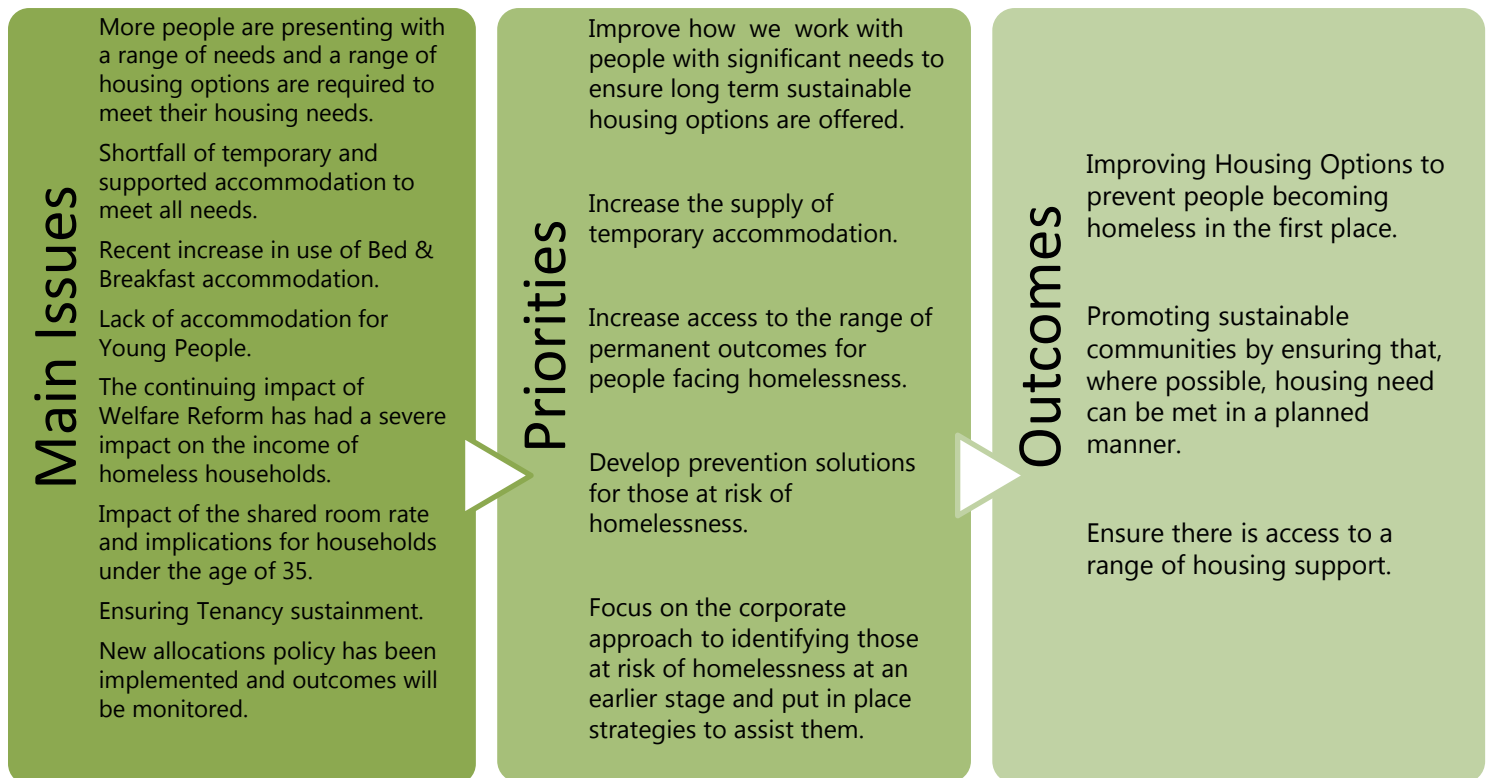
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8. Priority Two: Preventing and Addressing Homelessness



ACTIONS:

- Develop a supported temporary accommodation strategy for young people to increase satisfaction with the quality of accommodation and improve outcomes for young people facing homelessness.
- Developing relationships and protocols with private landlords to maximise opportunities to prevent homelessness.
- Ensuring a sufficient supply of temporary and permanent accommodation.
- Ensuring that financial advice and tenancy sustainability services are in place to assist homeless households.
- Managing and expanding membership of the Common Housing Register in partnership with local Registered Social Landlords.

8.1 Preventing and Addressing Homelessness

The council and its partners aim to prevent homelessness occurring. When homelessness does happen, the objective is to ensure the provision of appropriate emergency or temporary accommodation and re-housing into settled accommodation as soon as possible. Housing support is provided where required to help people sustain their accommodation. The Allocations Team works in partnership with Registered Social Landlords and private sector landlords to let settled accommodation that meets the housing needs of all applicant groups.

In West Lothian, a Housing Options Service has been in place since December 2011. The aim of the service is to assist the customer to, avoid where practical, the crisis of homelessness by early intervention, identifying options and solutions for the customer which focuses on the needs of the household ensuring that housing solutions are sustainable.

The creation of the housing options team has enabled the enhancement of the service's proactive approach to assisting customers either to remain in their current accommodation or to identify appropriate alternative housing options in preference to making a homeless presentation. This has had a significant impact on reducing the numbers of applicants presenting as homeless. In all circumstances customers are advised of their rights to make a homeless application should they choose to do so.

In 2016/17 the prevention team assisted 1067 households, with 374 (34.4%) making a homeless application as a result of the approach. It is also noteworthy that in 2015/16, 43% of all approaches were made by those under the age of 30. In 2015/16 the percentage was slightly lower at 42%. This age group, if unemployed, or on a low income, would struggle to be able to afford private rented accommodation in West Lothian due to the application of the Shared Room Rate for all single people under 35 for housing benefit purposes.

It should be noted that the introduction of the Scottish Government's Housing Options Guide in May 2016 removes the choice for an applicant not to make a homeless application. The guidance states an application must be taken if a council has reason to believe an applicant may be homeless within 56 days. It is expected that this guidance is likely to result in increased homeless applications over time.

The recording of prevention work has been developed by the Scottish Government and the national recording system (Prevent 1) commenced on 1st April 2014. Scottish Government has changed the nature of the publication of the statistics and for year 2015/16 there is no individual breakdown of outcomes per Local Authority.

8.2 Profile of homeless Applicants

There were 1360 homeless applications in 2016/17, compared to 1363 in 2015/16. This is an overall reduction from 2011/12 when applications were at a high of 1932, but an increase of 5% on the 2013/14 low of 1250 applications.

The majority of applications in West Lothian are made up of single people, mostly male, followed by single parents, most being female. In total 66% of all homeless applications in 2016/17 were from single person households. It is notable that applications from the 16-25 age group, in 2017/18, is 7% higher than the national average. In West Lothian, many people who present as homeless are young people who have been asked to leave the parental home. Their issues can be significant but

sometimes relatively short term until there can be mediation or other housing options made available to them. There is a significant shortfall of temporary accommodation for people with physical disability.

8.3 Reasons for Homelessness

During 2016/17, "asked to leave" continued to be the most common reason for homelessness both locally and nationally. In West Lothian, however, the numbers recorded in the category "asked to leave" are significantly higher than the national average which has been a continuing trend for a number of years. This category is mainly young, newly forming households being asked to leave the family home.

It is important to note that of the 1,360 homeless applications to the council in 2016/17, 1038 (76%) were made by those who either had been living with a partner or friends and family and had been asked to leave. Of the applicants where the reason for application was that the household had lost or ended their own tenancy or owned accommodation, 143 (87%) were because of "other action by landlord" or "termination of tenancy/mortgage due to arrears or default on payments".

8.3.1 Previous Locations of Homeless Applicants

The majority of homeless applicants over the past three years have previously been living in Livingston or Bathgate. These are areas of high demand and low turnover.

8.4 Homeless Assessments

All applicants are assessed in order that a decision on their individual circumstances can be made. The key aspects that are considered are:

1. Homeless – determines if the applicant is, homeless or threatened with homelessness. In 2016/17 the council assessed 81.4% of all those applying under the homeless persons legislation as homeless. The national average was 82% for this same period.
2. Intentionality – determines whether the applicant deliberately did or failed to do something in consequence of which they became homeless. The percentage of applicants assessed as intentionally homeless in West Lothian increased slightly in 2016/17 to 5.4% (72 cases) of all assessments carried out. This is a 0.7% increase on the previous year. This is on a par with national average of 5.3% of applicants assessed who were found to be intentionally homeless.
3. Local Connection – establishes if the applicant has any links with West Lothian.

8.4.1 Housing Support

Table 7 below outlines the number of households who were provided with housing support under the Housing Support Regulations.

Table 7: No. of households with support provided under the Housing Support Regulations

| Year | No. of Households |
|---------|-------------------|
| 2013/14 | 39 |
| 2014/15 | 103 |
| 2015/16 | 91 |
| 2016/17 | 71 |

8.4.2 Final outcomes of Applications

If accepted as unintentionally homeless, West Lothian Council has a duty to secure a settled outcome for applicants. This is measured in the main, in relation to the number of homeless applicants who secured a local authority or housing association tenancy as the final outcome of their application. In 2016/17, West Lothian's homeless applicants who were assessed as unintentionally homeless and whose cases were closed in the reporting year secured a local authority or RSL tenancy. When looking at outcomes for applications closed in the year 2016/17 regardless of the assessment decision 1126 were closed, 615 of these (54.6%) secured a Scottish Secure Tenancy. Of this number 461 (41% of closed cases) secured a council tenancy and 154 (13.7% of closed cases) were with an RSL.

This is an increase on the previous year of 31 households securing a council or RSL property. The increase is as a result of the overall number of available lets with the number of cases closed remaining similar to the previous year.

The overall percentage of council lets to homeless households has decreased from 73% in 2015/16 to 61% in 2016/17. This is because the total available lets has increased significantly from 592 in 2015/16 to 891 in 2016/17. Although the percentage of lets has decreased the actual numbers of lets has gone up from 432 in 2015/16 to 544 in 2016/17 reflecting the increased lets available.

Table 8: West Lothian's Homeless Applicants who secured a Local Authority or RSL Tenancy

| | WLC Tenancy | RSL Tenancy |
|----------------|-------------|-------------|
| 2013/14 | 42% | 12% |
| 2014/15 | 42% | 14% |
| 2015/16 | 28.6% | 10.6% |
| 2016/17 | 33.9% | 11.3% |

Source: WLC Services for the Community Policy Development and Scrutiny Panel 2016

8.5 Temporary Accommodation and ARC Return

Homeless applicants may be placed in temporary accommodation while the council assess their application or while awaiting an offer of settled accommodation.

A wide-range of good quality furnished temporary accommodation is available throughout West Lothian, with housing support provided where required. The council has identified an over reliance on the use of hotel accommodation to meet the temporary accommodation duty. This is due primarily to a shortfall in number of temporary accommodation units, and the council has increased its temporary accommodation stock in order to meet demand.

8.5.1 ARC Return

The Housing (Scotland) Act 2010 requires Scottish Ministers to set standards and outcomes which social landlords should aim to achieve, and to publish these in a Scottish Social Housing Charter. It is the responsibility of each landlord to meet these outcomes and standards. Each year West Lothian Council provides an Annual Return on the Charter (ARC) to evidence performance over a range of indicators. In relation to Homelessness there are three main indicators that are used:

1. Indicator 25: The average length of time (days) in temporary accommodation by type in West Lothian. This is outlined in table 9 below.

Table 9: The average length of time (days) in temporary accommodation by type in West Lothian

| Type of Accommodation | Length of Stay (days) |
|--|-----------------------|
| Ordinary local authority temporary tenancy | 157 |
| RSL leased temporary tenancy | 213 |
| Local Authority Hostel | 91 |
| Private Sector Leasing temporary accommodation | 110 |
| Hotel | 15 |

Source: WLC 2016/17 ARC return

2. Indicator 26 of the ARC relates to the percentage of households requiring temporary or emergency accommodation to which an offer was made in West Lothian. In 2016/17 the council's performance in relation to ARC indicator 26 was 100%. It should be noted that not all applicants who are assessed as unintentionally homeless require temporary accommodation until they can be given an offer of housing.

3. Indicator 27 of the ARC is the percentage of temporary or emergency accommodation offers refused in the last year. Over the course of the year a total of 1,317 offers were made with only 40 (3 %) offers of accommodation being refused.

In 2016/17, 1277 households occupied temporary accommodation. 665 of these were accommodated in hotels initially and may then have occupied a temporary tenancy resulting in an element of double counting of the overall total of households accommodated.

8.6 Sustainability

In 2016/17, 90% of homeless applicants who accepted permanent accommodation maintained their tenancy for more than a year. Tenancy sustainment of formerly homeless applicants in West Lothian has slightly increased on the previous year and is part of a steady increase in sustainment since 2009/10. The sustainability figure reflects the council's person centred approach to ensuring where possible homeless applicants are made offers of accommodation in areas of West Lothian which are sustainable. In addition the council's housing support service continues to assist homeless applicants settle into their new homes.

8.7 Repeat Applications

The Scottish Government defines repeat homelessness cases as: The number of cases reassessed as homeless or potentially homeless within 12 months of the previous case being completed and both cases involving the same adults and family composition.

Repeat applications consisted of 1.7% of all applications during 2016/17, an increase on the previous year. This compares favourably with the national average of 6.7% of all applications being repeat applications.

8.8 Developing the Approach to Homelessness in West Lothian

8.8.1 The Scottish Social Housing Charter

The outcomes of the Scottish Social Housing Charter are at the heart of the approach to homelessness in West Lothian.

| Outcome | Description | WLC approach |
|--|---|---|
| Access to Housing and Housing Support | Social landlords work together to ensure that people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them. Tenants and people on housing lists can review their housing options. Social landlords ensure that people at risk of losing their homes get advice on preventing homelessness. | Working with RSLs through the Common Housing Register. A new allocation policy has been developed. Housing options advice is available to people who need it. |
| Tenancy Sustainment | Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations. | Housing advice and housing support is available. |
| Homeless People | Homeless people get prompt and easy access to help and advice and are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to. | Homeless people receive housing options advice. Temporary accommodation is available as required. Housing support is available to people who need it. |

8.8.2 Partnership Working

The council works with a range of partners to deliver housing support and assist those people at risk of homelessness or who are homeless. These partners are:

- Registered Social Landlords operating in West Lothian.
- Private Sector Landlords in West Lothian.
- Service users and partner agencies.
- Local support service providers.
- NHS Lothian/Moving into Health.
- Integration Joint Board.
- Police Scotland.

In West Lothian, there is a common housing register comprising the council and two RSL partners. These are Almond Housing Association and Weslo Housing Management. Work is underway to review the Common Housing Register and consider extending membership to other RSLs who wish to participate.

West Lothian Council is a member of the Scottish Government's East Housing Options Hub. The hub encourages cooperation between authorities to share best practice in relation to housing options work. Ongoing projects include development of a housing options toolkit which is an aid for staff when delivering housing options. In addition the Hub has provided West Lothian with some funding to pilot a project in Partnership with the Rock Trust to provide short term accommodation to a young person with a volunteer host family. The young person will be provided with support and will be assisted to either return home or move on to suitable alternative accommodation.

8.8.3 New Allocations Policy

A new allocations policy was introduced in April 2016 and it aims to ensure that homeless applicants are given greater choice in the areas that they can select. This should help to improve tenancy sustainment and lead to greater stability for families affected by homelessness. The Policy is undergoing review which will focus on targeting those groups most at risk of homelessness.

8.8.4 Increasing Supply of Affordable Housing

The completion of the current new build council house programme will result in increased provision of housing that will result in more properties being available for homeless households. The current allocations policy for new build, whilst giving priority to existing tenants, provides the opportunity for homes that are vacated to be made available for people on the waiting list including homeless households. Over the duration of the Local Housing Strategy, funding levels for affordable housing are likely to increase significantly. This will provide the opportunity for additional new homes to be built by both the council and RSLs and this will result in more accommodation being available for homeless households.

8.8.5 Mortgage to Rent

The costs associated with the scheme will be funded from borrowing afforded by rental income received on the properties involved. This is a Scottish Government subsidy scheme to allow home owners in financial difficulty to sell their properties to the council and pay a social rent providing they meet certain criteria.

8.8.6 Rent Deposit Guarantee Scheme

The Rent Deposit Guarantee Scheme enables West Lothian HomeChoice to provide written deposit guarantee agreements between landlords and tenants to the value of one month's rent. This encourages landlords to provide private rented accommodation for people on low incomes and in housing need to whom they would normally not offer accommodation.

The criteria for customers to access this Scheme are:

1. Unable to afford the full amount of a deposit.
2. Sustainable through affordability checks and previous tenancy referencing.

8.8.7 Restructure of Homeless Service

The council is in the course of restructuring the Homeless Service to better reflect the needs of clients. The team will consist of Unit Managers and Community Support Teams to ensure that support is put at the heart of the service. There will be support assessors and support workers.

8.8.8 Arbitras Model

A new online homeless diagnostic service is being developed so that people can explore their housing options online.

8.8.9 Developing housing options for people under 35

From 1 April 2018, social tenants who are under 35 and childless will only be eligible for housing benefit at the 'shared accommodation' rate, based on the cost of renting a room in a shared house or flat locally.

The cut which will affect any tenancies signed from 1 April 2017 will mean housing benefit no longer covers the cost of renting a housing association or council home for those tenants in the affected

bracket, prompting fears from landlords that many younger tenants will be unable to afford to pay their rent.

In West Lothian there is a very limited availability and supply of shared accommodation. This is because there has been no real market for it as most people have secured their own tenancies. Demand for this type of accommodation is likely to increase due to the planned housing benefit changes and the impact of the roll out of universal credit in February 2018.

Options will be developed with partners in relation to providing a range of accommodation for people under 35 affected by the shared room rate. This will include working with the private rented sector to promote the use of shared tenancies and working with voluntary agencies to provide housing support to facilitate flat sharing projects. The council may also consider whether some tenancies may be suitable for shared housing.

8.8.10 Short-Term Housing Options

There may be an opportunity to develop a very short stay accommodation to allow people "breathing space" to resolve issues. Further consideration requires to be given to how this model could be developed and there may be opportunity to draw on the experience of other partners.

8.9 Future Actions

The council will continue to work with those in greatest housing need to secure an appropriate sustainable outcome. Pressure on the supply of temporary accommodation and over reliance on hotel accommodation remains a concern.

8.10 Preventing Homelessness – ACTION PLAN – 2017-2022

| Outcome: Improving Housing Options to prevent people becoming homeless in the first place | | | | | | |
|---|---|---|---|------------------|---------------------------|------------------------|
| Action | Baseline | Indicator/Measure | Target/Milestone | Timescale | Responsible Person | Progress Update |
| Explore potential to develop a new assessment centre and supported housing provision in the East of the county. | New Provision Required | New supported housing provision in place. | Feasibility in 2017/18 New Provision by 2022 | 2017 -2022 | Housing Needs Manager | |
| Develop a supported accommodation strategy for those aged 16-30 to improve access to accommodation and support and to increase options for sustainable outcomes. | Build on existing strategies focusing on young people. | Strategy to be developed. | To commence in 2018 | 2018 | Housing Needs Manager | |
| Developing relationships and protocols with RSLs and private landlords and to maximise opportunities to prevent homelessness. | Number of successful section 5 referrals/number of properties leased from RSLs to provide temporary and supported accommodation | Increase the number of special lets. Increase the % of lets to homeless people as settled accommodation. | 2017/18 | 2018/19 | Housing Needs Manager | |
| Ensure that financial advice, inclusion and tenancy sustainability services are in place to assist homeless households. | Build on the work of the advice shop and support staff. | Number of new tenant visits. | 2017/18 | 2018/19 | Housing Needs Manager | |

References and finding out more...

For more information on the Scottish Government Acts and Bills relevant to this section:

- [Housing \(Scotland\) Act 2001](#)
- [Housing \(Scotland\) Act 2014](#)
- [The Homelessness etc. \(Scotland\) Act 2003 \(Section 11\)](#)
- [Equality Act 2010](#)

Public Bodies (Joint Working) (Scotland) Act 2014, Available [online] at:
http://www.legislation.gov.uk/asp/2014/9/pdfs/asp_20140009_en.pdf

Scottish Government and COSLA (2009) 'Prevention of Homelessness Guidance', Available [online] at:
<http://www.gov.scot/resource/doc/274719/0082198.pdf>

Scottish Government (2012) 'The Scottish Social Housing Charter', Available [online] at:
<http://housingcharter.scotland.gov.uk/media/34241/the%20scottish%20social%20housing%20charter.pdf>

Scottish Government (2014) 'The Prevent 1 Return', Available [online] at:
<http://www.gov.scot/Topics/Statistics/15257/1529/introductionprevent1>

Scottish Government (2016) 'Housing Options Guidance - Development of Housing Options in Scotland', Available [online] at: <http://www.gov.scot/Publications/2016/03/6556/10>

Scottish Housing Regulator (2016) 'Scottish Social Housing Charter', Available [online] at:
<http://housingcharter.scotland.gov.uk/>

Scottish Government (2016) 'Homeless Statistics' Available [online] at:
<http://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/RefTables>

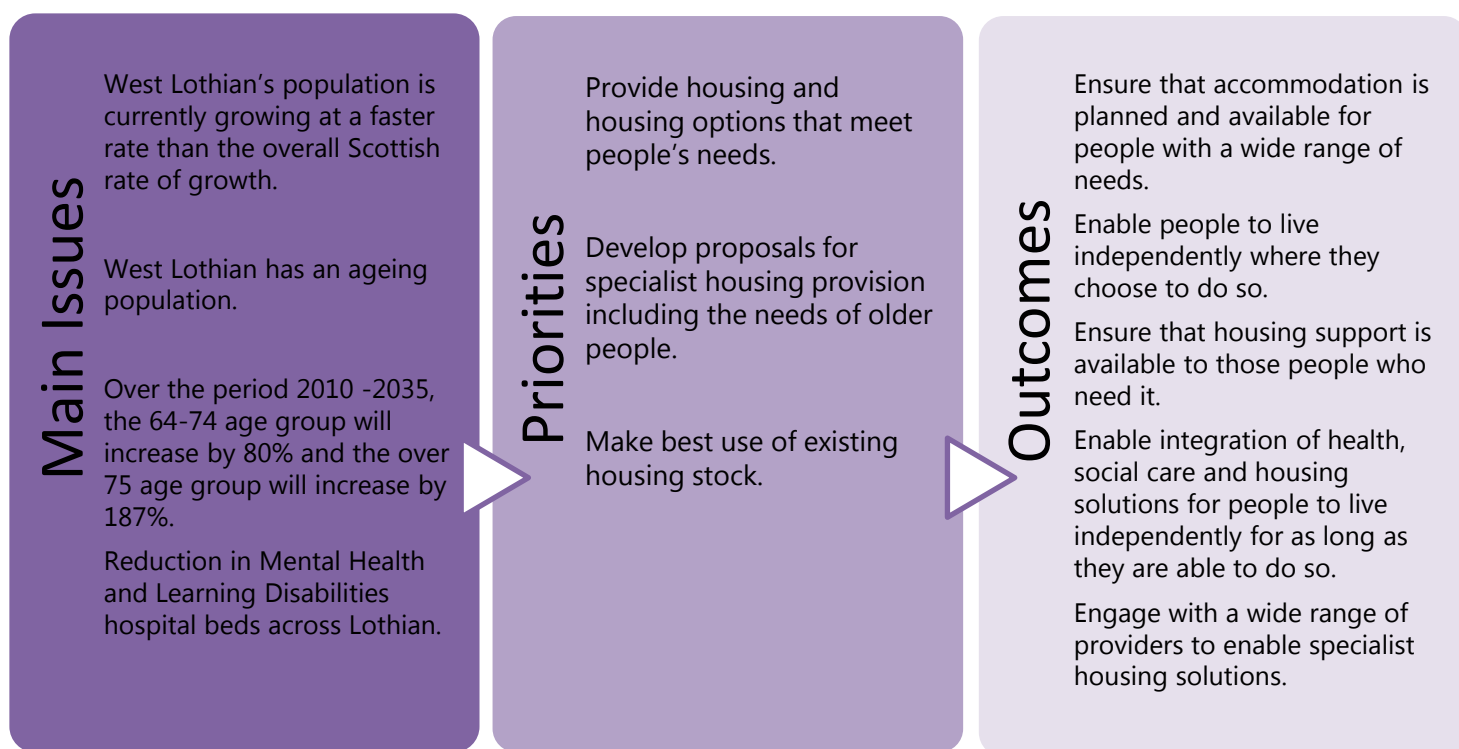
West Lothian Council/National Statistics 2015/16 Available [online] at:
<http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQZL0GZ381ZL>

West Lothian Council (2016) 'Homeless Performance 2015-16', Services for the Community Policy Development and Scrutiny Panel, Available [online] at:
<http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQZL0GZ381DX> [22 November 2016]

West Lothian Council (2016) 'Annual Return on the Charter', Services for the Community Policy Development and Scrutiny Panel, Available [online] at:
<http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQZLDN0G0GUT> 28 June 2016

West Lothian Council (2015) 'Homeless Performance 2014-15', Services for the Community Policy Development and Scrutiny Panel, Available [online] at:
<http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQDXZ3DN2UNT> {6 October 2015]

9. Priority Three: Independent Living and Specialist Provision



ACTIONS

- Continue to provide wheelchair homes in new build council house programme and RSL housing programmes.
- Continue to provide adaptations and equipment and make best use of adapted stock.
- Develop specialist housing provision for people with particular needs including core and cluster housing for learning disabilities and supported accommodation for older people.
- Make use of information on health and social care integrated planning to better estimate the need for specialist housing provision.
- Encourage and promote the use of technology enabled care (TEC) to enable people to live independently.
- Await outcome of review of current configuration of mental health service provision to inform future specialist housing requirements for this care group.

9.1 Background

West Lothian has a good provision of specialist housing services available to a range of client groups provided by the council, RSLs and the independent sector. The integration of health and social care will be a key driver in relation to the way in which specialist housing provision and housing support is commissioned and delivered in the future.

By working together with Health and Social Care services to identify the needs of different client groups for accommodation and housing support, the necessary actions can be set out within the LHS to deliver a more integrated approach to service delivery. In some cases, this may require an alteration to policy or procedure and closer working between services. For other clients, specialist provision may be required and new models of care and support may have to be considered.

In West Lothian, a model of specialist provision and the journey between the sectors for clients has been developed in conjunction with Social Policy and Health (Figure 5).

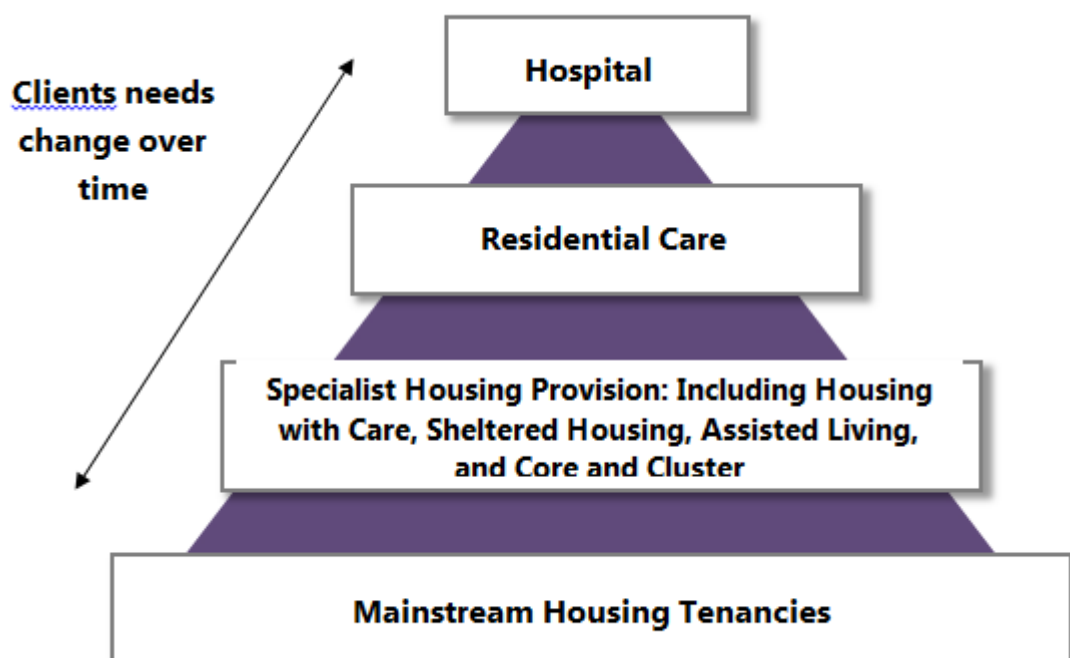


Figure 5: Journey between the sectors for clients as client's needs change

Most clients will remain in their own homes with support but for some they may require more intensive support at times of crisis or as an ongoing requirement. Where possible, the objective is to enable people to live as independently as possible and so a spectrum of accommodation, care and support is planned to ensure people's needs are met.

There are a number of competing priorities that require to be addressed in relation to specialist housing support and provision.

The key demographic influence in West Lothian is the ageing population. The challenge of balancing the aspiration for people to live independently for as long as possible with the range of complex needs that often present later in life affects both housing support provision and provision of specialist accommodation.

There is a need to ensure that cases of delayed discharge from hospital are minimised. Whilst this may not result directly in the provision of new accommodation, in some cases, it may mean significant resources are required to adapt an existing property.

There is pressure on temporary accommodation for homeless households with particular difficulty in securing wheelchair accessible housing for the limited number of homeless people with this requirement. Whilst new homeless accommodation is being built and procured, this is likely to be an ongoing issue.

The need for core and cluster properties has been identified for people with learning disability. These properties require a sensitive location and to be managed to ensure the best outcomes for all concerned. There are particular challenges in housing people with addictions and providing the housing support that they require on a consistent basis. Improvement in health care and technology has resulted in children with more complex needs and disabilities surviving longer. This may require significant adaptation to the existing property as they become adults.

Young people 'in transition' may have particular housing needs and there may be a requirement to consider shared living projects.

Families at risk of domestic violence face considerable issues in relation to housing. Whilst the emphasis is on moving the perpetrator, some people at risk of domestic abuse prefer to move away from the family home and this can create issues in terms of schooling and family support networks. Welfare reform continues to have a significant impact on people with additional or complex needs in West Lothian.

People with particular needs often need additional space in their homes to accommodate access and equipment and this group are at risk from the removal of the spare room subsidy should the discretionary housing payment cease. Furthermore the new cap on social rented tenancies (often referred to the Local Housing Allowance Cap) will apply to supported accommodation from 2019/20.

9.2 Links to Other Strategies

There are a number of links between National Health and Well- Being outcomes that inform and link to the LHS outcomes.

| National Health and Well Being Outcomes | West Lothian Single Outcome Agreement | Strategic Plan Outcome | LHS outcomes |
|--|--|--|--|
| Outcome 2: People, including those with disabilities or long term conditions, or who are frail, are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community. | Older people are able to live independently in the community with an improved quality of life. | Older people are able to live independently in the community with an improved quality of life. | Ensure that accommodation is planned and available for people with a wide range of needs. Enable people to live independently where they choose to do so. |

| National Health and Well Being Outcomes | West Lothian Single Outcome Agreement | Strategic Plan Outcome | LHS outcomes |
|--|---|---|--|
| Outcome 4: Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services. | People most at risk are protected and supported to achieve improved life chances. We live longer, healthier lives and have reduced health inequalities. People most at risk are protected and supported to achieve improved life chances. | People most at risk are protected and supported to achieve improved life chances. We live longer healthier lives and have reduced health inequalities. | Ensure that housing support is available to those people who need it. Ensure that accommodation is planned and available for people with a wide range of needs. |

9.3 West Lothian Integration Joint Board

Legislation to implement health and social care integration came into force on April 1, 2016, following the Public Bodies (Joint Working) (Scotland) Act 2014. As a result, new partnership arrangements for the delivery of integrated health and social care in West Lothian are now in place.

Under these new arrangements West Lothian Council and NHS Lothian delegated some functions to a new body; the West Lothian Integration Joint Board (IJB). West Lothian IJB is a separate and distinct legal entity from West Lothian Council and NHS Lothian. The IJB is responsible for local joint strategic commissioning of delegated health and social care services and for overseeing the delivery of services on its behalf.

The IJB brings together the planning, resources and operational oversight for a substantial range of adult health and social care functions into a single system. This will ensure services are built around the needs of patients and service users, and support service redesign with a focus on preventative and anticipatory care in communities.

The housing functions that are being delegated by WLC to West Lothian Health and Social Care Partnership are:

1. Housing Support Services
2. Aids and Adaptations
3. Gardening Services

9.4 The Strategic Context - Health and Social Care Integration

A Strategic Plan is to be prepared by the Integration Joint Board. Scottish Government [Guidance](#) on Strategic (Commissioning) Plans (2015) recognises that the integration of health and social care brings opportunities to improve alignment of strategic planning and to support the shift to prevention.

NHS Lothian and WLC have a long history of working in partnership to meet the health and social care needs of people in West Lothian. The West Lothian Integration Joint Board Strategic Plan 2016-2026 has been developed to set out the way in which the integration of health and social care will be delivered in West Lothian to deliver the nine National Health and Wellbeing outcomes.

There are three main outcomes of the Strategic Plan:

1. Older people are able to live independently in the community with an improved quality of life.
2. We live longer, healthier lives and have reduced health inequalities.
3. People most at risk are protected and supported to achieve improved life chances.

The main challenges to improving health in West Lothian are the ageing population, persistent health inequalities, the continuing shift in the patterns of disease towards long term conditions and growing numbers of people with multiple conditions and complex needs.

The way health and social care services are delivered locally has a significant impact on addressing the main health and wellbeing challenges, namely shifting the balance of care from hospital to community, reducing health inequalities and reducing emergency admissions. The further development of the integration agenda between primary, secondary and social care therefore has a pivotal role to play in tackling these areas with the potential to lead to:

- More care and support being delivered closer to home rather than in hospital or other institutions, - this is a key link to the theme of independent living.
- A more person centred way of working focused on the whole person and not just a problem or condition.
- Citizens, communities and the staff involved in providing health and social care services having a greater say in how those services are planned and delivered.
- Improved health and wellbeing for the people of West Lothian.

A number of major issues are noted in the West Lothian Integration Joint Board's Strategic Plan that will influence the need for accommodation provision and/or housing support in West Lothian over the duration of this strategy.

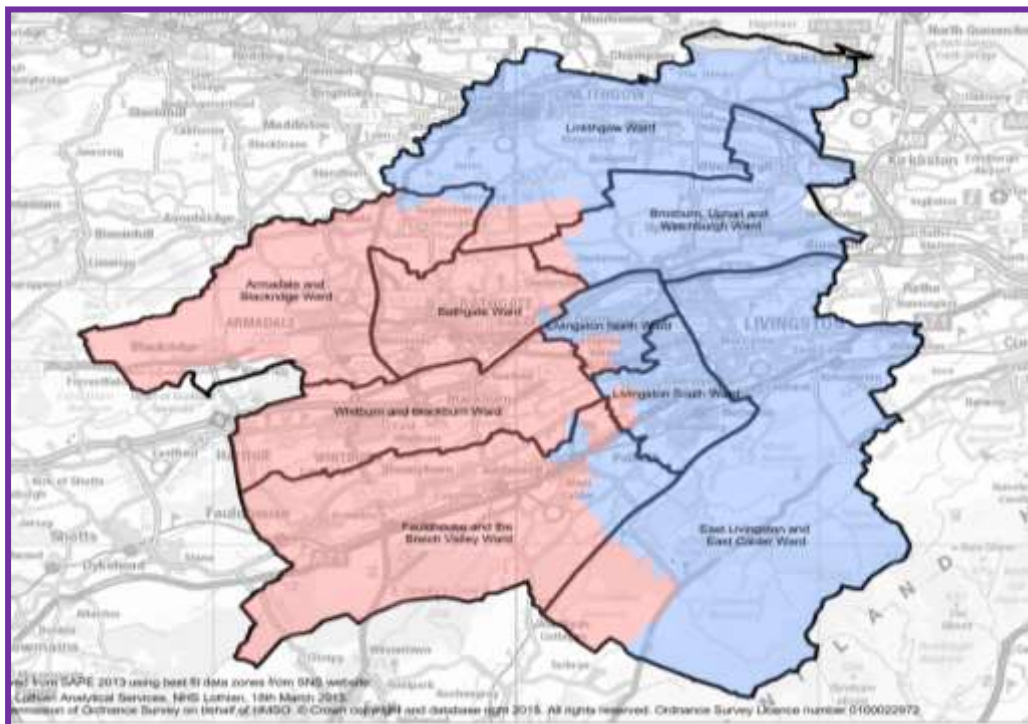
- West Lothian's population is currently growing at a faster rate than the overall Scottish rate of growth.
- West Lothian has an ageing population. Our oldest residents are most likely to experience complex and inter related problems in their physical and mental health.
- Meeting the needs of older people is a top priority for West Lothian's Integration Joint Board.
- It is estimated that 35% of households in West Lothian have someone with a longstanding illness, health problem or disability and 16% of households have someone who provides regular unpaid help or care to others.
- As the population ages more individuals in the area are going to be living in poorer health. Consequently, there will be higher demand on health and social care services.

- West Lothian has a higher proportion of people in the most deprived areas than other parts of Lothian, and so tends to have poorer health than the Lothian average.
- There are inequalities within West Lothian. Life expectancy in West Lothian for women ranges from 87 in Linlithgow and to 76.6 years in Dedridge; life expectancy for men ranges from 82.6 in Linlithgow to 74.9 years in Breich. These figures reflect wider socio economic differences.

9.4.1 West Lothian Localities

The purpose of creating localities is to provide an organisational mechanism for local leadership of service planning to feed into the IJB's Strategic Plan and for them to influence how resources are utilised in their area. There will be involvement in the locality groups from health professionals, representatives from the housing sector, representatives from the third sector, carers and patients' representatives and people managing services. In West Lothian, a two locality approach, East and West, was adopted based on current multi-member wards. The localities are illustrated in the map below.

Figure 6: West Lothian Localities Map



The West locality consists of four multi-member wards: Armadale and Blackridge; Bathgate; Whitburn and Blackburn; and Fauldhouse and Breich Valley. This locality contains most of the former coalmining and heavy industrial areas of West Lothian, and shows the continuing impact of these declining industries and the processes of deindustrialisation and long term unemployment which took place from the 1980s onwards.

The East locality consists of five multi-member wards: Linlithgow; Broxburn, Uphall and Winchburgh; East Livingston and East Calder; Livingston North and Livingston South. The East locality has a considerably larger population of which the age profile of older people is increasing more rapidly than the West.

9.4.2 Commissioning

West Lothian Integration Joint Board (IJB) will commission a wide range of health and care services to achieve the best possible outcomes for people living in West Lothian. The IJB will work closely with Housing, Education and the Police as well as the Third and Independent Sectors.

The IJB has developed an overarching strategy for the Joint Commissioning of Health and Care Services within West Lothian for the period 2016-2026. The strategy outlines the approach to be taken in the subsequent development of a series of care group commissioning plans as follows:

- Commission services which focus on prevention and early intervention.
- Empower people to live independently through applying the principles of personalisation in the way in which we commission services.
- Undertake appropriate consultation and involvement with service users and their carers to achieve their agreed outcomes when commissioning services.
- Engage positively with providers of health and social care services in the public, voluntary and private sector.
- Adhere to the relevant procurement legislation and guidance and ensure that services are commissioned in a way that is fair, transparent and open.
- Ensure that quality, equality and best value principles are embedded through our commissioning processes.

The following three year care group Commissioning Plans have been developed. Table 10 below identifies the areas for development in each of the commissioning plans, and where they align with the Local Housing Strategy.

- West Lothian Adults Learning Disabilities Commissioning Plan 2016/17 – 2018/19
- West Lothian Adults Physical Disabilities Commissioning Plan 2016/17 – 2018/19
- West Lothian Adults Mental Health Commissioning Plan 2016/17 – 2018/19
- West Lothian Older People Commissioning Plan 2016/17 – 2018/19
- West Lothian Alcohol, Tobacco and Drugs Partnership Joint Commissioning Plan 2012-2015 (updated in 2015)

Table 10: Care Group Commissioning Plans Areas for Development

| Care Group | Areas for Development Aligned with the Local Housing Strategy |
|---|--|
| Older People Commissioning Plan | Develop single points of information for all older people's service provision. <ul style="list-style-type: none"> • Further develop Community Capacity Building • Support individuals to live at home or in a homely setting for longer. |
| Adults with Learning Disabilities Commissioning Plan | Conduct a review of service provision for people aged 55+ with a learning disability Develop a range of 'core' housing models to enable people with learning disability to live within local communities |
| Physical Disabilities Commissioning Plan | Consider the commissioning of residential care and the role of new models of care and support in home care. Disabled people benefit from increased availability of affordable and accessible housing to support people to continue to live independent lives. Greater and more meaningful involvement by disabled people in designing policies and services. |

| | |
|--|---|
| Adults Mental Health Commissioning Plan | Develop a range of supported accommodation housing models to enable adults with mental health to live within local communities. |
| Alcohol and Drugs Partnership Delivery Plan | To sustain the tenancy support offered by West Lothian Council to those with mental health and substance misuse focusing on early intervention and preventing loss of housing or other problems significantly worsening as a result of substance use. |

Note: Separate commissioning plans will also be developed for Children & Families Services.

RLs have engaged through the West Lothian Housing Providers Forum on the Housing Contribution Statement. There has also been council and RSL representation at the locality groups as well as at the needs assessments workshops and development of the Commissioning Plan for each of the care groups.

9.5 Housing Contribution Statement

The Housing Contribution Statement, included in the [West Lothian IJB Strategic Plan](#), sets out the way in which housing organisations will improve services in respect to adaptations, housing support, homelessness and specialist housing provision. It builds on West Lothian's first housing contribution statement completed in 2013. The Housing Contribution Statement is an integral part of West Lothian Integration Joint Board's Strategic Plan.

Other housing services that the council is responsible for will be closely aligned to health and social care. These include supported accommodation, housing options information and advice, homelessness and housing needs services and services to address fuel poverty.

9.6 Specialist Provision

Existing Supported Accommodation Provision in West Lothian

Table 11: Supported Accommodation in West Lothian (Source WLC)

| Client Group | Type of Accommodation | Total No. of Places/Tenancies |
|----------------------------|---|--------------------------------------|
| Learning Disabilities | Supported/core and cluster | 22 |
| Mental Health | Supported living/core and cluster | 74 |
| Older People | Amenity, sheltered and very sheltered, housing with care, assisted living, retirement housing and enhanced housing management | 988 |
| Physical Disabilities | Supported Living | 7 |
| Homeless | Temporary, Supported Accommodation | 416 |
| Domestic Abuse | Temporary, Supported Accommodation | 12 |
| Young People in Transition | Temporary, supported accommodation | 58 |

9.7 Investment to Support Independent Living

There are a number of services that the council, RSLs and Voluntary organisations provide that assist independent living.

9.7.1 Aids and Adaptations

In West Lothian more than £1million is spent each year on adaptations to homes in the private sector, RSL houses and council housing. These range from major adaptations such as wet floor showers to the provision of grab rails. Occupational Therapist (OT) assessments are carried out to determine the requirement for adaptations.

Table 12: Expenditure and adaptations in West Lothian

| HRA | | | NON-HRA | |
|---------|-----------------------|-------------|-----------------------|-------------|
| | Number of Adaptations | Expenditure | Number of Adaptations | Expenditure |
| 2013/14 | 729 | £425,249.11 | 2,414 | £444,529.20 |
| 2014/15 | 683 | £433,252.00 | 2,391 | £487,722.57 |
| 2015/16 | 595 | £382,503.45 | 1,982 | £847,670.04 |
| 2016/17 | 720 | £374,666.00 | 1741 | £497,281.88 |

Aids and Adaptations are assessed by Occupational Therapists in Social Policy and are carried out based on individual need. Planned investment for 2016/17 is £800,000 and a further investment of £800,000 is planned in 2017/18.

There are several key issues to take into account when determining funding priority:

1. People with complex needs.
2. People with bariatric conditions requiring extensive structural alteration to property.
3. Older people living longer and independently requiring more adaptations to property.
4. Children with complex needs requiring major adaptations to property as they grow older.
5. People staying longer in interim care arrangements until they can get a suitable property or an adaptation that meets their needs.

In some cases, rehousing may be the best option for people. The provision of aids and adaptations helps to reduce bed blocking by providing adaptations to property to allow people to return home from hospital. This assists people with a range of complex medical conditions to live at home independently.

Through Horizon Housing Association, households in West Lothian have also been able to access the "Help to Adapt" pilot project. Help to Adapt assists people who own their own home and need alterations to their home to help them live independently for as long as possible. Help to Adapt is

focused on helping older people adapt their home by using their equity to secure a low-cost loan from the Scottish Government to fund the alterations.

It is important that the best use is made of properties that have been adapted. There are pre allocation inspections to establish the adaptations that tenants have in their homes before they are allocated other properties. This will be closely monitored to ensure that the adapted properties are allocated to people who need them to avoid removing adaptations.

9.7.2 Care and Repair

Horizon Housing Association operates the Care and Repair service in West Lothian. The services provided include:

- Repairs and handyperson services
- Adapting homes
- Fitting key safes
- Organising and managing larger repairs
- Recommending approved contractors
- Advice and Assistance

9.7.3 Care and Support Service Provision

Key drivers such as, 'Shifting the Balance of Care' and 'Self Directed Support', have seen a shift towards the delivery of more outcomes based, personalised packages of care and support, focused on prevention and early intervention. These include:

- Packages of care at home in the community delivered by independent providers to people living in their homes with an assessed need.
- Specialist care and support in the community for adults with a disability which aims to deliver services which promotes and maximises independent living.
- Re-ablement service providing short term intensive support to older people within the home to enable individuals to build upon their skills and abilities and in doing so remain as independent as possible.
- Crisis Care Team – partnership working between health and social care providers to provide a 24/7 response to older people experiencing a health or social care emergency or to deal with an imminent crisis they are facing at home.
- Housing support service provision to sustain tenancies based on an assessment of need.
- Flexible respite at home services for those assessed as eligible.
- Community capacity building support for initiatives that promote community capacity building and are deemed to benefit older people's health and wellbeing.

9.7.4 Home Security for Senior People

This scheme provides options for the provision of locks, external lighting, door viewer, door chain, locks and door intercom system. Since the scheme's inception in 2000, approximately 7,500 homes for senior people have received their chosen package of security measures. The budget for this is £45,000 in 2017/18.

9.7.5 Food Train

The Food Train is a voluntary support service which offers grocery shopping, befriending and housing support for older people in the local community which is supported by WLC and NHS Lothian. Often due to poorer health, older people find it more difficult to get their weekly shopping. Not only does

the food train deliver groceries to those most isolated, but Food Train volunteers help with odd jobs around the home, weekly visits to provide companionship, encourage people to go on day trips, and provide an outreach library service. This service is an invaluable asset to the community. Isolation and loneliness are two common themes amongst this client group. As a result of using the Food Train, 29.2% of those surveyed said that they had more social contact and 51.8% said the Food Train had helped their independence (The Food Train, 2015). This shows that this service is providing a much needed service and supporting independent living.

9.7.6 Technology Enabled Care (TEC)

West Lothian has been at the forefront in the provision of technology enabled care since its introduction in 1999. The Home Safety Service has provided telecare equipment in over 4,300 homes in West Lothian – telecare provides a 24-hour telephone link between the service user and Careline, our alarm receiving centre, via a 'lifeline' pendant and other personal and home sensors. If alerted, Careline establishes the nature of the problem and, if required, contacts the key holder or emergency services. There is still potential to reach more people, to offer more direct health/care support and to realise more benefits.

West Lothian Council has currently been awarded £515,000 by the Scottish Government TEC Fund to participate in the national TEC programme. This will enable us to build upon our original investment in telecare technology and accelerate commitment in line with emerging national and local priorities and developments.

The funding will allow the range of services offered to be expanded and provide greater opportunity to an increased number of our service users in particular to:

- Meet the increase in demand for services from the growing elderly population and people with dementia to enable them to live as independently as possible within their own home.
- Rebalance the health inequalities in West Lothian.
- Expand and integrate the routine use of TEC and ensure TEC becomes sustainable and embedded feature within health, housing and care support services.

The use of technology enabled care is being developed in two key areas:

Expansion of home health monitoring as part of integrated care plans. This includes text messaging for blood pressure monitoring, wound management and exercise motivation for falls management programmes;

Expanding the range and extent of Telecare use, with a particular focus on upstream prevention to support hospital discharge and reduce the rate of readmissions. We will be implementing a range of equipment for activity and lifestyle monitoring, medication prompts, on-line assessment and the potential of wearable technology to support health and wellbeing.

TEC will benefit those who live in West Lothian by providing support, releasing resources and allowing us to redesign services which are aligned locally, more efficient, joined up and person-centred.

Example of Best Practice - Specialist Provision

Rosemount Gardens, Bathgate

In June 2016, a new build development was completed for older people in Bathgate. The development comprises 30 one bedroom, two person, wheelchair accessible self-contained flats. The development is designed to enable people over 60 years of age to live independently but with flexible support. The model is Assisted Living and has been developed to offer maximum choice and flexibility with core services being supplemented by a menu of options designed to meet most individual's needs. There is an on-site team of Assisted Living staff who provide practical support and assistance. The development is suitable for single people or couples.

Core Services include:

- Assistance to arrange property repairs and sustain the tenancy
- Arrange access to support independent living
- Support to identify activities/clubs operating in the local community
- On site events programme
- Provide assistance to arrange the delivery of prescriptions/shopping

The features of the development include:

- Dementia friendly design
- Specially designed shower rooms
- Guest flat
- Laundry facilities
- Lift
- Restaurant and public café.
- Dedicated multi-function social areas
- Hairdressing salon

A refurbishment project has also been completed to the existing Rosemount Court properties providing an additional 16 one bedroom flats which will be complimentary to the new build.

9.7.7 Residential Care

For older people, there are a total of 18 care homes within West Lothian 14 of which sit within the independent sector and the council contracts with them are on a spot purchases basis as and when a placement is needed. These beds can also be offered to other councils so it is not really a static figure. There is capacity within the care home sector in West Lothian.

The Local Development Plan (Policy: HOU7) references the requirements for new residential care homes.

"Proposals for new or extended residentially based community care facilities, nursing homes, or other supported accommodation provision will be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the council and NHS Lothian. According to the Local Development Plan, Proposals for residential care facilities and supported accommodation will generally be permitted where:

- *the location provides a good residential environment; including sufficient garden ground or external amenity space for the enjoyment of residents;*
- *the facilities are in close proximity to community facilities, active travel infrastructure and public transport services that meet the needs of residents;*

- *the proposal is compatible with adjacent uses and is of a scale and character appropriate to the site and has no adverse effect on the local character and amenity of the local area;*
- *the proposal is capable of accommodating sufficient parking to meet the requirements of residents, staff and visitors;*
- *the proposal will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area”.*

West Lothian Care Homes are running at full capacity. The council purchases places for Care Homes as required. There has been an increase in the number of permanent care home places. In general, people are living in their own homes for longer and requiring care homes at a point when they are older and frail.

One new care home is being planned. New models of care provision are in the process of being identified through the Commissioning Plans. Options such as step up/step down care and the impact of technology will affect what is provided. Further work will be undertaken to identify future requirements through joint working with Social Policy and development of the Joint Accommodation Plan.

9.7.8 Healthcare and Community Facilities in New Housing Development (Policy: HOU8)

The LDP (Policy: HOU8) references the potential requirements for developer contributions for Healthcare and community facilities:

“In locations where there is a shortfall in capacity, quality or location of health service provision identified by NHS Lothian and/or community facilities identified by the council, an appropriate developer contribution may be sought to improve the quantity or quality of such provision commensurate with the impact of the new development. The contribution will be a proportionate one, the basis of which will be set out in Supplementary Guidance. In circumstances where facilities cannot be improved or provided physically the development will not be supported. Similarly, development involving the loss of valuable health or other community facilities will not be supported unless appropriate alternative provision is to be made”.

9.8 New Build Specialist Provision

9.8.1 New Build Provision

Since 2009, the council has been building new council houses and as part of the various programmes bungalows have been built. A development of seven homes was built for people with profound physical disabilities at Uphall. All council and RSL houses are built to housing for varying needs standards and this applies to both council and RSL properties.

Housing Associations built 78 homes for people with particular needs between 2007 and 2015. A further 12 homes in Stoneyburn are being developed by Horizon Housing Association specifically for older people and these are due for completion in Autumn 2017. There are a number of specialist housing providers in West Lothian and these include Abbeyfield, Bield, Cairn, Trust, ARK and Horizon. Other RSLs also provide a number of properties that are suitable for wheelchair users.

9.8.2 Specialist Provision – Identified Need

A draft Joint Accommodation Plan 2017-2027 has been developed to set out requirements for specialist housing provision and policy responses. Social Policy and Housing, Customer and Building

Services have worked closely to identify the key priorities to ensure that there is a range of housing provision and policy responses to meet a range of needs from a variety of client groups that align with the groups noted above.

Work is being done through the Joint Accommodation Plan to identify future needs for specialist provision and how this might be delivered. Liaison is ongoing with Social Policy in this regard and this will continue over the duration of the Strategy.

By identifying the needs of different client groups for accommodation and housing support, the necessary actions can be set out to deliver a more integrated approach to service delivery. In some cases, this may require an alteration to policy or procedure and closer working between services. For other clients, specialist provision may be required and new models of care and support may have to be considered.

9.8.3 Summary of Requirements

| Client Group | Additional Accommodation/ Design Changes | Additional Support/Care Requirements | Policy Change | Capital and Revenue Resources |
|------------------------------|--|--|---|---|
| Learning Disabilities | <p>Core and Cluster - four in a block type housing in a community setting for people with fairly significant levels of disability.</p> <p>West Lothian Learning Disability Housing with Integrated Support Project (12 people) - reduction in availability of hospital beds across Lothian (78 to 34).</p> | <p>Support can be provided from the core. Overnight support can be delivered on a shared basis.</p> <p>Capital Programme SOBC completed.</p> <p>24/7 Support/Care model being developed.</p> | <p>Consider how this group is prioritised within the council allocations policy.</p> <p>Age restrictions on housing with care allocations.</p> | <p>Capital costs for core unit being met from 1,000 NBCH Programme.</p> <p>Savings made from existing revenue costs through core and cluster model.</p> <p>Care and support packages funded by Social Policy.</p> |
| Mental Health | <p>To be determined from the review of current configuration of services as detailed in the Mental Health Commissioning Plan 2016/17 - 2018/19.</p> <p>Develop a range of supported accommodation models for adults with mental health problems.</p> | <p>To be determined from the review.</p> <p>Support and care requirements to be identified for the supported accommodation models developed.</p> | <p>Consider how Mental Health group is prioritised within the council allocations policy.</p> <p>Pointing system for lower level clients requiring urgent support requires reviewed. Review of SMU allocations process.</p> | <p>No additional capital or revenue funding identified at this stage.</p> |

| Client Group | Additional Accommodation/ Design Changes | Additional Support/Care Requirements | Policy Change | Capital and Revenue Resources |
|--|--|---|---|--|
| | More housing provision for homeless people with additions who require support. | Recovery focused community building activities including housing. Services need to be made available for individuals who are homeless and have a substance misuse problem. | Development of systematic and embedded protocols between support services. | No additional capital or revenue funding identified at this stage. |
| Older People | Review future housing need of growing older population and research new model of housing to meet future needs. Identify future need for supported accommodation requirements in West Lothian. Ensure future housing design incorporates design practice guidance to meet the needs of older people and people with dementia. | New models of supported housing being developed that may change levels of housing support needs. | Definitions of 'older people' and 'specialist housing' to be clarified. Review of Allocations process for housing designed for older people. | No additional resources identified. |
| People with Physical Disabilities | Further provision of specialist supported housing for people with profound physical disability and sensory impairment. Lack of suitable accommodation for people who require re-housing. Shortage of ground floor accommodation for homeless people who are wheelchair users. Quantify emerging need for bariatric housing. | Support to people who lose a life-long carer. Support for people with an acquired brain injury. | Consider how this group is prioritised within the council allocations policy. | No additional resources identified at this stage. |

| Client Group | Additional Accommodation/ Design Changes | Additional Support/Care Requirements | Policy Change | Capital and Revenue Resources |
|---|--|---|--|--|
| Homelessness | <p>Increase provision of temporary accommodation through Open Market Acquisition Scheme and PSL</p> <p>Explore potential for new supported housing provision in the East of West Lothian.</p> | Within existing support resources. | Develop a supported temporary tenancy strategy for younger people. | Additional capital and revenue resources to be identified |
| Young People in Transition Looked After Young People | <p>The development of properties which support shared living arrangements going forward.</p> <p>Identifying Accommodation Options - including Prevention of Homelessness to avoid use of B&B.</p> <p>Future investment requirements at Newlands House and Open Door.</p> <p>Additional close support units for children and young people to enable them to be housed in West Lothian rather than in other authorities.</p> | <p>Supporting Care Leavers into Sustainable Accommodation.</p> <p>Consider the creation of a Transitions Service to develop an integrated approach to meet the need of young people leaving care.</p> <p>Consideration should be made to ensuring that resources are available to facilitate the transition of young people with a disability to adulthood.</p> | <p>Housing Allocation Policy -identify Care Leavers as a Priority Group.</p> <p>Review of transitional tenancy approach for young people leaving care to build a more robust approach.</p> <p>Develop a supported temporary tenancy strategy for younger people.</p> | <p>Additional capital resources to be identified.</p> <p>Potential to free up revenue resources through preventing more costly out of area placements.</p> |
| Children with a disability | Consideration should be made to ensuring that new build houses are designed to allow adaptations to meet families changing needs. | None. | None. | None. |
| Criminal Justice | Ability to accommodate offenders who are permitted to have home leave from the open estate but have no accommodation to reside at. | <p>Category 3 under MAPPA guidance has been enforced.</p> <p>Sustainable support to ex-offenders to prevent homelessness.</p> | Particular issue with concentration of offenders in temp accommodation localities. | No additional resources required |

| Client Group | Additional Accommodation/ Design Changes | Additional Support/Care Requirements | Policy Change | Capital and Revenue Resources |
|--|--|--|---|--|
| | | Minimise homelessness by offering offenders short-term sentences. | Increase the number of temp tenancies to permanent lets when they are successful. Lothian and Borders CJA Accommodation Protocol | |
| Domestic Abuse | Emergency accommodation provision as part of the violence against women strategy and safe at home approach. Replacement of existing facilities - 24 properties required across 3-4 sites. Establish need for additional property security measures | Support to victims – advocacy and legal support Work with perpetrators | | To be met from within existing resources. |
| Refugee Provision | Quantify the number of housing units required for refugees in West Lothian | Quantify the housing support required for refugees to ensure tenancy sustainment | None identified | Additional resources for accommodation requirements and support to be identified |
| Asylum Seeking unaccompanied children | Up to 28 tenancies required for asylum seeking unaccompanied children | | | |
| Human Trafficking | Small number of temp tenancies required for people at risk or have suffered from Human Trafficking | Support for people in temp tenancies who have experienced human trafficking | | |

9.9 Provision for Ex-Offenders

The council runs a service of holistic tenancy support for former offenders which are supported by a wide network of agencies. West Lothian Council is one of three local authorities which part-fund an officer on secondment to Addiewell Prison. The primary purpose of the post is to act as accommodation officer for offenders to smooth the process of terminating tenancies for those entering prison, including informing other relevant council departments, such as Revenues and Housing Management for all the authorities involved.

9.9.1 Resettlement - The role of the Tenancy Support Team

The Multi-Agency Public Protection Arrangements (MAPPA) is a set of statutory partnership working arrangements introduced in 2007 under Section 10 of The Management of Offenders etc. (Scotland) Act 2005. The purpose of MAPPA is public protection and the reduction of serious harm. In Scotland MAPPA brings together the Police, Scottish Prison Service (SPS), Health and the Local Authorities, in partnership as the Responsible Authorities, to assess and manage the risk posed by registered sex offenders and mentally disordered restricted patients.

The team of tenancy support workers provides one-to-one support to offenders leaving prison, entering temporary accommodation and beyond. Their focus is on resettlement of offenders through a programme centred on risk-assessed activity. A plan is put in place prior to release, in accordance with the individual's risk assessment. All allocations to offenders follow a screening which must demonstrate that the accommodation is appropriate in terms of location and type for the individual. Once in temporary accommodation the offender presents as homeless and is allocated housing through this means, however, a robust system of restrictions and support continues during this period.

The council's network throughout the process of resettlement involves a wide range of agencies with whom formal and informal contact exists. This network includes NHS forensic psychology at the Royal Infirmary of Edinburgh's Orchard Clinic and Police Scotland Offender Management Unit. Best practice is also shared amongst front-line staff and trigger points raise issues at strategic levels.

9.10 Gypsy/Travellers and Travelling Show People

The council recognises the right of the gypsy/traveller community to travel and continue their traditional way of life and provided permanent pitches for the travelling communities at Sibbald's Brae, Bathgate from the early 1990s to 2012. However, the site is no longer operational and the council has instead chosen to direct resources to improving outreach services as a more effective means of supporting and serving the needs of the travelling communities. There is a private show people's site at Greendykes Road, Broxburn.

On closure of the council run Gypsy/Traveller site, the service was replaced by support and enforcement processes co-ordinated with support from the Safer Neighbourhood Team (SNT). The role of the team is to seek to engage with the gypsy/traveller community and to both support, and to enforce legal requirements around unauthorised encampment. The SNT will rely on other partners within the council if there are any specific issues and for example seek input from Housing Support to assist with any immediate support issues or work with the Neighbourhood Environment Teams to get a site cleared.

The Safer Neighbourhood Team has been responsible for the council's approach to Gypsy/Travellers since October 2016 in an enforcement role. Since October 2016 and August 2017 they have dealt with 28 unauthorised encampments which have consisted of 93 Caravans (although there is some double counting as the same caravans will go to different sites). The Safer Neighbourhood Team do try and speak with the Travellers and ask if they require any services however on all occasions no services have been requested. It is difficult to give a number of people on the sites as when the staff call the men are usually out working and there are only 1 or 2 people on site.

There is very limited engagement with Travelling Show People in West Lothian. Consideration will be given to further engagement with this group as required.

Key areas where support is provided include:

- Providing a named support officer from within the council.
- Advice on registration with GPs and dentists and information on hospital facilities and health visitor access where children are present.
- Schools and education liaison.
- Acting as post box for receipt of mail.
- Information and advice on re-cycling, dumping and tipping.
- Help with laundry and access to water.

Enforcement Issues

- Discussion on the period of intended stay and checking back when that period has ended.
- Issuing 7 day notice to move on when required (for council-owned land only).
- Cleaning the site when it is vacated.
- For private land, ensuring that the site is made secure, for example by erection of bollards when the site is vacated.
- The service should be reviewed to tighten oversight and realign provision with other services.
- Support and enforcement elements should be re-examined to ensure continuity of support.

The Local Development Plan (Policy: HOU6) sets out the criteria that would be applied to proposed new private sites for Gypsies, Travellers and Travelling Show People. The policy states that:

Proposals for small privately owned sites to accommodate gypsies, travellers and travelling show people, whether transit or permanent will be supported provided:

1. *there is an identified locational need;*
2. *all relevant planning policies in the Local Development Plan relating to the protection and enhancement of the built and natural environment and the protection of public open space can be satisfied;*
3. *the site can be appropriately landscaped and would not give rise to any adverse environmental impact or detract from the appearance and character of the local area;*
4. *there will be no detrimental impact on the amenity currently enjoyed by residents in the local area;*
5. *the site can provide users with an acceptable level of residential amenity and is physically accessible to public transport, education and other community facilities;*
6. *access, parking, storage and other technical requirements can be satisfactorily met (i.e., drainage; water supply; electricity; waste collection; free from flood risk or contaminated land); and*
7. *it can be demonstrated that the site will be properly managed.*

9.11 Independent Living – ACTION PLAN – 2017-2022

| Outcome: (1) Enable people to live independently where they choose to do so. (2) Ensure that accommodation is planned and available for people with a wide range of needs. (3) Ensure housing support is available to those people who need it. | | | | | | |
|---|--|--|------------------------------|------------|---|-----------------|
| Action | Baseline | Indicator/ Measure | Target/ Milestone | Timescale | Responsible Person | Progress Update |
| Continue to provide wheelchair homes in new build council house programme and RSL housing programmes. | 137 wheelchair accessible bungalows in current WLC programme. | Number of new build wheelchair homes per annum built by RSLs and WLC | 30 per annum | 2017 /2022 | Housing Strategy & Development Manager and RSL Development Managers | |
| Continue to provide adaptations and equipment and make best use of adapted stock. | 2,900 adaptations per annum. | Number of adaptations per annum and associated expenditure. | 2,900 adaptations per annum. | 2017-2022 | Social Policy Lead Officer/ Housing Strategy & Development Manager | |
| Develop specialist housing provision for people with particular needs including core and cluster housing for people with learning disabilities, supported accommodation for older people and supported accommodation for younger people. | Eight core and Cluster new build council housing developed for specialist housing provision. 48 Properties in developments specifically for older people. | Number of properties developed for people that require specialist housing. | 10 per annum | 2017-2022 | Housing Strategy & Development Manager | |
| Make use of information on health and social care integrated planning to better estimate the need for specialist housing provision. | To be developed through the Joint Accommodation Plan 2017 -2027 | Confirm level of specialist housing provision to be provided. | TBC | 2018-2019 | Housing Strategy & Development Manager | |
| Encourage and promote the use of technology enabled care (TEC) to enable people to live independently. | To be developed in discussion with Social Policy. | Level of take up. | TBC | 2017-2022 | Social Policy Lead Officer | |
| Await outcome of review of current configuration of mental health service provision to inform future specialist housing requirements for this care group. | To be developed through the Joint Accommodation Plan 2017 -2027. | Confirm level of specialist housing provision to be provided. | TBC | 2018-2019 | Social Policy Lead Officer/ Housing Strategy & Development Manager | |

References and finding out more...

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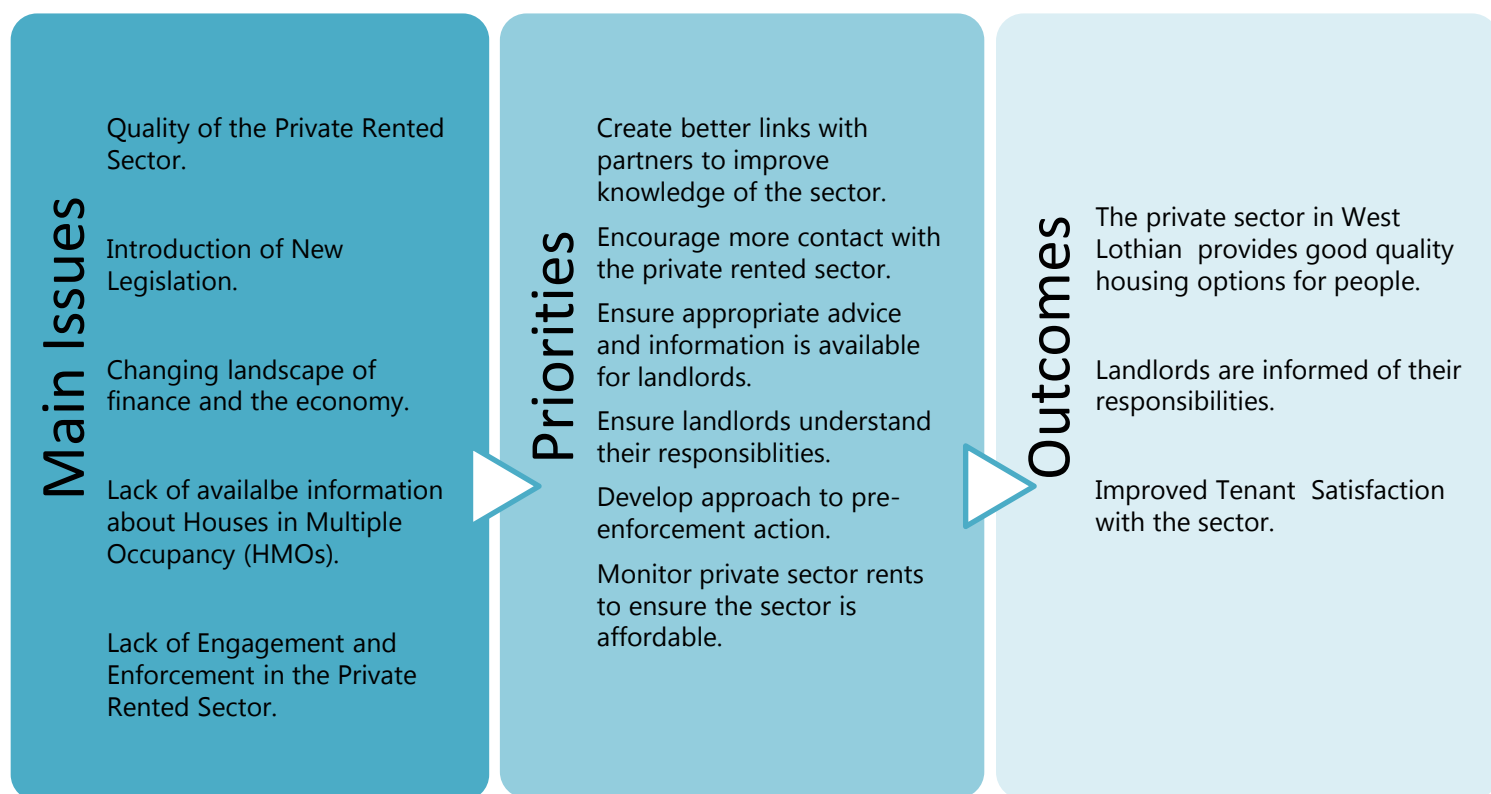
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For more information on the Scottish Government Acts and Bills relevant to this section:

- [Housing \(Scotland\) Act \(2001\)](#)
- [Housing \(Scotland\) Act \(2014\)](#)
- [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)
- [Social Work \(Scotland\) Act 1968](#)
- [The Children and Young People \(Scotland\) Act 2014](#)
- [Criminal Justice \(Scotland\) Act 2003](#)
- [Criminal Justice \(Scotland Bill\) 2015](#)
- [Equality Act 2010](#)

10. Priority Four: Private Rented Housing



ACTIONS

- Develop the approach to private rented sector housing to ensure that landlords and tenants have appropriate advice and information available.
- The council will monitor private sector rents and practices in the private rented sector and establish a West Lothian Fair Rents Fair Landlords Charter and ask landlords to sign up to the charter.
- Increase landlord awareness of their responsibilities and encourage best practice amongst landlords.
- Improve the knowledge and information around HMOs and develop a range of mechanisms to work with owners of HMOs to increase quality in the sector.
- Develop the West Lothian HomeChoice service to engage with more landlords and tenants.
- Increase the availability of good quality private sector tenancies through the West Lothian HomeChoice Service.
- Promote the use of the new Tenancy Agreement to encourage tenants to view the private sector as a long term housing option.

10.1 Background

The private rented sector (PRS) in Scotland has more than doubled in size since 1999, and now accounts for more than 12% of all homes in Scotland (Census 2011). The Scottish Government Strategy for Private Renting in Scotland, "A Place to Stay, A Place to call Home" outlines the Scottish Government's vision and strategic aims for the private rented sector. It aims to improve and grow the PRS by enabling a more effective regulatory system, targeting tougher enforcement action and attracting new investment. These key objectives inform the council's strategy to the private rented sector.

In West Lothian, there has been a significant increase in the number of registered private landlords from 4,107 in 2012 to 5,519 in 2017. The council engages with private landlords in a number of ways:

- Landlord registration,
- HMO licensing,
- HomeChoice,
- Landlord Forums and landlord newsletters,
- Web information for both landlord and tenants.

WLC has developed its approach to working with private landlords to help provide a range of options for homeless people and people in housing need.

It is important that the sector provides high quality housing that is well managed. Tenants need to be encouraged to view the sector as a long term sustainable housing option. This can be achieved by improving the support and information to landlords to ensure that they are providing high quality, well managed homes. The council provides advice to both landlords and tenants to ensure that they understand their rights and responsibilities. Web pages on the council's website aimed at private landlords and private tenants have been reviewed so that up to date information is available to support both landlords and tenants.

The council is reviewing its approach to private rented sector housing to enable information on landlord performance to be coordinated and scrutinised. New processes and procedures are being developed so that officers can take appropriate action to improve landlord performance. Where there are persistent issues identified with a landlord's performance, the council will take landlords to the licensing committee and request that the landlord be removed from the landlord register. There was one case of this nature in 2015.

The council can now take cases to the private rented housing panel on behalf of tenants. A procedure has been developed for this.

10.2 Issues in relation to Private Rented Housing

- Not all landlords understand their responsibilities and this can lead to issues for their tenants and for the management of the property.
- Some landlords are reluctant to work with those in receipt of housing benefit. In some cases letting to tenants in receipt of housing benefit would result in a breach of mortgage terms and conditions.
- For some tenants, the short-term nature of tenancies means that it is difficult for them to settle into communities.
- There is increasing financial pressure on landlords with changing laws in relation to renting out property. This may deter some landlords from continuing in the sector.

- There was one Below Tolerable Standard (BTS) property in 2017 where a closing order was issued. This was a privately rented property and the tenants were supported to move to better accommodation. This approach will continue where there are specific issues in relation to BTS properties in the private rented sector.
- There will be monitoring of issues in relation to house condition in the private rented sector. Work is ongoing to develop information in relation to the quality and standard of accommodation (including both the physical condition and the management of the property) to raise awareness with private landlords on acceptable standards. This approach will be developed and reported through the ongoing monitoring of the LHS.

10.3 Strategy for Private Rented Housing in West Lothian

The council's aims for the private rented sector in West Lothian to:

- Improve housing quality within the sector through provision of advice and assistance to private landlords and tenants.
- Improve the approach to landlord registration through providing verification of requirements prior to registration.
- Encourage landlords to register their properties.
- Develop enforcement measures for those that fail to register.
- Improve links with Police Scotland and the Scottish Fire and Rescue Service to enable greater information sharing on properties that are causing concern.
- Develop a range of options to ensure that landlords understand their responsibilities.
- Review the landlord forum membership and encourage more landlords to join.
- Monitor rents and consider the case for the introduction of rent pressure zones.
- The council will monitor private sector rents and practices in the private rented sector and establish a West Lothian Fair Rents Fair Landlords Charter and ask landlords to sign up to the charter.

10.3.1 Current Activity

The council operates a series of Landlord/Agent training sessions in partnership with Landlord Accreditation Scotland. This encourages good practice in the sector and good quality homes that meet legislative requirements.

There are Bi-Annual Landlord/Agent Forums encouraging consultation and partnership working with the sector. Updates on internal council services are provided and relevant external bodies are invited to come along and give presentations. Home Energy Scotland has attended the Landlords' Forum as well as staff from Revenues and the Advice Shop.

HomeChoice offer advice and assistance to landlords/agents on all private renting housing matters, helping to encourage compliance in the sector and good quality homes. Furthermore HomeChoice encourages landlords/agents to engage with the authority and work alongside the sector to make private rented homes accessible to all. The Deposit Guarantee Scheme enables HomeChoice to provide written deposit guarantee agreements between landlords and tenants to the value of one month's rent. This encourages landlords to provide private rented accommodation for people on low incomes. The criteria for customers to access this Scheme are:

- a. Unable to afford the full amount of a deposit;
- b. Sustainable through affordability checks and previous tenancy referencing.

Planned activity for HomeChoice includes:

- (1) Development of Bi-Monthly E-Newsletter service advising of changes to legislation and updates from internal council services.
- (2) Development of a checklist for landlords so that they understand their responsibilities when they apply for registration.

10.3.2 Private Sector Leasing

The council has introduced a new Private Sector Leasing service. This provides landlords/agents the opportunity to lease their properties to WLC for a 12 month period with guaranteed rental income throughout this time. There is the opportunity to continue the lease on a year to year basis or move over to the HomeChoice scheme when a suitable tenant is found. A number of landlords have already engaged with the council and some of them have large portfolios of property.

10.3.3 Houses in Multiple Occupation

A Home in Multiple Occupation (HMO) must meet physical standards set by the licensing local authority. Living accommodation is classed as a HMO if it is:

- occupied by three or more persons from three or more families; and
- occupied by them as their only or main residence or in some other manner specified by the Scottish Ministers by order; and
- either a house, premise or a group of premises owned by the same person with shared basic amenities, or some other type of accommodation specified by the Scottish Ministers by order.

There are currently 27 licensed HMOs in West Lothian. This is the same number as in 2012.

Future Actions

- A new approach will be developed to ensure improved coordination of information to identify unlicensed HMOs.
- Owners of HMOs will receive advice and information to ensure that they understand their responsibilities.

10.4 Private Rents in West Lothian

- Average (mean) rents in West Lothian between 2010 and 2016 have increased for all property sizes.
- Increases range from 9.6% (2 bedroom properties) to 14.2% (1 bedroom shared properties).
- Average (mean) rents have shown annual variation over the 2010 to 2016 period, with every property size showing a mixture of annual increases and decreases over different years.
- Across all property types, there have been increases at the top end of the market (upper quartile) and bottom end (lower quartile). For 3 and 4 bedroom properties, the increases were greater at the top end of the market than the bottom end, causing the gap to widen. For all other property types, the changes at the top and bottom ends of the market were more similar.

Table 13: Comparison of Rent Increases in West Lothian and Scotland from 2010-2016 (Scottish Government, 2016)

| Property Size | West Lothian | Scotland |
|------------------|--------------|----------|
| 1 bedroom shared | +14.2% | +13.2% |
| 1 bedroom | +9.7% | +10.5% |
| 2 bedroom | +9.6% | +14.8% |
| 3 bedroom | +12.1% | +10.9% |
| 4 bedroom | +10.3% | +13.7% |

10.4.1 Rent Pressure Zones

In West Lothian average rent increases in the private rented sector have generally not been as high as for Scotland (See Table 13 above). However, there remains some concern about affordability of the sector for households in West Lothian. There may be a case for looking in detail at rent levels in areas where there are particular concentrations of private rented housing such as the main settlements of Livingston, Bathgate and Linlithgow. The council will commit to reviewing the rent levels at the point each year when the Local Housing Strategy is reviewed. If necessary, an application can be made to Scottish Ministers for a rent pressure zone to be designated where the rent increases would be restricted. This would be subject to the necessary evidence being presented and approval being granted by Scottish Ministers. Procedures to take forward rent pressure zones are not expected to be introduced before December 2017.

10.5 Future of the Private Rented Sector

The future of the private rented sector is uncertain. The growth that has been experienced in recent years may slow down or the sector may begin to contract. The reasons include:

- Increased taxation on the Buy-to-Let market both in terms of Additional Dwellings Supplement and restrictions on finance cost relief for non-incorporated landlords.
- Mortgage funding for landlords is likely to be more challenging.
- Stricter compliance requirements may deter new investment in the market.

In West Lothian it is important to ensure that the private rented sector is high quality, accessible and effectively regulated.

10.5.1 Enabling Growth and Investment

The Scottish Government is keen to encourage growth in the private rented sector. The Scottish Government's Strategy for Private Renting in Scotland; "A Place to Stay, A Place to Call Home" references the opportunity for increasing the supply of private rented housing through institutional investment. At a national level, institutional investment will result in some build to rent developments progressing. At the West Lothian level, there has been no developments built specifically for market rent and it is considered that West Lothian will not be a prime location for such developments over the period of the LHS. A need for increasing the supply of private rented housing was identified through HNDA2.

10.5.2 Opportunity for Shared Accommodation

As noted in the Homeless prevention chapter, the shared accommodation sector is not well developed in West Lothian. There may be opportunity for the private sector to further develop this in light of welfare reform changes including the introduction of the shared room rate for people under 35. There may also be further opportunity for the voluntary sector to provide housing support to private tenants as well as to tenants in social rented housing.

10.5.3 Mid-Market Rent

Some RSLs in West Lothian have provided housing for mid-market rent. There have been developments in Armadale, Livingston and Bathgate. The rent level of these properties is lower than the market rents for similar properties in these areas. Where RSLs come forward with proposals for mid-market rent, these will be considered on their merit i.e. in relation to the location proposed, the likely demand and the level of subsidy required.

10.5.4 Empty Homes

There is an opportunity to join up work on empty homes with the HomeChoice Service to enable owners of empty homes to bring them back into use for private renting. The council is also acquiring former council houses and former Livingston Development Corporation homes to increase the number of affordable homes in West Lothian. It is possible that some of these may be private rented housing that private landlords have put on the open market.

10.6 Private Rented Sector – ACTION PLAN – 2017-2022

Outcome: The Private Rented Sector provides good quality housing options for people in West Lothian.

| Action | Baseline | Indicator | Target | Timescale | Service/Partner | Progress Update |
|---|---|--|---|-----------|---|-----------------|
| Develop the approach to landlord registration and enforcement. | Number of landlords registered | 5,397 | To increase. | 2017/18 | Housing, Customer and Building Services /Environmental Health /Legal Services | |
| Develop the approach to HMO licensing and enforcement. | Number of licensed HMOs | 27 | To increase. | 2017/18 | Housing, Customer and Building Services /Environmental Health /Legal Services | |
| Make use of effective enforcement options, including referrals to Licensing Committee for removal of landlords from register. | Number of landlords provided with advice on best practice | Number of landlords provided with advice | To increase. | 2017/18 | Housing, Customer and Building Services /Environmental Health /Legal Services | |
| Monitor Third Party Referrals to the Private Rented Housing Panel. | No baseline but will be monitored | Number of referrals | Target will be developed in line with the number of requests received | 2017/18 | Housing, Customer and Building Services /Environmental Health /Legal Services | |
| Increased Participation in private landlord forum. | On average 10 landlords attend | 30-40 | To increase. | 2018/19 | Housing, Customer and Building Services /Environmental Health /Legal Services | |

References and finding out more...

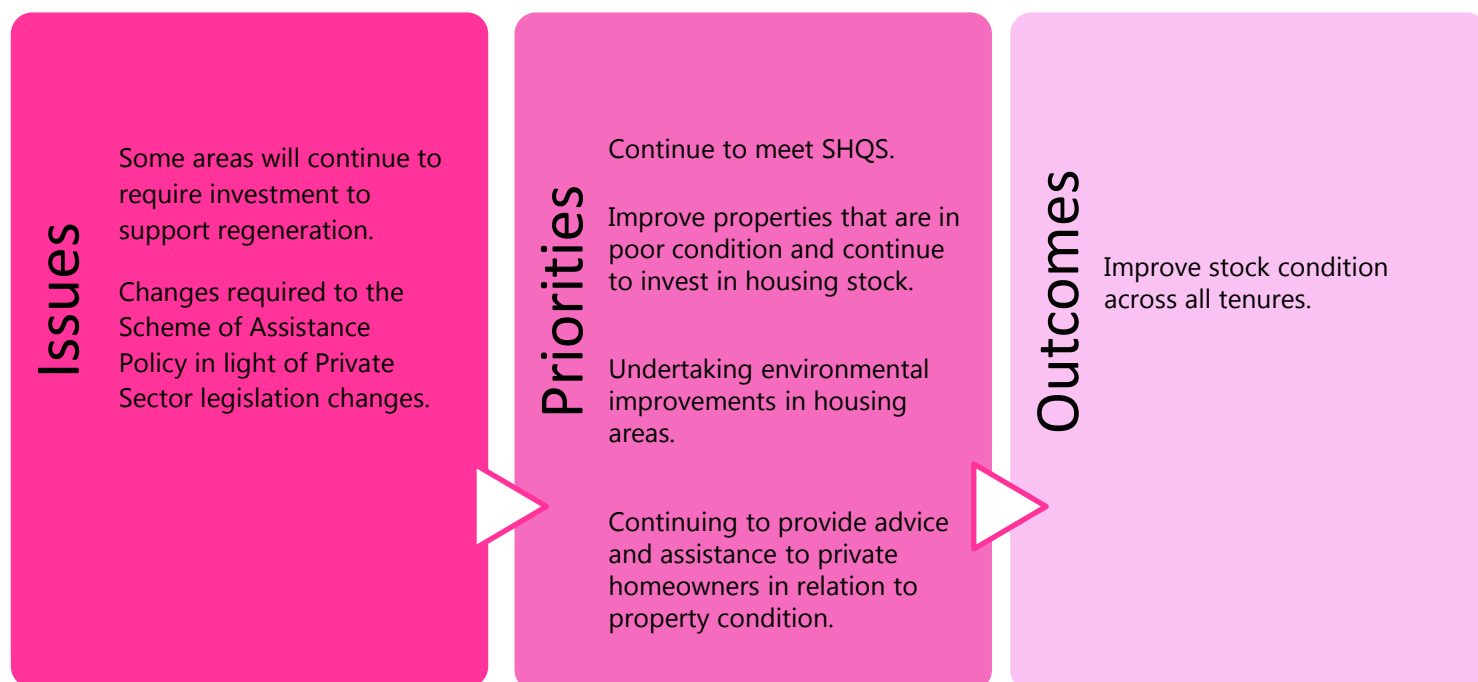
Scotland's Census (2011) 'Area Profiles', Available [online] at: <http://www.scotlandscensus.gov.uk/ods-web/area.html>

Scottish Government (2016) 'Private sector rent statistics in Scotland: 2010 to 2016', Available [online] at: <https://beta.gov.scot/publications/private-sector-rent-statistics-scotland-2010-2016/>

For more information on the Scottish Government Acts and Bills relevant to this section:

- Rent (Scotland) Act 1984: Introduction of regulated tenancy regime; regulation on deposits clarification of illegal premiums; and notice to quit regulation.
- Housing (Scotland) Act 1987: Landlord's identity requirement; and serious disrepair regulation.
- Housing (Scotland) Act 1988: Introduction of assured and short assured, tenancy regime; tacit relocation; and change to notice to quit.
- Antisocial Behaviour etc. (Scotland) (2004): Introduction of landlord registration regulation.
- Housing Scotland Act (2006): Introduction to Repairing Standard; Housing in Multiple Occupation Regime; Tenancy Deposit Scheme regulatory framework; landlord's right of access; and right to adapt properties
- Private Rented Housing (Scotland) Act 2011: Changes to the registration of private landlords; amendments to the Housing in Multiple Occupation licensing regime; introduction of Overcrowding Statutory Notices; and introduction of the Tenant Information Pack.
- Housing Scotland Act (2014): Enforcement of Repairing Standard
- Private Housing (Tenancies) (Scotland) Act (2016)

11. Priority Five: House Condition



ACTIONS

- Continue to ensure all WLC stock complies with SHQS.
- Continue to engage with WLC tenants in the development of the housing capital programme.
- Continue to provide advice and information to homeowners through the Scheme of Assistance.
- Continue to use works notices as required.
- Make use of Missing Share powers as required.
- The Scheme of Assistance Policy will be reviewed over the course of the LHS 2017-22 as a result of the changing legislation in relation to private sector housing.

11.1 Housing Stock Profile

The condition of housing stock in West Lothian compares well with the Scottish average with owner occupied and social rented housing showing levels of disrepair below the Scottish average (Scottish House Condition Survey 2013-2015). This is evident in figures 7 and 8 below.

Figure 7: Percentage (%) of Owner Occupied Houses in Levels of Disrepair Comparison of West Lothian and Scotland (2013-2015) Source: Scottish House Condition Survey 2013-2015

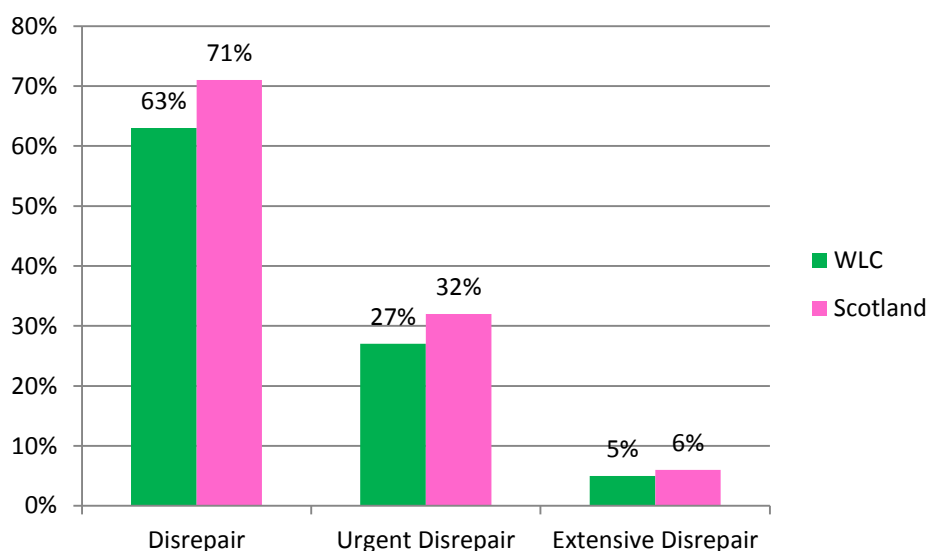
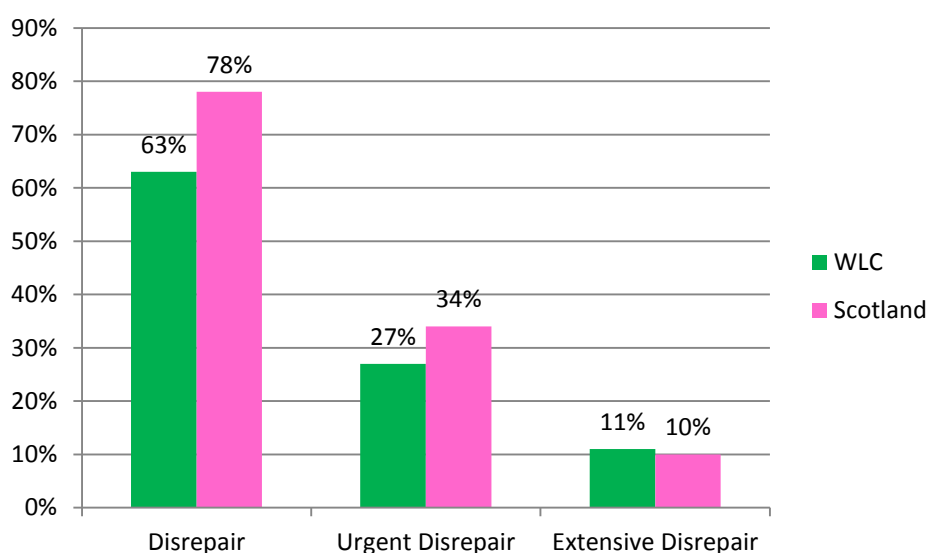


Figure 8: Percentage (%) of Social Housing in Levels of Disrepair Comparison of West Lothian and Scotland (2012-2014)



Source: Scottish House Condition Survey Social Housing 2012-2014

11.2 Private Sector House Condition

11.2.1 Below Tolerable Standard (BTS) Housing

In West Lothian 2% of all of the housing stock is below the Tolerable Standard (BTS). This is below the Scottish average of 3%. Where BTS properties are reported in the private sector, Environmental Health will carry out an inspection and provide advice and assistance to homeowners. They may also issue a works notice.

11.2.2 The Scheme of Assistance

Homeowners have responsibility for maintaining and repairing their properties. The current scheme of assistance provides advice and information to homeowners who require it. A suite of leaflets is available on the council's website to provide information on key aspects of disrepair and how to deal with them. Furthermore the council is contributing to the development of "Under One Roof" national website which has been developed by the Scottish Housing Network to provide information to owners on how to maintain and improve their buildings.

The Scheme of Assistance Policy will be reviewed over the course of the LHS 2017-22 as a result of the changing legislation in relation to private sector housing.

The Scottish Government provides grant assistance to help home owners and private rented tenants with mobility issues to adapt their properties in order to help them remain in their own homes for as long as possible. Examples of adaptations include, stair lifts, through floor lifts, wet floor showers and ramp access to front and/or rear doors.

The grant assistance to home owners is either 80% or 100% of the eligible cost depending on an individual's circumstances. The table below shows that on average there are approximately 200 adaptations in West Lothian per year for private home owners and private rented tenants equating to expenditure of approximately £600,000 per annum. This suggests that there is a steady and on-going demand for this service.

Table 14: Annual Adaptations to Owner Occupied Homes and Equivalent Spend

| Year | No. of Adaptations | Amount of Adaptations Grant |
|---------|--------------------|-----------------------------|
| 2011/12 | 184 | £508,088 |
| 2012/13 | 235 | £600,295 |
| 2013/14 | 195 | £606,718 |
| 2014/15 | 234 | £676,158 |
| 2015/16 | 187 | £574,879 |
| 2016/17 | 229 | £768,718 |

11.2.3 Mixed Tenure Estates

The management of mixed tenure estates and housing capital investment is challenging. Homeowners ultimately have the responsibility to maintain and invest in their property. In many estates, the council is no longer the majority owner. Therefore a consistent approach on investment in mixed tenure housing estates is important. The council reviewed its approach to mixed tenure estates in 2015 and this is noted below.

For owners living in mixed tenure estates where work is essential to the property or block, (e.g. Roof Works or Roughcast Works) owners pay a share of the work based on the marginal cost or equivalent cost of repair works (whichever is the lesser). A single payment process has been introduced for the work. In general the approach is working well with most owners willing to participate in council contracts.

11.2.4 Housing Renewal Area

At present, amenity powers under the Housing (Scotland) Act 2006 are not applicable as West Lothian has no Housing Renewal Areas. Owners can be excluded from the housing renewal areas if the work can proceed without them.

The council has limited power to intervene in cases where homes and gardens are untidy, but options include:

- Contacting West Lothian Council's planning enforcement department and having a Planning Amenity Notice Served on a property.
- Contacting WLC's Planning Enforcement under the High Hedges legislation.
- If the property is empty, the council may be able to help the owner return it to use.

11.3 Scottish Housing Quality Standard (SHQS)

- At March 2017, 100% of West Lothian Council's housing stock met the Scottish Housing Quality Standard.
- An average of 97% of RSL housing stock in West Lothian met the SHQS standard in the same period with RSL stock being in generally good condition.

The council will continue to ensure that our housing stock remains up to the standards required within the SHQS. In the medium term, as the focus moves from achievement to maintenance of the SHQS, the emphasis for expenditure will be on major refurbishment, planned maintenance programmes and increased investment in affordable housing supply. Works will be funded mainly from the HRA capital budget whilst all potential external grant and subsidy funding streams such as ECO, Feed in Tariff (FiT), and Renewable Heat Initiative (RHI) etc. will be utilised where possible.

A new Asset Management Plan will be developed for the period 2017-2022 and there will be an updated Capital Programme produced during 2018.

The only properties that are in abeyance are in relation to Deans South. A Strategy will be developed to progress comprehensive redevelopment of this estate and demolish remaining sub-standard properties.

11.4 Energy Efficiency Standard for Social Housing (EESH)

The Energy Efficiency Standard for Social Housing was introduced in March 2014 and sets minimum Energy Performance Ratings which all social rented houses will be expected to meet by the end of December 2020. The Scottish Housing Regulator is responsible for monitoring and reporting on landlord compliance with EESH from 2015/16; the current level reported for 2016/17 for West Lothian Council is 47.4% compliance with EESH.

The main focus for ensuring EESH compliance will be toward the council's Non-Traditional housing of which there are approximately 30 different construction types. As a result of this there is not one solution that suits every property and therefore a detailed programme of works will be developed

based on the most effective means for each property type to ensure EESSH compliance where it is technically and economically possible.

For traditional housing, such as brick built cavity that does not currently meet EESSH standard, measures such as the replacement of the gas boiler for a more energy efficient condensing combi boiler will increase a property SAP score. The council already operates a rolling gas boiler replacement programme and this will continue to help meet the EESSH standard.

EESSH is more fully explained in the [Section 12 - Priority 6 Fuel Poverty and Climate Change](#) of this document.

11.5 Planned investment in WLC Housing

Major refurbishment and significant elementals repairs including roofs, and roughcasting will not only improve the housing asset base but will help to regenerate communities and improve the local environment. Examples of this are underway at Bathville Cross and Mayfield in Armadale.

Planned expenditure in 2017/18 is summarised in the table below:

Table 15: WLC Planned Expenditure for Housing Investment (including new build)

| | Planned Expenditure 2017/18 |
|----------------------------------|------------------------------------|
| Project | Approved June 2017 |
| | £'000 |
| New build 1000 houses | 60,659 |
| Major refurbishments | 2,508 |
| Major Elemental Repairs | 2,768 |
| Planned Programmes | 6,714 |
| Environmental/External Upgrading | 812 |
| Miscellaneous | 3,691 |
| Total Housing Investment | 77,152 |
| (excluding new build) | 16,493 |

As the council moves forward it will maintain quality standards and further investment in the suitability and sufficiency of its housing stock to improve the environment within communities and meet the needs of existing and future tenants across West Lothian.

Planned Programmes include:

- Window refurbishment/renewal.
- Central heating upgrades and replacements.
- Cavity wall insulation – removal and refill where required.
- Solar PV panels – fitting of the panels to the existing housing stock is a new initiative and will focus in locations where there is no gas supply.
- External wall insulation.

As the council is currently further developing our stock condition database and identifying properties that require improved energy efficiency, programmes of works will be developed and implemented once they have been identified. Examples for potential works that may be required are:

- Under floor insulation.
- Internal wall insulation.
- Energy efficient lighting.
- Alternative energy sources.
- Renewable energy and district heating solutions.

The key challenges in relation to social rented housing in West Lothian will be:

- Continued investment to ensure that social rented housing meets current and future standards.
- Ensuring that the high standards of repair and maintenance of property continue in the future.
- Monitoring of house condition to ensure it remains fit for purpose.
- Developing options for regeneration where the housing is no longer fit for purpose.

11.6 House Condition – ACTION PLAN – 2017-2022

Outcome: To improve public and private sector house condition in West Lothian.

| Action | Baseline | Indicator | Target | Timescale | Responsible Person/Service | Progress Update |
|--|---|--|---|-----------|---|-----------------|
| Continue to ensure all WLC stock complies with SHQS. | 100% compliance. | % of WLC homes complying with the SHQS. | 100% | 2017-2022 | Housing, Strategy and Development Manager | |
| Continue to engage with WLC tenants in the development of the housing capital programme. | Quarterly meetings with the Tenants' Panel Capital Working Group. | Continue to have quarterly meetings | Four meetings per year. | 2017-2022 | Housing, Strategy and Development Manager | |
| The Scheme of Assistance Policy will be reviewed over the course of the LHS 2017-22 as a result of the changing legislation in relation to private sector housing. | Existing policy dates from 2011. | Scheme of Assistance aligns with guidance and legislation. | To be reviewed over the course of the LHS | By 2020 | Housing, Strategy and Development Manager | |

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Scottish House Condition Survey (2012-2014) 'SHCS Local Authority Tables 2014', Available [online] at: <http://www.gov.scot/Topics/Statistics/SHCS/keyanalyses/LATables2014>

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West Lothian Council (2010) 'Scheme of Assistance Section 72 Housing (Scotland) Act 2006', Available [online] at: <http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQUTNT0GZ3>

West Lothian Council (2016) '2016/17 Housing Capital Report – 6 Month Monitoring Report', Available [online] at: <http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQZL0G812UZL>

For more information on:

Energy Efficiency Standard for Scottish Housing (EESH)
<http://www.gov.scot/Topics/Built-Environment/Housing/sustainable/standard>

Home Energy Efficiency Programmes for Scotland: Area Based Schemes (HEEPS/ABS)
<http://www.gov.scot/Topics/Built-Environment/Housing/warmhomes/eap>

Housing Renewal Areas
http://scotland.shelter.org.uk/get_advice/advice_topics/repairs_and_bad_conditions/repairs_if_you_own_your_home/enforcing_repairs/housing_renewal_areas

Housing Renewal Areas (West Lothian)
<https://www.westlothian.gov.uk/article/5744/Eyesore-Homes>

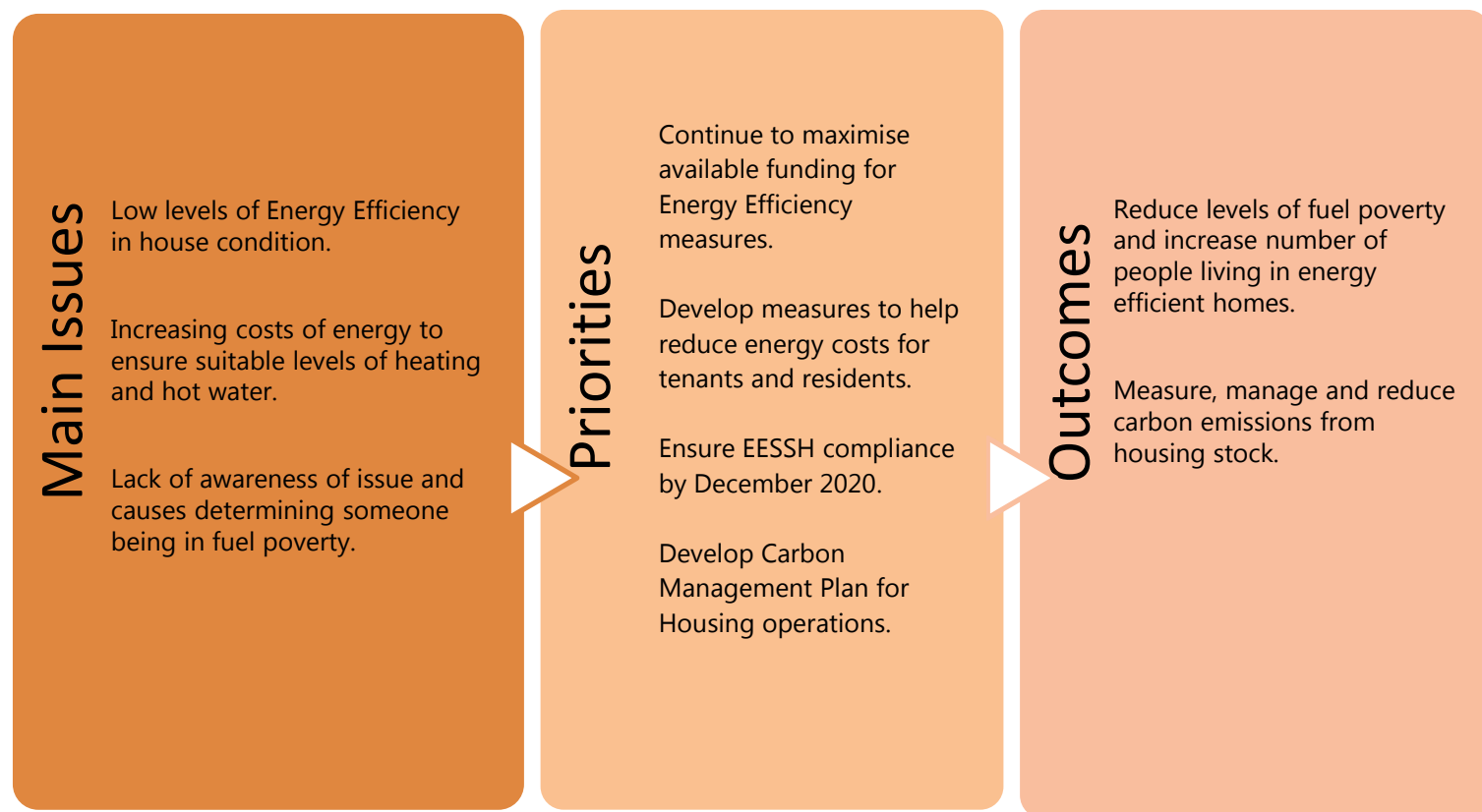
Scottish Housing Quality Standard (SHQS)
<http://www.gov.scot/Topics/Built-Environment/Housing/16342/shqs>

Scheme of Assistance:

West Lothian Council (2010) 'Scheme of Assistance for Private Sector Housing', Services for the Community Policy Development and Scrutiny Panel, Available [online] at: <http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQUTNTDX81>

West Lothian Council (2010) 'Scheme of Assistance Section 72 Housing (Scotland) Act 2006', Available [online] at: <http://coins.westlothian.gov.uk/coins/viewSelectedDocument.asp?c=P62AFQUTNT0GZ3>

12. Priority 6: Fuel Poverty and Climate Change



ACTION

- Develop Carbon Management Plan specifically for Housing Services.
- Determine baseline carbon footprint of WLC housing and report annually on reductions.
- Determine actual levels of fuel poverty for Energy Efficiency project participants to report annually on reductions.
- Continue to encourage improvement in energy efficiency in the owner-occupied and private rented sector through maximising HEEPS:ABS and SEEP funding.
- Continue to address levels of fuel poverty in areas that are off the mains gas grid Measures will be investigated which will address fuel poverty issues and assist residents of West Lothian to access cheaper fuel tariffs.
- Continue to fit passive ventilation to new build council properties.
- Develop a SEEP working group in order to ensure those responsible for setting capital programmes identify suitable properties to integrate domestic and non-domestic properties into a project.
- Work towards all of the council's own housing stock being compliant with EESSH requirements by 2020.
- Investigate Collaborative Purchasing Scheme for tenants and residents.
- Engage further with RSL's on Energy Efficiency projects.
- Monitor progress of Regulations for Energy Efficiency in the Private Sector (REEP) and develop suitable approach.
- Establish an energy co-op in West Lothian involving local communities and investigate switching programmes for residents and energy storage and generation schemes.

12.1 Strategic Approach to Fuel Poverty, Climate Change & Energy Efficiency

12.1.1 Advice and Information

The council offers advice and information on fuel poverty to the residents of West Lothian via our Advice Shop based in Bathgate. The Advice Shop provides a holistic service with multiple links that meet the needs of the local community with the main aim being to serve the West Lothian Community by tackling fuel poverty, social exclusion and disadvantage. Through income maximisation, debt counselling and employment advice and assisting with housing and fuel poverty, the staff endeavours to help all people in West Lothian.

12.1.2 Energy Tariff Comparison

Through continued working with various organisations operating in West Lothian such as Citizens Advice Bureau, West Lothian Financial Inclusion Network and Home Energy Scotland we can provide the residents of West Lothian the ability to better understand their energy bills and check to see if they are on the best tariffs and if not then help them to switch suppliers.

12.1.3 Collective Purchasing Scheme

A collective purchasing scheme has had varying levels of success when performed by other local authorities across the UK but the principle of residents combining their energy demand requirements to bulk buy at better rates from supplier's merits investigation. The council will explore the possibility to be involved in an existing collective purchasing scheme for residents in West Lothian.

12.1.4 Carbon Management

Developing baseline levels of fuel poverty and the carbon footprint from housing allows us to measure the extent and scope of the issues that we are managing. Our Carbon Management Plan will allow for a focused and clear approach to dealing with fuel poverty, climate change and energy efficiency.

12.1.5 Renewable Energy

As renewable energy technologies will continue to advance and offer potential solutions we will continue to monitor and assess the suitability and feasibility of integrating renewable energy sources into our approach for maintaining and developing our housing stock.

12.1.6 Joined Up Thinking

As well as climate change and energy efficiency, fuel poverty is also closely linked with a person's Health and Wellbeing tending to have a negative impact on it. By ensuring the factors that are linked with fuel poverty across council services are recognised by service provider we can help to identify those in need of assistance.

12.2 Key Points from Review of Previous LHS

Achieved 100% compliance with the Scottish Housing Quality Standard (SHQS) by April 2015

Addressing fuel poverty remains a key priority for West Lothian Council and this chapter will detail our approach to understanding fuel poverty within the area and what we can do to reduce it. There is a link that connects fuel poverty; energy efficiency and climate change so that developing strategies and approaches to address one of these issues will have an impact upon the others. When planning and developing our approach we do not treat these issues as standalone but recognise the relationship

each has with the other in order to develop a robust and practical approach that will deliver the maximum benefit.

It is often viewed that a council can only directly impact on one of the factors that influence fuel poverty – which is the condition of a property and its energy efficiency – however in order to tackle fuel poverty a more ambitious approach is required which develops approaches to address all of the three main causes of fuel poverty and not just one. Due to the highly volatile yet upward trend in fuel prices combined with the extremely difficult economic conditions – both locally and globally – our ability to directly impact fuel poverty has never been more difficult yet more important for the residents of West Lothian.

12.3 Understanding Fuel Poverty

West Lothian Council will continue to recognise and use the definition of fuel poverty whereby;

"A household is in fuel poverty if, in order to maintain a satisfactory heating regime, it would be required to spend more than 10% of its income (including Housing Benefit or Income Support for Mortgage Interest) on all household fuel use".

It is important to understand the factors that influence and determine if a household is living in fuel poverty, the three main factors are; household income, energy costs and energy consumption.

Household Income

The level of income for a household has a direct impact on whether or not a household is in fuel poverty; with those on a lower income more susceptible to being in fuel poverty in comparison to those on higher incomes. From 2012 to 2016 both the UK Consumer Price Index (CPI) and levels of unemployment have fallen by 2% and 3.6% respectively yet levels of fuel poverty have continued to increase.

Energy Costs

From when the Housing (Scotland) Act 2001 came into effect to 2014 domestic energy costs rose by approximately 185% and during the same period fuel poverty increased. However in recent years from 2012 domestic energy costs have fallen with whereas fuel poverty has continued to rise.

Energy Consumption

Recent trends show that the average consumption of energy for a domestic property fell by 13.3% between 2012 and 2015 which can be attributed to a combination of factors primarily being; improvements in energy efficiency (of properties as well as domestic appliances), weather patterns and price changes.

The rate of fuel poverty has increased due to the rising costs (on average) of fossil fuel prices despite all the action and measures that have been taken to reduce this impact. The historical upward trend in fuel prices where utility companies are quick to raise prices but slow to reduce them makes it difficult to monitor and manage exact levels of fuel poverty as the volatility of prices can move households into and out of fuel poverty based on a single alteration of tariff rates. It is however anticipated that the longer term trend in fuel prices will continue to increase resulting in potentially even more households entering fuel poverty unless decisive action is taken.

Our approach to tackling fuel poverty in West Lothian detailed in this chapter will evidence a more ambitious approach that we will develop and implement that will see us influence all of the three main factors determining a person being in fuel poverty and not just focusing on the physical condition of a property.

12.3.1 Fuel Poverty in West Lothian

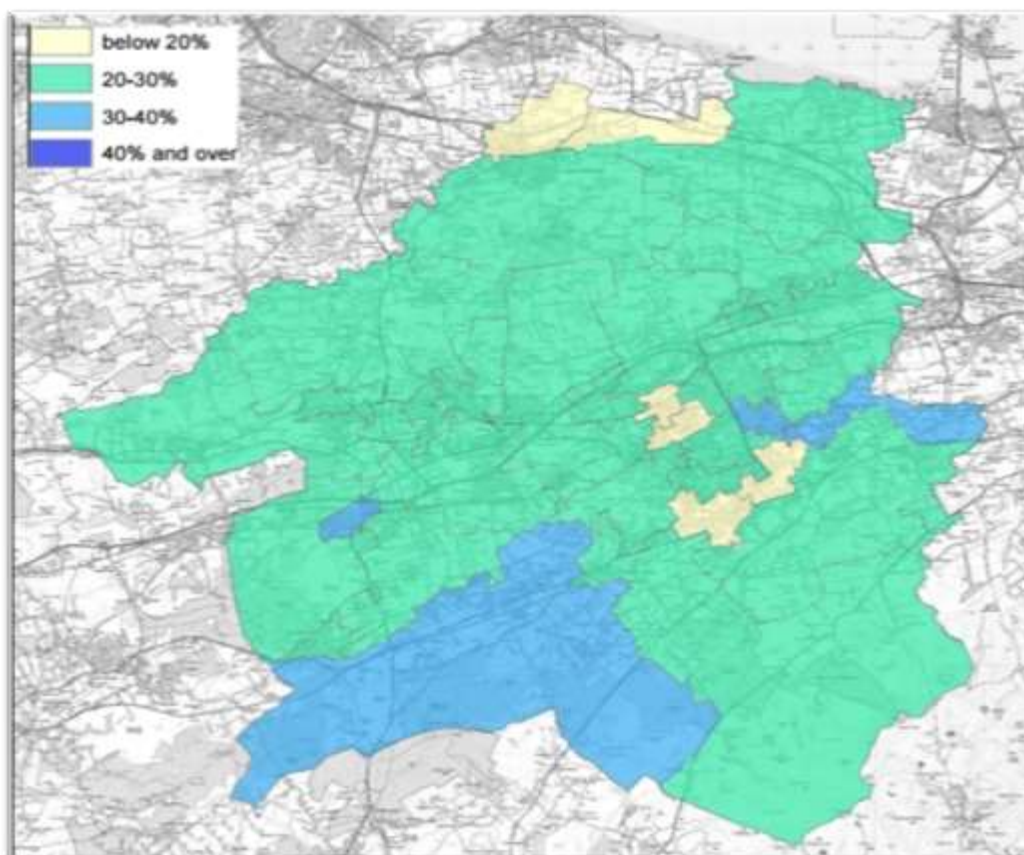
In order to assess the level of fuel poverty within West Lothian we will use the figures provided from the Scottish Housing Condition Survey where the 2013-2015 survey states the level of fuel poverty in West Lothian to be 29%; this is below the national average for Scotland of 34% however it is an increase on 2010-2012 data which was 26% and the 2011-13 which was 27%.

By assessing West Lothian geographically there is a slight increase in areas identified as being in fuel poverty in the West part of the district compared to the East as this area is more rural in comparison (see Figure 9 below). However, analysing available data sources such as SIMD and Home Analytics there is no discernible pattern to fuel poverty within West Lothian with identified areas spread across the region including small villages in more rural areas to neighbourhoods of the larger towns such as Livingston.

Specific areas that have been identified have been done so in preparation for HEEPS, SEEP and EESSH programmes of works and include (but are not limited to):

- Dedridge
- Howden
- Armadale
- Knightsridge
- Deans
- Pumpherston
- Longridge
- Westfield, Newton, Brieich and Wilkieston (villages with no access to main gas)

Figure 9: Proportion of Households in Fuel Poverty by Intermediate Zone West Lothian 2010-2012 (2014)



Economic Indicators

From 2012 to 2015 the below changes have occurred in these key indicators;

Table 16: Key Economic Indicators

| Indicator | 2012 | 2016 | % Change |
|---|---|--|----------|
| Fuel Poverty – Scotland | 34% | 34% | 0 |
| Fuel Poverty – West Lothian | 26% | 29% | + 3% |
| Unemployment – Scotland* | 13.2% | 11.1% | - 2.1% |
| Unemployment – West Lothian* | 12.7% | 10.7% | - 2% |
| Average Household Energy Consumption (to 2015) | 19,793kWh (based on gas and electricity) | 16,784kWh (based on gas and electricity) | - 13.3% |
| Average Household Energy Costs (to 2015) | £1,262.00 | £1,184.00 | - 6.2% |
| Inflation | 2.83% | 0.05% | - 2.78% |

*Based on Main out-of-work benefit claimants

There has been a recent downward trend in the main factors that can influence fuel poverty as shown in the above table yet levels of fuel poverty have continued to rise. This pattern is counterintuitive and demonstrates how complex the issue of fuel poverty is.

Another factor that needs to be considered is Welfare Reform. The Welfare Reform Act 2012 is set to have a substantial impact on West Lothian residents who stand to lose approximately £57 million per year. Claimants of health related benefits such as Disability Living Allowance and Incapacity Benefit look to be the hardest hit with an annual loss of approximately £22 million. Recent changes in Housing Benefit are likely to have the most widespread impact with an estimated 6,000 claimants in West Lothian being adversely affected by the reforms, resulting in an annual loss of around £4.2 million. In real terms, this means a drastic reduction of income for thousands of people with many losing their entitlement to benefit altogether.

The majority of households in West Lothian have access to the mains gas network which is advantageous as mains gas is normally the cheapest source of fossil fuel energy. Only four villages do not have access to the mains gas network; in these villages residents use a combination of electricity, solid fuel and oil as a source of energy. We are exploring the feasibility to connect these villages to the mains gas network as well as other potential energy solutions that could be suitable to help reduce energy costs for these residents such as the installation of Solar PV panels, Heat Pumps and Biomass District Heating.

In order to further encourage energy efficiency improvements in the owner-occupied and private rented sector we will continue to maximise available funding from Scottish Government as well as from utility companies under the Energy Company Obligation in order to continue with our Area Based Schemes. These will continue to be targeted at properties considered Hard-to-Treat with an emphasis on external wall insulation measures for no fines properties. ECO is currently going through a transition phase and it is not yet clear how exactly it will be extended or replaced and this is a situation we will monitor closely as it develops in order to adapt to any changes that will arise.

We can say with some certainty that the main factor that influences whether or not a household is living in fuel poverty is the cost of the energy required to adequately heat their home. Although recently energy costs have fallen they have done so from a high point that had been reached over a prolonged period starting in 2001. The recent Welfare Reforms also further compound the effect of high energy costs.

12.3.2 Local Issues Identified

We held a seminar for local organisations and stakeholders to seek input into the causes and influencing factors to fuel poverty in West Lothian with the main themes identified summarised below:

- Self-regulation of energy use – people not using the heating adequately and some rooms not being heated.
- Lack of interactive information such as videos easily explaining the issue and measures such as correct use of heating controls, understanding fuel bills and switching energy suppliers.
- People seek help when an issue reaches crisis point which makes issues harder to tackle.
- Utility companies need to be more aware of vulnerable customers and ensure all customers are on the correct / best tariffs.
- Fuel Poverty, Energy Efficiency and Climate Change can be difficult to fully understand with information needing to be simple to understand and concise and avoid jargon.
- Better education of fuel poverty and financial management could help prepare younger people for sustaining tenancies.

The Scottish Government has set ambitious targets to cut carbon emissions with the Climate Change (Scotland) Act 2009. The council is required to comply with the public sector duties in the Act including reducing carbon emissions and acting sustainably. West Lothian Council is also a signatory to Scotland's Climate Change Declaration under which it annually reports on actions taken to comply with public sector duties in the Act. In 2013, carbon emissions were 7.2 tonnes of CO₂ per person; this has decreased from 8.9 tonnes per person in 2005.

12.4 Housings Contribution to Climate Change

The housing stock of West Lothian contributes to climate change primarily through the consumption of energy used to heat and power homes with this energy predominately coming from sources of fossil fuels. We have taken a two pronged approach to considering the impact our housing has on the environment by focusing on our existing housing stock and also our new build programme.

12.4.1 Existing Housing Stock

We recognise that the most effective way to reduce the impact our housing stock has upon the environment is to reduce the demand for the energy required to adequately heat and power these homes. By planning for being fully compliant with EESSH by 2020 we will ensure our own housing stocks energy efficiency levels are improved where required and through the continuation of our energy efficiency programmes will encourage owners and the private rented sector to improve the energy efficiency of their own homes which will help reduce energy consumption.

Estimates from the Department of Energy and Climate Change (DECC) show that the carbon footprint from domestic sources for West Lothian in 2013 to be 386,300t/CO₂ which has reduced year on year from 435,500t/CO₂ in 2005. In the same period the population of West Lothian has increased from 165,000 to 176,100. This trend is encouraging as it shows that despite an increase in the population the average carbon footprint per person has reduced.

12.4.2 New Build Housing

West Lothian Council maintains ambitious targets for the number of new build homes that we will provide during the duration of this Local Housing Strategy and are proud of the fact no other local authority in Scotland built more council homes between 2009/10 and 2016/17. As well as our own new build programme, West Lothian is currently experiencing an increase in the number of private new build developments with several thousand anticipated new homes to be built in the period of this LHS.

We recognise the importance of designing and building homes that have minimal impact upon the environment not only during the construction process but also so that once built the properties are highly energy efficient ensuring low fuel consumption costs for owners and tenants. We do not only consider the sustainability of the property but the development as a whole which relates to our approach to the design, development and maintenance of sustainable places.

The council notes the decision of the UK Government to remove the Zero Carbon Homes Policy and the requirement for all new build homes to be carbon neutral by 2016; we remain committed to reducing the impact our new build programme has on the environment and will continue to explore the best options for reducing this, within the resources available to us.

12.4.3 The Impact of Climate Change

The council recognises that the threat and reality of climate change is both international and local. The direct impacts in West Lothian will not be as severe as in some coastal areas or in developing countries where the effects of drought, food shortages, flooding and land loss could be profound. This will inevitably impact on us all through supply chain impacts and increased demand for limited resources. However, the effects of a changing climate are already beginning to be seen in West Lothian with increasingly frequent severe weather events requiring responses from the council, the emergency services and our Community Planning Partners.

Even if all greenhouse gas emissions were stopped now, past and current global emissions mean that some level of climate change will still occur. The council has prepared a Local Climate Impact Profile (LCLIP) to assess the impact of past weather events on council property and service delivery. The UK Climate Projections 09 (UKCP09) provides recent trends and future climate information designed to help organisations plan for adapting to a changing climate. Details of the UKCP09 projections for West Lothian over the next 100 years are provided below in Table 18. The main changes of importance to West Lothian include an overall rise in temperature, a decrease in summer rainfall and an increase in winter rainfall. There will also be an increased likelihood of experiencing extreme weather events.

Table 17: Projected Changes in Local Climate (West Lothian Council, 2015-2020)

| Projected changes in summer and winter temperatures and precipitation for West Lothian (Medium Emissions) | | | | | |
|---|------------------|------------------------------|------------------------------|------------------------------|---------------|
| | | 2020s | 2050s | 2080s | Trend |
| Winter | Mean Temperature | 1.2°C (0.5°C – 2.0°C) | 2.0°C (1.0°C – 3.0°C) | 2.6°C (1.4°C – 4.1°C) | <i>Warmer</i> |
| | Precipitation | 5% (-2% - 14%) | 12% (-2% - 24%) | 15% (2% - 32%) | <i>Wetter</i> |
| Summer | Mean Temperature | 1.5°C (0.6°C – 2.5°C) | 2.5°C (1.2°C – 4.1°C) | 3.7°C (2.0°C – 5.8°C) | <i>Warmer</i> |
| | Precipitation | -6% (-17% - 7%) | -14% (-28% - 1%) | -17% (-34% - 0%) | <i>Drier</i> |

Approximately 25% of all emissions come from domestic homes and the majority of homes that are with us today are likely to be with us in 2050. For energy consumption in domestic properties to reduce and carbon targets to be met adaptations to existing properties will be required alongside measures to ensure new build developments consider energy efficiency and future climatic conditions.

12.4.4 Threats and Opportunities

The main threat posed by future climate change to housing in West Lothian will not be from the likely trend of warmer and wetter winters with warmer and wetter summers but by the increase in the frequency and intensity of extreme weather events. Extreme weather events will directly impact housing in two distinct ways; firstly to the physical condition of our housing stock and secondly the people who inhabit our housing stock and therefore we have detailed our approach to each.

Threats to Housing Stock Condition

There are three main types of extreme weather event that have been considered that can have an impact on the physical condition of housing in West Lothian. These are; flooding, heatwaves and prolonged periods of freezing conditions including snow. Each of these events poses different threats to housing condition therefore West Lothian's vulnerability to climate change will be established through a risk assessment process and addressed through flood risk management planning and processes and the preparation and implementation of an Adaptation Action Plan. The capability of council buildings and essential infrastructure to withstand more extreme weather will also be assessed, and a Local Climate Impact Profile (LCLIP) for West Lothian has been prepared for this process.

Work to adapt to climate change includes flood prevention programmes and works. A number of flood prevention measures have been carried out across West Lothian including works at Armadale, Bathgate, Broxburn and Fauldhouse.

Threats to Vulnerable Groups

The future effects of climate change will be even more compounded to those classed as vulnerable as they will have reduced resilience to be able to cope with changes and more extreme weather events. As well as living in fuel poverty we consider someone to be classed as vulnerable if they are elderly, low income earners, single parent households, caring for young children and the disabled. In order to ensure those classed as vulnerable are protected from the future effects of climate change we will aim to prioritise our energy efficiency programmes to include these households where possible.

Opportunities from Climate Change

The main potential opportunities that will be provided by future changing climates will be enhanced capability to generate energy from renewable sources. Our approach to Renewable Energy will be developed and detailed in the Carbon Management Plan for Housing but it is anticipated that there will be an increase in the suitability of solar PV, solar thermal and wind generation installations. Renewable Energy technologies still require financial support in order to be a feasible investment however these technologies will soon be economically viable options without subsidies and the development of our Renewables Plan will allow us to be positioned to take advantage once this occurs.

12.5 Adaptation and Mitigation

In order to both prepare for the threats of but also take advantage of the opportunities that climate change will pose it is not only vital to develop an adaptation and mitigation approach but to recognise the key differences these approaches have specifically for housing.

12.5.1 Adaptation

Adaptation is focused on changing our existing systems to both reduce the level of exposure to climate change whilst exploiting the potential benefits it provides. In terms of the housing stock for West Lothian this means ensuring the physical condition of these houses are suitable for the projected future climatic conditions of warmer and wetter winters with warmer and drier summers. Our adaptation approach will be focused on existing housing to ensure that we continue to maintain and improve the condition of our own housing stock whilst making decisions and designing capital programmes with a view to integrating adaptation to future climate change.

12.5.2 Mitigation

Mitigation is focused on reducing the impact that the housing stock of West Lothian – both current and future – has upon the environment and climate change and implementing methods to reduce this. Our mitigation approach will focus mainly on our new build housing strategy as it is both easier and economical to plan for future climate conditions and integrate these into our programmes at the design stage rather than retrofitting measures.

The advantage that focusing on energy efficiency has to both reducing our impact on climate change but also climate changes impact on our housing stock is that an energy efficiency measure is both an adaptation and a mitigation measure. For example installing external wall insulation to a property improves the thermal performance of the building ensuring it is suitable to live in with reduced exposure to colder weather (adaptation) whilst it reduces energy consumption as less energy is required to heat the property therefore carbon emissions are reduced (mitigation).

12.6 Energy Efficiency

There are three main methods in which we are able to directly impact on the energy efficiency of the housing stock of West Lothian which will target social housing, owner-occupiers and the private rented sector.

12.6.1 Home Energy Efficiency Programmes for Scotland: Area Based Schemes (HEEPS: ABS)

The council's HEEPS:ABS continues to be the main tool available for providing energy efficiency measures to the owner-occupier and private rented sector and we will continue to allocate capital

programme funding to council owned properties included in an Area Based Scheme. In 2015/16 the council increased its capacity to fully manage our HEEPS:ABS programme by creating two new positions in Housing, Customer and Building Services which will allow for greater control over identifying and designing suitable HEEPS:ABS programmes.

As HEEPS:ABS is a Scottish Government initiative and budget allocations are determined by them on an annual basis it is not possible to detail our yearly approach to our Area Based Schemes for the period of this LHS as future budget levels are unknown. A key action for this LHS will be to maximise available funding sources for Area Based Schemes from both the Scottish Government as well as utility companies.

Our Area Based Schemes will continue to target the non-traditional housing stock in West Lothian and the main focus for funding will be providing external wall insulation to solid wall houses. With over 2,800 solid wall houses of no fines construction in West Lothian our overall aim for our Area Based Schemes will be that each of these properties receives an offer to receive external wall insulation. As HEEPS:ABS budgets are determined annually by Scottish Government we have little control over the number of properties we can target each year therefore cannot commit to targeting all no fines properties within the period of this LHS however we intend to include the below areas within our HEEPS:ABS programme of works for 2017/18:

- Knightsridge – EWI Programme in Erskine Way and Gordon Way for 50 owners and 69 council owned properties
- Armadale – EWI programme to 25 owners in Woodend Walk to complete estate
- Howden – EWI to 32 owners in Nelson Avenue

We appreciate some owners may refuse the offer of EWI however the aim is to have provided an offer for the works to each household in these areas.

12.6.2 Scotland's Energy Efficiency Plan (SEEP)

Within the period covered by this Local Housing Strategy SEEP will be introduced in 2018. SEEP aims to combine the energy efficiency approaches for domestic and non-domestic buildings together. In order to be prepared for this we will implement the below measures:

- Develop a SEEP working group that will combine officers from Housing, Customer and Building Services, Construction Services, Finance & Property Services and Procurement in order to develop a joint approach to identifying, designing and implementing energy efficiency projects combining both domestic and non-domestic elements.
- Develop an awareness campaign for local based organisations and communities who have energy efficiency projects to make them aware of a potential source of funding that SEEP could provide.
- Further develop the energy plan for domestic properties which will be detailed in the Carbon Management Plan for Housing which will allow for closer integration to the council's existing plans for Energy Management of its own estate.

12.6.3 Energy Efficiency Standard for Social Housing (EESH)

The Energy Efficiency Standard for Social Housing requires that by 2020 all social housing stock in Scotland achieves a minimum level of energy efficiency represented by its individual Energy Performance Certificate (EPC) Energy Efficiency (EE) rating. The table below illustrates the minimum criteria to be achieved by property type:

Table 18: EESSH SAP Score Levels Source: BRE (2015)

| Dwelling Type | Energy Efficiency Rating (SAP 2009) | | Energy Efficiency Rating (SAP 2012) | |
|-------------------------------------|-------------------------------------|----------|-------------------------------------|----------|
| | Gas | Electric | Gas | Electric |
| Flats | 69 | 65 | 69 | 63 |
| Four-in-a-block | 65 | 65 | 65 | 62 |
| Houses (other than detached) | 69 | 65 | 69 | 62 |
| Detached | 60 | 60 | 60 | 57 |

Alongside our HEEPS:ABS and SEEP programmes of energy efficiency measures which are mainly aimed at owner occupiers and the private rented sector we will be required to ensure our own housing stock meets these requirements by December 2020 in order to ensure our tenants are provided with housing that is more energy efficient.

Due to the varied house types that make up our housing stock different methods and approaches will be required as there is not one energy efficiency measure that suits all house types and therefore a more specific approach will be required. Good work has already been done in ensuring 100% of WLC housing stock meets the Scottish Housing Quality Standard which provides us with a solid foundation to progress this work toward meeting our EESSH targets.

By aiming for our housing stock to be compliant with the Energy Efficiency Standard for Social Housing (EESSH) by December 2020 we will identify properties that require energy efficiency measures to be performed in order to be brought up to the standards required.

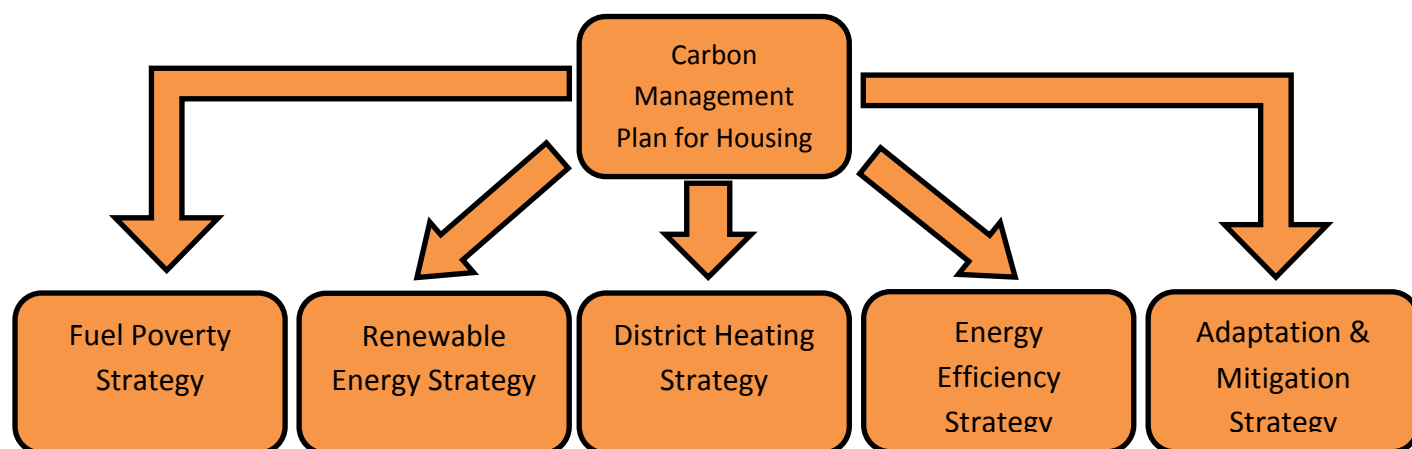
12.7 Carbon Management

In order to develop an effective strategy to addressing fuel poverty it is vital to understand and consider the wide range of factors that can influence it; therefore a key aspect of our Local Housing Strategy will be the development and implementation of a Carbon Management Plan specifically for our Housing Service. The purpose of a Carbon Management Plan for Housing is threefold:

- To act as an overall umbrella plan for related approaches that are connected to improve energy efficiency which can reduce fuel poverty whilst reducing carbon emissions from domestic properties.
- To provide input into the Local Housing Strategy on the issues of Climate Change and Fuel Poverty whilst developing our approach to reducing these.
- A Carbon Management Plan for Housing will allow for the carbon reductions achieved from projects to be measured and reported on.

The figure 10 shows the council's approach to Carbon Management for Housing.

Figure 10: West Lothian Council's Carbon Management Plan for Housing



This Carbon Management Plan will detail our planned approach to the main factors that the council can influence which are:

Fuel Poverty

We will detail how our approach to addressing fuel poverty supports our overall aims for addressing poverty across West Lothian and how the Carbon Management Plan will support our Single Outcome Agreement and Anti-Poverty Strategy.

Renewable Energy

Due to the differences in scale as well as financial incentives for domestic renewable energy installations compared to non-domestic/commercial installations a detailed approach specifically for domestic properties will be developed. This will allow for easier identification of suitable situations where a renewable energy source is a feasible option.

District Heating

Having been identified by Scottish Government as a key tool in addressing climate change as well as fuel poverty we will develop our approach to identifying and developing possible district heating projects that could be progressed in West Lothian.

Energy Efficiency

We will detail our approach to developing and implementing energy efficiency projects as well as looking to further align our own capital budget programmes with our Home Energy Efficiency Programmes for Scotland: Area Based Schemes (HEEPS:ABS). This will also include our approach in preparing for the upcoming Scotland's Energy Efficiency Programme (SEEP) and also how we will ensure our housing stock meets the requirements of the Energy Efficiency Standard for Social Housing (EESH) by the 2020 deadline. See section 9.4 for further details on our approach to HEEPS, SEEP and EESH.

Climate Change

We will further develop our understanding of the influence our housing operations can have upon climate change but will also detail our approach to adaptation and mitigation considering the effects that climate change may have on our existing housing stock and new build programme.

Carbon Footprint

A carbon footprint baseline will be developed for the council's own housing stock in order for carbon reductions to be both measured and reported on and we will also utilise DECC modelled data to determine a suitable baseline carbon footprint for the owner-occupied and private rental sector. It is vital that we understand the extent of our carbon footprint by determining suitable baselines in order to be able to develop an effective approach to managing it.

An integral part of establishing a Carbon Management Plan for Housing will be setting out how we will measure, monitor and report on our performance in reducing levels of fuel poverty and carbon emissions. Due to the fact that we as a council can only directly control one of the factors that determine fuel poverty it is not suitable to set annual reduction targets as despite our best efforts other factors may increase levels of fuel poverty. Therefore as part of our Local Housing Strategy review process we will report on an annual basis what has been achieved in terms of reducing fuel poverty and carbon emissions.

The development of a Carbon Management Plan for housing with the detailed plans that form it will further support the council's existing Carbon Management Plan and Climate Change Plan whilst enhancing a joint approach from the different departments which will be required to successfully deliver our SEEP objectives.

12.8 Working with Others

Fuel poverty, climate change and energy efficiency are not issues that only affect council housing but the full housing stock of West Lothian and as a result it is key that we interact and work alongside other parties in targeting these issues. In order to increase the impact our LHS has on West Lothian we will look to work with Registered Social Landlords, Community Groups and the Private Rented Sector.

12.8.1 Registered Social Landlords

We have already worked with two RSL's with housing stock in West Lothian as part of previous HEEPS:ABS programmes to provide improved energy efficiency measures to owners properties when RSL's were investing in their own stock for improvement.

Over £2.9m in HEEPS:ABS funding has been provided in Howden to provide External Wall Insulation to owners' properties; this was performed in conjunction with Almond Housing Association who invested in EWI for their own housing stock as part of the contract.

£90,000 in HEEPS:ABS funding was provided to owners for an EWI project in Cunnigar Gardens in Mid Calder for 12 owner properties while WESLO funded 10 of their own properties in this location. A further £240,000 in HEEPS:ABS funding was provided to support EWI to 4 in a block properties in Armadale for 40 privately owned flats.

As part of future HEEPS:ABS and SEEP planning we intend to further engage with RSL's to identify instances where their housing could potentially be included in a EWI programme but also to identify other areas for possible projects to be funded that would allow RSL's to improve their stock.

We will investigate the potential to establish a technical working group with RSL's with stock in West Lothian to discuss methods and ideas for furthering energy efficiency works such as compliance with EESSH which RSL's will also have to achieve.

12.8.2 Community Groups

As part of the management of the HEEPS:ABS programme we have and will continue to engage with local communities (through Community Councils where possible) to provide details on the proposed programmes of works and offer a means for communities to provide input and feedback on what is being proposed.

We will also encourage community groups to develop their own energy efficiency projects which may be funded through the SEEP from 2018.

12.8.3 Private Rented Sector

The Private Rented sector is arguably the most important sector that we should engage with as it is the most difficult to monitor and manage the standard of housing that is being provided. As RSL's are required to meet the same standard of housing as the council there is confidence that the housing provided is fit for purpose; the same cannot be said for PRS housing. As the consultation on the Regulation of Energy Efficiency in Private Sector Homes (REEP) only just recently been completed. we will await the outcome of this process before determining our strategic approach to working with the PRS.

12.9 Achieving Desired Outcomes

The desired outcome for this aspect of the LHS is to reduce the level and number of households affected by fuel poverty. In order to achieve this we will focus our strategic approach on firstly determining a suitable baseline of fuel poverty and the carbon footprint of our housing stock in order to fully appreciate the scale of the issue being dealt with to develop a suitable approach to reducing these factors.

12.9.1 Resources

As mentioned the council has employed two new members of staff to manage our HEEPS programme of works as well as our approach to energy efficiency projects for our housing stock.

The Advice Shop

The Advice Shop provides free and impartial advice to the residents of West Lothian and with the addition of officers to manage the HEEPS:ABS programme of works now working within the Housing Service it has allowed for a closer integration with the activities of the Advice Shop with regards to energy efficiency advice.

Energy Forum

An Energy Forum has been established by the West Lothian Financial Inclusion Network for public and third sector organisations in West Lothian providing work and information relating to fuel poverty and energy efficiency. This forum allows member organisations to share knowledge and experiences with one another with the aim of aligning resources to provide maximum benefit to the residents of West

Lothian. Members of the forum include; the West Lothian Financial Inclusion Network, Home Energy Scotland, Citizens Advice Bureau Scotland, Almond Housing Association as well as the council.

12.9.2 Constraints

Aside from the main constraints detailed above being that we have limited influence on the main factors that determine fuel poverty; our ability to achieve our desired outcomes is constrained by the level of funding available. Although the HEEPS:ABS has enabled energy efficiency measures to be provided to hundreds of homes in West Lothian there remains uncertainty over the level of funding that will be made available under the SEEP and how this funding will be structured.

A major aspect of the HEEPS programme of works is the Energy Company Obligation (ECO) that requires utility companies to contribute to the cost of measures in order to meet their own carbon reduction targets. The levels of funding provided have decreased since it was initially introduced and although it is to be replaced in 2018 with a different method there are little to no details of what will replace it and what funding it will provide. This hinders our ability to plan and forecast future HEEPS projects as we cannot determine our available budget far in advance.

12.10 Fuel Poverty and Climate Change - ACTION PLAN – 2017 - 2022

Outcome: Reduce levels of fuel poverty and increase number of people living in energy efficient homes

| Action | Baseline | Indicators | Target / Milestone | Timescale | Who is responsible? | Progress |
|--|--|--|--|---|-----------------------------------|----------|
| Develop a baseline carbon footprint for WLC housing stock. | To be based on 2016 data. | Percentage reduction in carbon footprint. | Reductions to be reported on annually at review of LHS | By end of 2018. | HIO - Energy Efficiency Officers. | |
| Develop a baseline to measure number of actual households in fuel poverty included in energy efficiency programmes. | To be determined once Scottish Government provide updated Fuel Poverty definition. | Number of households in fuel poverty. | To be reported on annually | On-going. | HIO - Energy Efficiency Officers. | |
| Develop a HEEPS: ABS programme to assist householders to improve the energy efficiency of their homes, to reduce energy consumption and save money. | N/A | Number of households receiving energy efficiency measures as part of HEEPS:ABS programme. | Implemented by end of 2022. | Annually until replaced by SEEP (2017). | HIO - Energy Efficiency Officers. | |
| Ensure all social rented housing complies with the EESSH by 2020. | 47.4% | Percentage increase in rate of compliance | 100% by 2020 | By end of 2020. | HIO - Energy Efficiency Officers. | |
| Develop SEEP working group including relevant council departments. | N/A | N/A | Implemented by end of 2017. | On-going once established. | HIO - Energy Efficiency Officers. | |
| Develop technical working group with RSL's that have housing stock in West Lothian. | N/A | Number of organisations included and frequency of meetings | Established by Mid-2017. | On-going once established. | HIO - Energy Efficiency Officers. | |
| Provide energy advice services through the council or a mechanism to direct householders to existing services. | The number of referrals from the previous year. | Number of referrals to Advice Shop from Energy Efficiency Advisor from HEEPS:ABS programmes. | Ongoing. | Ongoing. | Advice Shop. | |

References and finding out more...

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13. Equalities Impact Assessment (EIA)

Housing, Customer and Building Services strive to encourage a culture and environment which is inclusive of all sections of society and responsive to the needs of individuals. This results in staff, tenants, residents and other stakeholders who are free from any form of discrimination in respect of all their dealings with our service.

We are fully committed to meaningful engagement with the diverse groups and individuals that make up our local communities. We will continue to make appropriate resources available in order to build their capacity for involvement in our service planning and decision-making processes. We aim to ensure that our staff are equipped to reach out to traditionally 'under represented' sections of society and will continue to expand on our methods of engaging with groups and individuals. We will strive to break down any barriers they may have when trying to access or become involved in the service.

We will:

- Ensure buildings are accessible
- Hold meetings at suitable times and in the appropriate venue
- Meet with existing community groups
- Make published information available in different formats
- Encourage 'under represented' groups and individuals to become involved
- Provide the required level of support to groups and individuals who have learning or support needs to enable them to participate fully and fairly
- Provide the required support and advice to allow all groups to function equally
- Provide resources to allow the option of external training when required
- Make available learning and development opportunities within West Lothian Council
- Provide specialist equipment, translation and interpretation services to aid communication where required
- Ensure our staff are open, honest and accountable and that they ensure equality of involvement for all sections of the community
- Through this commitment to enable full engagement with the people of West Lothian we hope to allow them to participate fully and equally in all aspects of the services that we deliver and make a valuable contribution to our success and development.

13.1 Policies and Documents Accessibility

West Lothian Council is committed to ensuring that all information is accessible for all users and provide a range of tools in order to do so. We also look to ensure all content is presented in a "plain English", easy to understand format through consistently reviewing customer feedback and providing all our content editors with the correct training and guidance.

By using the West Lothian Council website customer can use the accessibility link and the drop down list in the "Listen and translate" option at the top of the page. This will allow customers to:

- Change Text Size
- Listen to this document with BrowseAloud Plus
- Access a translated version: you can translate this website into a language of your choosing

Dyslexia Assistance - Using the Assist Dyslexia link on the top menu of the website, the site will convert to a colour scheme to assist those with dyslexia. Documents are also available on request in Braille, tape, large print and community languages through the interpretation and translation services.

14. Key Partners

- West Lothian Tenants and Residents
- Council Teams - Social Policy, Finance and Property Services, Operational Services, Corporate Services, Education Services, Planning and Economic Development
- RSL partners
- Local Equality Groups
- Police Scotland
- Scottish Fire and Rescue Service
- Scotland's Housing Network (SHN)
- Department of Work and Pensions
- Chartered Institute of Housing
- Care Inspectorate
- Community Councils
- Corporate Services
- Disability West Lothian
- Hallnet
- NHS Lothian
- Other Local Authorities
- Bethany Christian Trust
- Women's Aid
- Cyrenians
- Family Law Centre
- Health and Social Care Partnership
- Home Aid
- Hubco East
- Jobcentre plus
- Lovell Partnerships Ltd
- McTaggart Construction
- Open Door
- Richmond Fellowship
- SAMH
- Scottish Futures Trust
- Scottish Government
- Scottish Housing Regulator
- Scottish Prison Service
- The Rock Trust
- Tenant Participation Advisory Service
- Tenants Information Service
- Victim Support
- West Lothian Community Councils
- West Lothian Drug and Alcohol Services
- West Lothian Equality Groups
- West Lothian Housing Providers' Forum
- West Lothian Youth Action Project
- West Lothian Youth Inclusion Project

15. Glossary

A

AHP – Affordable Housing Policy

AHIP – Affordable Housing Investment Programme

AHSP – Affordable Housing Supply Programme

ALCHO – Association of Local Authority Chief Housing Officers

ALMO – Arm's Length Management Organisation

Assisted Living: assisted living focuses on maximising service user's independence and dignity. It emphasises flexibility, individualised support services. Involvement of the community, as well as tenants' families, neighbors and friends is encouraged

B

Bariatric: relating to the treatment of obesity

C

Care and Repair: A scheme for home owners and private renters which helps the elderly and people with disabilities by providing information and assistance with regard to repairs and improvements to their homes.

Care in the Community: West Lothian Council is committed to Care in the Community. It works closely with West Lothian Community Health and Care Partnership, housing providers, housing support providers and voluntary agencies to help meet the housing, care and support needs of vulnerable people living in West Lothian.

CHCP – Community Health and Care Partnership

CHMA – Centre for Housing Market Analysis

CHR – Common Housing Register

CIH – Chartered Institute of Housing

CMT – Corporate Management Team

COSLA – Convention of Scottish Local Authorities

Core and Cluster – consists of a network or cluster of tenancies for people with support needs which are linked to a hub or core housing unit.

CSU – Community Safety Unit

D

DIA – Drainage Impact Assessment

DHP – Discretionary Housing Payment

E

EESH – Energy Efficiency Standard for Social Housing

ECO – Energy Company Obligation

EIA / EQIA – Equalities Impact Assessment

EST – Energy Saving Trust

F

Floating Support – a service which supports people to live independently which is not linked with the person's accommodation. Support is individually assessed, planned and reviewed with the service user. Usually the support reduces over time as the original need reduces.

FOI – Freedom of Information Request

G

GIRFEC – Getting it Right for Every Child

H

Health and Social Care Integration - Legislation in Scotland came into force on the 1st April 2016 which brings together NHS and local council care services under on partnership agreement for each area to deliver the 9 national health and wellbeing outcomes.

HEEPS:ABS – Home Energy Efficiency Programmes Scotland Area Based Schemes

HES – Home Energy Scotland

HMO – Houses of Multiple Occupation

HIO – Housing Investment Officer

Housing Support – services which help people to live as independently as possible in the community. They can be provided in an individual's own home or in temporary accommodation such as hostels for homeless people Housing support services help people

manage their homes in different way. These include assistance to claim for welfare benefits, fill in forms, manage a household budget, keep safe and secure, get help from specialist services, obtain furniture and furnishings and help with shopping and housework. They also include community alarm services in sheltered housing.

Housing with Care – The aim of Housing with Care is to promote independent living through assisting older people with support needs to reside longer in their own homes as an alternative to other forms of institutional care.

HNDA – Housing Need and Demand Assessment

HRA – Housing Revenue Account

HS&D – Housing Strategy and Development

HUBCO - Hub East Central Scotland Limited – a company set up as a procurement vehicle to support, develop and deliver well designed, affordable, sustainable and functional community facilities that enable effective service delivery throughout the East Central Territory.

I

Independent Living - “having the same freedom, choice, dignity and control as other citizens at home, at work and in the community”

J

JIT – Joint Improvement Team

JSNA – Joint Strategic Needs Assessment

L

LA – Local Authority

LAC – Local Area Committee

LDP – Local Development Plan

LHA – Local Housing Allowance

LHS – Local Housing Strategy

LIFT – Low cost Initiative for First Time Buyers

LRO – Local Records Officer

M

Main stream/general needs housing: housing not specifically designed for a particular user group.

MIR – Main Issues Report

MMR – Mid-market Rent

MSC – Matters Specified in Conditions

N

NBCH – New Build Council Housing

NETS – Neighbourhood Environment Teams

O

OT – Occupational Therapist

P

PDSP – Policy Development and Scrutiny Panel

PGs – Planning Guidance

PRS – Private Rented Sector

PSP – Public Social Partnership

PU – Public Utility

R

RCC - Road Construction Consent

Respite Care: Short term care for those who require family members or others to look after them. Its aim is to give the carers a short break whilst avoiding the need to place those they care for permanently in a facility which is not their home.

RSL - Registered Social Landlord A not for profit housing association or housing cooperative that is registered with the Scottish Housing Regulator.

RTB - Right to Buy Legislation which enables people to buy a house where they have a council or Housing Association tenancy.

S

Standard Assessment Procedure (SAP) - The only official, government approved system for assessing the energy rating for a new home. SAP assessors must be accredited and registered with a certification body.

SDP - Strategic Development Plan

SDS - Self-Directed Support

SEEP - Scotland's Energy Efficiency Plan

SESHOF - South East of Scotland Housing Forum

SESPlan - South East of Scotland Strategic Plan

SG - Scottish Government

SHBVN - Scottish Housing Best Value Network, renamed in 2016 as Scotland's Housing Network

Sheltered Housing - Housing for elderly people that includes some form of support service.

SHIP - Strategic Housing Investment Plan

SHQS - Scottish Housing Quality Standard - Scottish Government standards for the quality and condition of housing.

SLPA - Strategic Local Programme Agreement

Single Outcome Agreement (SOA) - The Community Planning Partnerships priorities and outcomes for the local authority.

Specialised Housing – housing which has specifically designed and designated to meet the needs of people with particular needs.

Scottish Planning Policy (SPP) -The Scottish Government's approach to planning

Supported Accommodation/Housing – terms used to describe a variety of accommodation including: A house or flat, where the occupant receives support from social work or other organisations, Sheltered housing, housing with care or assisted living, retirement housing, a hostel, refuge or rehabilitation centre.

Scheme of Assistance (SOA) - Information, advice and practical assistance for private owners as required by the Housing (Scotland) Act 2006.

I

Telecare/Telehealth- the use of telecare and telehealth equipment for the continuous, automatic and remote monitoring of real times emergencies and lifestyle changes over time in order to manage the risks associated with independent living.

Tenure - The conditions under which land or buildings are held or occupied

TP - Tenant Participation / Officer

V

Voids - Empty properties

W

WLC - West Lothian Council

WLDA - West Lothian Development Alliance

Appendix 2 West Lothian Local Housing Strategy 2017 - 2022 – Summary of Actions

The timescales for the delivery of these actions will be developed as part of the annual monitoring of the Local Housing Strategy

| Theme | Action |
|---|--|
| Meeting Housing Need and Demand | New build council housing will be developed beyond the current 1,000 houses programme. |
| | The council will continue to work with Scottish Government and RSL partners to deliver more affordable housing in West Lothian. There will be increased emphasis on partnership working to deliver affordable housing. |
| | Revise affordable housing supplementary guidance to ensure that is in accordance with the West Lothian Local Development Plan (LDP). |
| | Contribute to the wider strategic planning for housing in the South East Scotland (SESplan) area. |
| | The council will develop its approach to working with private landlords to ensure quality of supply within the sector. Rents will continue to be monitored in the private rented sector. |
| | Regeneration will take place in areas that require it to address matters of disrepair and anti-social behaviour |
| Preventing and Addressing Homelessness | Develop a range of housing options to assist people who are at risk of homelessness. |
| | Develop a supported temporary accommodation strategy for young people to increase satisfaction with the quality of accommodation and improve outcomes for young people facing homelessness. |
| | Developing relationships and protocols with private landlords to maximise opportunities to prevent homelessness. |
| | Ensuring a sufficient supply of temporary and permanent accommodation. |

| Theme | Action |
|---|--|
| Preventing and Addressing Homelessness | Ensuring that financial advice and tenancy sustainability services are in place to assist homeless households. |
| | Managing and expanding membership of the Common Housing Register in partnership with local Registered Social Landlords. |
| Independent Living | Continue to provide adaptations and equipment and make best use of adapted stock. |
| | Develop specialist housing provision for people with particular needs including core and cluster housing for learning disabilities and supported accommodation for older people. |
| | Make use of information on health and social care integrated planning to better estimate the need for specialist housing provision |
| | Encourage and promote the use of technology enabled care (TEC) to enable people to live independently. |
| | Await outcome of review of current configuration of mental health service provision to inform future specialist housing requirements for this care group. |
| Private Rented Housing | Develop the approach to private rented sector housing to ensure that landlords and tenants have appropriate advice and information available. |
| | Increase landlord awareness of their responsibilities and encourage best practice amongst landlords. |
| | Improve the knowledge and information around HMOs and develop a range of mechanisms to work with owners of HMOs to improve quality in the sector. |
| | Develop the West Lothian HomeChoice service to engage with more landlords and tenants. |
| | Increase the availability of good quality private sector tenancies through the West Lothian HomeChoice Service. |

| Theme | Action |
|--|--|
| Private Rented Housing | Promote the use of the new Tenancy Agreement to encourage tenants to view the private sector as a long term housing option |
| | The council will monitor private sector rents and practices in the private rented sector and establish a West Lothian Fair Rents Fair Landlords Charter and ask landlords to sign up to the charter. |
| House Condition | Continue to ensure all WLC stock complies with SHQS. |
| | Continue to engage with WLC tenants in the development of the housing capital programme. |
| | Continue to provide advice and information to homeowners through the Scheme of Assistance. |
| | The Scheme of Assistance Policy will be reviewed over the course of the LHS 2017-22 as a result of the changing legislation in relation to private sector housing. |
| | Make use of Missing Share powers as required. |
| Fuel Poverty and Climate Change | Measures will be investigated which will address fuel poverty issues and assist residents of West Lothian to access cheaper fuel tariffs |
| | Develop Carbon Management Plan specifically for Housing Services. |
| | Determine baseline carbon footprint of WLC housing and report annually on reductions. |
| | Work towards all of the council's own housing stock being compliant with EESSH requirements by 2020. |
| | Determine actual levels of fuel poverty for Energy Efficiency project participants and to report annually on reductions. |
| Fuel Poverty and Climate Change | Continue to encourage improvement in energy efficiency in the owner-occupied and private rented sector through maximising HEEPS:ABS and SEEP funding. |

| Theme | Action |
|--|--|
| Fuel Poverty and Climate Change | Continue to address levels of fuel poverty in areas that are off the mains gas grid (Westfield, Breich, Wilkieston and Newton). |
| | Continue to fit passive ventilation to new build council properties. |
| | Develop a SEEP working group in order to ensure those responsible for setting capital programmes identify suitable properties to integrate domestic and non-domestic properties into a project. Engage further with RSL's on Energy Efficiency projects. |
| | Monitor progress of Regulations for Energy Efficiency in the Private Sector (REEP) and develop suitable approach. |

Appendix 3 Draft Local Housing Strategy 2017 - 2022 - Consultation Background Paper

The draft Local Housing Strategy was made available for consultation between 21st December and 17th February. It was put on the council's website and links put on the council's facebook page and West Lothian Tenants' facebook page. Letters were issued to RSLs and private developers notifying them of the consultation on the draft LHS and there was opportunity for them to comment both at the Affordable Housing Delivery Workshop and directly through the consultation link on the website.

As part of the consultation, 13 questions were asked to cover the main LHS themes. There were 25 responses although not all people responded to every question. The findings from the questionnaire were that the majority of the respondents agreed that;

- New build council housing in West Lothian is a priority.
- New build affordable housing should be done by a range of providers including RSLs, the council and private developers
- The supply of temporary housing should be increased.
- A range of housing options should be in place to assist people at risk of homelessness.
- Specialist housing and housing support should be a housing priority in West Lothian.
- There should be a range of housing support in place in West Lothian so that people with a range of support needs can be housed appropriately.
- House condition across all tenures should be improved
- Addressing fuel poverty in West Lothian is a key priority for the council and its partners.
- Advice and information should continue to be provided by the council and its partners to enable people to combat fuel poverty.

There was also broad agreement on the following areas of activity in relation to private sector housing, although with fewer positive responses

- The council should develop its approach to dealing with private landlords.
- Home owners should be provided with advice and assistance to repair and maintain their property.
- Enforcement action should be taken on owners that fail to maintain their property.

Forums and Working Groups

Following the publication of the draft Local Housing Strategy in January 2017, several meetings were held with representatives from; Housing Associations, Developers, Voluntary Organisations, Tenants Groups and officers from a range of Council services. A range of comments were received at each of the meetings and many of these have been used to inform the Local Housing Strategy.

| Chapter | Consultation Undertaken | Issues Raised | Response included in LHS |
|---|--------------------------------------|--|---|
| Chapter 1 Housing Supply and Placemaking | West Lothian Tenants' Networks | There was discussion about new housing supply and the way in which this would be provided. | <p>It was noted that there will be significant additional resources and that both RSLs and the council would be instrumental in providing new affordable housing.</p> <p>A Homes for West Lothian Partnership will be set up with all the Housing Associations in the area to create a coordinated strategy of land assembly, finance construction, planning and targeted provision of homes.</p> <p>A target of 3000 affordable homes between 2012 and 2022 is proposed.</p> |
| | Affordable Housing Delivery Workshop | Increasing housing supply in West Lothian Draft Affordable Housing Supplementary Guidance should increase the number of tenures that are acceptable and regarded as affordable housing. | <p>Examine the various approaches to housing delivery.</p> <p>Highest demand through the HNDA2 is</p> |

| | | <p>Why is there such an emphasis on social rented housing when there are other tenures that are required?</p> <p>What is being done to address the housing needs of older people?</p> <p>Funding for infrastructure is a key blockage to housing development.</p> | <p>for social rented housing in West Lothian</p> <p>A key action included in the LHS is to develop further housing options for older people.</p> <p>The LHS includes reference to infrastructure constraints and mechanisms to address them.</p> |
|---|---|--|---|
| Chapter | Consultation Undertaken | Issues Raised | Response included in LHS |
| Chapter 1 Housing Supply and Placemaking | Health Impact Assessment Scoping for Draft Local Housing Strategy | <p>The scoping exercise identified many positive health impacts that are likely to arise from the actions within the LHS, and very few negative impacts. During the discussion, the group identified some specific recommendations to enhance these impacts further:</p> <ul style="list-style-type: none"> • Ensure new developments are located and designed in a way that encourages alternatives to car travel where possible, provides good access to high quality greenspace and play areas, and meets high standards of placemaking. • Consider providing new tenants with travel packs that provide locally specific information about alternatives to car | <p>Many of these recommendations are already addressed through the Planning system and in current new build council housing developments. However, it is noted that these recommendations are likely to continue to be of importance as future new build affordable housing is developed.</p> |

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| | | <p>travel.</p> <ul style="list-style-type: none"> • Provide signage that indicates routes for pedestrians and cyclists. • Consider the best mix of provision for people requiring temporary accommodation • Explore potential to develop community gardens in some developments • Ensure developments in areas of old mine-workings include effective remediation measures • When planning new developments, consider capacity of local services by consulting with health, social care and education partners. • Include community benefit clauses in contracts with contractors that specify support for SMEs, training and apprenticeships. | |
| Chapter 2 Preventing and addressing homelessness | Joint Strategy Group for Homelessness | Give consideration to accommodation for “breathing space” to enable people to consider their options before becoming homeless. | May be scope within the assessment centres for this. |
| | | Domestic violence – ensuring options are there for people who feel they need to leave their home. | Ensure that there is a range of housing options available for people facing domestic violence. |
| | | Importance of housing support for homeless people and the range of assistance that can be | Consideration of development of options |

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| | | <p>provided. Role of the voluntary sector is key to delivery of housing support.</p> <p>Need for accommodation at first point of contact.</p> <p>Housing options for people at risk of domestic violence who also have mental health issues, a refuge may not be a good housing option.</p> | <p>for shared living.</p> <p>Development of Night Stop</p> |
| Chapter 3 Independent Living and Specialist Provision | Discussion with Social Policy | Quantification of supported accommodation provision in West Lothian and the impact of the LHA. Can a survey be done or quantification through information on housing support through contracts held with Social Policy. | This may be considered as required as the welfare reforms are further developed. |
| | | There is a need to capture the Housing Sectors wider role in the housing contribution beyond specialist housing provision. e.g. role of housing officers, prevention of homelessness and welfare rights advice. | This will be developed further through the Housing Contribution Statement. |
| | Liaison with Social Policy and NHS | People with bariatric and/or other complex conditions requiring major adaptations to property. | Cost of structural works is examined closely. Range of housing options is considered with the client. |
| | West Lothian Tenants' Networks | The importance of specialist housing provision was raised, in particular housing for older people. | This is highlighted as an issue in the LHS. There will be ongoing work to develop the council's approach to reviewing provision of housing that is |

| | | | |
|--|------------------------------------|--|---|
| | | | suitable for older people. |
| | West Lothian Senior People's Forum | <p>Comparisons between private rented sector and council housing discussed. It was felt that the private rented sector was much more expensive, there is no security of tenancy and it is not regulated the same as council housing. The Scottish Government is giving consideration to security of tenure in the private rented sector.</p> <p>In private rented tenancy there can be issues arranging repairs.</p> <p>The Scottish Government is looking to introduce an Energy Efficiency Standard. Also the Housing Tribunal is available for issues that cannot be resolved elsewhere.</p> <p>Due to changes in sheltered housing people can feel their package has now changed and this is not what they have signed up for when they took the tenancy. Services are available to assist people e.g. Home Safety Service and Crisis Care Team. The council also works in partnership with the police and fire service and they can provide advice.</p> | <p>There will be ongoing monitoring of private rents as part of the approach to private rented housing.</p> <p>The council will develop its approach to the private rented sector including awareness raising with landlords of their duties regarding repair and maintenance.</p> <p>A review of older people's housing will also look at provision in the private sector.</p> |
| Chapter 4 Private Rented Sector | West Lothian Senior People's Forum | <p>Some older people living in the private rented sector had concerns about the long term viability of the private rented sector.</p> <p>Discussion about tax changes for private landlords which are coming in April 2017. This</p> | <p>Development of the approach to the private rented sector is a key activity within the Local Housing Strategy. This will include engaging with private</p> |

| | | | |
|--|--------------------------------|---|---|
| | | may discourage people from being private landlords. | landlords and rent monitoring. |
| Chapter 5 House Condition | West Lothian Tenants' Networks | Concerns about continued capital investment in WLC housing. | Officers are developing a programme for future years and will bring forward proposals in early 2018. |
| Chapter 6 Fuel Poverty and Climate Change | West Lothian Tenants' Networks | Concerns about fuel costs and fuel poverty. | Measures will be investigated which will address fuel poverty issues and assist residents of West Lothian to access cheaper fuel tariffs. |

Consultation Meetings

15th & 16th November 2016 Five Sisters and Cairn Brock Tenants' Networks – to discuss the draft LHS and obtain tenants' input.

19th January 2017 Joint Strategy Group for Homelessness – RSLs and Voluntary Organisations to discuss Homelessness aspects of the Local Housing Strategy

31st January 2017 – Affordable Housing Delivery Workshop - Scottish Government, RSLs and Private Developers meeting to discuss the Local Housing Strategy, the Strategic Housing Investment Plan and Draft Affordable Housing Supplementary Guidance.

1st February 2017 – Health Impact Scoping on draft West Lothian Local Housing Strategy 2017- 2022 – Representation from NHS Lothian, WLC Health Improvement and NHS Lothian Public Health, NHS Lothian Health Promotion.

16th March 2017 – Senior People's Forum – presentation on LHS and Question & Answer session.

Alistair Shaw
Head of Housing, Construction & Building Services
West Lothian Council
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Civic Centre
LIVINGSTON
EH54 6FF

19 May 2017

Dear Alistair,

The Review of Draft Local Housing Strategy 2017 to 2022

Thank you for submitting your draft local housing strategy for the period 2017 to 2022 for peer review. The review process is now complete with comments provided by Scottish Government Policy Teams, the Scottish Government More Homes Division Area Team and Gregor Ross, from East Renfrewshire Council, who has undertaken the peer review.

This letter sets out what the reviewers considered were the particular strengths of the draft LHS and some suggested areas for development which you may wish to consider. The accompanying table includes all the comments that were made on the LHS, some of which you may wish to consider further before finalising your LHS. When the final LHS is submitted to Ministers, we would ask that you include with it a letter that notes how the suggested areas for development identified within this letter have been or will be addressed.

The LHS Peer Review

Strengths that the review process would wish to highlight are:

- This is a comprehensive and well laid out strategy. It is easily accessible for both peers and interested residents of West Lothian Council, with a mix of text, pictures and tables.
- The use of a table setting out "What we said – What we did" is succinct, informative, helpful and easy to understand.
- The driver diagram approach (Main Issues- Priorities- Outcomes) creates a very useful and informative colour-coded infographic version of an executive summary. The corresponding 'Actions' box present the most pertinent points in a well-structured, succinct, and manageable format. We think other local authorities could usefully employ this and will be encouraging them to do so.

- The LHS identifies a clear strategy for providing the right mix of housing with an emphasis on prioritising Council House New Build.

It should be noted that the comments template issued with this letter provides other feedback that reflects the strengths of the LHS.

Suggested areas for development on which feedback is sought on submission of the final LHS to Scottish Ministers:

- The local authority is currently undertaking a programme of strategic acquisitions of existing stock. It would be helpful to detail if these are being compulsory purchased.
- It would be helpful if reference to Housing Supply Targets in the LHS notes that the Target is subject to change. If HSTs change in SESPlan, any relevant changes should be reflected in the LHS.
- Though WLC appears to provide assistance to landlords to positively contribute to the housing market, the LHS would benefit from more detail on assistance provided to prospective/current private tenants.
- A short description on work being carried forward into the new LHS would have provided some context for what was achieved.

We hope you will find these comments useful in finalising your LHS.

If you would like to talk over the feedback in more detail, we can arrange a date for a meeting, which Gregor Ross would attend, along with myself and David Steane, who has co-ordinated the review comments. If you do not think a meeting is necessary, we would be happy to talk over the feedback more generally at one of our regular programme meetings.

Yours sincerely

Alastair Dee
Area Team Manager - More Homes Division - Scottish Government



COUNCIL EXECUTIVE

AFFORDABLE HOUSING DELIVERY UPDATE

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to update Council Executive on various initiatives to increase the supply of affordable housing in West Lothian and to seek approval for a change to the council's new build programme.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Note the progress being made on the council's new build housing programme;
2. Approve the removal of three new build units from the council's new build programme at Bathville phase 3 and agree that these should be replaced with three Open Market Acquisitions in Armadale;
3. Note that since the start of 2017/18, 22 Open Market Acquisitions have been purchased by the council and that a further one purchase is in the pipeline;
4. Note the progress being made by Registered Social Landlords with their new build programmes in West Lothian.

C. SUMMARY OF IMPLICATIONS

| | |
|---|--|
| I Council Values | <ul style="list-style-type: none">• Focusing on our customers' needs;• Being honest, open and accountable;• Providing equality of opportunity;• 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>The policy of building new council houses is covered in the West Lothian Local Housing Strategy.</p> <p>Environmental and equality assessments will be carried out as appropriate.</p> |
| III Implications for Scheme of Delegation to Officers | None. |

| | | |
|-------------|---|--|
| IV | Impact on performance indicators | None. |
| V | Relevance to Single Outcome Agreement | <p>Our economy is diverse and dynamic and West Lothian is an attractive place to do business.</p> <p>We live in resilient, cohesive and safe communities.</p> <p>We make the most efficient use of our resources by minimising our impacts on the built and natural environment.</p> |
| VI | Resources - (Financial, Staffing and Property) | <p>The Housing Capital Programme 2013/14 to 2017/18 approved by West Lothian Council on 29 January 2013 approved £90 million for the New Build Council Housing Programme.</p> <p>Taking account of Government Grant and other sources of funding, a total budget of £115.225m has been identified. The position will continue to be assessed for further developer contributions and government funding.</p> <p>Land to the value of £8.396m has been transferred from General Services to HRA to support the new build programme. Scottish Government has approved the transfer of 14 sites to HRA.</p> |
| VII | Consideration at PDSP | The Services for the Community PDSP considered reports on the new build programme on 7 February 2012, 17 June 2013, 8 April 2014, 20 May 2014, 6 October 2015, 1 December 2015, 15 February 2016, 19 April 2016, 4 October 2016, 7 February 2017 and 23 October 2017. |
| VIII | Other consultations | Finance and Property Services |

D. TERMS OF REPORT

D.1 Background

The approved West Lothian Housing Strategy 2012 - 2017 recognises the need to increase the supply of affordable housing in West Lothian to meet need and demand.

The council's Corporate Plan 2013 to 2017 commits the council to increasing the number of council houses available for rent through the New Build Council Housing Programme. Funding is also in place for the council to purchase former council houses which are advertised on the open market.

Registered Social Landlords (RSLs) also play an important part in affordable housing delivery.

Over the period 2012/13 to 2016/17, 1,056 affordable homes were delivered in West Lothian. The breakdown is as follows:

WLC new build - 646 units
RSL new build – 267 units
Rosemount Court – 30 units
Open Market Acquisitions / Mortgage to Rent – 113 units

D.2 West Lothian Council's new build programme

172 units are complete and 724 units are under construction.

The following sites are complete:

Adelaide Street, Livingston – 6 units
Glasgow Road, Bathgate – 9 units
Mill Road, Linlithgow Bridge – 15 units
Auldhill, Bridgend – 5 units
Philpstoun – 5 units
West Main Street, Broxburn – 18 units
Pumpherston – 14 units
Almond Link, Livingston – 20 units
Raw Holdings, East Calder - 15

Development is underway at Kirkhill (Broxburn), Redhouse (Blackburn), Winchburgh CDA, Lammermuir (Livingston), Eastfield (Fauldhouse), Mayfield (Armadale), Drumshoreland (Pumpherston), Deans South (Livingston), Almondell (East Calder), Almondvale Stadium (Livingston), Bathville (Armadale), Appleton (Livingston), and Wester Inch (Bathgate).

Kirkhill is the largest site in the programme (230 units). Development started in August 2015. The first handovers took place in September 2016 and a total of 40 houses have been handed over.

Redhouse is the second largest site in the programme (100 units). Development started in June 2015. All 100 slabs have been completed and 100 superstructures have commenced. The first 25 handovers have taken place.

Wester Inch is the third largest site in the programme (86 units). The main contract commenced in June 2017.

Development at Lammermuir commenced in June 2016. The first handovers are expected in February 2018.

Mayfield started on 29 August 2016. The first handovers are expected in February 2018.

Development at Almondell started on 9 January 2017. The first handovers are expected in May 2018.

Development at Eastfield commenced in August 2016. Works on site are well advanced and the first handovers are expected in November 2018.

McTaggart Construction commenced enabling works at Winchburgh CDA and at Deans South in February 2017. The main build contract at Winchburgh commenced in May but there has been a delay in the main build contract starting at Deans South due to the contractor deciding to review the foundation design. The first handovers at Winchburgh are expected in March 2018.

Development at Drumshoreland commenced in October 2016. The first handovers are expected in March 2018.

Three new build units at Bathville are expected to be completed by Building Services in November 2017.

Development has yet to start at the following sites:

Nelson Park, Armadale – Taylor Wimpey has agreed to provide the permissions needed to allow the access to be formed and for land in their control to be used for a site compound and haul road. Once these permissions have been formalised, and a Scottish Power cable is diverted, a site start can be made.

Bathville phases 3, 4 and 5 – it is proposed to remove the new build proposal from phase 3 at Bathville as the anticipated cost per unit has risen to around £140,000 because of the need to divert existing services. It is proposed to replace the three new build units with three Open Market Acquisitions in Armadale. Subject to Council Executive approval, phase 3 at Bathville will proceed as a refurbishment project with no new build.

Phases 4 and 5 at Bathville continue to be delayed as title deeds require to be altered. Progress is however being made on a resolution to the outstanding issues.

Deans South (Eastern part of the estate) – Lovell Partnership has undertaken extensive survey work to inform proposals for the eastern part of Deans South. It is anticipated that proposals will be submitted for planning approval before the end of the year.

D.3 Open Market Acquisitions

Funding is currently in place to purchase 30 former council houses during 2017/18. Excellent progress has been made with 22 purchases concluded and a further one purchase is in the pipeline.

D.4 Affordable Housing Delivery by RSLs

Progress continues to be made by RSLs with the provision of affordable housing.

Nine units were completed by Almond Housing Association at Forth Drive, Craigshill, in 2017.

12 units are under construction by Almond Housing Association at Foulshiels Road, Stoneyburn. These units are due for completion later this year.

The West Lothian Housing Partnership has commenced developments of 42 units in Jarvey Street, Bathgate and 55 units in Winchburgh. It is anticipated that these units will be completed in 2018/19.

E. CONCLUSION

Progress is being made with increasing the supply of affordable housing in West Lothian. Various delivery methods are being pursued.

F. BACKGROUND REFERENCES

Several reports to Council Executive and Services for the Community PDSP from 7 February 2012 to 23 October 2017

Appendices/Attachments: None

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Alistair Shaw

Head of Housing, Customer and Building Services

24 October 2017



COUNCIL EXECUTIVE

ELECTED MEMBER ATTENDANCE AT SCOTTISH GOVERNMENT 2017 "QUALITY IN PLANNING AWARDS"

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to inform the Council Executive of Planning Services shortlisting for the 2017 Scottish Government "Quality in Planning Awards" and to agree elected member attendance at the awards ceremony

B. RECOMMENDATION

It is recommended that the Executive:

1. notes that West Lothian Council Planning Services have been shortlisted for 3 entries into the 2017 "Scottish Government "Quality in Planning Awards"; and
2. agree which elected members should represent the Council at the awards ceremony on 8th November 2017.

C. SUMMARY OF IMPLICATIONS

| | |
|---|--|
| I Council Values | Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; and working in partnership. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | Good planning practice and policy is supported by the emerging West Lothian Local Development Plan. There is no SEA, Equality or Risk Assessment issues. |
| III Implications for scheme of delegation | None. |
| IV Impact on performance and performance indicators | None. |
| V Relevance to Single Outcome Agreement | Outcome 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations. |
| VI Resources - (Financial, | None. |

Staffing and Property)

| | |
|----------------------------------|-------|
| VII Consultations at PDSP | None. |
| VIII Other consultations | None. |

D. TERMS OF REPORT

D1 Background

The Scottish Quality in Planning Awards are one of the Scottish Government's most prestigious events to acknowledge achievements in planning - ranging from strategic visions to new settlements. Its aim is to recognise the hard work being carried out by, and within, the planning profession.

West Lothian Council, along with Scottish Natural Heritage, were successful in gaining a "Commendation" at the 2015 Scottish Government Quality in Planning Awards for the supplementary planning guidance on "*Planning for nature: Development Management & Wildlife*".

D2 2017 Scottish Government "Quality in Planning Awards"

Five West Lothian submissions were entered into the 2017 Scottish Government "Quality in Planning Awards" and from the initial 42 entries, three West Lothian submissions have been short listed among 22 entries:

- Partnership Category: "*West Lothian Planning Guidance on Health Impact Assessment*" – this was approved by the council in April 2017 and the council are the first in Scotland to produce such guidance along with the Public health consultant at NHS Lothian.
- Plans Category: "*Raising Awareness of west Lothians Heritage – Conservation Area Information leaflets*" – have been produced generally to cover all nine conservation areas and specifically for Mid Calder.
- Process Category: "*Automated Task Driven Paperless Development Management*" - that accords with the streamlining of the planning application process and increased move to online submissions.

The Scottish Government Planning & Architecture Division, who are organising the awards, have now written to the Council about the ceremony on 8th November 2017 in Edinburgh with the awards presented by Kevin Stewart MSP, Minister for Local Government and Housing.

In past awards an elected member has attended with officers for each nomination. Consequently, up to three places are available for elected members.

The Council Executive is asked to consider which elected members should represent West Lothian Council at this awards ceremony.

E. CONCLUSION

The annual Scottish Government "Awards for Quality in Planning" are national and prestigious awards. West Lothian Council has been successful in the previous years and with three entries in 2017 hope to be successful this year.

F. BACKGROUND REFERENCES

A list all of all 22 applications can be found at:

<https://www.google.com/maps/d/viewer?mid=1UtXxl8jjL2FSsnEoTM9Dizd2Q7Y&ll=57.91298999137569%2C-2.9201800000000073&z=5>

Appendices/Attachments – None

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Craig McCorriston

Head of Planning, Economic Development & Regeneration

24 October 2017



COUNCIL EXECUTIVE

SUPPLEMENTARY GUIDANCE: RESIDENTIAL DEVELOPMENT GUIDE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of the outcome of consultation on a revised Residential Development Guide (RDG) which has been produced as statutory supplementary guidance (SG) in support of the West Lothian Local Development Proposed Plan (WLLDP), and to seek approval of the guidance.

B. RECOMMENDATION

It is recommended that Council Executive:

1. approves the content of the revised draft guidance as statutory supplementary guidance (SG); and
2. agrees to it being notified to Scottish Government for endorsement.

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 supplementary guidance will replace existing guidance and will support the development management and development plan processes.</p> <p>SEA - an overarching Environmental Report for the West Lothian Local Development Plan (LDP) has already been prepared. While Historic Environment Scotland, SEPA and SNH will require to be formally consulted (via SEA gateway) to establish whether this SG requires a bespoke SEA, this is considered to be un-necessary as the SG is unlikely to have significant environmental effects.</p> |

There are no equality, health or risk assessment issues associated with the RDG. Noise impact assessment included in the SG addresses health issues.

There are no risk assessment issues.

| | | |
|-------------|---|--|
| III | Implications for Scheme of Delegations to Officers | None |
| IV | Impact on performance and performance Indicators | None |
| V | Relevance to Single Outcome Agreement | Outcome 4 – We live in resilient, safe and cohesive communities 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) | No specific financial implications for the council are identified. |
| VII | Consultations at PDSP | A report on the Residential Development Guide was considered by the Development and Transport PDSP on 26 October 2015. The panel was supportive of the terms of guidance and was agreeable to it being made the subject of public consultation and then forwarded to the Council Executive for approval. |
| VIII | Other consultations | Internal consultation was specifically undertaken with Estates, NETS & Land Services, Transportation, Environmental Health and Trading Standards, Contaminated Land and Flood Prevention Officers. |

D. TERMS OF REPORT

D1 Background

The opportunity is being taken to rationalise and consolidate planning guidance relating to new residential development in West Lothian and to frame this as new statutory supplementary guidance (SG) to support the new West Lothian Local Development Plan (LDP) which is currently at examination stage and is being scrutinized by Scottish Government appointed reporters.

Statutory supplementary guidance provides more detail on how the policy or strategy requirements of the Local Development Plan can be met, and unlike 'non statutory' guidance, once adopted, forms part of the development plan, having equal weight and status in terms of decision making.

The current guidance is formatted as the West Lothian Residential Development Guide (RDG) and was last updated and approved in 2013. It specifically relates to medium scale residential developments where more than 10 dwellings are proposed, bringing together all of the elements that help contribute towards cohesive housing layout and design.

It promotes and encourages high quality and innovative housing developments that are visually attractive, well integrated into their surroundings, designed on environmental sustainability principles and which offer a good standard of amenity to new and future occupants while also protecting the amenity of existing residents.

It provides prospective applicants with a comprehensive resource designed to help them navigate the process of making a successful planning application for residential development, referencing amongst other things context, character, identity and design together with practical advice about amenity standards and developer contributions.

As noted, the current guidance is relatively new, having only been approved in 2013, and there is consequently held to be no fundamental or significant change required to the substance of the document. It would otherwise still be very much “fit for purpose” were it not for the fact that the RDG predates Scottish Planning Policy 2014 (SPP). This puts specific emphasis on the design of development from initial concept through to delivery and champions the concept of ‘placemaking’ and there is recognition of the need to ensure that this is now fully reflected in the new RDG.

A ‘refresh’, for that is essentially what it is intended the new guidance should be, has also presented the opportunity to remove and replace references to superseded legislation, websites and publications and to correct any errors and omissions that have become apparent since its original publication.

Separate ‘companion’ guidance, entitled Single plot and small-scale infill residential development in urban areas, and relating to developments not exceeding 10 units, was previously published by the council in 2008 (updated 2013). It is of a broadly similar nature to the current RDG, albeit that it is specifically for smaller sites, and it was concluded that it made practical sense for it to now be incorporated as part of the new RDG. As before, there are no fundamental revisions to the substance of this document and only minor editorial changes to the text are proposed.

D2 Consultation

Although the draft RDG was considered by D&T PDSP in late 2015, the consultation itself did not commence until February 2017. This was a consequence of staff resources being focused on ensuring that the Local Development Plan was submitted timeously to Scottish Ministers. Officers also need to ensure that the terms of the draft RDG remained consistent with the version of the Local Development Plan approved by Council Executive for submission for Examination.

The draft Residential Development Guide was published by the council for consultation on 9 February 2017. The consultation was undertaken over an 8 week period with comments sought by 7 April 2017. All community councils in West Lothian were consulted together with the public bodies responsible for planning and delivering housing in West Lothian, housing developers operating in West Lothian and planning consultants. The guidance was also published on the council’s web pages and via the Local Development Plan Newsletter.

A total of 12 representations were received in response to the consultation and these are summarised in Appendix 2 together with the proposed council responses. Representations are, for the most part, of a broadly positive and constructive nature and it is recommended that many of these suggestions are accepted and incorporated as revisions to the text. For ease of reference, the version of the RDG which has been provided as Appendix 1 to the report highlights and incorporates these proposed amendments/additions in orange text.

A particularly notable revision concerns the status afforded to the provision of electric vehicle charging infrastructure on new residential development sites. This was previously 'suggested' to developers and advisory in nature, but it is now made a specific requirement to reflect recent announcements by UK and Scottish Government to phase out new petrol and diesel cars and vans by 2040 and 2032 respectively in order to address air quality and public health concerns and also in response to major vehicle manufacturers confirming plans to move away from the production of solely petrol/diesel driven vehicles. The opportunity has been taken to align this requirement with parallel new planning guidance on Air Quality.

The most critical respondent proved to be Homes for Scotland (HfS) the trade body representing the house building industry in Scotland. Amongst other things, it challenged the legitimacy of the guidance and suggested that it was at odds with advice issued by the Scottish Government in 2015 on supplementary guidance. It further questioned the nature of the RDG, arguing that if it is progressed it should only be as "non-statutory" guidance (and thereby afforded lesser status in the decision making process). HfS also took issue with various elements of the content of the RDG including complaints that there was insufficient clarity between requirements that were mandatory and those that were advisory. All of the matters raised are set out and responded to in Appendix 2 (and where it has been possible to agree changes to the text these have also been incorporated within Appendix 1).

E. CONCLUSION

Consultation on this planning guidance has been carried out and some amendments are proposed in response to the comments received where this has been deemed appropriate and justifiable.

In the event that the Council Executive approves the new RDG it will be submitted to Scottish Ministers who will then have 28 days in which to scrutinise it. The Scottish Ministers scrutiny will focus on ensuring that the principles of good public involvement and proper connection to the guidance have been achieved. This process also allows for a determination to be made regarding the council's assertion that this SG does not require to be the subject of a separate SEA (strategic environmental assessment).

F. BACKGROUND REFERENCES

Scottish Planning Policy (2014)
<http://www.gov.scot/Resource/0045/00453827.pdf>

WLC Residential Development Guide (2013)
<https://www.westlothian.gov.uk/media/3072/SPG-Residential-development-guide-RDG-2013/pdf/NewResidentialDevelopmentGuide-Oct20142.pdf>

WLC Single plot and small-scale infill residential development in urban areas
<https://www.westlothian.gov.uk/media/2464/SPG-Single-plot-and-small-scale-infill-residential-development-in-urban-areas-how-to-avoid-town-cramming/pdf/Single-plot->

[and-small-scale-infill.pdf](#)

WLC Development Plan Proposed Plan (2015)

<http://www.westlothian.gov.uk/media/9837/Proposed-Plan/pdf/CONSOLIDATED-ProposedPlan-FINAL.pdf>

Appendices/Attachments: Two

Appendix 1: Post Consultation Draft of the Residential Development Guide
(incorporating accepted revisions)

Appendix 2: Summary of Consultation Representations with Council's Responses

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Craig McCorriston
Head of Planning, Economic Development & Regeneration

24 October 2017



Residential Development Guide

2017

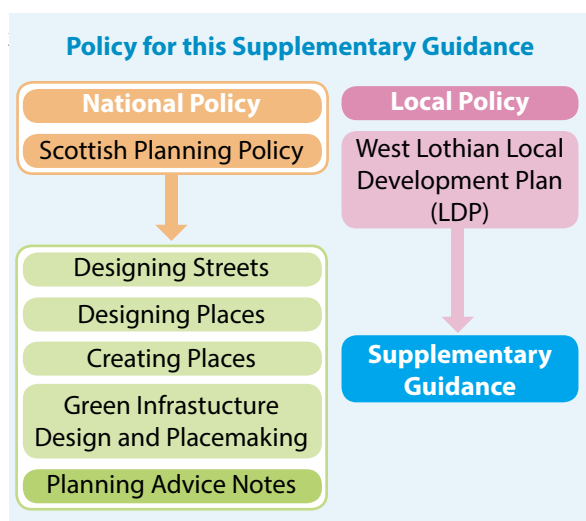
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INTRODUCTION

1. This supplementary guidance aims to assist developers make better planning applications and, ultimately, achieve better development on the ground. The guidance supplements the requirements of national and local planning policy and the diagram below illustrates the relevant planning policy context.



3. All development must have regard to and be compliant with all relevant national planning policies, policies which are set out in the Strategic Development Plan and policies of the West Lothian Local Development Plan. Together with this supplementary guidance, which has been produced to explain how particular Local Development Plan policies should be interpreted and applied in practice, they establish the policy framework within which all proposals for residential development within West Lothian will be assessed and determined. This guidance sets out detailed criteria to assist the development and assessment of proposals for residential development across the plan area and specifically supports policies DES 1, HOU 1 and HOU 3 of the new West Lothian Local Development Plan (WLLDP) but it is also pertinent to a much wider range of subject matters addressed by policies CDA 1, HOU 4, HOU 5, HOU 7, HOU 8, INF 1, INF 2, TRAN 1, TRAN 2, TRAN 3, ENV 1, ENV 2, ENV 4, ENV 5, ENV 7, ENV 8, ENV 9, ENV 10, ENV 11, ENV 12, ENV 13, ENV 17, ENV 18, ENV 19, ENV 20, ENV 21, ENV 22, ENV 23, ENV 24, ENV 25, ENV 27, ENV 28, ENV 29, ENV 30, ENV 31, ENV 32, ENV 33, ENV 34, NRG 1, NRG 2, NRG 5, EMG 1, EMG 2, EMG 3, EMG 4, EMG 5, EMG 6 and MRW 7.

4. The guidance within this SG may be amended through future revisions to take account of changes to national guidance, evolving technology and the changing needs of individuals and communities.

5. For the most part, this Residential Development Guide relates to medium to large scale residential developments, i.e. where more than 10 dwellings are proposed, or, in the case of applications for planning permission in principle, sites with a capacity for more than 10 dwellings. Guidance relative to single plot and small scale infill development, and specifically addressing the different characteristics of development not exceeding 10 units, is set out in the final chapter.

6. This SG seeks to ensure a consistent application of policy and to provide a design framework for all who are involved in the provision of new residential development within West Lothian: it brings together all the elements that help contribute towards cohesive housing layout design.

7. Council officers and elected members will use this guidance when assessing and determining planning applications, as will local communities and others when being consulted on new residential development in their locality.

8. The SG encourages high quality and innovative housing developments that are fit for purpose, visually attractive, well integrated into their surroundings, designed on environmental sustainability principles with excellent walking, cycling and public transport accessibility to facilities such as shops and schools, low in carbon emissions and offer a good standard of amenity to new and future occupants while at the same time protecting the amenity of existing residents.

9. Fundamental to the successful implementation of this guidance is the emphasis on a robust and integrated design process where all elements are considered as one, rather than in isolation, and, at the earliest possible stage in the design process.

10. Experience has shown that good design is not a quality that can be added to a scheme later by retro-fit amendments. It is only achieved by having a thorough understanding and appreciation of the development site in its wider context from the outset.

11. The benefits of good residential design are considerable: it improves socio-economic wellbeing and quality of life by reducing crime, improving public health, increasing property values, attracting investment to an area and improving civic pride and confidence. An increasing number of developers are also recognising that higher quality development can help to maximise returns on their investment. This SG unashamedly promotes and champions high quality residential development.

12. Key objectives of the guide are:

- to reduce the amount of countryside, (and other *greenfield* land), being built on and give priority to new homes on previously developed *brownfield* sites;
- to create more homes and generally utilise land more efficiently and effectively, by optimizing densities where appropriate;
- to encourage development in areas of higher accessibility such as within public transport corridors;
- to achieve layouts where high accessibility and connectivity encourages sustainable travel such as walking, cycling and the use of public transport ahead of the car;
- to make places for living that are of high quality design and distinctiveness and respect and enhance local character;
- to create environments that are secure and enable residents to live without the fear of crime;
- to improve the quality and choice of housing with particular regard to size, household composition, tenure, price, and accessibility;
- to create attractive, people-friendly places that are easy to get to and move around in, focusing on the needs of pedestrians rather than cars;
- to reduce the vulnerability of existing and future developments to flooding and to prevent development that would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere;

- to protect and enhance biodiversity by providing habitats for flora and fauna to establish and thrive and to promote and incorporate the principles of sustainable development;
- to promote design and site planning principles that aim to increase energy efficiency in all new residential development;
- to create vibrant and diverse residential neighbourhoods which are at the same time capable of accommodating the needs of the people living there in terms of accessible and localised community, amenity and retail facilities; and
- to contribute to the delivery of the Central Scotland Green Network (CSGN), a strategic network of woodland and other habitats, active travel routes, greenspace links, watercourses and waterways, providing an enhanced setting for development and other land uses and improved opportunities for outdoor recreation and culture activity, embraced and bringing together many of the objectives detailed above.

13. All elements of this guidance have to work together to produce quality places and its individual sections should not be read in isolation. This guidance requires to be read in conjunction with the prevailing development plan, other policy documents, other SGs, planning briefs and planning guidelines that identify site specific requirements. Of particular relevance will be technical advice provided by the **Roads and Transportation Manager** on road and access requirements and set out in the *National Roads Development Guide* 2014.

14. A pre-application checklist has been produced, and while not exhaustive, identifies key areas of research that should typically be completed before any design work commences. Details of the various contacts referred to throughout the document and are provided in Appendix 5.

PRE-APPLICATION CHECKLIST

| ISSUE | RESEARCH REQUIRED |
|--|---|
| Planning background | ○ Identify relevant Development Plan allocations and policies. |
| | ○ Identify other planning constraints (conservation areas, designed landscapes, listed buildings, tree preservation orders etc). |
| | ○ Identify all relevant planning guidance (see Appendix 4 of the LDP), planning briefs , and also identify specific site requirements (Appendix 2 of the LDP). |
| | ○ Identify any live planning permissions on the site or in the immediate vicinity. |
| | ○ Undertake a search of the planning history of the site. |
| Geology, ground conditions and contaminated land | ○ Undertake a desktop study and follow through with intrusive investigations where necessary. |
| | ○ Establish whether the site lies within an area of past mining activity. |
| | ○ Contact and seek advice from the council's Building Standards team, Contaminated Land Officer and The Coal Authority. |
| | ○ Have regard to Planning Guidance (PG) concerning Contaminated Land. |
| Aviation safeguarding | ○ Establish whether the site lies within the Aviation Safeguarding Zone for Edinburgh Airport. |
| | ○ Where development might impact on the operations of Edinburgh Airport, contact and seek detailed advice from Development Management and Edinburgh Airport Limited. |
| Pipeline safeguarding | ○ Establish whether the site lies within the hazardous installation consultation zones which have been designated around existing pipelines. |
| | ○ Contact and seek detailed advice from Development Management and the relevant pipeline operator to identify any pipeline or hazardous installation consultation zones. |
| Risk of flooding | ○ Check SEPA flood maps . |
| | ○ Contact and seek site specific advice from the council's Flood Risk Management Team . |
| | ○ Have regard to Planning Guidance (PG) concerning Flooding and the Water Environment. |
| | ○ If necessary, prepare and submit a Flood Risk Assessment (FRA) for all developments deemed to be at risk of flooding. |
| Archaeology | ○ Undertake a desktop study. |
| | ○ Contact and seek advice from Development Management and the West of Scotland Archaeology Service (WoSAS). |
| | ○ Where development might directly impact of sites of scheduled archaeology, advice should be sought from Historic Environment Scotland. |
| Sustainable / low carbon house building | ○ Contact and seek advice from the Energy Saving Trust and the council's Climate Change Officer. |
| Biodiversity | ○ Undertake a site survey, take account of Local Biodiversity/Local Geodiversity sites (and potential sites) and prepare a species and or habitat protection and enhancement plan if required. |
| | ○ Establish whether the site is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) or Special Protected Area (SPA). Where such designations apply, there may be a requirement for a Habitats Regulations Appraisal to be submitted as part of a planning application. |
| | ○ Where necessary, identify any protected species of flora, fauna and wildlife that may be present. Consult SNH web site for additional information or assistance. Also have regard to supplementary guidance <i>Planning for Nature: Development Management and Wildlife</i> . |
| | ○ Where appropriate, commission an arboricultural survey and biodiversity study. |

| ISSUE | RESEARCH REQUIRED |
|---------------------------|--|
| Landscape interest | ○ Establish whether the site is subject to any landscape designations. Where appropriate, commission a landscape and visual impact assessment. |
| Open space | ○ Contact NETs, Land and Countryside Services to consider open space criteria. |
| Connectivity | ○ Identify existing and potential walking, cycling and public transport access routes between the development site and community facilities. ○ Contact and seek advice from the council's Transportation Engineers /cycling officer and NETs, Land and Countryside Services regarding the opportunities for providing on road and off road cycling facilities. |
| Noise | ○ Undertake a site visit and identify any noise generating sources which may present an impediment to development. ○ Have regard to Supplementary Guidance (SG) concerning Noise. ○ Where necessary, seek advice from Environmental Health officers. ○ Where appropriate, commission a noise survey (having first agreed the terms and methodology with officers of the council). |
| Air quality | ○ Undertake a site visit and identify any air polluting sources which may present an impediment to development. ○ Contact and seek advice from Environmental Health. ○ Establish whether there are any existing or proposed Air Quality Management Areas in the vicinity of the site which may in turn be affected by traffic associated with the development. |
| Drainage and water supply | ○ Contact Scottish Water and SEPA to establish availability of capacity/supply and to identify their adoptable standards and key requirements for SUDs. ○ Where necessary, seek advice from Flood Risk Management Team and Roads and Transportation Manager to identify their key requirements for SUDs. |
| Utilities | ○ Contact the main utility providers and identify works required to enable development and establish any hidden costs. |
| Waste Management | ○ Contact and seek advice from WLC Waste Management to establish requirements for refuse and recycling facilities, particularly as to how they may affect street design. |
| Education | ○ Contact and seek advice from the council's Education Planning officer to establish availability of primary and secondary school capacity and identify relevant developer contributions. ○ Establish whether there is any site specific Education Planning Guidance (PG) relative to the site in question. |
| Public Transport | ○ Establish where existing bus stops and shelters are located and confirm with the Public Transport service whether there are any improvements to existing facilities planned or required, including foot/cycle path connections to bus stops and secure cycle parking at main bus stops, to be provided by the developer. |
| Transportation | ○ Contact and seek advice from the council's Transportation Engineers about access constraints, specific development requirements, design standards, road drainage, materials, etc. Where appropriate, the method and scoping of transport assessments should be agreed. |

| ISSUE | RESEARCH REQUIRED |
|-----------------------------|--|
| Health and community impact | <input type="radio"/> Contact and seek advice from Development Management as to whether a Health Impact Assessment (HIA) is required for the proposed development. The threshold is ordinarily a housing development of 100 units or more or developments that may have a significant effect on traffic generation and, as a consequence, be detrimental to air quality. |
| | <input type="radio"/> Where appropriate, the method and scoping of HIAs should be agreed with Development Management who will be advised by Environmental Health officers, the council's Health Improvement service and NHS Lothian. Supplementary Guidance on HIAs has been prepared. |
| | <input type="radio"/> Contact West Lothian Health and Social Care Partnership to identify likely impacts of proposed development on health and social care infrastructure and seek advice on solutions. |

15. Colleagues specialising in matters such as roads, flood risk, education, conservation, contaminated land, noise and air quality etc, can be introduced to developers and the council can also facilitate discussions with statutory consultees and other external organisations. Such discussions are of course without prejudice to the decision that might be taken by the council if and when an application is pursued.

16. In so far as larger developments are concerned, the council also encourages early and constructive dialogue between developers and the local community to establish their aspirations and capture their knowledge of the site - the objective being to ensure that new development contributes towards the qualities of a community. Effective public consultation can also help to test the design approach, and, where appropriate, test options. As a consequence of the *Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008*, there is now a **statutory requirement** for developers to undertake pre-application consultation for some major residential developments and this is explained later in this document in Appendix 1.

Pre-Application Enquiry

17. The council offers a pre-application advice service which you can use to find out whether your proposals would be likely to secure planning permission. You should however be aware that there is a fee for this service. To find out more go to the [Pre-Application Enquiry webpage](#) and the related [scale of planning fees](#). Fees are calculated with regard to the complexity of the proposals and there are additional charges for site visits and meetings.

18. To obtain further information and advice, please contact: **Development Management, West Lothian Council, Civic Centre, Howden South Road, Livingston, EH49 6FF** or telephone **01506 280000** and ask to speak to a Development Management Planning Officer for the area in which you propose to develop.

OVERVIEW

19. The council supports and endorses a design-led approach to the planning of sites in order to achieve high standards of development, attractive, successful and sustainable environments where people will wish to live, work and relax.

20. The design of new development should be based on an understanding of its context, respecting the character of the surrounding area, protecting and enhancing local distinctiveness and contributing positively to the quality of the built and natural environment.

21. New development must be designed to a high-quality and demonstrate adherence to the Scottish Government's Designing Streets policy (March 2010), the six qualities of successful places as set out in *Creating Places* policy (June 2013), the requirement to contribute to the creation of successful and sustainable places identified in SPP (June 2014) and/or any other development guidance issued by the council.

22. There are circumstances where certain applications for planning permission can be statutorily required to be accompanied by a Design Statement explaining the design principles and concepts that have been applied to the proposal.

23. The detailed requirements for Design Statements are to be found in The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and apply when development sites embrace:

- a World Heritage Site;
- a Conservation Area;
- a Historic Garden or Designed Landscape;
- a National Scenic Area;
- the site of a Scheduled Monument; or the curtilage of a Category A Listed Building, and
- National and Major Category applications

24. Design Statements should ensure that development proposals are based on a carefully considered design process and should explain clearly the design rationale behind the proposal.



25. Where none of the aforementioned circumstances apply, the Council may nevertheless decide that a Design Statement would be beneficial, often in the case of otherwise sensitive or larger scale residential proposals, and applicants may be invited to provide a Design Statement to support their application. The reasons for this will be communicated to applicants as early as possible in the planning process or identified as a development requirement relating to an allocated site, or specified by a Planning Brief or Planning Guidelines. The council will seek to agree with the applicant a timescale for preparation and submission of the Design Statement and the form and content shall generally be in accordance with Planning Advice Note (PAN) 68.

26. For larger sites, such as those classified as 'major' or 'national' developments, as defined by the Scottish Government, the council may consider it appropriate that a masterplan is submitted by the applicant as part of a planning application. In determining the need for a masterplan, particular consideration shall be given to creating a vision for an area and illustrating how a site or series of sites shall be designed and developed to achieve such a vision. In respect of the form and content of masterplans, the council will be guided by PAN 83.

27. Design is an important material consideration in the determination of a planning application and good design is indivisible from good planning. Proposals deemed to be of poor design and damaging to the character or appearance of the locality will not be supported.



CONTEXT, CHARACTER AND IDENTITY

28. An often cited and sometimes valid criticism of new residential developments has been their failure to satisfactorily respond to what is usually called the *context* of the site. Too many new developments are lacking in distinctiveness, and could, geographically, be just about anywhere.

29. In going forward, and certainly before drawing up proposals, applicants will be expected to have thoroughly researched the site in order to identify the factors that influence the type and form of development that may be appropriate to the location. The design process must above all be analysis based.

30. It will be important to demonstrate that a proper analysis of the site and its surroundings has been undertaken and that the context has been understood and given due regard, together with all of the other detailed considerations contained in the SG.

31. The challenge for developers is to create not just stand alone functional housing, that's the easy part, but places with their own distinctive character and identity that respect and embrace the local context. The design response to any site should be innovative and site-responsive, offering a good choice of housing and facilitating access to, or in some instances providing the full range of social and commercial amenities that help to make *real* communities.

32. The following list, while not exhaustive, suggests some of the most important considerations that should be analysed and assessed;

- site location – e.g. urban infill, urban extension, village infill, village extension, isolated rural;
- topography;
- landscape;
- biodiversity;
- existing settlement pattern, including street patterns and widths;
- surrounding land uses, existing buildings and site features;
- established building heights and lines, scale and massing and relationship with buildings adjacent to the site;
- local building traditions, architectural detailing and materials;
- site drainage and potential flood risk;
- prominence/visibility and important views into, across and out of the site;
- orientation and microclimate – shelter, shadow, prevailing wind, time and path of the sun;
- trees/woodland on the site (and the potential need for an arboricultural survey)
- patterns of movement and uses; access to the site, linkages with the surrounding area, local facilities, public transport networks and established walking and cycling routes;
- existing settlement edge (if applicable);
- constraints such as archaeology, contamination, proximity to major transport corridors or noisy/polluting uses;

33. In the majority of cases, the existing context will provide clear indicators as to how any new development should be sited and designed.

34. However, it is recognised that in some locations the surrounding environment may have few distinctive qualities or character, or will have a poor layout or design of buildings. In these circumstances, developers may be given greater latitude to innovate and to create an imaginative and locally distinctive high quality development.

35. Developers will be encouraged to move away from utilising *identikit* layouts and from designing to a standard formula that takes little or no account of a site and its unique characteristics.

36. The over use of generic house types is especially problematic, although they need not in themselves necessarily inhibit the creation of a diverse and interesting built environment, provided they do not end up dictating the layout and form of a development, and the distribution of houses is not overly repetitive. In such circumstances, it is better if dwellings have a common design approach with small clusters of different design styles that help reduce the massing of a development and add visual interest.

37. While the council will not seek to impose unsubstantiated requirements to conform to particular building styles or taste, it will, quite reasonably, insist on applicants providing robust evidence as to how their proposals build upon and/or create local distinctiveness and acknowledge the vernacular context.

38. Planning Advice Note (PAN) 44, *Fitting new housing developments into the landscape*, offers suggestions to help developers achieve residential developments that are in harmony with their landscape setting.

39. Planning Advice Note (PAN) 67, *Housing quality* is also a useful source of information and highlights the need for good design in the development of housing.

DESIGN AND LAYOUT PRINCIPLES

40. For buildings and neighbourhoods to provide attractive, safe and accessible places, it is important that a design framework establishes the physical structure of new residential developments by arranging, positioning and linking buildings, open spaces, foot paths/cycle paths and structural landscaping in order to shape the character of the whole area as this requires consideration to be given to a number of key subject areas.

Place

41. It is essential that an analysis of the surrounding area is undertaken to establish the prevailing character of an area. This requires an appreciation of the proportion of buildings to open spaces, the scale of any open spaces and street patterns. How existing streets are shaped by plot width and size, storey height, building height, rooflines and materials all contribute to the understanding of the context for new development.



42. Thoughtful and well designed streets can make a significant contribution to the quality of the built environment and they play a key role in the creation of sustainable, inclusive and mixed communities.

43. The design of developments should not be dominated by road geometry and engineering standards. The housing layout should be developed **in tandem** with an assessment of the area's character, together with proper regard to the functionality of roads and streets.

44. Features can be created, such as corner elements, landmarks and areas of different character, all of which help create distinctive and recognisable places.

45. For the most part, houses should front onto streets and public areas. Building frontages should create a positive relationship between the houses and the street to reinforce the character of the street as a public, social space, providing definition and enclosure.

Movement

46. The success of new residential development depends on how well it is connected to existing areas, established routes and local facilities. Layouts should be simple and integrate into the surrounding area by working with the network of routes and its hierarchy and streets should provide a series of interesting, welcoming and people-friendly connections as opposed to dead ends. The most successful connections are deemed to be those that offer a distinct advantage over using the private car (particularly for shorter journeys) through their design and which often reflect key desire lines.

47. While short culs-de-sac with activity throughout the day can provide some natural surveillance against crime and a relatively safe place for children to play, layouts based on conventional culs-de-sac and loops without inter-connection will generally be discouraged as they have a tendency to encourage car use rather than walking or cycling and result in higher traffic volumes on feeder roads.

48. By contrast, layouts based on linked networks are more likely to encourage pedestrian movement and cycling. They provide a greater choice of route, more visual interest and generate higher levels of pedestrian activity.

Density

49. Housing density should **always** relate to the character of the wider area and its accessibility.

50. However, in order to sustainably meet long term-housing needs, it is important that new developments are designed to make the best and most efficient use of the land available.

51. Typically, higher densities help to reduce land take and contribute to the viability of local services and public transport, and, as a general rule, the council will encourage higher density housing developments within and adjacent to town centres, adjacent to public transport facilities and along key transportation corridors where appropriate. Development which would result in town cramming will not be supported.

52. Delivering high density development must not, however, be at the expense of amenity and the quality of the environment, resulting in a reduction of space in and around dwellings and giving rise to what has come to be known as **town cramming**. Developments must always provide for adequate private and public amenity space, circulation and good pedestrian and cycle accessibility and connectivity to local facilities. And where the local context suggests a lower density response, then high density development is unlikely to be appropriate. Proposals which would result in town cramming will not be supported.

53. Uniform densities across a development are rarely successful and should generally be avoided, particularly within larger scale developments where a range of house types should be employed to encourage diversity. The appropriate density for a specific site will vary and will be assessed on merit, taking into account the character of the site, its size, adjacent densities and traffic and services considerations.



54. While Appendix 2 of the *Local Development Plan* identifies notional capacities for the allocated housing sites, the council may support increasing these numbers where a detailed layout satisfactorily demonstrates that a high quality design solution, which delivers the requisite level of residential amenity, can be achieved and that any additional infrastructure impact can be accommodated.

55. To sustain local services and public transport, minimise land take for new development and promote social inclusion, new strategic housing developments and those within the Core Development Areas (CDAs) established under the West Lothian Local Plan at Armadale, East Broxburn and Winchburgh and Livingston and the Almond Valley, are expected to provide a diversity of house types, tenures and densities. Within mixed use areas within CDAs, net housing densities should average at least 25 residential units per hectare.

56. Density measures can be useful planning tools at the beginning of a project, and can be used for assessing outcomes at the end. However, there is often confusion about the various measures of density, what they describe, and how they should be used. It is, therefore, important that there should be clarity and agreement on the base land area calculation - i.e. what is included and what is excluded. High density is deemed to be 45 units per hectare, medium density 30 units per hectare and low density 15 units per hectare. For the purpose of calculating and indicating density, measurement should be based on the gross site area and **not** an approximation of what might otherwise be termed the *developable* area. Furthermore, measurements should be expressed in hectares.

Tenure and housing mix



57. Developments are known to be more successful when they avoid large concentrations of housing of the same type. Furthermore, and particularly in the case of large developments, mixed tenure, containing private market housing, social housing, rented accommodation and shared ownership properties are desirable for the creation of balanced and sustainable communities and addressing the wider development plan objectives of the council.

58. Developers will ordinarily be required to provide a range of house sizes and types, which provide for the housing needs of a cross section of the population and facilitate a broad mixture of households of different ages and economic status. Developers should take account of the council's housing need assessment in determining the appropriate mix of housing.

59. Particular attention is drawn to the council's [policies on affordable housing](#), amplified in a separate SG. The most current iteration of the guidance can be found on the council's website.

60. Scottish Planning Policy and Planning Advice Note (PAN) 2/2010, *Affordable housing and housing land audits* make the point that affordable housing ought to be, as far as possible, indistinguishable from the general mix of other houses on a site in terms of style and layout, ideally concentrated in small groups, and not, as sometimes happened in the past, consigned to the periphery of the development. These requirements are equally applicable to new house building initiatives undertaken by the council and other social housing providers.

61. Developments of all sizes should also consider opportunities for accommodating compatible non-residential uses of appropriate scale in accessible locations to serve existing and potential needs without increasing reliance on the car.

Scale, height and massing

62. Scale it is not a precise measurement and determining the appropriate scale, heights and massing of new developments will depend upon the following:

- the location of the site;
- the physical characteristics and conditions of the site;
- the scale and proportion of the surroundings; and
- the relationship with adjoining buildings, the spaces around them, the topography, the general patterns of heights in the area, views and landmarks.

63. The massing, meaning the three-dimensional expression of the amount of development on a site, and height, should not overshadow, overlook and overwhelm any adjacent buildings and spaces. Particularly in larger developments, building heights should be varied in order to add visual interest and break up the overall mass of the development.

Plot coverage

64. There are differing definitions of what plot coverage means in the development industry. For the purpose of this guidance it should be interpreted quite specifically as a measure of the proportional relationship between the built footprint of a house (including all integral and detached garages) and the area of the plot on which it stands. It is a useful tool to help control the bulk and mass of buildings, avoid town cramming and in establishing the characteristics of density and privacy.

65. In order to prevent sites being over-developed and to leave sufficient open space around a new dwelling for outdoor activity and for possible future extensions, the following plot ratio standards will apply to new residential developments:

- for detached and semi-detached dwellings, the proportion of plot area to building footprint should be 70:30
- for terraced houses the minimum proportion of plot area to building footprint should be 60:40

66. These figures should, however, be regarded as averages for the development site as a whole and some variation within a development is permissible in order to accommodate choice and achieve diversity.



Design and access statements

67. Many of the foregoing considerations can be expressed through the preparation of a design and access statement, often a written document, but it can include drawings, annotated plans and photographs illustrating the various issues which the scheme has responded to.

68. Design and access statements help applicants to properly consider all relevant policies as well as the site's constraints and opportunities at the time of making a planning application. They can provide an effective and useful way to discuss a proposal throughout the design process, but more particularly when presented at the pre-application discussion stage of more complicated or challenging sites. This enables the council and other consultees to properly understand and give consideration to the particular proposals.

69. A statement should explain and justify in a structured way the design principles and concepts that have been applied to particular aspects of a proposal - these are the number of proposed residential units, layout, scale, landscaping and appearance of the development. And it should demonstrate that the proposal has been based and developed upon an understanding of the site in question, its local context and the constraints and opportunities that these provide. Where the development proposed is within or adjacent to a conservation area, the statement should demonstrate, with photographs, drawings and sketches, how the proposal relates to the particular character of the conservation area.

70. The access component of the statement relates to *access to the development* and should explain how the design ensures that all users will have equal and convenient access to it.

71. The approach used will be influenced by the scale, nature, complexity and potential sensitivity of the site and of the proposed development. What is important is that statements are concise and takes a proportionate approach, while effectively covering all of the design and access issues relative to the proposed development.

72. It should also be remembered that as they will be available alongside the application for planning permission for anyone to read, they should avoid jargon or overly technical language.

73. The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 introduced a statutory requirement for a design and access statement to be submitted with certain types of planning application for national and major development and these criterion are explained in Appendix 1, entitled New Planning Application Procedures.

74. The council believes that such statements could also be useful when processing planning applications for more modest residential development falling within the local category of development, and it may invite developers to submit a design and access statement. It is hoped that developers will engage in this process and recognise the benefits of doing so.

75. In preparing statements, applicants and their agents are encouraged to have regard to the advice contained in Planning Advice Note (PAN) 68, [Design Statements](#) or any future iteration of this guidance.

DESIGN AND LAYOUT DETAILS

House design

76. To a very large extent, the house building industry in the UK is dependent on the use of standardised house types and new private sector housing has, for the most part, come to be regarded as a mass produced product.

77. While the economics of this are well understood, and it is acknowledged that standardisation has helped bring about improvements to consistency, reliability and build quality, there is always a danger that a *one size fits all* approach can end up delivering bland and characterless developments. It is therefore essential that the house types chosen are, at the very least, sympathetic to the locality of a given site, have full regard to their role in the making of streetscapes and the creation of places, (as well as taking account of other factors in [Designing Streets](#)) and are as varied and diverse as practicable.

78. Traditional houses are composed of simple forms, normally rectangular with the pitched roofs spanning the narrower plan dimension. The main problem with contemporary housing is that they are often composed of too many elements and are set to a uniform building line and spaced at too regular an interval.

79. Developments that are inward looking and turn their back on their surroundings should, for the most part, also be avoided. As a general rule, dwelling frontages, windows and entrances should face and overlook streets and public space. In many cases, direct frontage access will be possible. Where it is not, single sided development may sometimes be necessary to achieve an attractive frontage.

80. *Setback* refers to the distance that a building is located from its boundaries to the street and to neighbouring properties. Building setbacks should respect the character of the local area and the setback of other buildings in the street.



81. The setback of a dwelling from the street can have a significant impact on the character of the street. Generally, setback should be smaller (0 - 2m) where a more urban, higher density, pedestrian friendly character is to be achieved. In lower density areas, building lines (and therefore setbacks) can be more variable.

82. The principal entry point of larger development sites (primarily those with more than 100 dwellings and built out by a single developer) should be made a distinctive feature in order to enhance its identity. This could embrace the public art requirements which are set out in SG on the subject later in this document. Adambrae in Livingston is highlighted as a good case in point.

Roads and streets

83. In 2010, the Scottish Government issued significant new policy guidance on street design entitled *Designing Streets*. It reinforces the link between roads engineering, planning and urban design and promotes the need to pursue a designed approach to street design that takes into account site-specific requirements and moves away from a rigid application of standards.

84. It provides a framework for more collaborative working and significantly raises the importance of pre-application meetings and discussion between developers, their agents and officers of the council.

85. *Designing Streets* supports the Scottish Government's place-making agenda. In so far as it emphasises the importance of the connectivity and interrelationship of streets to other networks, for example the green network, it is also consistent with the [objectives of the Central Scotland Green Network](#) (CSGN) which the council fully subscribes to and champions.

86. **There has also been** a fundamental change in emphasis, away from a system where the principal focus has previously been on the functions of streets as corridors for motor vehicles, and instead calls for them to be made places in their own right. While this creates opportunities for new and innovative layouts, it also presents challenges and the onus will be on developers to demonstrate the appropriateness of their proposals.

87. It is anticipated that the appraisal of new and novel street layouts by the council's transportation engineers is likely to be a detailed and, occasionally time consuming exercise. It would therefore be to the benefit of developers to initiate contact with planning and roads officers at the earliest possible opportunity, preferably before a layout has even been commissioned.

88. Residential streets must be designed as pedestrian friendly places, not just as a means of getting from one place to another by car or a place to park cars. They should be designed as places for people, not places predominantly for cars.

89. Street design can also be positively used to help reduce traffic speed which in turn helps people feel more confident about being on their local street and enables them to travel safely. Lower speeds can make walking and cycling more attractive options, improve the environment, encourage greater social interaction, ease traffic congestion and reduce the severity of road traffic accidents. The council has produced an Active Travel Plan which specifically promotes walking and cycling and encourages developers to embrace and facilitate other sustainable modes of transport.

90. *Designing Streets* confers the highest priority on meeting the needs of pedestrians, cyclists and public transport users, so that growth in these modes of travel is encouraged in line with national and local sustainable transport policy. Developers should therefore be aiming to create compact, walkable neighbourhoods with routes that link up with modes of public transport to help reduce reliance on the car.

91. While a formal and prescriptive hierarchy of street typologies no longer forms part of the guidance, in so far as urban development spaces linked with buildings and supporting a range of uses is concerned, practical consideration of the likely users (and level of use) of each street and place must of course still be taken into account and the council will need to be convinced of the practicalities of layouts which are proposed.

92. Guidance on the local context within which the principles of *Designing Streets* can be applied is set out in the [National Roads Development Guide](#) 2014 and to encourages more thought and consideration of the principles of place and movement in the design of new development.



Materials

93. The long-term appearance of buildings and their impact on the character of the area is greatly influenced by the type of external materials used.

94. There should be a clear and defined rationale behind the selection and use of materials within a development and the council expects all developers to produce a materials palette.

95. The selection of materials for new developments should:

- generally respect and complement the range of materials prevalent in the surrounding area to ensure coherence, particularly on smaller developments or in sensitive locations; and
- be good quality and low maintenance for an attractive yet enduring appearance with the key considerations being durability, water run-off and the ability to withstand weathering.

96. Innovative use of materials, especially when associated with sustainability and energy efficiency, is encouraged. When selecting construction materials, preference should be given to:

- naturally renewable materials, for example timber and timber products certified by the Forestry Stewardship Council (FSC);
- reused materials such as locally available demolition materials available from local West Lothian bings for foundations, paths etc;
- materials with a high recycled content such as plastics; and
- locally produced and sourced materials (to minimise transport costs).



Boundary treatments

97. The choice of boundary treatments must be appropriate and sympathetic to their function. For example they:

- help to define space;
- provide security;
- create a link between the buildings and landscape;
- provide a barrier between private and public uses; and
- influence the microclimate depending upon the type of treatment.

98. Attractive walls and railings at site entrances and within estates at key locations will be encouraged while long sections of unrelieved garden fencing in prominent locations should be avoided.

99. In developments with grass service strips, fencing or other physical boundary treatments should be avoided. Developers are required to make it clear in the title deeds that service strips are in the ownership of the property owners and that owners are responsible for their maintenance.

100. Rear gardens which face onto roads and footpaths are particularly conspicuous and should be afforded enhanced treatment, including the use of soft landscaping.

101. To add interest, colour and variety to a residential development, hedge planting may substitute for fencing. However fast growing conifers will not ordinarily be permitted. Instead, beech or hawthorn hedging forms good boundary screening.



Community safety

102. Ensuring a safe and more secure environment is fundamental to creating successful residential developments and must be considered during the early stages of the design and planning process.

103. The following measures can make a significant contribution:

- ■ there should be a clear definition of public, semi-public and private spaces by the inclusion of appropriate boundary, surfaces and entrance treatments;
- ■ layouts should avoid the creation of *hiding places*;
- ■ developments should contain a variety of house types, attracting a mixture of people with different life styles to help achieve continuous surveillance;
- ■ dwellings should be grouped to allow mutual supervision;
- ■ dwellings should be designed so that windows and doors face onto the street and create *active frontages* that allow overlooking to occur;
- ■ there should be surveillance of parking areas and open spaces with dwellings fronting onto these areas;
- ■ footpath links into developments should be designed to avoid excessive and unsupervised escape options and long sections of enclosed alleyways;
- ■ footpaths running between the back of dwellings should be avoided;

■ ■ footpath routes should be direct, with pedestrians able to view the full length of the path on entry;

■ ■ lighting should have an even spread of illumination that avoids pools of light and shadow; and

■ ■ landscape schemes should be designed with community safety in mind and as a general rule, shrub planting adjacent to footpaths should not exceed 1m in height.

104. Further guidance is available in [Planning Advice Note \(PAN\) 77, *Designing Safer Places*](#).

105. It has been demonstrated that the opportunities for crime can be significantly reduced through good thoughtful design and West Lothian Council is pleased to support *Secured by Design* (SBD).

106. SBD is a police initiative that encourages the development industry to adopt a [series of crime prevention methods](#) that assist in reducing the opportunity for crime and the fear of crime.

107. It focuses on crime prevention being planned into developments at the design, layout and construction stage and promotes the use of security standards for a wide range of applications and products. Developers who gain SBD certification often benefit from a significant marketing advantage.

108. For more information and advice on how to build to SBD specifications and reducing crime through environmental design, developers and their agents are encouraged to contact Police Scotland Architectural Liaison Service who can provide information on the local crime profile of an area so that appropriate crime prevention measures can be established. Practical measures and advice can also be given.

109. All planning applications for residential development should demonstrate how security and crime prevention measures have been considered.

Miscellaneous provisions

110. It shall be the responsibility of developers to supply and install street name signs, grit storage bins, litter waste bins and dog fouling waste bins within all new residential developments, as and where deemed appropriate by the council. This will be secured by a condition of planning permission.

111. There are specific standards, specifications and positioning requirements for these items which must be adhered to, and prior to undertaking their procurement and installation, it is necessary that developers seek advice and agree their proposals with the particular council service area.

112. The council's powers to control development are set out in the various planning acts and their accompanying regulations. There are, however, a number of issues in the development of new housing that the council recognises that it has no control over but nevertheless wishes to encourage developers to consider. These are set out below.

■ The maintenance of the fabric of a development is important in so far as it has direct consequences for amenity, physical appearance and indeed the value of properties. Flats pose particular issues with regard to ongoing maintenance and running costs, for example door entry systems, stair lighting and elevators. While there is currently no legal requirement for a factor to be appointed, the council considers it good practice for developers to do so and would wish to see evidence of this presented with the planning submission.



■ Clear numbering and identifying flats and houses is good practice;

- The council encourages higher noise insulation standards than those set out in the Building Standards regulations to try and minimise future noise disturbance. (The council's environmental health service advises that tests should be done with materials that are bonded down and which cannot subsequently be removed).
- Utility meters should be discretely located to avoid being a dominant element on principal elevations;
- Substations should be located and designed with sensitivity to the visual and environmental amenity of their immediate surroundings;
- External pipework and cable runs at the front of the property should be avoided; and
- Communal satellite receivers and/or cable ducting should be provided in flatted developments where practicable.



Green infrastructure

113. Green infrastructure is the component parts of a network of green spaces, new and existing, rural and urban, which supports the natural and ecological processes and which also contribute to the health and quality of life of sustainable communities. It includes parks, open spaces, playing fields, woodlands, wetlands, road verges, allotments and private gardens.

114. Green infrastructure should be thought about at every scale of planning, from the strategic framework (allowing cross boundary issues to be considered) right down through neighbourhoods and within streets to the individual house or flat.

115. SPP indicates that linking greenspaces in and around settlements through green networks can deliver benefits for people and nature. By encouraging connectivity between habitats, green networks can improve the viability of species and the health and viability of previously isolated habitats and ecosystems, supporting adaptation to climate change. Wherever possible, planning authorities and developers should identify opportunities to create and enhance networks between open spaces and avoid fragmentation.

116. It is important that any existing green space is respected and that existing landscape features be incorporated and enhanced within new housing developments. The spaces around and between buildings and the wider green network are just as important to consider in the design process as the houses themselves.

117. Green space has the potential to enhance local landscape character, protect and enhance local biodiversity and offers opportunities for recreation and for accommodating sustainable urban drainage systems (SUDs).

118. Green infrastructure can also play a role in making streets pedestrian, cycle and vehicle-friendly. For example, street trees can be incorporated as a traffic calming measure which also help soften the street scene by creating visual interest, improving the microclimate and providing valuable wildlife habitats. Vegetation can be used to limit traffic speeds by limiting excessive forward visibility, whilst still maintaining appropriate driver sightlines.

119. When designing a new housing development, regardless of the scale, it is important that all of the participants think more laterally about how the many diverse elements of a scheme can best fit together so that the sum of the whole makes a greater environmental contribution than the sum of its parts. Opportunities for incorporating green infrastructure within a development that connects to the wider green infrastructure network beyond the site should be fully explored and considered. In practical terms, a *multi discipline* approach is encouraged where different aspects of a proposal can be pulled together.

120. Early consideration of green infrastructure allows developers to meet many of the statutory requirements within a development scheme whilst benefiting many other social, economic and environmental objectives. A network of well-designed and managed greenspaces and links can make a significant contribution to creating a distinctive identity and sense of place.

The Central Scotland Green Network

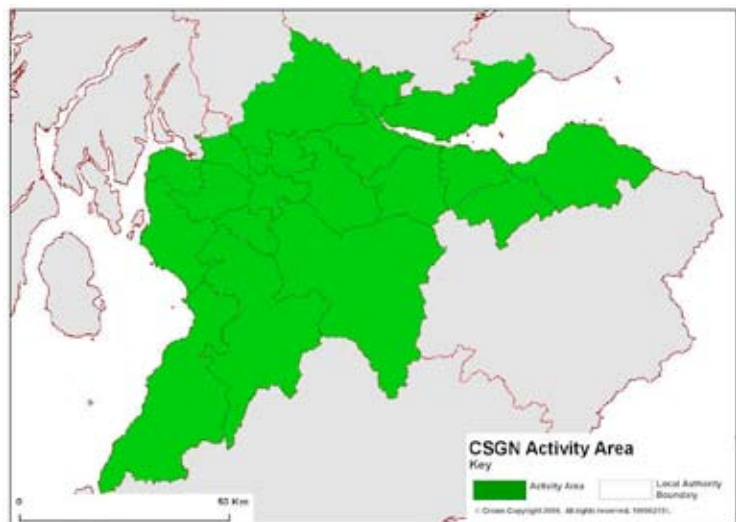
121. The protection and development of green networks is increasingly seen as crucial to sustainable economic development and quality of life in Scotland. As a consequence, the Central Scotland Green Network (CSGN) is one of 14 national developments designated in the [National Planning Framework for Scotland 3](#) (NPF3) - published in June 2014.

122. The aim of the CSGN initiative is to deliver nothing less than a step change in the quality of the environment, woodland cover and recreational opportunities across Central Scotland. It is also charged with helping to increase levels of economic activity and improve the health and wellbeing of the population.

123. Change is to be achieved through the establishment of strategic and local networks of *green* (and also *blue* spaces) in towns and cities with the wider countryside and the coast. These include parks, public spaces, gardens, woodlands, hedgerows, rivers, streams, ponds, wetlands and man-made structures such as canals and *sustainable urban drainage systems* and existing path and cycle networks.

124. It is envisaged that this network will address a range of natural heritage and environmental objectives which in turn support social and economic ones by improving the setting for development and investment, enhancing provision of outdoor recreation and a range of cultural activity and providing opportunities for new business.

125. To succeed, it requires public agencies and stakeholders to work together to align their policies, programmes and actions to restore and improve the rural and urban landscape throughout Central Scotland.



126. It is proposed that the CSGN is achieved, in part, through the delivery of well-designed development which protects and improves the local environment and which at the same time helps to secure key *green* or *blue* connections.

127. West Lothian Council has a statutory obligation to take account of the NPF, and, in any event, actively supports the CSGN. Therefore, when processing planning applications for new residential development, it will seek to promote and secure contributions to and benefits from the national and local green networks where this is legitimate and considered appropriate to do so. [The council has produced draft supplementary guidance on the subject of the West Lothian place-based Green Network and developers are encouraged to familiarise themselves with this.](#)

Other layout considerations



128. The provision of useable and appropriate private and public amenity space is a necessary component of all residential proposals and this is discussed in more detail in a subsequent chapter of this document. However, as a general rule, open spaces must have a clearly defined identity and purpose and attention must be afforded as to how they are linked, particularly with regard to contributing to the wider aims of the CSGN.

129. A conscious effort must be made at the design stage to avoid what is sometimes referred to as SLOAP (space left over after planning). These are often irregular defined areas of open space which have no clearly defined purpose, are inaccessible, cannot be satisfactorily maintained and generally make little or no contributions to the overall development.

130. All layouts must incorporate the space and design requirements of the necessary sustainable urban drainage systems (SUDs) scheme and satisfactory on site provision must be made for refuse and recycling storage. These requirements need to be taken account of and embraced into the site layout and design of all new development from the outset.

131. Layouts should ordinarily be designed so that excessive re-grading is not required. Details of any site re-grading works (incorporating before and after contours) must be submitted at the time a planning application is made.

132. Within the larger developments and, particularly those within the previously identified CDA's, land should be identified and safeguarded to accommodate neighbourhood shops and local services for the new and expanded communities, ideally at an early juncture.

133. The dearth of genuinely local retail provision in some existing developments, or significant delays in its provisioning, is a recurring complaint when house buyer satisfaction surveys are analysed.

134. While recognising that there are invariably commercial considerations to take account of, the council is, nevertheless, keen to encourage developers to identify, safeguard and promote land that is capable of accommodating neighbourhood shops and/or local services, particularly in the CDAs and other larger development sites.

AMENITY AND PRIVACY

135. Amenity and privacy are important *quality of life* factors and it is essential that when planning and designing new residential developments proper and sensitive consideration is given to maintaining access to natural light, outlook and privacy for the occupants of adjoining dwellings and the intended occupants of new dwellings.

Daylight

136. New development should not cause an unacceptable loss of daylight to habitable rooms of existing neighbouring properties and all new dwellings must also receive an adequate amount of daylight. For the purpose of this guidance, habitable rooms are defined as a living room, bedroom and dining room. Non-habitable rooms include bathrooms, utility rooms, staircases, halls, landings, etc.



137. The orientation and position of windows and the location of gardens in relation to a proposed new development are especially important considerations and new dwellings must be designed with this in mind.

138. Technical calculations can be undertaken to determine whether daylighting to existing buildings will be adversely affected, and if there is any suggestion that new housing could cause excessive loss of light or overshadowing of neighbouring properties, applicants may be required to support their proposals. Specific assessment methods are set out in the Building Research Establishment Report *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* 2nd edition by P J Littlefair (2011), demonstrating both before and after circumstances in order to ensure acceptable interior and exterior conditions.

Sunlight

139. New development should not cause an unacceptable loss of sunlight to neighbouring properties and their gardens and all new dwellings and their private gardens must also be adequately sunlit.

140. Proposals that would result in the loss of sunlight, leading to overshadowing for a significant part of the day, or which would have a visually intrusive impact, will also not be supported. It is an established planning principle that new development should not *borrow* amenity from adjacent land, and, as a general rule, the greater part of any overshadowing caused by a new building must be confined to the developers own land.

141. New dwellings should be constructed to take advantage of sunlight to provide a pleasant living environment and to maximise solar gain. This can be achieved by positioning main living areas, conservatories and rear gardens to generally face south or south-west where practicable.

142. It is, however, important to note that while housing layouts should be designed to maximise daylight and sunlight to dwellings, this should not be to the exclusion of other considerations such as privacy or the achievement of more intimate and attractive streetscapes. As in all things, it is a matter of achieving the right balance.

Distances between buildings

143. Privacy in the home is a fundamental necessity for most people, particularly as far as the lounge, dining room, kitchen and principal bedrooms are concerned.

144. Although space in new housing developments is often at a premium, individual dwellings must be sited and designed in such a way that provides the maximum amount of privacy for the benefit of occupants, and, at the same time, avoids over-shadowing and minimises the physical dominance of new development over neighbouring dwellings.

145. It is therefore appropriate to prescribe minimum standards controlling the distance between buildings, and the following dimensions will apply for single and two storey buildings:

| Front to front distances | Rear to rear distances | Rear to side distances | Front to side distances | Side to side distances |
|--------------------------|------------------------|------------------------|-------------------------|--|
| 18m | 18m | 12m | 15m | A minimum of 1m either side of the mutual boundary will be expected. If there is a minor window on a gable (serving a hall, stair or landing etc), a minimum of 4m between buildings should be provided. |

146. Where the height of a building is greater than two storey, the separation distance between buildings may require to be increased to ensure that daylighting standards are met.

147. Where developments are affected by significant changes of level, developers may be required to submit details of existing and proposed ground and finished floor levels and to demonstrate that reasonable internal privacy can be satisfactorily achieved.

148. Notwithstanding the foregoing, the council recognises that adherence to minimum distances between buildings can discourage innovative design and reinforce the use of standard layouts. Consequently, the council will not ordinarily impose these standards on dwellings which face each other across an adopted residential street and it will be prepared to consider a relaxation of separation distances in circumstances where it is presented with innovative solutions that can be employed to maintain privacy including: varied floor levels; staggered facing windows; using louvers or opaque glazing; and high/low level and shaped windows. It does however reserve the right to rely on these standards should proposals prove otherwise unsatisfactory.

Distances to boundaries

149. New buildings close to plot boundaries, particularly flats, can also be intrusive when seen from existing gardens or from within existing dwellings. The following minimum dimensions will therefore apply, measured from the nearest point of the rear elevation of the development to the nearest boundary:

| Single and two storey | Three storey | Four storey | Five storey | Greater than five storey |
|-----------------------|--------------|-------------|-------------|---|
| 9m | 11m | 13m | 15m | Development above five storeys will be judged on its merits but the distance shall not ordinarily be less than 15m. |

150. These dimensions may similarly be relaxed, but again, only where it can be satisfactorily demonstrated that residential and environmental amenity will not suffer for either the new or existing buildings. The council reserves the right to rely on these standards should proposals prove otherwise unsatisfactory.

151. In order to avoid town cramming and the terracing effect of dwellings being sited too close together, a minimum distance of 1m should ordinarily be provided between the dwelling and the boundary.

Distances between windows

152. New dwellings must also be sensitively positioned to ensure that windows in principal elevations, above ground floor level, do not directly overlook neighbouring property.

153. In general, a minimum 18m privacy zone should be maintained between windows of habitable rooms that are directly opposite each other. However, the council encourages imaginative design solutions and in doing so may accept the need for a flexible approach to privacy distances between new dwellings within a development site where a satisfactory design solution has been employed to retain privacy and protect existing residents' amenity: If buildings are separated by a public road, the above standards may also be relaxed.

154. The council may also choose to apply the above standards more flexibly, depending on the context of the site e.g. in conservation areas where back-to-back distances are characteristically less than those detailed above. It does however reserve the right to rely on these standards should the proposals prove otherwise unsatisfactory.

155. Where windows are at an angle to each other, the minimum distance can be reduced in accordance with the following table:

| | | Angle (in degrees) at window of building to be erected not more than | | | | | | | | | |
|---|----|--|----|----|----|----|----|----|----|----|---|
| | | 90 | 80 | 70 | 60 | 50 | 40 | 30 | 20 | 10 | 0 |
| Degree of angle at window of any other building not more than | 90 | 18 | 18 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 |
| | 80 | 18 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | |
| | 70 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | | |
| | 60 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | | | |
| | 50 | 13 | 9 | 6 | 4 | 3 | 2 | | | | |
| | 40 | 9 | 6 | 4 | 3 | 2 | | | | | |
| | 30 | 6 | 4 | 3 | 2 | | | | | | |
| | 20 | 4 | 3 | 2 | | | | | | | |
| | 10 | 3 | 2 | | | | | | | | |
| | 0 | 2 | | | | | | | | | |

- Note:**
1. Angle means the horizontal angle between:
 - the shortest line joining any part of one window opening to any of the other
 - the vertical pane of the opening window
 2. Distances shall be interpreted for intermediate angles;

Internal floorspace

156. Internal space provision is routinely criticised by occupiers responding to consumer surveys of new housing developments and it has been shown that the UK has by far the smallest newly built dwellings and average room sizes in Western Europe.

157. Adequate space in and around new houses and flats is important and in order to protect the amenity and well-being of the occupants, each dwelling should be adequate for the family or household which is likely to occupy it. New housing is expected to be big enough to meet the needs of the occupants for living, cooking, dining, sleeping, washing and storage of household items with convenient access to adequate residential amenity space.

158. Developers are encouraged to provide more generously proportioned houses which will also allow them to be adapted to meet the changing needs of families over time and considerably extending their useful life and contribute to sustainability.

Other amenity/privacy considerations

159. The council will seek to guide new residential development to the most appropriate locations where external/environmental noise should not be an issue, and this subject matter is specifically addressed in a later section (Noise).

160. However noise -(or unwanted sound as it is best defined) that can be transmitted between residential properties, particularly flats and semi-detached dwellings, is a well documented source of irritation and stress that can have a significant and detrimental effect on the quality of life enjoyed by people in their homes.

161. Party walls and floors must therefore be adequately sound insulated as part of the standard build specification to ensure acoustic separation between dwellings, and while the Scottish Building Standards identify minimum statutory requirements in this respect, the council encourages developers to consider adopting higher standards.

162. The design and internal layout of new houses and flats should also be conceived to minimize problems such as noise, fumes and vibration from adjacent roads and activities that can spoil the enjoyment and privacy of dwellings and their gardens.

GARDENS AND PRIVATE OPEN SPACE

163. Gardens are an essential part of the amenities of any residential development and it is important that all detached, semi-detached and terraced houses are provided with an enclosed private garden.

164. Gardens should satisfactorily reflect the type of dwelling proposed, the size of plot and the general character of the area in which the development is located. They should be functional and capable of providing adequate private space, not overlooked by others, suitable for sitting out, accommodating children's play, the drying of laundry, the storage of household refuse and also have some capacity for facilitating an extension of the property at a future date. While few gardens are completely flat they should for the most part be level and not exceed a 1 in 12 slope with any retaining walls being capable of accommodating lateral loading.

165. For the purpose of this guidance, usable private garden ground is defined as being land that is under the exclusive control of the applicant and within the curtilage of the dwelling. It should only include ground that has been adequately screened, usually to the rear and side of the property, and driveways and vehicle hard standings should be excluded from the calculation.

166. The council will not require developers to apply uniform standard garden sizes across an entire residential development since it is recognised that a degree of flexibility is necessary in order to facilitate varied and more interesting layouts. Nevertheless, the following guidelines are provided as indicators of average minimum standards and these will be used by the council when assessing the general appropriateness of garden provision within a development.

| | |
|--|---------------------------------|
| All houses with five and more bedrooms | not less than 100m ² |
| Three and four bedroomed detached and semi-detached houses | not less than 80m ² |
| Two bedroomed detached and semi-detached houses | not less than 60m ² |
| Terraced houses | not less than 50m ² |

167. All of these figures exclude any garage area and assume a minimum rear depth of 9m. This should allow for a drying area and play/amenity space. Furthermore, proposals that arithmetically achieve the specified area of private garden ground, but only by aggregating an assortment of irregular pieces of land, i.e. narrow strips or verges to the side of the dwelling or ground which is significantly sloping, will not be deemed acceptable.

168. Dwellings specifically designed for single people or for the elderly may justify moderately less garden ground and will be considered as an exception on a case by case basis. Provision may also be relaxed in conservation areas and other situations where, for townscape reasons, less onerous requirements can be satisfactorily justified.

169. Proposals for sites that cannot provide adequate private garden space or would result in over intensive residential use will not be supported.

170. While occupiers of flatted developments generally do not seek or expect the same level of garden amenity space as house dwellers they should ideally still have access to amenity open space, particularly as there are often many families with young children living in flatted accommodation.



OPEN SPACE

171. **High quality** open space is an essential component of any new housing development. Not only does it make a significant contribution to its physical character, establishing the setting



of new homes and enhancing visual amenity, it can also help to introduce life and vibrancy into communities, provide opportunities for recreation and contribute to a sustainable natural environment. It must however be considered from the outset as part of the overall design and layout of a new development and most definitely **not as an afterthought**.

172. Provision of public realm/ **high quality** open space is considered to be an integral part of creating a good quality development environment, and the consequent land requirements or financial implications that this implies should be fully taken into account by developers when carrying out site appraisals. It is reasonable to expect that new developments will meet the open space needs generated by their development, with public open space provided or paid for by the developer and this should be recognised as a development cost by the industry and reflected in the price paid for land.

173. It is the council's objective to encourage the provision and enhancement of **high quality** open space through the planning system, recognising that there is a need to ensure there is adequate provision of open space for recreational and for amenity purpose to serve new residential developments and that those areas are properly managed and maintained post establishment.

174. National policy guidance on open space and recreational facilities is contained in SPP and Planning Advice Note (PAN) 65, *Planning and Open Space*.

175. SPP 2014 encourages planning authorities and developers to identify opportunities to create and enhance green networks between open spaces as an integral part of the overall development proposals and presents an opportunity to further the goals of the CSGN discussed earlier.

176. PAN 65 identifies a typology of open space and suggests different approaches to assessing future requirements depending on the type of open space. The *Local Development Plan* is consistent with this approach in so far as it acknowledges that open space provision will vary depending on local circumstances, including proximity of existing provision.

177. It is also important that proper arrangements are in place for the long term management of any proposed open space, landscaping and other common facilities.

178. Open space in new residential areas essentially comprises three elements:

- Gardens and private open space;
- Active open space (including informal play/ recreational space, equipped play areas and sports pitches); and
- Passive open space (including amenity greenspace / landscaped areas providing visual or separating different buildings or land uses, green corridors and areas of undeveloped or previously developed land with residual natural habitats).

179. Garden provision has already been addressed. This section of the guide is dedicated to the remaining elements.

Active open space

180. Until quite recently in Scotland, it had been difficult to gauge what levels of open space provision were required, particularly in new developments, and due in part to the absence of a nationally recognised set of standards for open space.

181. In common with many other local authorities, West Lothian Council has adhered to a mechanism loosely based on The Six Acre Standard, a publication from the National Playing Field Association (now Fields in Trust) and latterly re-issued under the new name Guidance for Outdoor Sport and Play. There is guidance specifically for Scotland and which now recognises issues associated with the type and quality of provision.

182. In 2016 the Scottish Government also added a new National Indicator to its Performance Framework: "Improve access to local greenspace" and this has provided a more responsive tool which can be used to help identify the effectiveness of provision. The indicator measures the proportion of adults who perceive that they live within a five minute walk of their local greenspace (e.g. park, wood, countryside etc) and is sourced from the Scottish Household Survey. The indicator recognises the substantial environmental, health, social and community impacts of access to greenspace and also notes that those living in the least deprived areas are more likely to have easy access to greenspace than those in the most deprived. Having established what the percentage is, the challenge is to at least sustain but ideally increase it. Further information can be obtained from the [Scottish Government's website](#).

183. Active open space requirements for new residential development have traditionally been predicated on the number of new houses to be built, and this alone has dictated the level of open space provision developers have been required to make on a particular site. However, it has been observed that adherence to this basic formulaic approach has often resulted in only low level local provision being achieved, typically an equipped play space for younger children. For the most part, it has failed to deliver quality open spaces, such as game playing areas, places where people can simply get out of doors, relax, walk the dog and meet one another or public parks.

184. The main flaw identified with the previous approach is that it has not taken sufficient account of local circumstances and has not been designed to remedy deficiencies identified in a particular settlement or neighbourhood.

185. It is also recognised that residents are not, in the main, overly keen to have active open space, especially play space, located in close proximity to their homes (for fear of nuisance) and they often feel aggrieved that the facilities which have been provided are used or frequented by children from outwith the new development and who are (wrongly) considered not entitled to use them. On occasion this has resulted in conflict between residents and third parties.

186. Taking account of all these factors, the council has reconsidered what should be provided by developers in terms of active open space and how it should be paid for and maintained.

187. It has adopted a significantly different approach, one which has been deliberately conceived to be more responsive to local needs and more holistic in nature. It is explicitly aligned with the council's *Open Space Strategy*, a strategy that provides the framework for forward planning to cater for the needs of the population as a whole through a system of public parks, amenity open spaces and sports pitches / facilities.



188. The council has developed a detailed understanding of open space on a settlement by settlement basis, and this resource has been used to inform this approach. It has enabled the council to identify areas where open spaces are in good supply, where they are needed and where the quality of the open spaces offered could be improved.

189. At its heart is the recognition that new residential development imposes greater pressure and burdens on whatever open space provision there may already be in the locality of the development site, in addition to generating its own requirement.

190. This approach is, therefore, primarily designed to re-provide what is being diminished and to enhance, augment and make the most of existing open spaces and play facilities for the benefit of both new and established communities wherever this is possible.

191. For provision to be effective, it needs to be based on an appraisal of what is actually required in a geographical area and not just meeting an arbitrary threshold, as the previous strategy has done. There is an overwhelming need to see *the bigger picture* and to move away from providing random, disconnected facilities on a piecemeal basis.

192. With few exceptions, most of the towns and villages in West Lothian already have established areas of active open space and play facilities which serve these communities and it is recognised that they have the potential of also serving new residential developments within the identified catchment areas of the community.

193. Currently, however, these sites tend to be under-specified and may be unable to cope with the increased usage that new development would place on them without investment and refurbishment to bring them up to current standards.

194. There is a realisation that it is not always necessary, or best, for open spaces to be provided within new developments. Some developments are too small and some areas are already well served by good quality open spaces. In these circumstances open space contributions could be best directed to established facilities and the wider Green Network which will come under greater use as a result of new residential development. For the most part, the council would rather see new development contributing to the improvement in quality of existing open space than the provision of new areas.

195. It makes more sense to invest in the sites and facilities which already exist rather than unnecessarily replicate them. Crucially, this also means that a more modest capital investment is ultimately required to realise the creation of the more difficult to achieve areas of open space, such as neighbourhood parks. By rationalising, consolidating and growing the provision of active open space in this manner there are significant efficiency and benefits to be had, and in the present challenging economic climate it behoves all parties to maximise benefits and minimise costs.



196. Importantly, it provides a new level of certainty for developers. It enables them to establish the likely contributions they will be required to make at an early stage in the development process, and by making over a pre-determined sum of money they will derive benefit from being relieved of the inconvenience and expense of having to engage design professionals, procure play equipment from suppliers and secure insurance liability. Factoring and/or maintenance arrangements can also be significantly reduced. At the same time, the occupants of the new houses will have less burdens and responsibility for the facilities usually present within a new development.

197. From a practical point of view, it resolves the conflict of interests which can arise when trying to identify appropriate locations for play facilities that are sufficiently close to houses but not so close as to give rise to nuisance. This has been a particularly difficult issue for residents, developers and council officials alike as alluded to earlier.

198. It also means that developments can be laid out more efficiently as a consequence of not having to always accommodate active open space and play facilities on site and this holds out the prospect of being able to facilitate a modest increase in the number of dwellings, which in some instances could more than offset the required financial contributions.

199. For the council, this approach is consistent with its declared vision of providing for high quality open spaces that contribute to the quality of life and quality of environment and which help to support economic prosperity, sustainable communities, and the delivery of Best Value for all and it goes a long way towards achieving the key aims of the *Open Space Strategy*. It also resonates with, and helps to secure, the outcomes of the CSGN.



200. Open space within new developments should not be viewed in complete isolation. Of just as much importance are the connections between open spaces as these can enhance the opportunities for biodiversity and access to the wider open space network. Where possible, so called *green corridors* should be used to connect the open spaces and the countryside beyond.

201. There have always been costs associated with the provision of open space and play facilities and the development industry is accustomed to dealing with such matters when carrying out site appraisals and by reflecting development costs in the price paid for the land. It is suggested that these new arrangements are taken account of in much the same way.

General provision

202. Developers will be required to address active open space as follows:

- There will be an initial presumption in favour of trying to satisfy active open space requirements (including play space) associated with a proposed residential development through the upgrading of any existing facilities in the immediate locality, i.e. *off site*. The council's *Open Space Strategy* will be used to identify where off-site open space provision is more appropriate and the areas where financial contributions towards off-site provision will be invested.
- This will, however, always be dependent on the site specific requirements of the proposal being able to be satisfactorily met in this manner, with particular regard to the distance and accessibility of the existing facilities which are to be upgraded and invested in. The council's *Open Space Strategy* assumes 0.5 km as being the maximum walking distance to play facilities and a local park and 1 km to a neighbourhood park. Where this is not practicable or desirable, the council reserves the right to require on site provision at a level to be determined on a case by case basis and in consultation with the council's NETs, Land and Countryside Services Manager and will be intimated to developers at the earliest opportunity. Developers will, of course, have to make their own arrangements for maintenance and will thereafter be responsible for their assets.

- It is also envisaged that there may occasionally be instances where there are compelling reasons to satisfy open space provision on site. Such a scenario could arise, for example, when significant parts of a site are physically or uneconomically developable for housing but might otherwise satisfactorily function as open space. In these clearly defined circumstances the council may, on request, be prepared to waive the applicable standard financial contributions that would ordinarily have been payable, accepting a reduced payment of £800 per dwelling in situations where only off site play provision was to be provided for (this figure will be subject to periodic review).
- There may also be situations where it is desirable, perhaps for design associated reasons, to have some element of open space provided on site, but with the balance of provision being met by investment in off site facilities. In these circumstances, the standard financial contribution payable by developers would be proportionately reduced / discounted to recognise these arrangements.
- Except in areas where there is an identified surplus of active open space (deemed by the council to satisfy the requirements of a new development), or in the previously identified CDAs where other specific provisions apply, the default position is that developers of **all** new residential developments (comprising + 10 dwellings) are required to make a financial payment to the council in accordance with the tariff set out in the financial contributions table.
- For the avoidance of doubt, payments are required to be made in respect of **houses and flats**. Furthermore, payments will apply equally to social housing developments and residential developments undertaken by or on behalf of the council.

203. Woodlands and structural landscaping on the periphery or within housing sites has its own particular function and this will **not** be embraced by the aforementioned payments. Developers will continue to be required to make on site provision where appropriate and put in place an acceptable maintenance regime.

Financial contributions

204. An original base tariff of £1,500 was established in 2012 and it was advised that this would be updated in successive years by being linked to the Building Tender Price Index (using third quarter 2012 as the base date). This iteration of the Residential Development Guide takes the opportunity to apply the indexing to the tariff with the resultant charges detailed in the table below. Going forward, this will be updated by being linked to the Building Tender Price Index (using the second quarter 2016 as the base date). Developers are nevertheless still advised to seek confirmation of the current tariff in force before embarking on projects.

| SIZE OF DWELLING (house or flat) | PERCENTAGE OF THE FULL TARIFF | CONTRIBUTION |
|-------------------------------------|-------------------------------|--------------|
| One bedroom | 20% | £390 |
| Two or three bedrooms | 100% | £1,955 |
| Four or more bed rooms | 120% | £2,345 |

205. Payments will ordinarily be secured by a planning agreement, concluded between the council and the developer before the release of a planning permission. However, subject to discussion, the council may agree to a less formal arrangement for the collection of payments.

206. Circular 3/2012, published in December 2012, sets out circumstances where a planning agreement can be used and the required tests are; necessity/planning purpose/ relationship to proposed development/scale and kind and reasonableness. The council is satisfied that the use of a planning agreement, to secure a legitimate development cost, is appropriate and therefore justified in these circumstances.

207. The council may decide to accumulate payments in a dedicated account, effectively pooling contributions from a number of developments, and it is therefore possible that implementation of works may be deferred until such time as the necessary scale of funding has been secured to meet the costs of a comprehensive and worthwhile programme of works.

208. It will be at the discretion of the council how payments are to be used, and in particular, which existing facilities are to be invested in and over what period of time. These decisions will be arrived at in consultation with the NETs, Land and Countryside Services Manager and will be determined after an analysis of current open space provision in the locality has been undertaken by the council.

209. In some circumstances, the council may choose to consult with local communities about where and how investment should be made but payments must, in any event, be meaningfully related and give some benefit to the development sites which are the source of funding the works.

210. If there are no appropriate open spaces within the minimum walking distances then the contributions will either be put towards: the creation of a new open space as close to the development site as is practicable; or improving the quality of open space as close to the development site as is practicable. Alternatively, where the new development is in an urban fringe location, investment may be directed towards landscape and access improvement opportunities which contribute towards the CSGN.

211. In the event that the council is not able to spend developer contributions appropriately within ten years of receiving them, developers will be entitled, on written request, to have them repaid, plus any accrued interest at the lowest bank rate.

Open space in the previously established Core Development Areas

212. The provision of active open space in relation to new residential development in the Core Development Areas (CDAs) located at Armadale, Livingston and Almond Valley and Winchburgh / East Broxburn require a different approach since there is, by and large, insufficient existing provision to build upon and augment.

213. Within the CDAs the opportunity exists, and the council will demand, that strategic open space be identified and provided for by developers at the outset through the master planning process. This plan will need to show how the various elements of open space are to be met (including details of phasing). The aim is to ensure adequate and coherent provision of open space for the site as a whole.

214. Thereafter, the responsibility for ongoing maintenance, whether it falls jointly to a consortium or separately to each builder, will require to be clearly established and secured by a legal agreement between the developer and the council.

215. In addition to conventional open space provision, new strategic residential developments and those within the previously identified CDAs may also be required to provide for indoor and outdoor sports facilities over and above the open space requirements already described. Such provision should in any event be in accordance with the approved strategies of the council, specifically the [West Lothian Sports and Recreation Facilities Strategy](#) and the [West Lothian Outdoor Facilities Strategy](#). All new or upgraded pitch and pavilion developments should also meet Sportscotland and the relevant sports governing body recommendations applicable at the time. The council will advise developers on a site by site basis of any specific requirements for indoor and outdoor sports facilities in the course of pre-application discussions.

Passive open space

216. Without exception, passive open space, circulation space and landscaping must be an integral part of the detailed layout of **all** new residential developments. **Developments should have large accessible greenspaces that provide recreation opportunities for a broad range of people.** The land around and between buildings must be thoughtfully designed and laid out from the outset and always to the highest standard. It must not simply be an amalgam of *left over* spaces after the planning process has been concluded.

217. The extent of passive open space and landscaping will largely be dependent upon the size of the development and will be assessed on a site by site basis. It is however important that there is sufficient provision to avoid developments being overly dominated by roads and buildings and any suggestion of *cramming* will be vigorously resisted.

218. Such spaces ideally lend themselves to being used for informal or passive recreation, for example walking, cycling, jogging, dog exercising and many other outdoor activities, and they can take up minimal areas of land which often have no overt commercial value to developers.

219. They can also be linked together by *green corridors* which function as safe, convenient and alternative off-road access to shops, schools, places of employment and leisure facilities. They can encompass foot and cycle paths and at the same time provide habitats for wildlife, all of which contributes to biodiversity and the overall visual amenity of the development. **Passive open spaces present the opportunity to enhance and extend local biodiversity. They should be exploited to create new habitats and improve the ecological connectivity between sites wherever practicable.**



220. In order to make best use of passive open spaces and *green corridors*, it is important that residents and the local community are aware of their existence and this calls for the provision of strategically placed and appropriate signage.

221. The council will proactively encourage and support the development of a green network of connected open spaces, helping to integrate and connect new housing with other facilities, and with access routes to the wider countryside wherever practicable.

222. Where larger residential sites that are to be compartmentalised/phased and developed by either a consortium or single developer, applicants will be required to satisfy these standards within the context of the comprehensive masterplan for the development approved by the council and to comply with the terms of any agreement or condition.

Maintenance of incidental open space and landscaped areas

223. It is important that binding and enduring arrangements for the maintenance of amenity and incidental open space and landscaped areas are secured in relation to all new residential developments. **Full consideration should be given to the sustainable management of passive open spaces and they must be safeguarded for the longer term. Future maintenance and durability should be factored into their design.**

224. A detailed plan showing private and common areas and a copy of the maintenance agreement should, ideally, be provided as part of the planning application submission, clearly setting out the responsibilities of the property owners and any factor or other parties involved. In any event, development will not be permitted to commence until maintenance arrangements have been approved by the council.

225. It should be appreciated that this is a particularly sensitive issue. It routinely provokes a disproportionately high level of response and complaint each time the council has surveyed homeowners as part of its Customer Excellence initiatives and it is therefore important that house purchasers (and their legal advisers) are made fully aware of the arrangements for the management and maintenance of common areas which have been put in place before a property is sold.

226. A study undertaken by the Scottish Government (and the Office of Fair Trading) concluded that householders do not always understand their rights and obligations, and do not have a clear understanding of the standards they can expect from a property manager. Developers can help by ensuring that this information is pro-actively communicated to prospective customers.

227. There are several mechanisms for providing for the long-term management and maintenance of open space and landscaped areas in new developments.

228. The council continues to offer developers (and formally constituted residents groups) an open space adoption service where aspects of the management and maintenance of communal open space are vested in the council on receipt of a commuted sum, currently equivalent to thirty times the annual maintenance costs plus compounded interest. Further information on adoption procedures is available from the council's NETs, Land and Countryside Services.

229. Alternatively, common ownership by homeowners of open space (who may manage the areas directly or appoint a third party to do so) and transferring ownership to a third party such as a commercial land management company or environmental trust are legitimate options.

230. As indicated above, passing responsibility for areas of shelter belt and woodland to homeowners through feuing conditions is not acceptable. These areas must be transferred to the council or a competent organisation approved by the council.

231. The council will secure appropriate arrangements by planning conditions.



LANDSCAPE DESIGN

232. Well designed and executed landscape areas help define the different function of spaces and routes throughout a development and are an integral component, essential to enhance it's overall appearance.

233. The retention of worthwhile existing features, particularly those that contribute to the natural biodiversity of an area, can help a new development to fit more comfortably with its surroundings and give it a more mature feel. The addition of new landscaping can also enhance the quality (and value) of the development.

234. A comprehensive landscaping scheme must be prepared for all new residential developments, unless otherwise agreed. Furthermore, landscape proposals must be conceived as an integral part of the initial design process and not as an afterthought or as a means of simply filling left over spaces.

235. A survey of the site should form the basis for the layout of the proposed development. Designers should make the most of the existing vegetation, forms of enclosure and views, and relate the development to the site by preserving trees and hedges which are worthy of retention and avoid the destruction of natural features and habitats.

236. Proposals should have particular regard to:

- **topography** - ground levels, slopes;
- **drainage** - ponds, ditches, wet areas; natural or artificial, and opportunities for integrating SUDs;
- **soil analysis** - clay, sand or loam; acid or calcareous;
- **vegetation** - the height, species, crown spread and condition of trees, shrubs and hedges on or adjacent to the site. These should be accurately plotted, including overhanging trees from adjacent sites;
- **weed eradication** – Section 14 of the Wildlife and Natural Environment (Scotland) Act 2011 clarifies responsibilities for the control of non native species such as Giant Hogweed and Japanese Knotweed.
- **wildlife interest/nature conservation** - the presence of any protected species ascertained and opportunities to create new wildlife habitats and promote biodiversity maximised;
- **boundary analysis** - walls and fences indicating materials and building styles
- **existing underground and overhead services** - public sewers, electricity, gas and water supply;
- **statutory and non statutory designations** - for example the Aviation Safeguarding Zone around Edinburgh Airport and how this may affect the choice of plant species and the inclusion of open water bodies;
- **site features** - including buildings, steps and paths (particularly public footpaths and other rights of way) observed and provided for;

- **views** - good and poor views within the site, views from the site outwards and from outside viewpoints such as from roads and properties into the site;
- **climatic conditions** - prevailing winds, sheltered, sunny or shaded areas; and the potential for using structural landscaping to modify the microclimate;
- **the Central Scotland Green Network (CSGN)** and how the particular site fits with the strategic vision of this initiative;
- **Scottish Government's guidance** entitled *Green Infrastructure: Design and Placemaking* which builds on *Designing Streets* and promotes a sustainable and environmentally friendly approach to land development, growth management and built infrastructure planning.

237. It is also important that adequate provision is made for landscape works in development budgets. All too often landscaping is regarded as an optional add-on and it is frequently the first casualty of cost cutting. This is not acceptable.

238. The council encourages the submission of landscape proposals as part of the initial planning application or shortly thereafter. In any event, conditions will ordinarily be imposed which will require landscape proposals to be implemented within a specific timescale and these conditions will be rigorously monitored and enforced.

239. Landscape proposals should be prepared by an experienced landscape specialist, preferably an accredited member of a recognised professional body. It is also recommended that their commission be extended to the supervision of the landscape works on site to ensure full compliance with the approved landscape plan. There is little point in producing a high quality scheme if it is not competently executed and maintained.

240. Landscape proposals should comply with BS 4428:1989 *Code of practice for general landscape operations* (excluding hard surfaces) or any future equivalent standard. Attention is also drawn to the guidance issued by the council with planning permissions in the form of *Landscape Specifications*.

TREES

241. Trees play a crucial role in landscape design and contribute to the sustainability and the place-making of an urban development. They can give a unique sense of attractiveness and maturity to an area, provide a setting for new buildings, help define open spaces, create enclosure and enhance privacy between properties and other land uses.

242. Trees also play a role in absorbing CO₂, thereby contributing to local air quality, and they help to reduce water run-off by absorbing significant quantities of rainwater through leaves and roots. They

provide a cooling effect and shade in summer and deciduous trees contribute to the maintenance and intensification of biodiversity by providing a habitat for birds, bats, invertebrates and flora.



Retention and protection of existing trees

243. The council has a statutory obligation to ensure that adequate provision is made for the protection of existing trees and the planting of new trees.

244. Trees which are in good condition and a feature of the site, the street scene or the surrounding landscape should, therefore, be retained unless there is a substantiated risk to public safety which cannot reasonably be reduced by judicious surgery or intervention.

245. Trees are sensitive living organisms that are easily damaged or destroyed and it is therefore essential for their wellbeing that they are protected throughout the construction phase and often beyond the completion of a development. Ground levels below the spread of the branches should not be altered and tree roots should not be cut. Protective fencing should be erected (and maintained in situ), and warning signs posted which prohibit vehicle parking and the stock piling of soil, fuel or building materials within the crown spread.

246. Where trees are present on a development site, and/or on an adjacent site, and have the potential to be affected by the proposed development, developers will be required to survey these trees and to provide a detailed arboriculturist report and risk assessment.

247. The submission should include the following:

- a scaled plan showing the crown spread of all existing trees and hedges within or adjacent to the site. (They should be separately identified from proposed planting).
- a tree schedule listing all essential tree data, including genus, species, vigour, age, safe useful life expectancy, height, stem diameter, crown spread and status;
- a brief description and evaluation of the health and condition of the trees;
- a detailed risk assessment for all trees/woodlands (premised on the proposed development taking place);
- a statement confirming the amenity and conservation value and overall condition of trees or woodlands within and/or adjacent to the site.

248. Arboricultural reports should be prepared by a qualified arboriculturist or forester familiar with current arboricultural practices.

249. All tree related works should comply with BS 3998:2010 *Tree Work - Recommendations* or any future equivalent standard.



This tree has suffered both root damage and compaction damage due to vehicle movements and storage of materials. This tree is unlikely to survive.

New planting

250. All but the smallest and most restricted of developments will be expected to incorporate proposals for the planting of new trees. Schemes should be designed for a hierarchy of different types of planting including avenue planting, boundary planting, open space planting and small garden trees, but should, ultimately, be appropriate to the scale and character of the specific development site.

251. While there may be a temptation to plant larger trees (in order to create a more instant effect) it is generally acknowledged that younger nursery stock actually transplant better and will often develop faster.

252. On the whole, there should be a predominance of British native or naturalized tree species for structure planting. Trees and planting along the site boundaries should also aim to provide all year coverage, incorporating a mixture of evergreen and deciduous species.

253. It is important that all new trees, shrubs and other plant material are from a reputable source, have a high quality specification, that good working practice for the storage and transportation of plants are observed and that heavy vehicles, materials and storage areas are kept off land to be planted.

254. To ensure that contractors conform to correct soil handling, and to avoid compaction, it is recommended that works accord with NBS (National Building Specification) Sections D20 and Q28 which specifically deal with soil handling. If the soil is very compact, subsoil ripping may be required as well as surface cultivation.

255. Drainage and ventilation details should be included for standard tree pits (and for all larger trees). This can include a ventilation/drainage pipe and/or an aggregate layer at the base.



256. The duration of after-care must be incorporated into all landscape schemes. After-care is essential until such time as the tree or trees can survive without protection, support, weed control or artificial irrigation.

257. Particular care should be taken where trees and buildings will be in close proximity to each other. And where shrinkable clay soil is prevalent, as it is in much of West Lothian, the choice and position of trees needs to be given even more detailed attention as it can lead to subsidence issues in drought conditions. In all cases it is prudent to consult a qualified expert so that appropriate provision can be made, but as a general guide, the following distances are indicative of likely minimum requirements:

| Species | Distance from house |
|----------------|---------------------|
| Oak | 18m |
| Elm | 19m |
| Hawthorn | 12m |
| Ash | 10m |
| Birch | 4m |
| Maple | 9m to 12m |
| Poplar | 20m |
| Willow | 18m |
| Cypress | 2.5m |
| Horse Chestnut | 15m |
| Beech | 9m |
| Plane | 10m |

258. **NB:** These distances *ONLY* apply to shrinkable clay soil.

259. The ultimate height and spread and the effects of shading will, of course, influence the choice of species and location.

260. Where more substantive areas of structure planting are required, for example, on sites which are close to the edge of settlements, it should be noted that the minimum width of a new woodland shelter belt should be at least 20m in order to provide long term landscape value and a viable habitat. Climax species, field woodland and forest trees should be planted in the centre of shelterbelts with smaller trees and hedge shrubs defining the transition zone at the edge. Woodland planting also needs to be selectively thinned and managed as it matures and satisfactory arrangements for the longer term maintenance of trees, planting and other landscaped areas must, in all circumstances, be considered and costed from the outset. Where appropriate, planning conditions will be used to secure this.

261. When selecting the location for trees and shrubs, developers are reminded of the need to ensure that they do not conflict, or have the potential to conflict, with underground services, particularly sewers and sustainable urban drainage systems (SUDs). Detailed guidance on minimum planting distances can be found in the Scottish Water document *Sewers for Scotland* 3.

262. Forethought is also required to avoiding creating the conditions which may have adverse consequences for neighbouring occupants at a later date and which would perhaps necessitate remedial action under the High Hedges (Scotland) Act 2013.



CAR PARKING STANDARDS

263. An increasingly observed problem with residential developments is cars parked on verges, on pavements and on streets that are not designed to accommodate them. This gives rise to safety issues for both pedestrians and road users, impedes vehicular access for emergency vehicles and bin lorries and generally presents a cluttered and untidy streetscene.

264. Despite aspirations for more sustainable development and reduced car usage, the inescapable fact is that car ownership continues to increase and the problems identified above will prevail unless appropriate measures are taken when designing new developments to ensure that adequate parking provision is made for both residents and visitors. The goal is to generate parking levels that are high enough to meet the needs whilst low enough to make the most efficient use of development land and avoid the creation of car-dominated environments.

265. The council has responded to this problem by overhauling residential parking standards and new development should be in accordance with these, as appropriate.

266. Developers of major developments, particularly those with high accessibility to local facilities and rail services, are encouraged to consider the establishment of Car Clubs, in association with one of the national operators. This has the potential to significantly lower individual parking requirements, perhaps creating an opportunity for some additional houses, while almost certainly encouraging and giving rise to more healthy and carbon-reduced lifestyles.

| Class 9 – houses | | | | |
|--|--|---|---|--|
| Land use | Vehicle maximum | | Disabled persons parking spaces minimum | Cycle minimum |
| | *Town centre | Elsewhere | | |
| General housing and housing associations Up to three bedrooms | At least one space per dwelling. In addition 40% of private houses should have a garage or space for one. Also a minimum of 30% visitor parking should be provided | One space per dwelling plus half a space provided communal | N/A | One per dwelling (where residents have access to a garden or garage no provision is necessary) |
| General housing and housing associations Four or more bedrooms | | Two spaces per dwelling plus half a space provided communal | N/A | N/A |
| Flats, general housing and housing associations Up to three bedrooms | One space per dwelling plus 30% communal for new build. Existing buildings consideration for reduction based on available parking | One space per dwelling plus half a communal space. | N/A | One space per dwelling (where residents have access to a garden or garage no provision is necessary) |
| Sheltered housing | One space per warden plus one space per five units | One space per warden plus one space per three units | N/A | One space per dwelling (where residents have access to a garden or garage no provision is necessary) |
| Special needs | One space per warden plus 1.25 space per unit | One space per warden plus 1.25 space per unit | N/A | N/A |
| Student accommodation | One space per warden plus one space per five beds | One space per warden plus one space per five beds | N/A | One space per six staff / students |
| Multiple occupancies | 0.5 space per bedroom | One space per bedroom | N/A | One space per dwelling (where residents have access to a garden or garage no provision is necessary) |

267. *Town centre – the parking standards shown shall be adhered to unless there are particular alternative public transport options allowing a reduced level to be considered.

ACCOMMODATING CAR PARKING

268. The Scottish Government's general planning policy for car parking is set out in Annex B of SPP 2014. This promotes a well integrated design-led approach to the provision of car parking.

269. The type and location of car parking can have a significant visual impact on the quality of a development. It must be part of an overall car parking strategy and developers will need to balance a number of requirements, including:

- avoiding domination of the *public realm* by cars;
- considering the proportion of allocated and non-allocated parking spaces;
- providing sufficient activity within the street;
- accommodating space for gardens; and
- ensuring an acceptable level of security for vehicles and properties.

270. There is no single best solution to providing car parking and it is anticipated that a range of different parking solutions, both on-street and off-street, will be employed within each development, depending on the context and character of a particular site and balancing the convenience and needs of residents with visual and environmental amenity considerations.

271. Parking within individual curtilages or on-plot, and usually in the form of driveways to the front of houses, is one of the most common solutions employed by developers. It is clearly liked by residents who, understandably, want to park their cars within sight and easy reach, but it is also one of the least flexible solutions as only the occupier can use the spaces and they remain an unused resource if the occupier does not own a car.

272. On-plot parking is least intrusive when integral garages are incorporated into L-shaped house types, where it is located to the side of a house in front of a garage or on a hardstanding behind the main building line where the car is largely hidden, or to the rear of the house as a *drive through* to a hardstanding within the rear garden. It is important, therefore, that not all front gardens are given over wholly to car parking and that these options/variations are considered as a matter of routine. Judicious tree planting and landscaping can of course also help ensure that parking does not overly dominate in these circumstances.

273. Off-street parking provides for a diverse range of layout options for shared parking to be employed and embraces off-street courtyards, rear courtyards and even basement and undercroft parking. However, regardless of what solution is adopted, it is important that parking is integrated within the overall development. It should also be conveniently located where it can be supervised in an area that is well lit and has good natural surveillance from the main elevations of nearby houses.

274. Shared parking areas should typically be small and comprise less than 10 parking spaces. If more spaces are necessary then they should be broken up with appropriate landscaping so that it is not an overly dominant feature of the development.

275. As a general rule, when designing parking for flats, it is necessary to ensure that there are adequate spaces for disabled people close to entrances. It is important to control parking to maintain adequate room for wheelchair users, pushchairs and people with mobility difficulties.

276. Whilst a key principle of designing car parking is to reduce the visual impact of cars, some judiciously located on-street parking can nevertheless make a positive contribution to a development when designed into a layout at the outset. Street based parking solutions tend to cater for different types of users at different times of the day. They are convenient for visitors, as they are usually located near front doors, they can bring activity to the street and can also have a traffic calming effect. They can be counted towards the overall provision required in new developments, both for residents and visitors, but cannot be allocated to individual properties. The downside is that on-street parking can be visually dominant if over used and therefore tends to work better when provided in small groups of not more than five spaces. Trees, planting, extended pavements and street furniture can be used to discourage indiscriminate on-street parking in a subtle yet effective way.

PROVISION OF PARKING BAYS & CHARGING POINTS FOR ULTRA LOW EMISSION VEHICLES (ULEVS) IN NEW RESIDENTIAL DEVELOPMENTS

277. Reducing our carbon emissions and adapting to climate change is a theme which is central to the National Planning Framework (NPF3) and Scottish Planning Policy (SPP). Scotland's Climate Change Plan has also set specific targets for a 66 per cent reduction in carbon emissions by 2032 and highlights vehicle emissions as one of the areas where action should be taken.

278. Contaminated air, much of it derived from traffic emissions, has been identified as the single biggest environmental risk to human health, and as a direct response, the Scottish government has pledged to phase out new petrol and diesel cars and vans across Scotland by 2032, eight years ahead of a target previously announced by the UK Government.

279. Technological advancements have already seen many of the leading vehicle manufacturers introduce plug-in hybrid vehicles and fully electric vehicles to their ranges as an alternative to diesel and petrol engines and many have ambitious plans to significantly increase their production of electric vehicles, some even going as far as announcing their intention to phase out the production of models that rely on the internal combustion engine altogether.

280. While the council recognises that electric or hybrid electric/oil fuel powered vehicles currently only form a small proportion of the total number of vehicles on the road, this is destined to change rapidly and it is therefore important that new residential development being planned for now and which will be delivered in the coming years anticipates and makes practical provision for the consequences of a substantive shift to electric vehicles. The availability of accessible and affordable domestic charging points is key to increasing the uptake of plug-in vehicles and it is significantly cheaper and less disruptive to install ULEV infrastructure during construction than to retrofit later.

281. Specifically, developers should make provision in accordance with the requirements set out in the table below for developments in excess of 10 residential units or a site area of more than 0.5ha.

Provision of Parking Bays & Charging Points for ULEV in New Residential Development

| | |
|------------|--|
| Off Street | <ul style="list-style-type: none"> one active ready to use electric vehicle charging point (7kW with a Type 2 connector) shall be provided per residential unit and located either in a garage or in close proximity to a dedicated car parking place within the driveway of the property and connected to the domestic electricity supply via a dedicated circuit. |
| On Street | <ul style="list-style-type: none"> one active ready to use 'rapid' electric vehicle charging point (50kW with a CCS or CHAdeMO connector) shall be provided for every 20 non communal on street parking spaces in a development¹. Dedicated charging bays shall be physically identified for use by electric vehicles; |
| | and |
| | <ul style="list-style-type: none"> each on street non communal parking bay shall be 'cable enabled' to include the installation of necessary groundworks/ conduits/passive wiring and an electricity supply in order to facilitate the installation and operation of a charging point by occupants when the demand presents. |
| | <p>¹ for the purpose of this calculation the number of parking spaces contributing to the figure of 20 excludes the communal element of the council's car parking standards. E.g. a development of 20 x 2 bedroom flats requires 150% parking provision (or 30 spaces) but only 100% (or 20 spaces) would count towards the rapid charger threshold.</p> |

282. Given the evolving technologies involved, the onus will be on the developer to provide suitable specifications for the development for approval by the council. Developers may wish to refer to BEAMA's "A guide to electric vehicle infrastructure".

283. Details of electric vehicle charging points must accompany Full and MSC planning applications. Applications for planning permission in principle need only identify a commitment to provide details at the MSC stage. The works shall be implemented in accordance with the approved details prior to first occupation of the relevant house/flat and thereafter retained in accordance with the approved details.

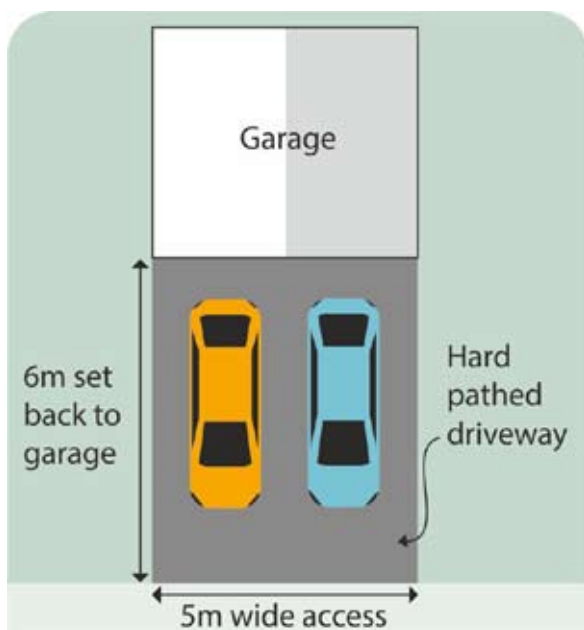
284. Developers must also engage with electricity providers to ensure that the entire electricity supply infrastructure will have sufficient capacity to enable all charge points to operate simultaneously. The developer will be required to meet the cost of any upgrades needed. Large developments with dedicated electricity sub-stations must specify the sub-station to a sufficient capacity to fully cater for all EV charging requirements.

GARAGES

285. In addition to their designed and intended function, it is widely recognised that garages are routinely used for the storage of garden equipment, bicycles and other household items. In some instances cars are permanently displaced and end up being parked on driveways or on the street, the consequence of which is visual clutter and attendant road safety implications. It is therefore sensible to anticipate and provide for this and developers are encouraged to build in some additional storage capacity.

DRIVEWAYS

286. Driveways should be wide enough to allow for the opening of car doors and access to both sides of a parked car and also, on one side, allow for an accessible route to the dwelling. **Single driveways should be at least 6 metres in length and with a minimum width of 3.5 metres and clear of any obstruction. Driveways for two vehicles shall be either 6 metres long and 5**



metres wide or 12 metres long and 2.5 metres wide except for the length used as a path to the front door where the width shall be 3.5 metres for the driveway.

287. Driveways should be surfaced in porous materials, or constructed in a manner which allows run off to a drain or soakaway. To avoid driveways being too steep and vehicles grounding, the maximum gradient for the first 2.5m of all driveways should not exceed 1:30. The maximum gradient for the remainder of all driveways should not exceed 1:12 if it also functions as an access path.

BUS STOPS AND SHELTERS

288. While there has been significant investment in new rail infrastructure in West Lothian, and several new and refurbished stations have been opened, buses are still likely to be the most common form of public transport available to the residents of new developments and it is therefore important that the experience of using them is made as attractive as possible, particularly if it is going to succeed in encouraging people to reduce their reliance on the private car.

289. In practical terms, developers may be required by planning conditions to specifically provide for bus stops and bus shelters to meet the needs of prospective residents, and it is important that this is taken account of and integrated into the design of streets at an early stage.

290. Where bus stops are required (or re-located) within a development, they should be:

- sited to maximise their walking catchments
- located at natural focal points;
- spaced at around 600 metres to 800 metres apart, taking account of density; and
- located away from the immediate frontages of residential properties.

291. All bus stops should be provided with some form of shelter, which is thoughtfully designed and located to afford protection from the elements and incorporates lighting and some seating. The design must address and be sympathetic to the needs of the disabled, elderly and young children and developers are encouraged to consult with, and seek advice from, the council's Public Transport service and Disability West Lothian. Contact details are at the end of this document.

CYCLING AND WALKING

292. Cycling is a particularly sustainable form of transport. It fits perfectly with a range of national, regional and local policies on transport, health, the environment and CO₂ reduction. Accommodating cycling needn't be onerous or always mean having to provide cycle-specific infrastructure. What is key is that designers need to employ the correct mindset, one which is much bolder than previous approaches, in order to achieve a genuinely cycle/pedestrian-friendly environment.

293. The quality of the streetscape has an immediate impact on people's desire to cycle and walk and new residential development must, therefore, provide an attractive, safe and secure cycling and walking environment.

294. Within new residential developments priority for cyclists and pedestrians should be the norm, this being made obvious to drivers from the design and any necessary signage. Careful consideration should be given to the choice of materials and to detailed design, so as to provide the best possible connections for cycling and walking.

295. It is particularly important to be aware of and to understand cyclist and pedestrian desire lines, taking into account the location of the site, the pattern of existing infrastructure and the location of important destinations such as shops, schools, rail stations, bus routes, leisure facilities etc.

296. It is essential that connections are provided to such facilities and it is equally important that they are direct and convenient, as well as safe and welcoming. Cycling and pedestrian routes may often be located along residential roads (also providing natural surveillance) where these are direct, but with path links to provide direct access to facilities where motorised traffic takes a more circuitous route. Where road crossings are required, toucan and/or pedestrian only crossings may have to be provided, as appropriate to the location, with consideration given to cyclist/pedestrian priority at such crossings.

297. Consideration should also be given to the likely routes away from a development, particularly where this can create opportunities to enhance the green network. Encouraging residents to use the green network for short journeys rather than using cars, helps reduce emissions and promotes more healthier and active lifestyles. Footpath and cycle networks, and greened transport corridors can make a significant contribution towards delivering the CSGN.

298. *Designing Streets* and *Creating Places* are the key design policy statements for Scotland. *Designing Streets*, in particular, acknowledges that walking and cycling are important modes of travel, and although somewhat neglected in the past, must be given primacy when designing new residential development.

CYCLE STORAGE AND CYCLE PARKING

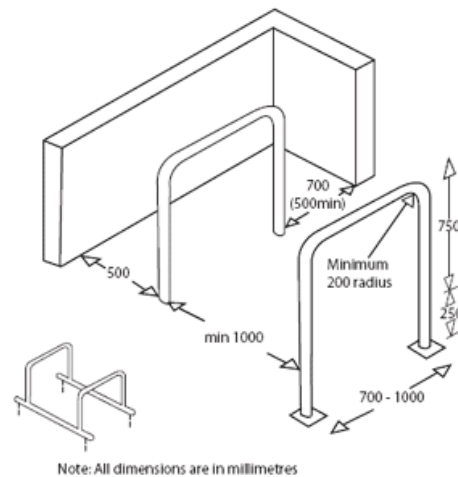
299. Providing safe and convenient cycle storage space, particularly for flats, is important. Small halls and flats up stairs cause real problems for those wishing to cycle and deter those who might otherwise use a bicycle as a means of transport.

300. New residential developments should therefore provide either a space inside a block of flats to secure bikes or provide separate cycle stores elsewhere within the development. When provided separately, cycle storage should be located close to building entrances to enhance convenience and security for users and be covered, secure and well lit.

301. Short-term cycle parking, particularly for visitors, is also important when planning new developments and appropriate provision should be made which should similarly be secure and enclosed.

302. Where bike storage is being provided (whether within or outwith the residential building, it is important that developers put in place adequate management arrangements to ensure security and the ongoing maintenance of the facility.

303. *Cycle by Design* is published by Transport Scotland for use by practitioners throughout Scotland and provides useful and detailed guidance.



The *Sheffield Stand* provides good support to the cycle and allows the cyclist to secure both the frame and wheels without risk of damage.



PUBLIC RIGHTS OF WAY

304. In almost all situations, public rights of way must be incorporated into new housing developments. Where this is not feasible, permission for any diversion shall be sought from the council with the diversion following, as close as possible, the line of the existing right of way. All related costs associated with diversion and re-establishment (physical, administrative and legal) will require to be borne by the developer.

305. New development should also have regard to the council's [Core Paths Plan](#). This is an important document for anyone involved in access issues as it outlines the importance of access, its protection, management and the potential improvement to urban and rural paths across West Lothian.

TRANSPORT ASSESSMENTS (TA)

306. Applications which are expected to have a significant transport impact must be accompanied by a Transport Assessment. In the majority of cases this will be largely dependant upon the scale of the impact of the proposals and is therefore more likely to be required for larger developments. Nevertheless, the need for a Transport Assessment and it's scoping should be agreed with the council's [Roads and Transportation Manager](#) as part of the pre-application process. Issues relative to public transport, pedestrian movement, cycling and private vehicles should be addressed by a TA and should take full cogniscance of the transport related element of this guide.

QUALITY AUDITS (QA)

307. *Designing Streets* seeks to promote innovative design solutions and encourages developers to *think out of the box*. As a consequence, many tried and tested road engineering standards which have been applied in the past, and which are proven to work from a technical / safety standpoint, may increasingly become redundant as new proposals are brought forward.

308. While the council is always open and receptive to new solutions, it does nevertheless have a responsibility to ensure that they are both functional and safe, and to this end *Designing Streets* introduces the process of a Quality Audit.

309. A Quality Audit draws together assessments by various professionals and by grouping the assessments together, any potential compromises in the design should become evident.

310. Where required, a Quality Audit must be integral to the design and implementation of a development. A typical audit may include some of the following assessments but the content will invariably depend on the type of scheme and the objective which the scheme is seeking to meet:

- an audit of visual quality;
- a review of how the street will be used by the community;
- a road safety audit;
- an inclusive access audit;
- a walking audit; and
- a cycling audit.

311. It is therefore important that Quality Audits are scoped and agreed with the council's Transport Manager and Development Management Manager as part of the pre-application discussion process.

ROAD SAFETY AUDITS (RSA)

312. The purpose of the RSA is to identify potential road safety problems. Road Safety Audits can be a key component within an overall Quality Audit but may also be required as a stand alone submission.

313. The *Roads and Transportation Manager* will advise developers on a case by case basis whether a particular proposal will require to be supported by a RSA and, as always, pre-application discussion is encouraged.

ROAD CONSTRUCTION CONSENT (RCC)

314. At the time of publication of this SG, the *Roads (Scotland) Act 1984* is the primary legislation for new roads, and all new roads must receive RCC under Section 21 of that act prior to construction.

315. *Designing Streets* promotes an integrated approach to approval, involving collaboration between planning officers and road engineers. Ideally, discussions should take place as early as possible - even before a layout is worked up or a planning application submitted.

TRAVEL PLANNING

316. The council is committed to the active promotion of sustainable development and transport is a key factor affecting sustainability. Travel planning can help to mitigate the adverse effects of less sustainable travel through the promotion of better use of the most sustainable modes of transport.

317. Developers will be required to submit travel plans to support their applications and the council will explore innovative ways in which a travel co-ordination service should be delivered, which could involve developers carrying out their own monitoring and submitting the results to the council.

318. Residential developers may also be required to produce a *Sustainable Travel Information Pack* (IP) to be provided in each new home. The contents of the pack will be site specific and should be integrated with wider information on local amenities and services. The pack is to be produced by the developer and will require council approval as part of planning consent. The council will specify the requirements for the contents of the pack on a case-by-case basis, but generally, it should include information on the location of local services and amenities and provide information of the options for travel to and from the development. The TC will work closely with developers to provide advice on the content of the IP. Developers will be required to regularly monitor and revise the IP.

319. In December 2007, the council approved SG on *Travel plans, residential travel plan information packs*. This provides details of the prevailing contribution rates and can be requested from the council.

TECHNICAL GUIDANCE FOR STREETS

320. As previously indicated, detailed technical advice relative to the design and construction of roads for adoption is set out in Scots *National Roads Development Guide* 2014 which is interactive and facilitates access to variation by local authority.

BIODIVERSITY

321. Biodiversity can be defined as the variety of life in an identified area and development can put pressure on the natural environment both directly and indirectly.

322. Conserving biodiversity is not just about protecting rare species and designated nature conservation sites, although these are important. It also encompasses the more common and widespread species and habitats. Biodiversity interest is also not confined to just rural areas - biodiversity is equally important in an urban location and on brownfield sites.

323. The council is committed to conserving and enhancing the biodiversity of West Lothian and existing features of ecological interest should always be retained within a development site and incorporated into open space networks or corridors which can serve a number of functions, such as wildlife corridors and refuges; surface water discharge; shelter belts and for noise and pollution absorption. This will contribute to biodiversity, whilst providing local features of visual interest and will simultaneously advance the aims of the CSGN.

324. The council has a statutory duty under the *Nature Conservation (Scotland) Act 2004* and the *Wildlife and Natural Environment (Scotland) Act 2011* to protect and conserve biodiversity and the *West Lothian Local Biodiversity Action Plan* (2005) identifies particular habitats and species of significance to the local area. Any new development must therefore ensure that any adverse impact on wildlife and habitat resources is minimised.

325. Developers will be required to assess the biodiversity status of sites by undertaking an ecological survey, and the outcomes, which can sometimes have a profound effect on developability and the development programme, should be used to influence the design of the residential development in order to conserve, enhance and create further opportunities for biodiversity.



326. It is important that surveys are carried out at the right time of year when species are more likely to be present on the site and the results should be submitted with the planning application. This requires a significant degree of forward planning and early consultation is therefore encouraged to try and avoid delays. Developers may also be required to liaise with Scottish Natural Heritage (SNH) local area officer or specialist advisors regarding these matters.

327. Applications for planning permission that are submitted without the required supporting ecological information are unlikely to be approved as there would be insufficient information to determine the impact of the proposed development.

328. It is also important to consider any indirect effects on nearby sites since development can have unforeseen consequences, particularly on drainage.

329. When giving consideration to the biodiversity of a site, the following general points should be taken into account:

- use specialist input from ecologists, landscape architects, arborists and other appropriately qualified persons;

- ensure that features with established ecological or landscape value are protected throughout site clearance and during the construction phases of development;
- compensate for any loss of biodiversity elsewhere on site or, in some instances, off site if necessary;
- design in new features to enhance biodiversity, for example by using native trees or developing the ecological value of sustainable urban drainage features; and
- put in place mechanisms for positive and sustainable management and aftercare of landscape and ecological resources.

330. There are many ways developers can achieve gains for biodiversity and the *subject policies* relative to Landscape and Natural Heritage and Protected Species in SPP sets out the methods in which biodiversity can be conserved or enhanced through the planning process.

331. Detailed guidance is also available from the council in a separate document entitled [Planning for biodiversity action in West Lothian](#).

PROTECTING EXISTING WILDLIFE AND NATURAL HABITATS

332. The enhancement of water courses, rivers, lochs and wetlands habitats and the promotion of natural flood risk management should be an integral part of development proposals. Moving all water bodies towards good ecological status will help protect the wildlife and natural habitats associated with these areas.

333. As West Lothian is part of the Central Scotland Green Network (CSGN), opportunities to contribute to this should be seen as a priority, particularly for large scale developments. Green networks help the delivery of high quality sustainable places and more efficient use of land as well as supporting the long term CSGN concept.

334. Green networks provide opportunities for physical activity and access to the outdoors and increase accessibility within settlements and to the surrounding countryside. The goal should be to link greenspaces, watercourses and waterways in order to provide an enhanced setting for development. In addition to linking people and places, green networks also provide habitat networks for species movement and can all be provided on one site. Local Biodiversity Sites (LBS) are also important contributions to the wider green network and there are approximately 130 in West Lothian, though most are along riparian corridors. Following an audit and field survey by the British Geological Survey, the 50 most important Local Geodiversity Sites (LGS) in West Lothian are identified in the council's draft West Lothian place-based Green Network supplementary guidance.

335. Everyday contact with the natural environment makes an important contribution to quality of life and retaining and creating wildlife features can result in a more attractive and desirable development. They can also benefit the development as they provide interest and help to assimilate into its surroundings.

336. There is a significant amount of legislation protecting wildlife and the natural environment and it is the responsibility of developers to undertake the necessary surveys and investigations before any works commence and to ensure they do not contravene the law.

337. The key legislation is, the *Wildlife & Countryside Act 1981*, the *Nature Conservation (Scotland) Act 2004*, *The Protection of Badgers Act 1992*, the *Protection of Wild Mammals (Scotland) Act 2002* and *The Wildlife and Natural Environment (Scotland) Act 2011*. There are also species protected under the *European Habitats Directive*, such as bats, otters and great crested newts.

338. A summary of the law relating to this subject is set out in the leaflet [Scotland's wildlife: the law and you](#). It has been produced by Scottish Nature Heritage (SNH) which is particularly well placed to advise on all matters of this nature and the relevant contact details are provided at the end of this document.

339. It is important to be aware that it is a criminal offence to damage or destroy a breeding site or a resting place of a protected species, punishable by a fine and even imprisonment. If developers are unsure about what protected animal or plant species may be present on or adjacent to a particular site, discussions should be held with the SNH area officer and the council at an early stage so that issues and potential solutions can be discussed.



340. The following general principles should be applied to the protection of wildlife and natural habitats and natural drainage patterns;

- existing features of wildlife value should be retained and enhanced wherever possible;
- development should avoid adverse impacts on protected nature conservation sites such as Sites of Special Scientific Interest (SSSIs), local biodiversity sites and Local Nature Reserves (LNRs), Special Protection Areas (SPAs) and Special Areas of Conservation (SACs);
- development should have regard to any potential impact on protected rare and endangered species (listed in the *UK Biodiversity Action Plan*),
- piping and canalisation of watercourses should be avoided. The preference is for all watercourses to be as natural as possible and improvements such as deculverting and reinstating natural channels will be encouraged;
- during construction, robust physical measures should be taken to isolate habitats within and adjacent to development areas. Where appropriate to do so, the creation of habitat links through and within developments should be provided;
- mechanisms for preventing damage or interruption to natural drainage patterns should be implemented;
- SUDs discharge into woodland should be avoided in order to prevent the destabilisation of trees; and
- existing ground levels adjacent to wildlife habitats should be maintained and undisturbed.

341. Additional guidance is set out in the leaflet *Planning Permission and Wildlife: what you need to know*.

342. The council's draft *West Lothian place-based Green Network supplementary guidance* is also a useful source of information.

SUSTAINABLE HOUSING DEVELOPMENT

343. Land is a valuable commodity and it is important that the most efficient and optimum use is made of it.

344. Sustainable development aims to meet our needs while preserving the environment so that these needs can be met not only in the present, but also for future generations; it is the core principle underpinning planning and the delivery of sustainable homes and places and is arguably one of the most important challenges of our time.

345. The location of new residential development relative to where people are expected to work, and the schools, shopping, leisure and community facilities they will use, is one of the most important factors in ensuring a sustainable and energy minimising development.

346. Without the provision of direct, welcoming and safe cycling and walking routes and easy and convenient accessibility to public transport connecting to these facilities, the sustainability of a development can be fundamentally undermined.

347. Building in a manner to minimise the use of energy and natural resources is a necessity and environmental sustainability should be a fundamental thread that runs throughout all aspects of new residential development.

348. More sustainable dwellings can be achieved by making relatively minor changes and amendments to standard building types which allow sufficient flexibility to adapt to residents' changing needs and circumstances over time. If these are considered and incorporated at the design stage they can often help achieve successful, sustainable development at minimum additional cost.

349. SPP directs that the planning system should promote sustainable development by ensuring that development incorporates design and methods of construction which achieve this goal. There are many practical aspects of the design and planning process that can have a significant impact and which can contribute towards achieving a sustainable residential development.

350. The layout and design of new residential development must support a sustainable environment and should therefore have regard to the following principles of sustainability:

- reduce demand for energy;
- reduce demand for water;
- provide energy in sustainable ways;
- foster and maintain biodiversity;
- treat / attenuate run-off to minimise pollution and the risk of flooding;
- make reducing / recycling waste easy;
- build in accessibility and adaptability;
- make alternative means of transport other than the private car easier to use; and
- use sustainable materials.

351. *The Sustainable Housing Design Guide for Scotland*, first published in 2000 by Communities Scotland (abolished in 2008), is still an invaluable reference. The document remains a comprehensive and user friendly guidance to the incorporation of sustainability principles into developing housing. It is a helpful source of information for housing providers who wish to move toward more sustainable development.

ENERGY EFFICIENCY

352. The planning system, together with the building standards regime, are jointly charged with ensuring that new development minimises the demand for and the consumption of energy.

353. The Climate Change (Scotland) Act directs that local development plans must require all new buildings to be designed to avoid a specified and rising proportion of the projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies.

354. The residential sector accounts for 30% of total energy demand and a similar percentage of CO₂ emissions in Scotland and improving residential energy efficiency is, therefore, one of the most cost-effective ways of reducing carbon emissions.

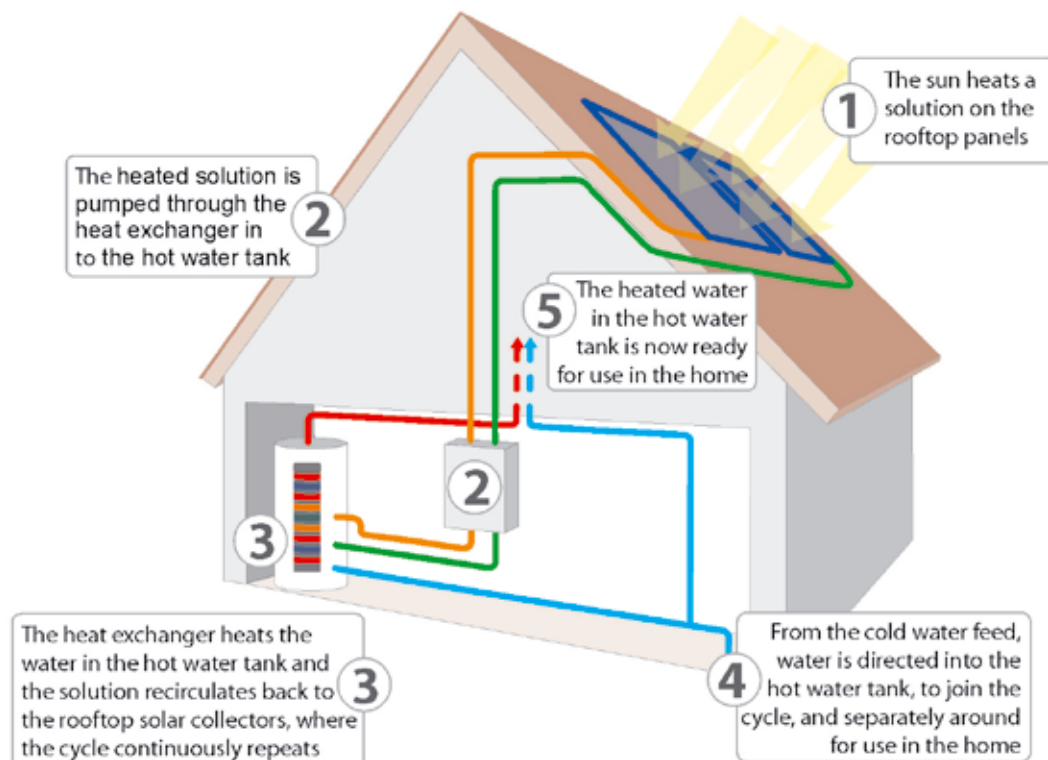
355. Staged improvements in Building Standards towards zero-carbon new buildings have already made a significant impact on emissions from new housing and helped increase energy efficiency, with the majority of this improvement relating to space and water heating. However, it is probable that the EU, UK and Scottish Governments will continue to set challenging targets to reduce energy consumption and carbon emissions and, as a consequence, it is prudent for developers to be ever more ambitious, even to the point of exceeding current targets.

356. The design of new development should, therefore, purposefully minimise carbon and other greenhouse gas emissions and should include features that provide effective adaption to the predicted effects of climate change.

357. There is a wide variety of ways that developers can contribute to improved energy efficiency when bringing forward proposals for new residential development but, as in most other things, it is important that these are taken into account as early as possible in the development process as this provides for a wider range of viable options and the solutions are likely to be more cost effective.

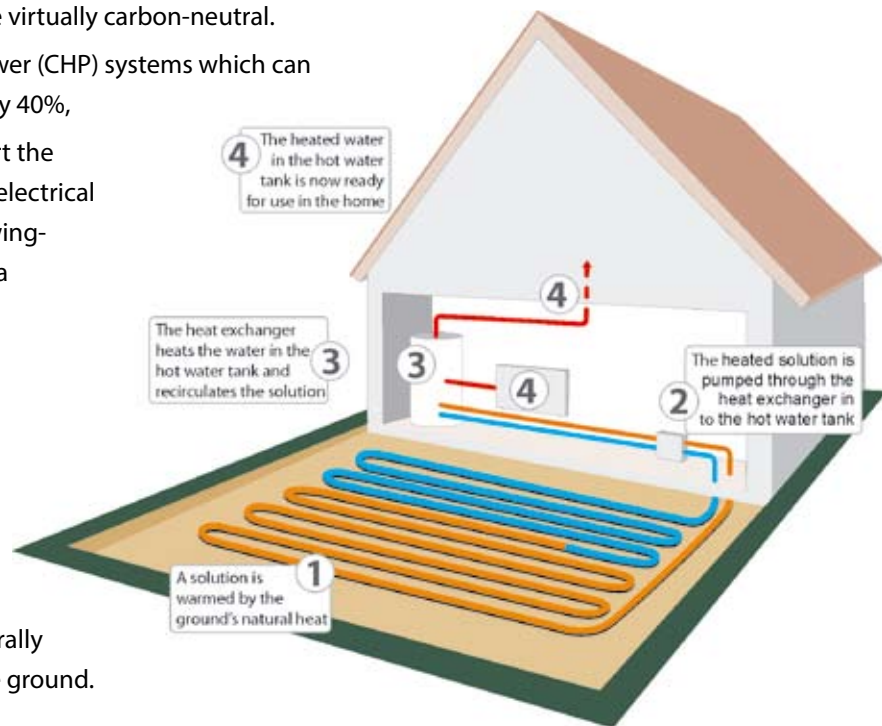
358. These include:

- locating new developments near public transport hubs;
- locating new development within easy walking and cycling distance of shops, schools and other community and leisure and facilities;
- designing layouts which facilitate walking and cycling to the nearest local services and bus stops, thereby reducing the need to use private cars for shorter journeys;
- maximising density where this is appropriate and justified;
- orientating buildings to make the best use of natural energy sources to provide natural light and heat;
- designing habitable rooms with large areas of clear glazing to make the most of the available daylight;
- creating sustainable microclimates, by retaining and using dense tree planting and earth mounding and shelterbelts to minimise wind chill and to reduce potential heat loss to buildings;
- employing building materials which have high value thermal insulation properties which meet or perhaps exceed current standards;
- taking the opportunity to insulate walls, lofts and floors at the construction stage, to build in the benefits of thermal insulation for future occupants ;
- fitting out developments with energy and water efficient appliances;
- incorporating photovoltaic (PV) panels into roof profiles in order to convert solar energy directly into electricity; and
- fitting solar thermal panels onto roofs in order to heat water stored in domestic water cylinders. Solar thermal energy is particularly efficient and can cost a lot less to install than other micro-generation technologies.



359. When planning larger developments, developers should consider the opportunities for decentralised and local renewable or low carbon sources of heat and power. These could include:

- biomass heating systems which use simple and well proven technology to produce energy. Biomass fuels (solid or liquid) are virtually carbon-neutral.
- combined heat and power (CHP) systems which can reduce CO₂ emissions by 40%,
- wind turbines to convert the power in the wind into electrical energy using rotating wing-like blades which drive a generator.
- ground source heat pumps, which work on much the same principle as a refrigerator, but in reverse, and use pipes which are buried in gardens to extract naturally occurring heat from the ground.



360. Specific advice for house builders can be obtained from the [eEnergy Savings Trust](#) and the [Carbon Trust](#).

ADAPTABLE BUILDINGS

361. In the interest of sustainability, buildings and spaces should be sufficiently flexible to respond to changes in the occupants needs, lifestyle and aspirations over time, i.e. people have children, they age and may become less physically mobile.

362. The most important consideration in designing a robust and adaptable home is the area of space it provides and can potentially accommodate in the future. There are also practical construction methods which can also be employed to make the execution of changes that much easier.

363. The Scottish Government Building Standards Division, part of the Built Environment Directorate, has made changes to the Building Regulations to specifically *future proof* dwellings to be more readily altered at a later date.

364. Advanced building technology can also contribute to the environmental performance of a house. In this regard, the council has produced guidance on the subject of digital ducting. It has been approved by the Council Executive and was written for the benefit of developers who wish to consider the laying of digital ducting, for the delivery of digital data services that are fit for purpose for digital service provision now and into the future. This can be viewed online on our [supplementary guidance](#) page.

THE WATER ENVIRONMENT

Water management

365. Water is a vital and increasingly scarce resource and the use per person has increased significantly over recent decades, mainly down to the growth in the number of households and greater use of water intensive white goods.

366. By incorporating water conservation measures into new developments, significant savings in water use can be made for the long-term benefit of the environment and with the added bonus of leaving home owners less vulnerable to possible future increases in water charges. Developers are therefore invited to consider:

- installing systems for recycling *greywater* for purposes such as flushing toilets and irrigation that do not require mains supplies;
- providing water efficient showers, toilets, taps and other appliances as standard; and
- providing water butts or community storage facilities to collect rainwater;.

Watercourses and culverting

367. Developers will be required to integrate existing watercourses within a development rather than shutting them out, or worse still, culverting them. Both the council and SEPA have policies which presume against culverting. Culverting watercourses causes loss of important habitats, has a harmful affect on water quality and can increase the risk of flooding.



368. Policy EMG1 of the West Lothian LDP advises that proposals for the culverting of a watercourse will be considered with reference to SEPA's position statement entitled *The Culverting of Watercourses: Responding to Licence applications and planning consultations or other enquiries*.

369. Wherever a culvert exists within an application site boundary the default requirement shall be to re-open it, re-naturalise channels, remove or modify man-made barriers to improve fish passage and sediment transport, incorporate appropriate buffer strips to watercourses and enhance their wildlife and biodiversity value. (Where development sites lie within the Aviation Safeguarding Zone of Edinburgh Airport, it is advisable to seek site specific advice as there may be associated safety implications related to bodies of water and birds).

370. All such proposals must of course include consideration of potential flood risk aspects and any proposals to undertake alterations to, or works on, the bank or bed of the watercourse constitutes an activity which requires to be authorised under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). Cumulatively, these restorative measures will assist in delivering improvements to the water environment and accords with the objectives of the Water Framework Directive (WFD). The WFD obliges European Union states to achieve good qualitative and quantitative status of all water bodies and prescribes steps to reach a common goal rather than adopting the more traditional limit value approach. Planning authorities are expected to help to deliver WFD objectives by identifying the water management issues that are relevant to spatial planning - planning policies should influence the design and location of new development to ensure it does not create adverse pressures on the water environment that could compromise WFD objectives and including policies on sustainable water management in their development plans.

371. Developers will be required to install trash screens at the entrance to all culverts on site or on watercourses leading from sites, and additionally, in some circumstances, a security device to deter access. Trash and security screens must be designed in accordance with *Trash and Security Screens: a guide for flood risk management* (2009) which is produced by the Environment Agency in England.

372. Developers will be required to clarify which management agent will be responsible for the maintenance of culverts and screens where these do not form part of the surface water sewer to be maintained by Scottish Water. Passing responsibility to home owners by feuing conditions is not acceptable.

373. Other water bodies (eg. lochs and wetlands) should also be integrated into new developments.

374. Further advice can be obtained by referring to *Watercourses in the Community* (2010) by the Scottish Environment Protection Agency (SEPA) and *Liquid Assets - making the most of our urban watercourses* (1998) published by the Institute of Civil Engineers.

375. SEPA's [Habitat Enhancement Publications](#)

Flooding

376. Flooding (associated with watercourses) is a natural phenomenon, however the effects of a changing climate suggest that development can also be at risk from surface water runoff from higher ground and from limited capacity in traditional drainage systems. In West Lothian, obstruction and a lack of capacity associated with culverts has also been shown to be a significant cause of flooding.

377. As a general rule, the functional flood plains should be safeguarded from built development and/or included as part of the open space provision or green network, and the key principles of integrated drainage should be practiced, i.e.

- increased permeable surfacing;
- dealing with run-off as close to source as possible;
- minimising the amount going to underground drainage;
- maximising opportunities to manage surface water before it enters the sewer; and
- designing for exceedance by ensuring developments have flood plains /safe flow paths

378. The Flood Risk Management (Scotland) Act 2009 has placed new responsibilities on SEPA, Scottish Water and local authorities to reduce overall flood risk and promote sustainable flood risk management.

379. To support the principles of this act, the council has adopted a precautionary approach to managing flood risk through avoidance as a first principle, considering flooding from all sources and working towards sustainable flood management. With predicted climate changes the incidence and extent of flooding is likely to increase in the future and the role of sustainable flood risk management should also be recognised as an important climate change adaption measure.

380. It is the responsibility of developers and the council to ensure that future development is not located on functional flood plains or in areas of significant flood risk. SEPA has produced helpful [online advice for developers on the subject of flood risk](#) and the council is replacing previous guidance with a new SG entitled *Supplementary Guidance on Flooding and the Water Environment*.



381. The SEPA website hosts the *National Flood Risk Assessment* which displays Local Plan Districts and Potentially Vulnerable Areas. These should be the first point of reference for developers. While the information is not definitive, and does not deal with all types of flooding, it is a very useful initial guide. Additionally, the council holds some of its own information on historical flood events and this data can be shared with developers on request to the [Flood Risk Management Team](#) (see useful contacts at the end of document).

382. In accordance with the SEPA/Planning Authority Protocol, SEPA works with local authorities to access flood risk issues associated with new developments and is a statutory consultee for developments that are likely to result in a material increase in the number of buildings at [risk of flooding](#). The [interim protocol](#) can also be viewed on the SEPA website.

383. The [SEPA Interim Position Statement on Planning and Flooding](#) sets out more fully its role and policy position on flooding relative to land use planning.

384. It is incumbent upon prospective developers to take flood risk into account before committing themselves to a site or project, to undertake robust flood risk assessment and drainage assessment when required and to implement agreed measures to deal with flood risk.

385. It is also important that developers consult and liaise with the council's [Flood Risk Management Team](#), Development Management, Transportation and Scottish Water.

386. Where a development site is in an area where there is a limited drainage capacity or considered by the council susceptible to flooding, or where the proposals are likely to exacerbate an existing flood risk, developers will be required to assess the risk posed by their development (e.g. possible effect on flood risk elsewhere, and consider the specific risk of flooding to the proposed development over its expected lifetime taking into account the effects of the changing climate). Ordinarily, this will require the commissioning and submission of:

- a drainage assessment in order to evaluate the overall impact of development on land drainage, surface and wastewater networks; and / or
- a flood risk assessment in order to address flood risk to the proposed development from any source and the implications on other areas if the site were to be developed. [The FRA should also consider the impact of the proposals on existing watercourses and natural drainage measures \(land drains/culverts etc\) that drain through the proposed site. These may be unknown but can be affected by the development.](#)

387. As these are highly specialised undertakings they must be carried out by competent hydrological and engineering professionals with demonstrable experience of this type of work and must conform to the requirements set out in [the new *Water Assessment and Drainage Assessment Guide* published by SUDSWP](#).

388. The subject policy relative to planning and flooding in SPP sets out the national context for planning and flooding.

389. [The council's draft supplementary guidance on Flooding and the Water Environment is a helpful source of information.](#)

Sustainable Urban Drainage System (SUDs)

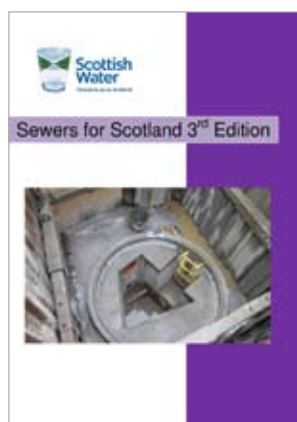
390. Development reduces surface permeability by replacing previously vegetated ground with roofs and paved areas and through compaction of other areas by vehicular movements. This reduces the amount of water infiltrating into the ground and increases the speed of surface run-off. Any built-up area therefore needs to be drained to remove the excess water or it will flood.

391. Traditional drainage techniques include the use of underground pipe systems, designed to convey water away as quickly as possible and thus prevent flooding locally. This however has been shown to cause flooding and, in some instances, pollution downstream of urban areas. Legislation has prompted the adoption of more sustainable solutions for dealing with surface water drainage.

392. Sustainable urban drainage systems (SUDs) use techniques to control and manage surface water run-off as close to its sources as possible before entering a watercourse. SUDs can contribute to the recharge of groundwater and, when incorporated into roads design, can reduce pollution.

393. The provision of SUDs, in managing surface water run-off, is a key requirement of nearly all residential development schemes and developers must establish the extent and destination of post-development run-off and provide on site treatment and attenuation proposals acceptable to both the council, SEPA and Scottish Water.

394. Surface water must be drained to a **water course**, overland discharge area or surface water sewer. Only if this cannot be achieved should permission be sought to attenuate and drain to a combined sewer, but such approval cannot be assumed or guaranteed and will be at the discretion of Scottish Water on a case by case basis. Scottish Water usually insist that run off be attenuated.



395. To be successfully accommodated, SUDs must be considered as early as possible in the site evaluation and design process and not introduced as an afterthought. **The SUDs strategy must inform the layout of a development, not the reverse.**

396. *The SUDS Manual (C753)*, published by the construction industry research and information association (CIRIA), is a highly regarded source of knowledge and guidance and has recently been updated to incorporate the latest technical advice and adaptable processes to assist in the planning, design, construction, management and maintenance of good SUDs. The update has resulted in a change in the way SUDs are designed and takes a more risk-based approach than was previously the case.

397. Table 4.3 of the SUDS Manual sets out the water quality management approach for differing land uses and for most developments there is a "Simple Index Tool" that can be used to select SUDs, the outputs from which should be submitted with any Drainage Assessment to the council and SEPA. Developers may wish to contact SEPA directly to discuss these requirements.

398. Planning applications, whether in principle or detailed, will require to demonstrate how SUDs will be incorporated into development proposals together with the extent of land required.

399. The impact of development on the whole surface water catchment area must be considered, particularly the potential for adverse affects such as flooding or pollution beyond the site.

400. Site layout should seek to minimise impacts on the natural, built and water environment by reducing the quantity and impact of surface water run off, improving its quality and maximising the creation of amenity and habitats.

401. *The council promotes the inclusion of SUDs as an integral part of the open space provision within a development. SUDs should be designed to deliver improved water quality, reduce water quantity and improve the amenity and enhance biodiversity, sometimes referred to as the four pillars of sustainable drainage. The ecological value of SUDs is encouraged and should, where possible, include retention and enhancement of natural drainage systems and features.*



402. Developers are also encouraged to investigate and incorporate other innovative design features in their layouts. For example, *raingardens* have the ability to make a significant improvement to flood risk and water quality. Raingardens are vegetated features which hold rain or surface water, slowly releasing it, helping to reduce the likelihood or severity of flooding. They can also help to reduce pollution by catching contaminants collected by rainwater and surface run off, before it enters rivers. *The Scottish Green Infrastructure Forum* and the *Central Scotland Green Network Trust* have particularly good guidance and advice on this subject.

403. The council, (specifically Development Management, Roads and Transportation and the *Flood Risk Management Team*) Scottish Water and SEPA must be consulted on the selection and design of SUDS proposals and conditions will be imposed on planning permission to secure the implementation of the necessary works.

404. Where developers are proposing an open water body for the treatment and attenuation of surface water from the site, attention is drawn to the need for a risk assessment. It is recommended that reference be made to the RoSPA publication *Safety at Inland Water Sites - Operational Guidelines* First edition, 1999 (ISBN No. 1 85088 092 1).

405. New bodies of open water, within the safeguarding zone of Edinburgh airport will be the subject of statutory consultation with BAA as they can potentially create an increased bird strike risk.

406. It is generally expected that surface water drainage systems will be vested in Scottish Water as drainage authority and will, as a consequence, be designed and constructed in accord with their requirements. Information/details should also be submitted on how surface water run-off will be managed during the construction period to ensure constructed SuDS measures will be protected prior to completion of the development.

407. There have been particular difficulties associated with pumping stations provided by developers, but not yet adopted by Scottish Water, which have failed on development sites that are already occupied and in circumstances where the developer may have gone out of business or is financially unable to resource the necessary remedial works. In attempting to address this issue, Development Management will ascertain from Scottish Water whether a pumping station is required for a particular development, and steps will then be taken to ensure that this is explicitly provided for as part of the application for planning permission. Enforcement will however remain the responsibility of Scottish Water.

408. Scottish Water has produced a *comprehensive guide* for obtaining new water and waste water services.

409. In 2008, the council approved guidance on SUDS and developers are encouraged to familiarise themselves with this. It can be found on our *supplementary guidance* webpage

410. Further guidance is available in *Planning Advice Note (PAN) 79, Water and Drainage*.

411. Under the *Roads (Scotland) Act 1984*, the council, as roads authority, is responsible for the provision of surface water drainage for adopted public roads. Effective road drainage is fundamental for road safety and to the integrity and structural stability of the road. When considering construction consents, the roads authority will need to be satisfied that sustainable drainage systems satisfy road drainage requirements and will not be too onerous to maintain.

412. A best practice guidance manual entitled *SUDs For Roads* has been produced by industry professionals and academics.

ENVIRONMENTAL CONDITIONS

Ground conditions

413. West Lothian has a history of past coal mining activity and this has left a legacy of potentially suspect ground conditions. It is therefore important that development proposals afford due consideration to the presence of mining hazards, such as entries (shafts and adits) and shallow mine workings.

414. Within known areas of past mining activity, Coal Mining Development Referral Areas (CMDRAs), the council will require planning applications to be accompanied by a coal mining risk assessment, informed by up to date coal mining information for the site, with appropriate remedial measures identified, if necessary to ensure the safety and stability of new development.

415. The council can advise developers if a site lies within a CMDRA, or it can be checked online at http://coal.decc.gov.uk/assets/coal/whatwedo/west_lothian_referral.pdf

416. It is important that a risk assessment is undertaken by an appropriately qualified and competent person who is familiar with ground stability and mining legacy related issues, preferably, an accredited member of a professional institution such as the Geological Society, the Institute of Civil Engineers, the Institution of Mining and Metallurgy or the Royal Institute of Chartered Surveyors.

417. The Coal Authority holds and maintains the national coal mining database and also offers a mining reports service. It can be contacted at <http://coal.decc.gov.uk/en/coal/cms/contact/contact.aspx>

418. In line with SPP 2014, new development proposals within areas of surface coal resources should explore opportunities for prior extraction of the resource to avoid it being sterilised unnecessarily. Prior extraction of remnant shallow coal can also prove to be a more economically viable method of remediation than ground filling of voids.

Management of soils

419. One of the most recurring complaints from residents concerns poor garden drainage, and these are usually received some time after a development has been completed. These typically cite garden ground as being impermeable and therefore more prone to flooding and becoming waterlogged in the winter months and baked dry in the summer.

420. Research undertaken for the [West Lothian Soil Sustainability Report](#), published by the council in 2004, indicated that the majority of soils in West Lothian ranged from boulder clay to sandy loam and that poor natural drainage was to be expected. However the source of complaints, for the most part, was more directly attributable to the mismanagement of soils on development sites. Materials tend to be moved by vehicles and these operate on the subsoil layer, tracking nearly all parts of the site and in all weathers. It is therefore little surprise that compaction ensues.

421. Unfortunately, it has not been unknown for developers to address subsoil compaction by simply over laying the completed ground with topsoil. This is, however, a purely cosmetic exercise. It does not satisfactorily address the problem and is wholly unacceptable.

422. The storage of topsoil and the drainage of “permeable” areas” such as gardens and public open space should be identified and addressed as part of any Drainage Assessment that is submitted as part of a planning application.

423. The report sets out good soil management practices which developers are required to have regard to and which include:

- storing topsoil in accordance with agreed guidelines to maintain its health and vitality and to avoid contamination, it is particularly important that there is no intermixing of subsoil with topsoil;
- minimising the area of disturbance during construction and fencing areas where soils and vegetation are to remain undisturbed; and
- not handling and trafficking soil during periods of wet weather and saturated ground conditions.

424. Additional practical advice for developers is also contained in the [Construction Code of Practice for the Sustainable Use of Soils in Construction Sites](#). Produced by the UK Government Department for Environment, Food & Affairs, it is nevertheless equally relevant to developments in Scotland.

425. To ensure that contractors conform to correct soil handling, and to avoid compaction, it is recommended that works accord with NBS (National Building Specification) Sections D20 and Q28 which specifically deal with soil handling.

426. Policy ENV 5 of the *Local Development Plan* requires applications for all greenfield development sites in excess of 1ha to be accompanied by an assessment of soils. A distinct Development Management policy, [The management and after-use of soils on development sites](#), consistent with this policy, has also been produced and additionally embraces development on large brownfield sites and other smaller sites.

Contaminated land

427. An increasing number of new dwellings are being constructed on previously developed sites, i.e., on *brownfield* land, and developers need to be aware that such sites are often more prone to contamination and should be prepared to undertake site investigations and any necessary remedial action.

428. Land which is contaminated can render potential development sites incapable of beneficial use unless hazards capable of causing harm to human health or the wider environment are assessed and dealt with. Land may be contaminated by a wide range of substances and materials in the form of solids, liquids or gases and each site will require specific investigation dependent on its former and proposed uses.

429. Ordinarily, there will be a general presumption in favour of proposals for the rehabilitation of derelict and contaminated sites, where there is no significant immediate or long-term threat to local amenity and the environment, and where proposals are consistent with other policies.

430. In 2009, the council approved separate guidance entitled [Development of land potentially affected by contamination](#) and developers are encouraged to familiarise themselves with this.

431. The guidance sets out what is required from developers as part of the planning process when contamination of land is suspected and should be read very carefully. It includes the stages of site investigation and risk assessment which are needed to determine the nature of the contamination; and the standard of remediation which is required to ensure the land is suitable for the intended use. Residential development as an end use for a contaminated site will, justifiably, require the most rigorous standard of land remediation.

432. Site investigation and contaminated land risk assessment is a complex process and must be undertaken by appropriately qualified and competent individuals. West Lothian Council will only accept site investigation reports that have been carried out in accordance with the relevant British Standards, good practice and current authoritative guidance.

433. Applications for planning permission and building warrants may be refused where the council is not satisfied that the site has been fully characterised, or that appropriate measures are in place to ensure the safe remediation of the site.

434. Further guidance on the development of contaminated land is set out in Scottish Government [Planning Advice Note \(PAN\) 33, Development of Contaminated Land](#) and by contacting the council's Contaminated Land Officer whose details are at the end of this document.



Major accident hazard pipelines and potential hazard zones

435. There is a well established network of underground pipelines throughout West Lothian in both urban and rural locations, mainly gas and ethylene and operated by National Grid, BP and ESSAR OIL UK (formerly Shell Oil UK). There are also other locations, mainly industrial, where significant quantities of chemical or potentially hazardous materials are stored.

436. These may not always be obvious and it is therefore extremely important that developers make themselves aware of the existence of such pipelines and installations and how they relate to a potential development site as early as possible.

437. Development Management maintain a record of notified pipeline routes and installations, designated by virtue of the quantities of hazardous substance present, and are also able to advise on the relevant consultation zone details. Where necessary, developers can also be helped with contacting the appropriate operator.

438. Developers may wish to refer to advice on the siting of development in the vicinity of major hazard sites contained in the HSE Document PADHI – HSE's [Land Use Planning Methodology](#)

439. As local planning authority, the council has a statutory duty to exert control over the kinds of development in the vicinity of these installations, to prevent and limit the consequences of accidents and to maintain appropriate distances between such establishments and residential areas, areas of public use and sensitive environments. Where a proposed development would be near to a major hazard pipeline or installation, the council is required to refer the planning application to the Health and Safety Executive (HSE) and to then have regard to it's response when determining the application.

Air quality

440. Clean air is an essential ingredient of a good quality of life and people have a right to expect that the air they breathe will not harm them.

441. Developers seeking planning permission have a joint responsibility with the council to ensure that appropriate standards of air quality are maintained or improved and consideration should therefore be given to the impact of development on air quality. Developers must, at the very least, be able to demonstrate that their proposals will not give rise to any further deterioration of existing air quality

442. The council's Environmental Health service regularly reviews and assesses air quality throughout West Lothian to determine whether or not the air quality objectives are likely to be achieved. Air quality data, together with details of air quality management areas and the most up to date 2016 Air Quality Progress Report can be accessed from the [Air pollution webpage](#).

443. Planning applications in respect of proposals that are considered to impact on or be affected by air quality issues will be required to be supported by a statement indicating:

- the change in air quality resulting from the proposed development; and
- what actions have been considered to reduce the impact of the proposal on air quality.

444. In some instances the council's Environmental Health service may require air quality monitoring to be undertaken and/or the commissioning of an Air Quality Impact Assessment in support of a planning application. Where this is the case it is important that such works are undertaken by appropriately qualified and competent individuals. Conditions may subsequently be imposed on the grant of a planning permission requiring air quality monitoring apparatus to be installed for a specified period of time and the costs of this shall be borne by the developer. In circumstances where the council has already established a monitoring presence, developer contributions may instead be acceptable.

445. *Planning Advice Note (PAN) 51, Planning, Environmental Protection and Regulation is a useful source of information and should be read in conjunction with the council's (draft) supplementary guidance on the subject of Air Quality.*

446. Developers are also encouraged to consult with the council's Environmental Health and Trading Standards section for specific guidance and advice at the earliest opportunity. Contact details are at the end of this document.

Radon gas

447. Radon is a naturally occurring radioactive gas and is the most common source of public radiation exposure in the UK. Every building contains radon but the levels are usually low. The chances of a higher level depend on the type of ground.

448. Recent mapping information, issued by Public Health England, shows that the main areas with elevated radon are to be found in Aberdeenshire, Highland and Orkney but it has also identified a number of pockets of elevated radon potential in the central belt of Scotland, including parts of West Lothian, which are at risk of exceeding recommended levels. In these locations, additional safeguarding measures will require to be implemented if new development is to take place.

449. The new indicative map of radon in Scotland can be viewed at <http://www.ukradon.org>.

450. A range of techniques to combat high indoor radon concentrations are available to developers and these are detailed in a report published by the Health Protection Agency entitled *An Analysis Of Radon Remediation Methods*.

451. The government is also amending building regulations guidance to ensure that all new buildings and new extensions proposed within identified risk areas are constructed with the required radon protection measures.

452. Developers seeking further information and advice should contact Public Health England. Contact details are at the end of this document.

Noise

453. It can be difficult to reconcile housing with other activities which have the potential to generate high levels of noise and all new dwellings must be sensitively located so that they are a satisfactory distance away from major roads and specific land uses such as railways, airports, flight paths, industrial premises, distribution depots, sports facilities, and, increasingly, businesses operating 24 hours or which are part of the so called *night time* economy.

454. Consideration must also be afforded to committed proposals which have planning permission or which benefit from a local plan allocation and which may present a potential noise source in the future.

455. In some instances physical noise mitigating measures may be required to make development proposals acceptable. These measures might require buildings to be screened by landscaped bunds and the use of acoustic fencing and sound insulating materials. For maximum effect, barriers should be as near to the noise source as possible.

456. All housing should be built with acoustic insulation and tested to current Building Standards, but acoustic insulation should not be relied upon as the only means of limiting noise. Internal layouts should also be configured to avoid incompatible room uses and to limit the effect of noise transfer from adjoining or stacked properties. To be effective, such considerations must be taken proper account of at the design stage.

457. Care must however be taken to ensure that the use of noise attenuation measures outlined above, does not result in a development layout which is in direct conflict with good urban design principles.

458. Where mitigation of noise impact is considered necessary and acceptable, the council will impose conditions to achieve the required measures on the planning consent. However, if noise issues cannot be satisfactorily overcome, planning permission may be refused.

459. The council has provided guidance on the subject of *Planning and noise* and developers are encouraged to familiarise themselves with this.

460. The SG takes into account current policy in relation to planning and noise and provides guidance on undertaking noise assessments which may be required in support of a planning application.



461. Where a noise impact assessment is required, it should be scoped and agreed with the council's Environmental Health Manager as part of the pre-application process and must then be undertaken by appropriately qualified and competent individuals, usually a noise consultant. Contact details are at the end of this document.

462. Further guidance is set out in [Planning Advice Note 1/2011, Planning and Noise](#).

Light pollution

463. The manner in which residential developments are lit can make a positive contribution to the environment and the following general principles should be taken into consideration in designing lighting within a new development:

- all street lighting should be planned as an integral part of the development;
- all public areas should be well lit and street lighting should illuminate both the carriageway and the footway;
- Lighting should be thoughtfully designed to avoid unnecessary clutter and possible problems of light pollution. For sites within the Aviation Safeguarding Zone of Edinburgh Airport, there is an additional safety dimension to consider and site specific advice should be sought from Development Management.
- consideration should be given to attaching lighting units to buildings;

- all pathways and parking areas should be lit for safety; and
- lighting fixtures should be selected for their energy efficiency properties as much as for their design and appearance. They should be strong and durable and easily maintainable.

464. Lighting should generally be in accordance with these building standards: BSEN 13201-2, BSEN 13201-3, and BSEN 13201-4.

465. Light pollution is a *statutory nuisance* under Part III of the *Environmental Protection Act 1990*, as introduced by the *Public Health etc (Scotland) Act 2008*, and [Planning Advice Note \(PAN\) 51, Planning, Environmental Protection and Regulation](#) makes it clear that it is the responsibility of planning authorities and the environmental protection bodies to collaborate in the task of protecting the environment, to apply controls so that duplication is minimised and to ensure overlap is avoided whenever possible.

466. The council will therefore seek to prevent statutory nuisances where lighting forms part of a planning application and may seek to regulate lighting as part of planning conditions and obligations.

467. In 2009, the council approved separate guidance entitled [Controlling light pollution and reducing lighting energy consumption](#), and developers are encouraged to familiarise themselves with this.



ENVIRONMENTAL ASSESSMENT

468. Environmental Impact Assessment (EIA) is a tool used to predict the environmental impacts of a project. It presents an opportunity to fully explore the extent of impacts upon the environment, consider where alternative approaches may be more suitable and to consider where appropriate mitigation measures will be required.

469. The *Town and County Planning (Environmental Impact Assessment) (Scotland) Regulations 2011* require planning applications for a wide range of development projects, mostly of a major scale, to be accompanied by an Environmental Assessment (EA).

470. Some projects (known as Annex 1) must **always** be subject to EIA, while other projects (Annex 2) need only be subject to EIA when they are likely to have significant effects on the environment by virtue of their size or location.

471. As far as residential development is concerned, it is not the type of development embraced by Annex 1. It could however potentially constitute an Annex 2 project under the category of *urban development projects*, if the area of the development site is in excess of 0.5 hectares and where residential development is likely to have significant environmental effects because of factors such as its nature, size or location. In such circumstances, a formal determination of whether or not EIA is required must be sought from the council and this should be done as early as possible.

472. Additional guidance can be found in [Planning Advice Note \(PAN\) 58, *Environmental Impact Assessment*](#), *The Environmental Impact Assessment (Scotland) Amendment Regulations 2009* and Circular 8/2007 (As Amended): *The Environmental Impact Assessment (Scotland) Regulations 1999*.

CONSTRUCTION WASTE

473. The Scottish Government has adopted Zero Waste as a goal and in 2010 published the [Zero Waste Plan](#) (ZWP). In accordance with SPP, the goal of Zero Waste means following a *waste hierarchy* (an order of preference) for how waste is dealt with i.e. eliminating the unnecessary use of raw materials, then reusing and recycling products with disposal the last option.

474. Site Waste Management Plans (SWMP) can help achieve this objective during the construction and operation of developments and advice on how to prepare such plans is available on the *netregs* website and from *Envirowise* who also provide free advice on resource efficiency. Further advice on the reuse of demolition and excavation materials is available from the Waste and Resources Action Programme. Additional guidance can also be found at SEPA's website.

SEPA: <http://sepa.org.uk/>

Financial statistics at your fingertips: <http://www.netregs-swmp.co.uk/>

Site waste management plan (SWMP) regulations guide - GG899: http://aggregain.wrap.org.uk/waste_management_regulations/waste_management_regulations_scotland/index.html

AggRegain: <http://aggregain.wrap.org.uk/>

475. The council is obliged to ensure that both the necessary policies and facilities are in place to reduce the amount of waste generated, to increase the amount of re-use and recycling and to encourage householders to engage and participate more effectively.

476. Consistent with this strategic direction, policy MRW 7 of the *Local Development Plan* advises that proposals for new housing must demonstrate to the satisfaction of the council that the generation of waste during the construction period has been minimised and that any residual waste will be managed in a sustainable manner.

477. The best way to tackle the problem of waste during construction is of course for developers to produce less of it. Storing materials correctly and adopting a more rigorous ordering regime in order to minimise waste can all help.

478. Waste from development sites can contain a variety of different materials and if not disposed of properly, there is a risk of pollution. Harmful, even dangerous substances, e.g. asbestos, are sometimes contained in building waste and these need to be removed carefully.

479. Generally, any waste removed from a development site must be deposited either at a site properly licensed by SEPA or at a site for which a relevant exempt activity has been registered.

480. The council has produced guidance entitled [Getting rid of demolition and building waste](#).

DOMESTIC HOUSEHOLD WASTE

481. With regard to the necessary provisions for the treatment and disposal of household waste, it is important that developers take cognisance as early as possible of the requirement to provide for dedicated bin storage/recyclable/compostable waste storage space in their developments to accommodate:

- provision within dwellings for facilities to separate and store different types of waste at source;
- provision within the curtilage of dwellings or within the development for composting;
- kerbside collections, including adequate vehicle turning facilities; and
- centralised facilities within the development for the public to deposit materials for recycling and recovery.

482. Details should be submitted with the planning application.

483. The council currently operates various multi bin collection systems, depending on the form and geographical location of the residential property, and developers will need to establish at an early stage which arrangement they should be designing for.

484. Developers should be aware that it is council policy that they incur the cost of the appropriate waste collection bins (the council will source and may supply) and that this will also be made a condition of any planning permission granted for residential properties.

485. In larger scale residential developments, including those sites which form part of the established CDAs, developers may also be required to make opportunities available for recycling facilities such as paper banks and textile banks.

486. As a general rule, bin storage areas should be sensitively designed to minimise their visual impact, covered, secured, and made easily accessible to all residents.

- bin stores should be constructed in brick or timber and should have metal protection plates on the inner walls to prevent damage by bins;
- there must be sufficient room within each bin store to accommodate the bins and to facilitate access and movement (required by residents, factors and waste operatives) without having to move other bins;
- entry/exit should be a minimum width of 600mm to allow sufficient access/egress;
- bin stores should be constructed to allow bins to be forward facing so they can be identified; and
- the maintenance of bin stores should be covered by a factoring arrangement.

Typical bin dimensions*

| | HEIGHT | WIDTH | DEPTH |
|--------------------|---------|---------|---------|
| 140 litres | 1060 mm | 480 mm | 550 mm |
| 240 litres | 1060 mm | 575 mm | 730 mm |
| 360 litres | 1080 mm | 580 mm | 875 mm |
| 1100 litres | 1390 mm | 1260 mm | 1000 mm |



Access for service vehicles*

487. Roads should ordinarily be constructed to an adoptable standard. Direct vehicle access is required to all locations at all times including phased construction sites;

488. Road widths and turning heads must be able to accommodate waste collection vehicles;

489. Hammerheads, and turning circles will be required to avoid/minimise reversing manoeuvres and should be designed to prevent parking from obstructing access to the site.

490. The following dimensions relate to the largest vehicle likely to service waste containers in new developments.

| | |
|--------------------------|-------------|
| Maximum operating length | 12 metres |
| Maximum width | 2.55 metres |
| Maximum height | 4.5 metres |
| Maximum laden weight | 26 tonnes |
| Turning circle | 18 metres |

491. ** It should be noted that these specifications are correct at the time of writing. However, they may be subject to change in the future and developers should liaise directly with the Waste Services Manager to establish their current requirements and contact details are provided at the end of this document.*

492. Residents will be required to bring their refuse and recycling containers to their front property boundary, and the design should facilitate this with a view to ameliorating the problems of multiple bins obstructing footways.

493. Where roads are not constructed to an adoptable standard, or where the development includes private accesses or parking courts, it should be noted that the council will only collect bins from the public highway. Satisfactory provision must therefore be made for residents to get the bins to an agreed collection point (in line with previous noted standards re size of store/area and within kerbside collection criteria including distance from kerbside path to vehicle requirements).

494. The distance between individual properties and the bin store requires to be agreed with Waste Management Services in consultation with Environmental Health & Trading Standards.

- dropped kerbs should be provided at the entrance to bin stores to a width of at least 600mm;
- where a communal bin store is to be provided, it should be no more than 10 metres from a dropped kerb and the collection vehicle must also be able to access the dropped kerb where the bins will come off; and
- surfaces should be able to be cleaned without risk of permanent staining.

495. Waste and recycling is a rapidly changing field and the council may over time have additional requirements regarding refuse, green waste and recycling. It is therefore important that Waste Services are consulted at an early design stage of any proposal.

IMPACT OF CONSTRUCTION WORKS

496. Developers will be required to submit a written statement to the council which outlines the measures to be taken to reduce the impact of construction work on the environment and to have it approved by the council prior to starting works on site.

497. In particular, the statement should detail the measures which the developer will take to:

- avoid substances seeping into watercourses;
- avoid noise, vibration and dust nuisance;
- ensure that roads and footpaths in the vicinity of the site are kept debris free;
- ensure that disturbance to existing residents from construction traffic is minimised; and
- ensure that road gulleys remain clean and free from obstruction pre-adoption.

498. Proposed locations for site compounds, soil storage and temporary car parks for contractors and employees must be provided as part of this statement.

499. Developers are reminded that the council has powers under the *Roads (Scotland) Act 1984* to serve notices requiring public roads and footpaths to be kept mud free and vehicle operators and contractors who deposit mud on the road are potentially liable for a range of offences. The council also has powers under the *Environmental Protection Act 1990* to deal with statutory nuisance. SEPA also has powers to deal with developers who pollute watercourses.

500. The council has approved SG entitled [Mud on Roads](#). This provides information for developers to minimise the possibility of mud pollution on to roads from this sites they are developing in the interest of road safety.



THE HISTORIC ENVIRONMENT

501. While it is only very rarely likely to be the case that significant new residential development will be proposed in locations of a highly sensitive historic nature, for example, within a conservation area or a designed landscape, it is recognised that new development on the periphery of such areas can also have an effect on their character and setting, and also on specific listed buildings and scheduled ancient monuments.

502. In such circumstances, developers are encouraged to have regard to recently published guidance by Historic Environment Scotland entitled [New Design in Historic Settings](#) which provides a helpful toolkit and design standards for new design in historic places.



PUBLIC ART

503. In order to enhance the new environments being created, developers of larger housing schemes, and certain other significant developments, are required to contribute to public art in one of two ways.

504. Some may commission, implement and own art while others may agree to make a contribution to the council's Public Art Fund. This fund is designed to assist the gathering of smaller contributions from a number of developments over time in order to support the commissioning of projects in the area in which the development is located.

505. The council's [Public Art Strategy](#) is set out in supplementary guidance.

506. A statement outlining how the applicant intends to address the requirements for contributions towards public art should accompany any planning application for qualifying developments. Where the developer intends to commission and implement a project rather than make a financial contribution the planning application should include a Public Art Plan.

507. It is important that developers engage in early pre-application discussions with the council Arts Officer so that the requirements for public art can be identified and addressed. Contact details are at the end of this document.

508. Further advice, together with details of the most up to date requirements, are set out in SG [Developer contributions to public art](#).

DEVELOPER CONTRIBUTIONS

509. Developer contributions enable the council to ensure that developments are properly provided with infrastructure, services and facilities. They enable developments to proceed that might otherwise be refused planning permission.

510. The principle of developers making contributions (financial or in kind) towards the provision of the necessary infrastructure to support their developments is well established, both in law and in practice across the UK.

511. West Lothian Council provides clear and comprehensive guidance for landowners and developers to ensure that they can take the cost of these requirements into account even before engaging in the formal development planning process. Specifically, it has put in place a series of SG that support the implementation of the *Local Development Plan*.

512. These SGs set out developer contribution requirements and/or identify principles that will be adopted by the council in preparing strategies for the provision of new infrastructure and/or facilities that developers will be required to contribute to. The SGs are material considerations in the determination of planning applications and currently relate to the following subject areas:

- Affordable housing;
- Planning for education;
- School commissioning costs;
- Denominational secondary education infrastructure;
- Replacement Armadale Academy;
- Provision of additional primary school capacity for the denominational sector in Broxburn, East Calder and Winchburgh
- Armadale Primary Schools;
- Whitburn Academy;
- Blackridge Station;
- Park and ride facilities at Armadale Railway Station;
- Replacement Armadale Library;
- A71 corridor study bus priority measures;

- A801 dualling;
- Partnership approach to deliver infrastructure;
- Travel plan co-ordinator;
- Co-location principles;
- Public art;
- Towns and village centre improvements;
- Cemetery provision; and
- Professional services.

513. No application will be reported to elected members with a favourable recommendation until at least the heads of terms have been agreed in writing with the council on the scale and precise nature of developer contributions necessary.

514. The SGs will be kept under review and it is likely that further SGs will be prepared and adopted in due course. Developers are therefore advised to seek confirmation of the SGs in force before embarking on projects.

515. Guidance can be viewed and downloaded on our [supplementary guidance](#) webpage.

516. Developer contributions are most commonly secured through a Section 75 obligation or other legal agreement which will require to be concluded with the council before a planning permission can be released. In some instances the paying over of a cheque or bankers draft may suffice and Development Management officers will be pleased to advise.

517. [Circular 3/2012, Planning Obligations and Good Neighbour Agreements](#) provides guidance on the circumstances where planning agreements can be used. In general, contributions can only be sought where they are required in order for the development to proceed and where the contribution concerned is related in scale and kind to the proposed development.

518. Other necessary off-site works may be dealt with by the use of suspensive conditions but only where this is deemed to be appropriate.

519. It is extremely important to discuss the likely level of contributions with council officers as early as possible in order that the costs can be built into developers' and landowners' financial appraisals, ideally before any property transactions have been completed.



PLANNING FOR EDUCATION

520. Such is the importance of this issue that it merits being discussed separately from other infrastructure considerations.

521. New residential communities can generate a demand for a significant number of new school places, particularly where families are attracted to the area. In such cases, it is vital to the process of supporting sustainable communities that the planning system facilitates the timely provision of new school buildings and/or school provision.

522. The complexity of the situation in West Lothian, however demands, that Development Management take advice on the education provision implications of each proposal for residential development from Education Planning and no application will be concluded until a rigorous assessment of existing schools capacity and/or the provision of new school facilities allied to the proposed development has been completed.

523. The response of Education Planning will be informed by school roll projections produced by a forecasting model. In the interests of transparency, this is explained in some detail in the SG entitled [Planning for education](#).

524. There are in fact several SGs relating to education matters, all of which can be viewed on our [supplementary guidance](#) webpage.

525. It is particularly important that developers/landowners engage in early discussions with the council so that education issues can be identified and addressed. Enquiries should, in the first instance, be directed to Development Management staff.



SINGLE PLOT AND SMALL SCALE INFILL RESIDENTIAL DEVELOPMENT IN URBAN AREAS

526. This section of the guidance is specifically related to single plot and small-scale infill residential development in urban areas not exceeding 10 units and is intended to amplify policy HOU 3 of the *Local Development Plan*. This supports infill development within recognised settlement boundaries, subject to specific provisos intended to protect the character of an area and the residential amenity enjoyed by existing residents and others.

527. The guidance applies to situations where it is proposed to develop a small gap site in an existing street frontage, develop land which is situated behind existing properties or sub divide and develop the curtilage of an existing house, either by infilling along a frontage or within areas of rear gardens.

528. The guidance is central to ensuring that only appropriate development is permitted. Proposals that fail to satisfy the requirements of this guidance will not be supported.

529. Infill development sites can range from small sites suitable for only a single house to larger areas with a capacity for several houses and are predominantly within residential areas. They comprise land, often garden ground, but sometimes private open space or redundant commercial premises. Where sites do not have a direct main street frontage they invariably have an independent vehicular access from the side or rear in the form of an un-adopted private driveway or road.

530. Tandem development is a particular form of infill development where a new house is located immediately behind an existing house and shares the same vehicular access. Ordinarily, tandem development will not be supported because of the inherent problems of overlooking, noise disturbance, loss of amenity, cramming and the adverse impact on the general character of an area. Only in exceptional circumstances, and on large, individual plots (in excess of 0.4ha / 1 acre) might it be possible to achieve sufficient separation between houses to overcome the difficulties described above. It is very unlikely that a satisfactory development can be achieved on a site of a lesser size.

531. While this guidance has been written on the assumption that the sites will be developed for housing it does not mean that non-residential uses are necessarily precluded. However, should these be proposed, it will be necessary for applicants to comply with this guidance and to submit additional information to enable a more in depth assessment of other pertinent issues, including noise, odour and traffic generation in order to demonstrate that the proposal will have no significant adverse environmental or amenity impacts on the site or its surroundings.

Infill development and town cramming

532. In the right circumstances infill development can constitute a sustainable and efficient use of land and resources. It can also make a useful contribution to the housing land supply and add to the overall quality of the townscape. This is especially the case where a conscious effort has been made to complement the local area in terms of design, scale, building density and layout so that the new infill development appears to belong and looks as though it had been planned as part of the original area.

533. However, it also has the potential to create problems and, if not dealt with sensitively, can cause a significant loss of amenity to existing properties including erosion of privacy, loss of daylight, overlooking, visual intrusion, noise disturbance, reduced space around buildings, loss of car parking, loss of mature vegetation or landscape screening and can erode the established character of an area.

534. Invariably, there is temptation for developers to try to cram as much development as physically possible onto a site. However in areas of established residential development the council's overriding objective will be to avoid any significant erosion of the local character and the environmental quality, amenity and privacy enjoyed by the people who currently live there and also to secure a satisfactory level of amenity for the future residents of the new property. Experience shows that an overly dense development results in houses with very small rooms, insufficient circulation space and little or no storage capacity. These houses are also often characterised by having irregularly shaped and unacceptably small gardens that lack privacy and function and the overall visual impression is of simply too much built development.

535. While recognising that higher density development may be more acceptable within town centres, it remains the case that infill residential development must not be allowed to contribute to the phenomenon that has come to be known as town cramming and any damage to areas of distinctive townscape character will be vigorously resisted.

536. There is also a danger of piecemeal development occurring where proposals are put forward for land in an individual ownership when a more sensible solution may be to assemble land from a number of adjoining rear gardens to enable a small group of houses to be developed. Where the separation distance prevents any significant overlooking of accommodation or private amenity areas, the amalgamation of plots to form sites large enough to provide two or more houses served by a separate adoptable road or a shared private drive is often a more satisfactory and sustainable means of developing infill sites and the council may resist individual proposals where it is likely to prejudice the potential for the satisfactory development of a larger area.

537. As a consequence, development will only be supported where full account has been taken of the potential effect that it will have on neighbouring properties and on the character of an area and also where the proposal does not prejudice the development potential of any adjacent site. The overarching purpose of this SG is to strike the right **balance**.

Detailed requirements

Physical relationship and layout

538. The layout, scale and form of any development must be compatible with the established building pattern and the predominant character of the established housing in the area. However, in order to avoid sites being over-developed the following plot ratio standards should be observed:

- for new detached and semi-detached houses, the optimum proportion of garden to building should be 70 : 30; and
- for new terraced houses the minimum proportion of plot area to building footprint should be 60 : 40.

539. Existing garden and boundary walls, hedges and railing fences provide important features in the street scene and have a unifying effect which can contribute greatly to the local environment. These features should be retained and reflected in the design of the new property.

540. New houses should not detract from the individuality of any existing house where their siting contributes to the character of the area. This is particularly important in the case of corner sites. Where these contribute to the character of the area, their openness will be protected by resisting any intrusion into the corner ground.

541. Sites must be sufficiently wide enough to accommodate buildings of an appropriate frontage width and provide adequate visual separation between houses. The width of the building plot and the width of the proposed house should be similar to that prevailing in the immediate street frontage.

542. The height of new buildings should be subordinate to the frontage housing and the general roof form should reflect existing neighbouring houses.

543. The open space between existing houses on a street frontage must be treated sympathetically, and when contemplating infill development in such circumstances, it may require to be retained in whole or in part in order to avoid the creation of a terrace effect.

544. The distance between buildings is an important factor that has consequences for overshadowing, privacy, daylighting and functionality, particularly when developing smaller sites. The following guidance will apply for single and two storey buildings:

| Front to front distances | Rear to rear distances | Rear to side distances | Front to side distances | Side to side distances |
|--------------------------|------------------------|------------------------|-------------------------|--|
| 18m | 18m | 12m | 15m | A minimum of 1m either side of the mutual boundary will be expected. If there is a minor window on a gable (serving a hall, stair or landing etc), a minimum of 4m between buildings should be provided. |

545. New development should not cause an unacceptable loss of privacy or daylight to habitable rooms of existing neighbouring properties and all new dwellings must also receive an adequate amount of daylight. For the purpose of this guidance, habitable rooms are defined as a living room, bedroom and dining room. Non-habitable rooms include bathrooms, utility rooms, staircases, halls, landings, etc.

546. Proposals that would result in the loss of sunlight, leading to overshadowing for a significant part of the day or which would have a visually intrusive impact will also not be supported. It is an established planning principle that new development should not borrow amenity from adjacent land and, as a general rule, the greater part of any overshadowing caused by a new building must be confined to the developers own land.

547. The back gardens of single and two storey houses shall be a minimum length of 9m, and in the case of three story houses 11m. These dimensions should be increased where levels change and may only be reduced where it can be demonstrated that residential and environmental amenity will not suffer for either the new or existing buildings.

548. Technical calculations can be undertaken to determine whether daylighting to existing buildings will be adversely affected, and if there is any suggestion that new housing could cause excessive loss of light or overshadowing of neighbouring properties, applicants may be required to support their proposals. Specific assessment methods are set out in the Building Research Establishment Report Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 2nd edition by P J Littlefair (2011), demonstrating both before and after circumstances in order to ensure acceptable interior and exterior conditions. New houses must be sensitively positioned off common boundaries to ensure that windows in principal elevations, above ground floor level, do not directly neighbouring property.

549. The acceptable minimum distance between windows of habitable rooms that are directly facing each other is 18m. If the windows are at an angle to each other, the minimum distance can be reduced. Room windows should not directly overlook the private areas of a neighbouring garden. The minimum distances do not apply to bathrooms halls and landings. The minimum distances may be relaxed for new ground floor windows where effective permanent screening is employed to protect privacy or prevent overlooking.

| | | Angle (in degrees) at window of building to be erected not more than | | | | | | | | | |
|---|----|--|----|----|----|----|----|----|----|----|---|
| | | 90 | 80 | 70 | 60 | 50 | 40 | 30 | 20 | 10 | 0 |
| Degree of angle at window of any other building not more than | 90 | 18 | 18 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 |
| | 80 | 18 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | |
| | 70 | 18 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | | |
| | 60 | 18 | 13 | 9 | 6 | 4 | 3 | 2 | | | |
| | 50 | 13 | 9 | 6 | 4 | 3 | 2 | | | | |
| | 40 | 9 | 6 | 4 | 3 | 2 | | | | | |
| | 30 | 6 | 4 | 3 | 2 | | | | | | |
| | 20 | 4 | 3 | 2 | | | | | | | |
| | 10 | 3 | 2 | | | | | | | | |
| | 0 | 2 | | | | | | | | | |

- Note:**
- Angle means the horizontal angle between:
 - the shortest line joining any part of one window opening to any of the other
 - the vertical pane of the opening window
 - Distances shall be interpreted for intermediate angles;

550. Gardens are an essential part of the amenities of any residential development and it is important that all detached, semi-detached and terraced houses are provided with an enclosed private garden.

551. Gardens should satisfactorily reflect the size and type of dwelling proposed, the size of plot and the general character of the area in which the development is located. They should be functional and capable of providing adequate private space, reasonably level (not having a gradient exceeding 25 degrees), not overlooked by others, suitable for sitting out, children's play, the drying of laundry, the storage of household refuse and also have some capacity for facilitating an extension of the property at a future date.

552. For the purpose of this guidance, usable private garden ground is defined as being land that is under the exclusive control of the applicant and within the curtilage of the dwelling.

553. It should only include ground that has been adequately screened, usually to the rear and side of the property, and driveways and vehicle hard standings should be excluded from the calculation.

554. The council will not require developers to apply uniform standard garden sizes across an entire residential development since it is recognised that a degree of flexibility is necessary in order to facilitate varied and more interesting layouts. Nevertheless, the following guidelines are provided as indicators of average minimum standards and these will be used by the council when assessing the general appropriateness of garden provision within a development.

| | |
|--|---------------------------------|
| All houses with five and more bedrooms | not less than 100m ² |
| Three and four bedroomed detached and semi-detached houses | not less than 80m ² |
| Two bedroomed detached and semi-detached houses | not less than 60m ² |
| Terraced houses | not less than 50m ² |

555. All of these figures exclude any garage area and assume a minimum rear depth of 9m. This should allow for a drying area and play/amenity space. Furthermore, proposals that arithmetically achieve the specified area of private garden ground, but only by aggregating an assortment of irregular pieces of land, i.e. narrow strips or verges to the side of the dwelling or ground which is significantly sloping, will not be deemed acceptable.

556. Dwellings specifically designed for single people or for the elderly may justify moderately less garden ground and will be considered as an exception on a case by case basis. Provision may also be relaxed in conservation areas and other situations where, for townscape reasons, less onerous requirements can be satisfactorily justified.

557. Proposals for sites that cannot provide adequate private garden space or would result in over intensive residential use will not be supported.

558. While occupiers of flatted developments generally do not seek or expect the same level of garden amenity space as house dwellers they should ideally still have access to amenity open space, particularly as there are often many families with young children living in flatted accommodation.

559. It is important that a property providing land for infill development is not left without a satisfactory element of garden ground and car parking. The fact that the occupier of an existing house may be prepared to tolerate a lower level of amenity in order to facilitate a development is not sufficient reason to permit it. The planning system operates in the wider public interest and over time, occupancy of property changes and the general level of the quality of the environment must be safeguarded. A satisfactory level of residential amenity is maintained for the occupants of the original property.

Form and materials

560. The scale, height and massing of new houses should reflect and be sympathetic to those around them. A three-storey house, for example, will not generally be accepted in close proximity to an area of single storey properties. Applicants may be required to demonstrate how the scale of proposed development relates to its surroundings.

561. New developments should generally maintain existing site levels and make use of any slope to provide accommodation, e.g., split level rather than large amounts of underbuilding and unsightly blank walls.

562. The design, appearance and the materials of proposed houses should complement the character of the existing built frontage. New buildings should reflect local identity and materials used should have a unifying effect. This does not however necessarily mean 'copying' existing buildings. There is scope and encouragement for exciting and modern design providing the new development employs, in a creative way, design elements that contribute to the identity of the surrounding area.

Parking

563. It is ordinarily the case that a **minimum** of one dedicated parking space will be required to serve a new house. (Garages will not be taken into account when assessing the allocation). Only in exceptional circumstances will this be relaxed, for example, in town centres where there is an abundance of unrestricted off street car parking available in close proximity to the development site.

Access

564. Satisfactory vehicular and pedestrian access to the site must be achieved without having an adverse effect on the amenity of existing and proposed residents and road safety. Developments comprising up to four houses can usually be served by one private shared driveway (where two units are served off both sides of a shared driveway). The use of a previously single access point for an increased number of houses can however create traffic hazards for both vehicles and pedestrians and proposals that cannot incorporate any necessary improvements will not be supported.

565. Where there is no existing vehicular access to a site the demolition of an existing house or part of a house to create an access will not ordinarily be supported, particularly if it creates an unattractive breach in a consistent street frontage, or impacts in a detrimental way upon a conservation area.

566. The length of the vehicular access must not exceed 45m and should be at least 3.5m wide. If the development is to share an access with a non-residential use a greater width will be required.

567. A turning space should be provided either as part of the access road or on the plot it serves. Adequate visibility splays should be provided for the safety of both vehicles and pedestrians.

568. An inclusive design approach is required to incorporate access facilities for disabled people in compliance with the Disability Discrimination Act 1995.

569. When an access may be acceptable on grounds of flow, safety and other traffic criteria it may be refused if it would have an adverse impact and cause significant nuisance to neighbouring properties, e.g. too close or too noisy through serving a number of houses.

Refuse disposal

570. Satisfactory provision must be made for bin storage, particularly where the council operates a multiple bin collection system.

Services

571. In particular, detailed arrangements for the supply of water and the treatment of foul and surface water drainage require to be agreed in consultation with SEPA and Scottish Water at an early stage in the design process. Occasionally, there may also be a requirement for the council's [Flood Risk Management Team](#) and [Roads and Transportation Manager](#) to be consulted.

572. Developers should be aware that SEPA will require drainage proposals for all new developments to comply with the Water Environment (Controlled Activities) (Scotland) Regulations 2005. Furthermore, foul discharges which are not connecting to a Scottish Water sewage network will require SEPA authorisation and surface water drainage will be required not to result in pollution of the water environment. Information on [flooding and SUDs](#) can be found on SEPA's website.

573. Developers are also encouraged to have regard to the council's guidance on [flood risk and sustainable drainage](#).

Boundary treatments

574. The choice of boundary treatments must be appropriate and sympathetic to their function. For example they:

- help to define space;
- provide security;
- create a link between the buildings and landscape;
- provide a barrier between private and public uses; and
- influence the microclimate depending upon the type of treatment.

575. Attractive walls and railings at site entrances and within estates at key locations will be encouraged while long sections of unrelieved garden fencing in prominent locations should be avoided.

576. In developments with grass service strips, fencing or other physical boundary treatments should be avoided. Developers are required to make it clear and un-ambiguous in the title deeds that service strips are in the ownership of the property owners and that owners are responsible for their maintenance.

577. Rear gardens at corner plots and those alongside link footpaths are particularly conspicuous and should be screened by walls, rather than timber fencing or open railings.

578. To add interest, colour and variety to a residential development, hedge planting may substitute for fencing. However fast growing conifers will not ordinarily be permitted. Beech or hawthorn hedging forms more attractive and manageable boundary screening.



Landscaping

579. Significant, existing landscape features should be retained, particularly along property boundaries or where they have high public amenity value or help maintain privacy. Plots should therefore be sized in order to accommodate this.

580. Landscaping should be used to help integrate new development and proposals should be formulated as an integral part of the design process rather than as an afterthought. It is therefore preferable if landscape proposals are submitted with the planning application.

581. Landscape details should include a full planting schedule showing levels, service runs, lighting and drainage. Schemes should specify plant species, planting times, ground preparation and protection measures to ensure the establishment of new plants during their first five years. New planting should take account of local vegetation and provide a strong link between the new development and its surroundings.

582. **Choose the right plant for the right place - select appropriate species for the location, confirming that the ultimate height and spread of plants aren't going to cause problems, such as obstructing paths, when fully grown.**

583. With the exception of single house plots, arrangements for the future maintenance of all landscaping should be submitted with the planning applications.

584. In assessing any application, regard will be afforded to the value of any trees on site, the impact of the development on these trees and proposals for replacement trees on and around the site. Ordinarily, existing healthy trees should be protected and retained. In the interests of residential amenity, where the site layout accommodates the trees in rear gardens of new houses, the building should normally be sited at least 11.5m beyond the crown spread of the established tree. This distance may be reduced to 6m for front garden areas and 2m in the case of flank walls. Similarly it is advised that new trees are carefully sited **and appropriate species chosen** to avoid these types of problem and developers are advised to ensure that works comply with BS 4428 : 1989 *Code of Practice for general landscape operations (excluding hard surfaces)*.

585. Developments which are dependent on the felling of, or significant works to trees, and particularly those sites which are protected by a Tree Preservation Orders (TPO) or located in a conservation area, will not generally be supported if the felling or works to the trees are judged to adversely affect the visual amenity and character of the site and its surroundings.

Conservation areas and listed buildings

586. There are different considerations relevant to applications in conservation areas and in close Proximity to listed buildings. In such circumstances reference should be made to [Historic Environment Scotland's website](#). Historic Environment Scotland has been established as the national body for the historic environment.

587. In considering proposals for development in or affecting conservation areas, the first priority of the council will be to have regard to the special architectural and visual qualities that gave rise to the designation in the first instance. Development which does not closely follow the scale, design and detailing of existing buildings or which does not serve to preserve or enhance the character or appearance of the conservation area or listed building will not be supported.

588. The council will not ordinarily support proposals to develop open spaces in conservation areas because of the positive contribution such spaces make to the character and appearance of conservation areas.

589. Development within the curtilage of listed buildings will only be supported in very rare circumstances and must in any event have full regard to the following:

- the listed building should be retained as the visually prominent building.
- the principal elevations of the listed building should remain visible from all important viewpoints. New buildings should not breach any close formal relationship between the listed building and traditional outbuildings or any other sensitive part of its setting.
- formal gardens should not be adversely affected.
- developments in front gardens that damage the relationship of the building with the street on which it is located will not be supported; and
- if a listed building is to be upgraded as part of any development, works will require to be implemented to the listed building as the first stage or as part of an agreed phasing scheme.

Sustainability

590. The council encourages developers to design and construct new houses in ways that contribute to achieving the highest standards of sustainable development. These will include measures to:

- re-use land and buildings;
- conserve energy, materials, water and other resources through design;
- ensure designs make the most of natural systems both within, in and around the building;
- reduce the impacts of noise, pollution, flooding and micro-climatic effects;
- treat and attenuate water to minimise pollution and the risk of flooding;
- build in accessibility and adaptability; and
- foster and maintain biodiversity

591. The council is committed to producing separate planning guidance on micro renewables as a first step in expanding guidance in compliance with national planning policy.

Biodiversity

592. The council is committed to preserving and enhancing the biodiversity of West Lothian through the Development Management process. Where appropriate, applicants will be required to assess the value of the site as a habitat for plants, birds and animals prior to planning applications being determined.

Making a planning application for small scale infill residential development”

593. While compliance with these guidelines is essential it does not in itself guarantee that planning permission will be granted for a particular proposal because it is not possible to anticipate the precise circumstances of every proposal which may come forward. There may be other material considerations that the council is also required to have regard to and a decision can only be made once all relevant considerations have been taken into account.

594. When seeking planning permission for infill development it is the council's preference that an application is made for full permission. However, if an application for planning permission in principle is submitted, details of siting must be included at that time and not as a reserved matter. In addition, sketch details of access, scale, design and materials etc. will be required. Only applications for full permission are acceptable in conservation areas.

595. If it is concluded that insufficient details have been provided to enable the council to determine the application then a formal notification to submit details of reserved matters may be made by the council under Article 4(3) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. Failure to respond satisfactorily to such a request may result in permission being refused.

596. Applicants for full permission should include a written statement setting out design principles as well as illustrative plans and elevations with their proposals. An extensive statement should not be necessary but sufficient information should be included to justify the scheme. Photographs / photomontages or drawing of the area around the site may be sufficient along with drawings of the proposals to show how the development would relate to the surrounding area.

597. In addition to the conventional package of plans and elevational drawings the council may require additional information to be submitted in support of a planning application in the circumstances described in this guidance. These may include:

- a location plan, demonstrating the area's spatial character;
- site levels and cross-sections;
- a plan of all existing landscape features including a tree survey;
- a landscape proposals plan;
- plot coverage calculations;
- window to window calculations;
- overshadowing calculations; and
- details of the eaves and ridge heights of neighbouring properties.

(this list is not exhaustive)

598. In some instances developers may be required to physically plot out the position of a proposed new house on a site as this is often the most reliable way to judge the acceptability of a proposal.

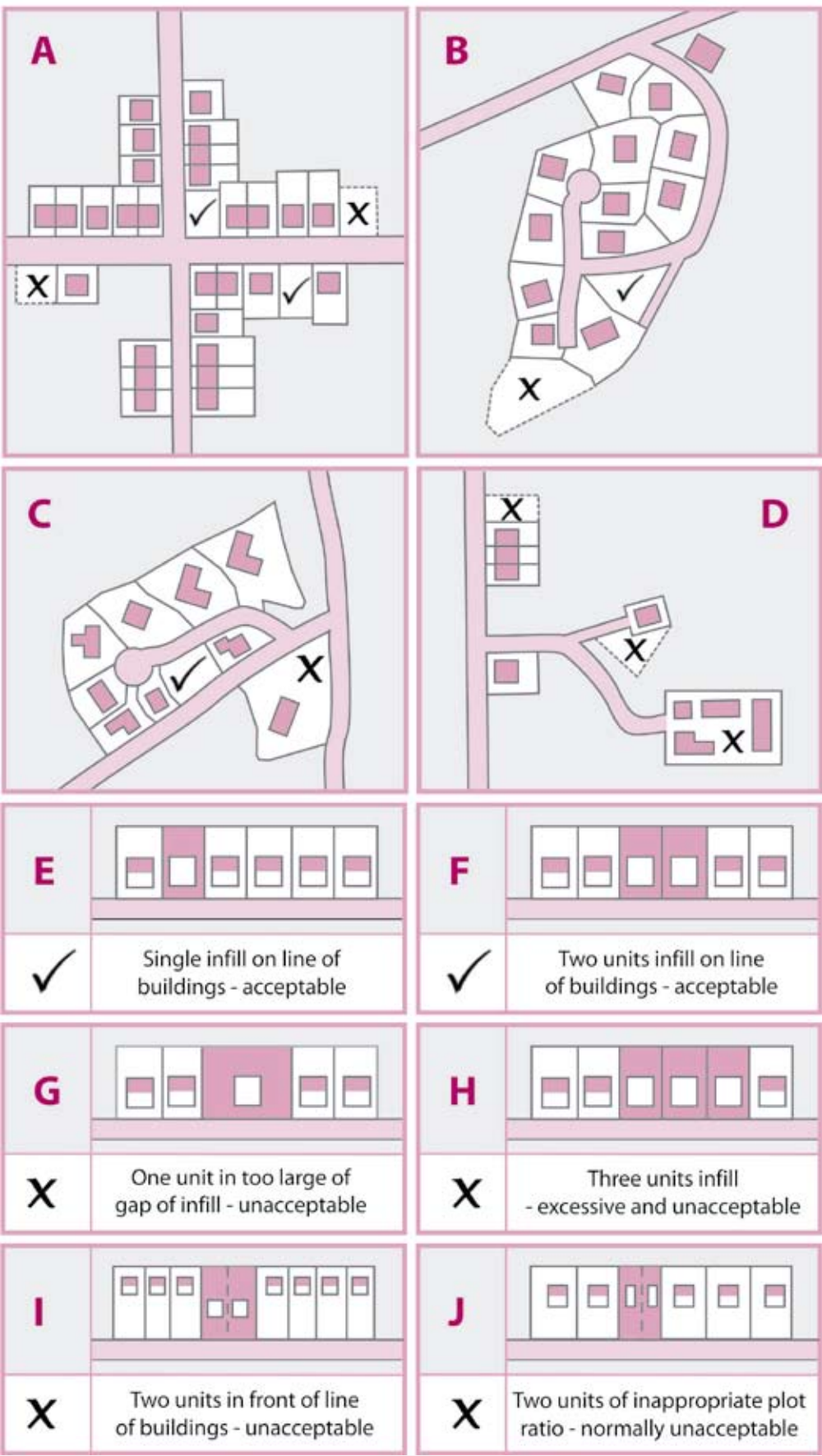
599. The imposition of planning conditions on a planning permission will also vary from site to site. However, it is not unusual for the council to remove the permitted development rights of new houses on infill sites by condition in order to protect the continuing amenity of the occupants of neighbouring residential properties. Permitted development rights ordinarily enable minor extensions and alterations to be made to a house, for example the erection of conservatories and garages, without the need to obtain planning approval. Conditions withdrawing such rights are, however, only imposed where it is considered that a particular development would be unacceptable without them.

A checklist for applicants

Some key points to remember when considering a single plot or small scale infill residential development:

| | |
|-----------------------|--|
| <input type="radio"/> | Proposals must be in harmony with the prevailing form of development and the form, architectural style and character of the locality; |
| <input type="radio"/> | The site must be large enough to accommodate all of the development including parking, turning, functional garden ground and landscaping; |
| <input type="radio"/> | Proposals that constitute tandem development will in most instances be unacceptable; |
| <input type="radio"/> | Proposals should not adversely affect the existing amenity, privacy or levels of daylight currently enjoyed by the occupants of neighbouring properties; |
| <input type="radio"/> | The sites must have safe access to a road; |
| <input type="radio"/> | Proposals should not sterilise other potential developable land; |
| <input type="radio"/> | Preparatory works to trees on or adjacent to a site should not be undertaken without first checking to see if they are protected; |
| <input type="radio"/> | Pre-application discussion is encouraged in all instances but particularly where proposals may impact on a conservation area or a listed building. |

Some common examples of proposals for infill development



Appendix 1

PLANNING APPLICATION PROCEDURES

Hierarchy of development

New requirements for processing planning applications were introduced under the *Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008* and it is important that developers understand how these relate to their proposals, particularly with regard to the possible time and resource implications.

Of particular relevance is the introduction of the *hierarchy of development* concept. The hierarchy sets out the approach to be used for dealing with planning applications depending on which of the three categories a proposal falls within and the procedures for making and handling planning applications varies between these three categories.

National developments are designated in the National Planning Framework and would not ordinarily embrace residential development.

600. A residential development will, instead, fall within either the *major* or *local* development classification with *major* proposals being defined as those comprising 50 or more dwellings (this includes flats as well as houses); or where the area of the application site exceeds 2 hectares. By default, *local* developments are those that are neither *national* nor *major*. The main practical implications of a proposals being deemed to be *major* are:

- they become subject to a statutory pre-application consultation process between the developer and local communities;
- a *pre-application consultation notice* must be lodged with the council at least 12 weeks prior to the submission of an application for planning permission;
- major planning application requires to be accompanied by *Design and Access Statements*.

Proposals which affect a conservation area, a historic garden or designed landscape, a *National Scenic Area*, the site of a scheduled monument or the curtilage of a category A listed building will also require to be accompanied by a design statement.

If a *Design and Access Statement* is statutorily required but is not submitted with the planning application, then the application may be invalidated until the statement is subsequently lodged.

Appendix 2

SUPPORTING INFORMATION

Applications for planning permission should be accompanied by appropriate supporting studies to explain and justify the development. The scope of information to be submitted with an application should be the subject of discussions at pre-application stage but could include:

- Environmental Statement;
- Ecological Survey;
- Arboricultural Survey;
- Drainage Assessment;
- Flood Risk Assessment;
- Noise Survey;
- Air Quality Survey;
- Transport Statement / Transport Assessment;
- Archaeology Survey;
- Coal Mining Risk Assessment
- Contamination & Remediation Assessment;
- Masterplan
- Design & Access Statement;
- Open Space Assessment;
- Streetscape views for infill sites, larger scale residential development or sites within a conservation area;
- Public Art Plan; and
- Details of how planning obligation provisions are to be met (perhaps including draft heads of terms)

This list is by no means exhaustive and will vary depending on the specific development proposals and the location of the site. Developers should not underestimate the time and cost to prepare these necessary studies required for the council to consider the grant of planning permission.

For sites which are allocated in the development plan, a response to any issues identified in Appendix 2 of the *Local Development Plan* should be provided.

Appendix 3

CHECKLIST OF KEY CONSIDERATIONS

| | |
|-----------------------|--|
| <input type="radio"/> | Has an analysis of the site and its context been undertaken? |
| <input type="radio"/> | Has this resulted in a clear design concept for the site being established? |
| <input type="radio"/> | Does the proposed design respond to local identity and is it specific to the scheme? |
| <input type="radio"/> | Does the proposed development feel like a place with a distinctive character? |
| <input type="radio"/> | Does the development make the most beneficial use of the site opportunities? |
| <input type="radio"/> | Are streets defined by a well-structured building layout? |
| <input type="radio"/> | Does the layout make it easy to navigate through the development? |
| <input type="radio"/> | Does the layout create a connected network of public streets and spaces that are accessible to all? |
| <input type="radio"/> | Have existing movement routes and connections to surrounding areas been considered? |
| <input type="radio"/> | Are new or improved connections created to existing facilities? |
| <input type="radio"/> | Do the buildings and spaces take priority over roads and car parking so that the roads do not dominate? |
| <input type="radio"/> | Does the proposal minimise the need for car travel and promote other more sustainable modes of transport? |
| <input type="radio"/> | Has priority been given to pedestrians and cyclists within the road and street network? |
| <input type="radio"/> | Is the development well-connected to community facilities, such as a school, parks, play areas, shops etc? |
| <input type="radio"/> | Does the development have easy access to public transport? |
| <input type="radio"/> | Does the development extend or provide new public transport services? |
| <input type="radio"/> | Have amenity considerations (privacy, daylighting, etc) been taken full account of? |
| <input type="radio"/> | Has each dwelling adequate external amenity space related to its size? |
| <input type="radio"/> | Do amenity open spaces form a purposeful and positive part of the layout? |
| <input type="radio"/> | Has active open space and play space provision been identified and agreed? |
| <input type="radio"/> | Have appropriate management arrangements been put in place for public spaces? |
| <input type="radio"/> | Are public spaces and pedestrian routes overlooked and do they feel safe? |
| <input type="radio"/> | Has the layout been checked against the Secure by Design checklist? |
| <input type="radio"/> | Are building materials robust, high quality, durable and from sustainable sources? |
| <input type="radio"/> | Have measures been identified for safeguarding existing landscape features |
| <input type="radio"/> | Have landscaping proposals addressed biodiversity, drainage and aesthetic factors? |
| <input type="radio"/> | Have a range of parking solutions been used to suit the site specific requirements? |
| <input type="radio"/> | Has car parking been well integrated and does it avoid being overly dominant? |
| <input type="radio"/> | Have the needs of cyclists been addressed? |
| <input type="radio"/> | Has a detailed assessment of wildlife and habitat been undertaken? |
| <input type="radio"/> | Has the layout been designed to optimize the microclimate, (solar gain etc)? |
| <input type="radio"/> | Have measures been taken to address sustainability and energy efficiency? |
| <input type="radio"/> | Have accessibility and adaptability been incorporated into the design of dwellings? |
| <input type="radio"/> | Has flood risk been assessed and are any specific measures to be implemented? |
| <input type="radio"/> | Does the development make satisfactory provision for surface water run-off? |
| <input type="radio"/> | Do drainage arrangements have the provisional approval of SEPA / Scottish Water? |
| <input type="radio"/> | Has the site been screened for any Major Accident Hazard Pipeline within it or within its vicinity? |
| <input type="radio"/> | Has the site been screened for land instability / mining issues? |

| | |
|-----------------------|--|
| <input type="radio"/> | Has the site been screened for contamination and are remedial works proposed? |
| <input type="radio"/> | Will the development be affected by any noise and air quality issues? |
| <input type="radio"/> | Have requirements for the storage and collection of waste been satisfied? |
| <input type="radio"/> | Has the impact of construction works been addressed and provided for? |
| <input type="radio"/> | Have all developer contributions been identified and accounted for? |
| <input type="radio"/> | Have areas of habitat been retained or created for the benefit of local species? |

Appendix 4

COSTS FOR OPEN SPACE PROVISION

An explanation of how financial contributions have been derived

Where the entire open space requirement generated by a development is to be provided off-site, a commuted sum towards the qualitative improvement of nearby open spaces, or towards provision of new open space will be required to be paid to the council by the developer of the site.

Developing a cost for open space provision has been based on two factors, namely the Open Space Requirement (OSR) and the cost for maintaining and reconstructing that open space, the Open Space Cost (OSC).

Calculating the Open Space Requirement (OSR)

The *West Lothian Open Space Strategy* has set an aspirational standard of all development having access to 2.4 ha (6 acres) of open space per 1000 people and an attempt has been made to translate this into an open space requirement specifically for new residential development.

A quantitative audit of open space revealed the respective proportions of public open space that existed within settlement boundaries as follows:

| Type of open space | Proportion of overall public open space |
|--------------------------|---|
| Public parks and gardens | 25% |
| Amenity greenspace | 19% |
| Sports areas | 16% |
| Natural/semi-natural | 21% |
| Other open space | 19% |

Fig 1. Breakdown of overall public open space by open space type

Not every piece of open ground is functional open space. The open space audit does not distinguish between functional and non-functional open space. It is therefore reasonable to make some allowance for areas of non functional open space in the overall 2.4 ha standard. For the purpose of this exercise the following has been assumed:

- the entirety of public parks and gardens, sports areas and other open spaces are functional;
- one third of amenity green space is deemed functional;
- half of natural / semi-natural open space deemed functional.

This leaves an overall requirement for 1.9 ha of open space per 1000 people.

Based on the estimated population of Scotland in mid-2015, household figures issued by the General Register Office for Scotland suggests West Lothian has an average household size of 2.33 people per house. Assuming that each dwelling will accommodate on average 2.33 people this equates to 44m² per dwelling.

Calculating the Open Space Cost (OSC)

The cost has been established using two elements, namely the replacement element, i.e., what it would cost to replace a park, and the maintenance element.

In 2012, when the formula was originally established, an average cost per m² was derived which was based on a number of park improvements and these were factored up over a period of thirty years. The replacement element was evaluated at that time as £12 per m² and the maintenance element was evaluated as £24 per m² resulting in a total of £36 per m². For the average West Lothian household, having a requirement of 44m², this yielded a contribution of £1,500 per dwelling and this figure became the base tariff.

It was indicated that the base tariff would be updated in successive years by being linked to the Building Tender Price Index (using third quarter 2012 as the base date), and this iteration of the Residential Development Guide takes the opportunity to apply the indexing to the tariff with the result that it currently has a value of £1,955. Going forward, this will be updated by being linked to the Building Tender Price Index (using the second quarter 2016 as the base date).

Appendix 5

OTHER USEFUL CONTACTS

WLC Development Management

Planning applications

t: 01506 280000

e: planning@westlothian.gov.uk

WLC Development Planning

Planning policy / development plans

t: 01506 280000

e: dpgeneral@westlothian.gov.uk

WLC Building Standards

t: 01506 280000

e: buildingstandards@westlothian.gov.uk

WLC Flood Risk Management Team

t: 01506 280000

e: graeme.hedger@westlothian.gov.uk

Police Scotland

The Architectural Liaison Officer

t: 101

e: Architectural.Liaison@scotland.pnn.police.uk

Scottish Environment Protection Agency (SEPA)

t: 0131 449 7296

e: planning.se@sepa.org.uk

Scottish Water Customer Connections

t: 0845 601 8855

e: connectionssupport@scottishwater.co.uk

Scottish Natural Heritage

Tel : 0131 316 2600

e: ian.rennick@snh.gov.uk

Disability West Lothian

t: 01506 774030

e: enquiries@dw.demon.uk

Central Scotland Green Network Trust (CSGNT)

t: 01501 822 019

e: contact@csgnt.org.uk

Historic Environment Scotland

t: 0131 668 8600

e: HMenquiries@HES.scot

Public Health England, Centre for Radiation, Chemical and Environmental Hazards

t: 01325 822 622

w: <http://www.ukradon.org/contactform>

Edinburgh Airport Limited

t: 0131 344 3592

e: nyree_bell@edinburghairport.com

Essar Oil UK

t: 01506 280000

w: <http://www.essaroil.co.uk/contact-us/?form=1#form>

WLC Visual and Public Art

t: 01506 280000

e: arts@westlothian.gov.uk

WLC Public Transport

t: 01506 280000

e: publictransport@westlothian.gov.uk

WLC Environmental Health & Trading Standards

t: 01506 280000

e: environmentalhealth@westlothian.gov.uk

WLC Recycling & Waste Services

t: 01506 280000

e: waste.services@westlothian.gov.uk

WLC Roads & Transportation

t: 01506 280000

e: chris.nicol@westlothian.gov.uk

WLC NETS, Land & Countryside Services

t: 01506 280000

e: andy.johnston@westlothian.gov.uk

WLC Education Planning

t: 01506 280000

601. e: dpgeneral@westlothian.gov.uk

APPENDIX 2

RESIDENTIAL DEVELOPMENT GUIDE – SUMMARY OF CONSULTATION REPRESENTATIONS WITH COUNCIL’S RESPONSES

| RESPONDENT | SUMMARY OF COMMENTS RECEIVED | COUNCIL RESPONSE |
|--------------------------|---|--|
| WLC Environmental Health | <p><u>Page 47</u></p> <p>The Draft RDG <u>encourages</u> developers to provide electrical vehicle charging points but states that there is no compulsory requirement to do so at this time. This is inconsistent with the draft SG for Air Quality which suggests that where on-site parking is provided for residential dwellings provision for EV charging points should be made. Requirements should therefore align.</p> <p><u>Page 66</u></p> <p>The web link referencing air quality data, air quality management areas and the West Lothian Air Quality Progress Report 2014 require to be updated. The 2016 progress report can be found at: https://www.westlothian.gov.uk/media/13527/Annual-Progress-Report-2016/pdf/APR_Template_Scotland_2016_v1.pdf</p> <p>While the RDG identifies a requirement for an applicant to commission an Air Quality Impact Assessment in support of</p> | <p>Since the Draft RDG was prepared there have been significant announcements by UK and Scottish Government regarding electric vehicles with both planning to phase out new petrol and diesel cars and vans by 2040 and 2032 respectively. Major manufacturers have also confirmed plans to move away from the production of solely petrol/diesel driven vehicles. As a consequence it is now proposed that the RDG should adopt the same position as the SG for Air Quality and introduce a requirement for developers to provide electric vehicle parking infrastructure in new residential developments.</p> <p>Comments noted and the relevant link updated.</p> <p>The text has been amended to clarify requirements and reference to the draft Air Quality SG added.</p> |

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| | <p>an application in some circumstances it may be the case that Environmental Health will require air quality monitoring to be undertaken <u>before</u> the impact assessment has taken place as this is what will verify the model in the assessment. This needs to be added and cross referencing to the draft SG for Air Quality.</p> | |
| WLT Transportation | <p>Notes that there are a few instances where reference is made to “Transportation Manager” and suggests that this should be changed to “Roads and Transportation Manager”.</p> <p><u>Page 47</u></p> <p>Add text to include driveways for 2 vehicles shall be either 6 metres long and 5 metres wide or 12 metres long and 2.5 metres wide except for the length used as a path to the front door where the width shall be 3.5 metres for the driveway.</p> <p><u>Page 48</u></p> <p>The spacing of the bus stops should be specified as being 600 – 800 metres apart (not 300 – 400 metres as stated).</p> | <p>Comments noted. All instances of “Transportation Manager” in the document have been revised.</p> <p>The text has been expanded to include guidance relative to the dimensions of double driveways.</p> <p>The text has been amended to incorporate the changed bus stop separation distances.</p> |
| Historic Environment Scotland (HES) | <p>Advises that it has reviewed the consultative draft confirms that it is content with references to historic environment interests. Welcomes inclusion of a section on the historic environment and that the fact that the Guidance makes reference to the document “<i>New Design in Historic Settings</i>”.</p> | <p>Comments noted. No revisions sought or proposed.</p> |
| WLC Open Space Officer | <p><u>Page 32</u> - Open Space</p> <p>Needs distinct emphasis that <u>quality</u> of open space is as important as <u>quantity</u>.</p> | <p>The text has been amended to convey the importance of quality as well as quantity.</p> |

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| | <p><u>Page 33 - Active Open Space</u></p> <p>The first two paragraphs are dated. There's a new National Performance Indicator "Improve access to local greenspace" which measures the % of adults who perceive that they live within 5 mins walk of their nearest local greenspace http://www.gov.scot/About/Performance/scotPerforms/indicator/greenspace</p> <p>WLC should seek to maintain or increase this %, so developers must bear this in mind in terms of provision of open space, pedestrian links with open space and signage.</p> <p>Reference to "Planning and Design for Outdoor Sport and Play" is now "Guidance for Outdoor Sport and Play". There is guidance specifically for Scotland: http://www.fieldsintrust.org/Upload/file/Guidance/Guidance-for-Outdoor-Sport-and-Play-Scotland.pdf This now recognises issues associated with the type and quality of provision, and gives guidelines.</p> <p>Much of the recent guidance on open space now emphasises quality, size, accessibility (walking times from homes), multifunctionality and connectivity (as part of a wider green network) as well as quantity.</p> <p><u>Page 37</u></p> <p>It is stated that "The tariff of £1,500 reflects prices in 2012 and will be updated in successive years by being linked to the Building Tender Price Index (using third quarter 2012 as the base date)." Can the figures not simply be updated to reflect prices in 2017?</p> | <p>The text has been amended to incorporate reference to the new National Performance Indicator.</p> <p>The text has been amended and the links updated.</p> <p>Comments noted.</p> <p>The tariff figure of £1,500 has been re-calculated in line with the Building Tender Price Index and now equates to £1,955. Going forward, this will be updated by being linked to the Building Tender Price Index (using the second quarter 2016 as the</p> |
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| | <p><u>Pages 53/54</u> - Protecting existing wildlife and natural habitats.</p> <p>Perhaps mention revised WLC planning guidance on Green Networks, include biodiversity and geodiversity?</p> <p><u>Page 83</u> – Landscaping. Para 3.</p> <p>After “ New planting should take account of local vegetation and provide a strong link between the new development and its surroundings.” add a sentence “Choose the right plant for the right place - select appropriate species for the location, confirming that the ultimate height and spread of plants aren’t going to cause problems, such as obstructing paths, when fully grown.”</p> <p><u>Page 83</u> – Landscaping. Para 5.</p> <p>After “Similarly it is advised that new trees are carefully sited” add “and appropriate species chosen.”</p> <p><u>Page 92</u> - Appendix 4– Costs for Open Space provision.</p> <p>The average household size used here is the mid-2015 figure, not 2010, as stated. The Open Space Cost calculation looks like it is using 2012 costs. Can this be updated to reflect 2016 costs (linked to page 37)?</p> | <p>base date.</p> <p>The text has been amended to reference green network guidance.</p> <p>The text has been augmented as suggested.</p> <p>The text has been augmented as suggested.</p> <p>The text has been amended to reference the mid-2015 household size statistic.</p> <p>As noted above, the base tariff figure of £1,500 has been re-calculated and is now £1,955</p> |
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| <p>Scottish Environment Protection Agency (SEPA)</p> | <p>Notes that the SG underpins the emerging Local Development Plan (LDP) by providing further steer for prospective applicants on the requirements of a range of policies within the LDP. Many of the topics covered within the document are therefore outwith SEPA's remit.</p> <p>In general, we are satisfied that the issues relevant to our interests are covered by the draft SG and we are particularly supportive of the measures to promote heat infrastructure, SUDS and green networks. We have offered some bespoke advice on the content of the guidance below.</p> <p>The key objectives - we consider flood risk to be a key component of sustainable design and would welcome this recognition within the introduction on page 6, consistent with the pre- application checklist on Page Section on page 8.</p> <p>Energy Efficiency</p> <p>We welcome the measures included in the proposed SG to support the provision of heat infrastructure. This provides a positive framework for the inclusion of district heating in the design of new developments. In particular, we support the inclusion of this consideration within the checklist on page 90 as this shows clear support of this and an expectation on applicants that heat infrastructure be considered as part of new development.</p> <p>The Water Environment</p> <p>Watercourses and culverting</p> <p>Welcomes the requirement for developers to take the water</p> | <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted.</p> <p>The text has been augmented to recognise the importance of flood risk in the development process.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments Noted. The text has been augmented to</p> |
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| | <p>environment into account by integrating existing watercourses within a development rather than shutting them out or culverting them. These measures will assist in delivering improvements to the water environment as this approach accords with the objectives of the Water Framework Directive (WFD). It may be beneficial to highlight West Lothian Council's obligation under this Directive.</p> <p>Welcomes the advice that where practicable, opportunities should be taken to re-naturalise channels and incorporate appropriate buffer strips to watercourses. It is also recommended that developers be encouraged to remove or modify man-made barriers to improve fish passage and sediment transport as other potential enhancement options. All such proposals must include consideration of potential flood risk aspects. Notes that any proposals to undertake alterations to, or works on, the bank or bed of the watercourse constitutes an activity which requires to be authorised under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR).</p> <p>Flooding</p> <p>As noted above, considers that flood risk is a key consideration in achieving the sustainable design and welcomes the wording at page 59 that the Council has adopted a precautionary approach to managing flood risk through avoidance as a first principle which is line with Scottish Planning Policy (SPP) and the principles of Sustainable Flood Management.</p> | <p>include reference to the council's obligations under the Water Framework Directive.</p> <p>The text has been augmented to include reference to the removal or modification of man-made barriers together with the need for the authorisation of particular works under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR).</p> <p>Comments noted. No revisions sought or proposed.</p> |
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| | <p>Notes that PAN 69 has been superseded with Online Planning Advice on Flood Risk therefore the reference to this on page 59 should be updated.</p> <p>Sustainable Urban Drainage Systems (SUDS)</p> <p>Welcomes the guidance provided in respect of SUDS and in particular the clear statement that the SUDS strategy must inform the layout of a development, not the reverse. It is however recommended that this section be amended to reflect the most recent update to the SUDS Manual – this has resulted in a change in the way SUDS are designed and takes a more risk-based approach.</p> <p>Table 4.3 of the SUDS Manual sets out the water quality management approach for differing land uses. For most developments, this can be achieved by following the Simple Index Approach to determine the type of SUDS required for the site.</p> <p>The Simple Index Approach calculation must be submitted to SEPA in support of the site plan and the online tool may be used to assist in this. It is suggested applicants may wish to contact SEPA to discuss these requirements.</p> <p>Domestic Household Waste</p> <p>Supports the consideration given to waste and design of new developments in the SPG.</p> | <p>Comments noted. Reference to PAN 69 has been removed and replaced with the relevant link.</p> <p>Comments noted and reference to SUDS updated manual incorporated into text.</p> <p>The text has been amended and augmented to include reference to and encourage adoption of the Simple Index Approach.</p> <p>Comments noted. No revisions sought or proposed.</p> |
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| | <p>Checklist</p> <p>Welcomes the preparation of the checklist to underpin the guidance provided in the SPG.</p> | Comments noted. No revisions sought or proposed |
| LIVINGSTON VILLAGE COMMUNITY COUNCIL | <p>Acknowledges that the Residential Development Guide is a comprehensive document of some 90 pages and in general fully supports all the many constituent parts.</p> <p>Supports the aims that new housing developments are of high quality, have sound design principles, are easy to maintain for long life and that siting is appropriate.</p> <p>Supports the 12 key objectives listed in the introduction.</p> <p>Stresses the importance of including statements that the guide shall not stand alone but must be linked to additionally comply with and complement the West Lothian Development Plan and all other planning guidelines and all other pertinent items such as Green Networks etc.</p> <p>Seeks enhanced reference under the assessment and determination aspects to be considered by the Council officials and elected councillors relative to the adequacy of all infrastructure support for each and every proposed housing development. Such infrastructure considerations shall include the more obvious roads and transport, drainage and the various utility services but more critically education and health. Education and health provision too often lags behind developments in a reactive fashion but should be there up front as proactive needs prior to the larger housing</p> | <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed</p> <p>The introductory text has been amended and augmented to emphasise the relationship of the guidance with the LDP.</p> <p>The requirement for the necessary infrastructure to support development is primarily a policy issue and addressed in the main body of the Proposed Plan. The Residential Development Guide adequately references such matters in the pre-application checklist and no further revisions are proposed.</p> |

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| | <p>developments.</p> <p>Considers that the section on Developer Contributions is strengthened to indicate the potential magnitude of such contributions which are deemed essential by a cash strapped council to assist infrastructure and other associated elements to a housing development. This becomes more relevant as capacities of schools and medical centres become in need of new build rather than merely extensions.</p> <p>Considers that the checklist of Appendix 3 is a very useful tool to all parties and should be carefully scrutinised for possible additions and regularly updated as matter of routine possibly every 3 years or so.</p> | <p>Required developer contributions are already clearly identified and signposted within the Residential Design Guide. They are, in any event, more appropriately and comprehensively addressed in separate supplementary guidance.</p> <p>Comments noted. The intention is to review and update supplementary guidance on a regular basis in order to maintain its relevance and currency.</p> |
| WLC Flood Risk Management Team | <p><u>Page 8</u> - Pre-application checklist</p> <p>Replace references to Food Prevention Engineer with <i>Flood Risk Management Team</i>.</p> <p><u>Page 58</u> – Watercourses & Culverting</p> <p>The RDG uses the phrase “where practicable” when discussing the opportunity to re-open culverts, re-establish natural watercourses, floodplains, channels, margins, wetlands to enhance their wildlife and biodiversity value. It is however proposed that this should be the default requirement wherever a culvert exists within an application boundary.</p> | <p>A comprehensive edit has been undertaken to ensure that the correct service contacts have been identified.</p> <p>It is agreed that the requirement for removing culverts and such like should change from being advisory to mandatory and the text has been amended to address this.</p> |

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| | <p><u>Page 60</u></p> <p>Proposes additions to the text (in bold italics) and deletions</p> <p>Additionally, the council holds some of its own information on <i>the location of culverted watercourses</i> and historical flood events and this data can be shared with developers on request to the Flood Prevention Engineer <i>Flood Risk Management Team</i>—(see useful contacts at the end of document).</p> <p>In accordance with the SEPA/ Planning Authority Protocol, SEPA works with local authorities to access flood risk issues associated with new developments and is a statutory consultee for developments that are likely to result in a material increase in the number of buildings at flood <i>risk of flooding</i>. The interim protocol can also be viewed on the SEPA website.</p> <p>Where a development site is in an area where there is a limited drainage capacity or considered by the council to be susceptible to flooding, or where the proposals are likely to exacerbate an existing flood risk, ...</p> <ul style="list-style-type: none"> • a flood risk assessment in order to address flood risk to the proposed development from any source and the implications on other areas if the site were to be developed. <i>The FRA should also consider the impact of the proposals on existing watercourses and natural drainage measures (land drains / culverts etc) that drain through the proposed site. These may be unknown but can be affected by the development.</i> | <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and suggested revisions to text agreed.</p> |
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| | <p>Reference to SEPA’s guidance <i>Drainage assessment - A guide for Scotland</i> should be deleted. It has since been updated and should be referenced as the new <i>Water Assessment and Drainage Assessment Guide published by SUDSWP</i>.</p> <p>Reference to the 2008 SG on flooding issues in West Lothian should be amended to reflect the updated SG which is currently under review / and being consulted on.</p> <p><u>Page 61</u> – Sustainable Urban Drainage System (SUDS)</p> <p>Proposes the deletion of the paragraph which states that “SEPA advise that for residential developments of more than 50 dwellings, two levels of SUDs treatment may be required, including all hardstanding areas and roads.</p> <p>Advises that “Simple Index Approach” supersedes this advice. There is a SIA Tool that can be used to select SUDS and outputs from this tool should be submitted with the Drainage Assessment.</p> <p>Typo identified in the sentence “Surface water must be drained to a water course”. Should read <i>watercourse</i></p> <p>Proposes additions to the text (in bold italics) and deletions</p> <p>Site layout should seek to minimise impacts on the natural, built and water environment by reducing the quantity and impact of surface water run-off, improving its quality and maximising the creation of amenity and habitats. <i>The council promotes the inclusion of SUDS as an integral part of the open space provision within a development. SUDS should be</i></p> | <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and text augmented to reference the “Simple Index Approach”.</p> <p>Typo has been corrected.</p> <p>Comments noted and text augmented as suggested.</p> |
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| | <p><i>designed to deliver improved water quality, reduce water quantity and improve the amenity and enhance biodiversity, sometimes referred to as the four pillars of sustainable drainage.</i></p> <p>The ecological value of SUDS is encouraged and should, where possible, include retention and enhancement of natural drainage systems and features.</p> <p>Replace references to Food Prevention Engineer with <i>Flood Risk Management Team.</i></p> <p><u>Page 62</u></p> <p>Proposes correction to the text (in bold italics) and deletions</p> <p>It is recommended that reference is <i>be</i> made to the RoSPA publication <i>Safety at Inland Water Sites - Operational Guidelines</i> First edition, 1999 (ISBN No. 1 85088 092 1).</p> <p>Proposes additions to the text (in bold italics) and deletions</p> <p>New bodies of open water, within the safeguarding zone of Edinburgh airport will be the subject of statutory consultation with BAA as they can potentially create a <i>an increased</i> bird strike risk.</p> <p>Proposes additions to the text after the paragraph ending “and constructed in accord with their requirements” (in bold italics).</p> <p>Information / details should also be submitted on how surface water run-off will be managed during the construction period</p> | <p>A comprehensive edit has been undertaken to ensure that the correct service contacts have been identified.</p> <p>Typo has been corrected.</p> <p>Comments noted and suggested revisions to text agreed.</p> <p>Comments noted and text augmented as suggested.</p> |
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| | <p>to ensure constructed SuDS measures will be protected prior to completion of the development.</p> <p><u>Page 63</u> – Management of Soils</p> <p>Proposes additions to the text (in bold italics)</p> <p>“One of the most recurring complaints from residents concerns land drainage poor garden drainage, and these are usually received some time after a development has been completed. These typically cite garden ground as being impermeable and therefore more prone to flooding and becoming waterlogged in the winter months and baked dry in the summer”.</p> <p><u>Page 63</u></p> <p>Reference to the storage of topsoil and the drainage of “permeable” areas” such as gardens and public open space should also be identified and addressed as part of any Drainage Assessment that is submitted.</p> | <p>Comments noted and text amended and augmented as suggested</p> <p>Comments noted and text augmented as suggested.</p> |
| Scottish Natural Heritage (SNH) | <p>Introduction</p> <p>This part of the draft supplementary guidance provides a useful summary of its purpose; however it is missing a hook or link to the relevant policies in the proposed Local Development Plan (LDP). In reference to paragraph 138 of Circular 6/2013: Development Planning, we consider it useful to provide a clear link to the policy/proposals to which the supplementary guidance relates.</p> | <p>Comments noted and text augmented as suggested.</p> |

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| | <p>Pre-application Checklist</p> <p>Recommends that the first “<i>Biodiversity</i>” criterion is amended from: <i>“Undertake a site visit and prepare a desktop study.”</i> To include more specifics on information that is required to assess a planning application and reduce the likelihood of further information requests. It is proposed that it reads as: <i>“Undertake a site survey and prepare a species and or habitat protection and enhancement plan if required.”</i></p> <p>The reference to contacting SNH staff in the third bullet point should be removed and replaced with a link to the relevant section of our website¹ and/or a link to your “<i>Planning for Nature: Development Management and Wildlife</i>” supplementary guidance.</p> <p>For proposals that may affect an SPA or SAC the need for a Habitats Regulations Appraisal (HRA) cannot be ruled out and there should be a clearer reference in the checklist to the need for HRA as part of an application.</p> <p>Welcomes the addition of “<i>Landscape Interests</i>” as an issue as this had been omitted from earlier versions of the pre-application checklist. However, recommends that the focus is removed from landscape designations as these are not the only consideration that should be considered in new residential development. As signatories to the European landscape convention³, planning for landscapes in the UK should be based on an ‘all-landscapes’ approach.</p> | <p>Comments noted and text augmented as suggested.</p> <p>Comments noted and text amended as suggested.</p> <p>Comments noted and text amended as suggested.</p> <p>Comments noted and text amended as suggested.</p> |
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| | <p>Roads and streets</p> <p><i>Designing Places</i> has been superseded by other Scottish Government policy, including Scottish Planning Policy and it is recommended that the reference to it on page 20 is updated.</p> <p>Green infrastructure</p> <p>We are unclear on the origin of the green infrastructure definition at the start of this section on page 24, particularly: <i>“While green infrastructure is mainly associated with strategic masterplanning, concerned with major cross boundary issues...”</i></p> <p>As discussed in Scottish Government’s <i>‘Green Infrastructure: Design and Placemaking’</i>, green infrastructure should be thought about at every scale of planning. We recommend that the current reference to strategic master planning as the main point at which green infrastructure is considered is reworded.</p> <p>Central Scotland Green Network</p> <p>The information on the Central Scotland Green Network (CSGN) on page 25 is useful but it largely replicates the content of the draft <i>Place-Based Green Networks</i> supplementary guidance that you are also currently consulting on. An introductory paragraph plus a reference to the relevant supplementary guidance may therefore be more proportionate.</p> | <p>Comments noted and text amended to reflect that <i>Designing Places</i> has been superseded.</p> <p>Comments noted and text amended to align more closely with the definition of what green infrastructure is in the Scottish Government’s <i>‘Green Infrastructure: Design and Placemaking’</i></p> <p>Comments noted. It is however concluded that the Central Scotland Green Network warrants the space devoted to it in the draft SG and it is not proposed to condense it. A link to the draft <i>West Lothian place-based Green Networks</i> SG has however been added as suggested.</p> |
| Scottish Wildlife Trust (SWT) | The Scottish Wildlife Trust strongly supports the objectives of the guidance, specifically: | Comments noted. No revisions sought or proposed. |

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| | <ul style="list-style-type: none"> • The protection and enhancement of biodiversity • The delivery of a Central Scotland Green Network. <p>Pre-Application Checklist</p> <p>This should make it clear that the desktop, and other studies need to take into account Local Biodiversity/Local Geodiversity sites and pLBS/pLGS.</p> <p>Green Infrastructure Guidance</p> <p>The Trust supports the recommendations in this section.</p> <p>The Central Scotland Green Network.</p> <p>The Trust strongly endorses this proposal and supports the recommendations in this section.</p> <p>Open Space</p> <p>The Trust supports the recommendations in this section. Active Open Space is well covered. However, more attention could be paid to the benefits of Passive Open Space and how can be enhanced. Useful background is contained in “Green Network Guidance - South Cumbernauld Community Growth Area, produced by North Lanarkshire Council and the Cumbernauld Living Landscape Partnership, which could provide some useful ideas for this section¹.</p> <p>The Trust supports the recommendations in this section. However the subsection covering Wildlife interest/nature</p> | <p>Comments noted and text amended as suggested.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. Text relating to passive open space has been augmented as suggested.</p> <p>Comments noted. Text relating to the protection of wildlife and nature conservation has been</p> |
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| | <p>conservation should emphasise the need to protect LBS/pLBS/LGS/pLGS as well as protection of species and enhancement of biodiversity. Reference could be made to the Supplementary Guidance currently being prepared on Green networks, Local Biodiversity Sites and Local Geodiversity Sites.</p> <p>Trees</p> <p>The Trust supports the recommendations in this section.</p> <p>Biodiversity</p> <p>The Trust strongly supports the recommendations in this section.</p> <p>Protecting Existing Wildlife and Natural Habitats</p> <p>The Trust strongly supports the recommendations in this section. Local Biodiversity Sites (LBS) and pLBS should be capitalised to acknowledge the formal status of these sites in the planning process.</p> <p>Sustainable Housing</p> <p>The Trust supports the recommendations in this section.</p> <p>Water Environment</p> <p>The Trust strongly supports the recommendations in this section.</p> | <p>augmented and a link has been added to the draft SG as suggested.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted and text amended as suggested</p> <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed.</p> |
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| | <p>Flooding</p> <p>The Trust supports the recommendations in this section.</p> <p>Sustainable Urban Drainage Systems</p> <p>The Trust supports the recommendations in this section.</p> | <p>Comments noted. No revisions sought or proposed.</p> <p>Comments noted. No revisions sought or proposed.</p> |
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| Homes for Scotland | <p>Firstly, Homes for Scotland seeks further clarity as to whether the draft guidance is intended to be statutory Supplementary Guidance or non-statutory guidance. It is noted that there is no text within the introduction to the document to suggest that this will be a statutory document, and there is no direct link within this section to the proposed Local Development Plan.</p> | <p>For the avoidance of doubt, the document in question is to be titled the West Lothian Residential <u>Development</u> Guide. Regrettably, there are some instances of the document having also been referenced in the Proposed Plan as the Residential <u>Design</u> Guide and this is acknowledged as being confusing.</p> <p>The status of the Residential Development Guide is hereby confirmed as being Supplementary Guidance (SG). Statutory SG is part of the development plan, giving it the same weight in decision making as the LDP. It is subject to consultation and requires to be approved by Scottish Ministers prior to adoption.</p> <p>It seeks to offer more detailed guidance and expands upon existing policies and proposals contained in the Local Development Plan (LDP).</p> <p>Clarification of the status of the document has been added to the Introduction section in response</p> |
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| | <p>Homes for Scotland do not consider that the statement “this guidance requires to be read in conjunction with the prevailing development plan...” is adequately strong to constitute a link with the specific proposed West Lothian LDP to which it should relate if it is statutory guidance. This guidance appears to be far more general guidance than specific guidance to provide further detail on specific policies / proposals within the Plan. HfS note that this “Residential Design Guidance” is referred to within the Proposed LDP, but it is not explicitly stated that this is Supplementary Guidance.</p> <p>It is suggested that the draft guidance is at odds with the Chief Planner’s letter to Heads of Planning of January 2015 on the subject of Supplementary Guidance where the appropriateness of the subject matter being covered by guidance is discussed. In particular, the length and scope of the document is criticised and it is suggested that much of the detail should instead be reserved for a non-statutory document with only the most significant detail retained within the statutory Supplementary Guidance required to provide vital extra detail to the LDP itself.</p> | <p>to this criticism.</p> <p>It is disputed that there is no link in the Introduction section to the LDP, there are several, but the opportunity has been taken to make these more explicit.</p> <p>It is contested that this statement does not provide the necessary linkage to the LDP. The text has however been amended to make this relationship and the fact that it is “supplementary guidance” more explicit.</p> <p>Scotland’s Chief Planners letter was written in response to the inconsistent approaches and interpretation being taken by local authorities to the subject of supplementary guidance intended to support local development plans and sought to establish a number of key principles, namely;</p> <ol style="list-style-type: none"> (1) The sufficiency of the express statement regarding the guidance within the plan itself. (2) Compliance with national policy – specifically National Planning Framework (NPF) 3 and the Scottish Planning Policy. |
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| | | <p>(3) The appropriateness of the subject matter being covered by the guidance.</p> <p>The suggestion that the Residential Development Guide should not have the status of “statutory guidance” is rejected. It is entirely justifiable that such subject matter is presented in this matter and there is an established precedent of other local authorities in Scotland having already done so.</p> <p>Further regard has however been given to the matters and the text has as a result been revised and augmented.</p> <p>The Residential Development Guide has been reviewed with regard to these particular criticisms but with little evidence found that this is a significant issue. Where appropriate, however, the opportunity to make adjustments to the text to aid clarity have been made.</p> <p>The Residential Development Guide was reported to the Development & Transport Policy Development and Scrutiny Panel (D&T PDSP) on 26 October 2015. It was explained that the extant Residential Development Guide was relatively new, having been approved in June 2013, and that there were no fundamental or significant changes required to the substance of the document. A “belt</p> |
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It is suggested that the guidance should be much more explicit where it is repeating other guidance or standards, and while acknowledging that it is useful to have all requirements associated with residential development in one guidance document, it is argued that it is not clear what is required by legislation, what is required through the LDP, what is a requirement of statutory Supplementary Guidance, and what is simply local guidance on best practice. This is confusing and unhelpful. It is difficult to comment on the document as it is set out.

Homes for Scotland seek clarification as to whether aspects of this guidance have been fully consulted upon, or will be fully consulted upon, with evidence provided to support this.

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| | | <p>and braces” re-cast of the document was not envisaged. The key issue was that it predated Scottish Planning Policy (SPP 2014) which had put significant emphasis on the design of development from initial concept through to delivery and which championed the concept of “placemaking” and it was this which was primarily driving the need to refresh the guidance. It was also observed that the refresh process would present the opportunity to update references to legislation and publications and to correct any errors and omission that had become apparent since its original publication. The most substantive change was to be the incorporation of, until now, separate companion guidance dealing with “single plot and small scale infill residential development in urban areas”. It was concluded that this would sit more appropriately as part of new consolidated guidance.</p> <p>The D&T PDSP agreed the content of the report and the recommendation that it should be forwarded to the Council Executive for approval following a consultation exercise. The consultation commenced on 09 February 2017 and ran for a period of 6 weeks. It closed on 07 April 2017 and an extensive number of internal and external agencies were consulted.</p> <p>There has already been ample opportunity to comment on any aspect of the Residential Development Guide and the council is not persuaded that there is either the need or</p> |
| | <p>HfS recognise that this guidance is a re-working of guidance already in place, with very little change, and therefore many of the provisions of this guidance will already be undertaken by applicants and the planning authority. For example</p> | |

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| | <p>information on distances between buildings, costs for open space requirements and driveway details. It nevertheless suggests that these should be subject to a full consultation on the detail of these aspects.</p> <p>Planning Guidance Content</p> <p>Homes for Scotland suggests that the key objectives of the guide on pages 6 and 7 are amended to include a specific LDP policy link to ensure transparency and clarity to all users of the guide.</p> <p>On Page 9, the inclusion of Health Impact Assessments within the check list is queried. Homes for Scotland submitted representations to the draft Planning Guidance on HIAs in January 2017 raising concerns of the legitimacy of this non-statutory guidance, and its relevance to the LDP. The checklist refers to Supplementary Guidance on HIAs, however this should be amended to reflect that this guidance is “Planning Guidance”, and has no statutory basis, and therefore is not as significant a material consideration. The text in the draft is misleading. It is also continued to be argued that there is no statutory basis for applicants to be required to carry out a HIA.</p> <p>References in the Residential Development Guide to pre-application enquiry charges are noted, and while acknowledging that the costs associated with this are set out on the council’s website, it is suggested that these should be explicitly set out in this guidance to add transparency and</p> | <p>justification to re-open this process and prolong the preparation of the guidance.</p> <p>As previously intimated, the Introduction has been amended and augmented to more explicitly link the Residential Development Guide to the LDP and its policies.</p> <p>Homes for Scotland were afforded and took the opportunity to make representations on the Health Impact Assessment supplementary guidance when it was the subject of public consultation. The guidance has however received Council Executive approval (at a meeting on 14 March 2017) and is now in force.</p> <p>The HIA guidance is confirmed as being “non-statutory” in nature and as such will not form part of the development plan. It is however very much a material consideration in the determination of a planning application and it is therefore entirely legitimate for it to be referenced in the pre-application checklist. No change is proposed.</p> <p>The introduction of pre-application enquiry fees were a consequence of so called “channel shift”. The council's planning and building standards teams removed the pre-application advice service which was available to applicants and agents and</p> |
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| | <p>clarity for applicants.</p> <p>The requirements and the thresholds which have been identified in the guidance for proposals to be supported by a Design Statement are challenged. It is argued that these do not accord with the detailed criteria cited in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, particularly sites falling under the 50 unit threshold for major developments.</p> | <p>moved advice to on-line delivery. Customer feedback following this change indicated that there was demand for a pre-application service and the introduction of a 'paid for' service was set out as part of the budget reduction measures agreed by Council Executive in August 2015. The paid for service was introduced on 1 April 2016.</p> <p>The Residential Development Guide fulfils its obligation to alert users of the document to the existence of such fees but does not embed the precise charges in the document itself, largely for the reason that any subsequent fee changes would potentially render the information out of date. It is however recognised that a more explicit link to the council's website, where the fees can be viewed, would be helpful and the text has been amended to include this.</p> <p>The council, in recognising the value of Design Statements in the processing of planning applications, is keen to encourage their use and sometimes even in situations where there may be no statutory obligation for developers to provide one. As originally worded, the council acknowledges that the requirements inferred that submission would be mandatory in all circumstances. It now recognises that this is not an enforceable requirement and the text has been revised. It makes it clear that this may not always be an obligation and clarifies that the council may sometimes invite Design Statements to support proposals in particular circumstances where it</p> |
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| | <p>HfS request clarification from the Council on the evidence base for the plot ratio formula on page 17. This is overly prescriptive, onerous and conflicting.</p> <p>Under Miscellaneous provisions, on page 23, it is suggested that the “specific standards, specifications and requirements”</p> | <p>thinks this may be helpful. A reference to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 has been added for the purpose of clarification.</p> <p>The plot ratios specified in the Residential Development Guide were initially derived from an analysis of policies and practice across the UK and are unchanged from the 2008 version of the document and its predecessor from 2002. It is noted that Homes for Scotland has not put forward any alternative ratios for consideration.</p> <p>The purpose of specifying plot ratios is primarily to prevent the adverse effects of over-development on the layout and amenity of buildings on the one hand and to ensure the efficient and sustainable use of serviced land on the other hand. Plot ratios are a very useful, albeit simplistic tool for establishing a link between the footprint of buildings and the plot size and the council maintains that this is a reasonable and beneficial thing to do.</p> <p>The Residential Development Guide does however make it clear that these figures should be regarded as averages for the development site as a whole and that some variation within a development is permissible in order to accommodate choice and achieve diversity.</p> <p>The existing text is considered to be sufficiently clear and does not warrant amendment.</p> |
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| | <p>are set out clearly within the guidance and not generally referred to or links provided to these.</p> <p>Where provisions are not directly planning related, it is not considered appropriate to include such detail in statutory guidance. Once again it is suggested that details should be set out in non-statutory guidance or advice.</p> <p>HfS seek further clarification on the requirement that maintenance of open spaces in CDAs should be secured by a legal agreement (page 38). It suggests that this should be covered more fully in a separate consultation on the subject of developer obligations and should not be subject to a single line in the Residential Development Guide. There is an expectation that owners responsible for maintenance should have the option of factoring.</p> <p>It is requested that further information is provided on the circumstances under which Quality Audits (page 50) would be required and the policy link on which this hangs.</p> <p>In conclusion, Homes for Scotland states that it is seeking coherent, clear and transparent Supplementary Guidance with</p> | <p>The appropriateness of the content of the guidance is robustly defended and the existing text is considered to be sufficiently clear, satisfactorily distinguishing between those matters which are within the control of the council and those which are not. No amendments are therefore proposed.</p> <p>Currently, the issue of the maintenance of open space is addressed in the West Lothian Local Plan 2009 and is re-iterated in the extant Residential Development Guide 2013. There is a requirement for mechanisms to be put in place to manage and maintain the strategic landscape areas proposed as part of the CDA master plans and to be secured by legal agreement. <u>The Proposed Plan</u> and the new Residential Development Guide simply replicates this.</p> <p>Quality Audits derive from the Scottish Government's <i>Designing Streets</i> publication which focuses on assisting developers get street design right. The requirement for developers to prepare and submit Quality Audits is simply signposted in the Residential Development Guide as an assistance to developers but it is acknowledged that it is not identified by any specific LDP policy.</p> <p>The council shares the same aspirations as Homes for Scotland.</p> |
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| | <p>a clear purpose and status, setting out all of the requirements for applicants in the delivery of new homes in West Lothian which are proportionate and reasonable, and a policy and guidance position which actively encourages and facilitates the delivery of new homes rather than hindering delivery through increased pressures on viability. It therefore queries the status and legitimacy of this as statutory Supplementary Guidance.</p> | <p>It also recognises that the draft Residential Development Guide is not a work of perfection and where errors and omission have been pointed out it has sought to address and correct them. The council has also demonstrated that it is prepared to make modifications to the document when it has been convinced that there are reasonable grounds for doing so.</p> <p>The council does however refute the charge that the Residential Development Guide seeks to or has the effect of hindering development, particularly with regard to adding to the burdens on developers and adding to the cost of development.</p> <p>The council is acutely aware of the financial challenges facing all sectors of the development industry and it is sensitive to the implications of the requirements identified in policies of the LDP and in all of the supplementary guidance it has prepared to date. While it understands that the development industry is anxious to contain its costs, the council must at the same time ensure that developments are implemented with due regard to all necessary and proportionate standards and it would be failing in its duty as a regulatory authority if it failed to do so.</p> <p>The council regards the Residential Development Guide as a constructive and informative resource, primarily designed to assist developers navigate the process of securing planning permission and</p> |
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| | | ultimately achieving a better quality of development. |
| WLC Strategy & Development Team Housing, Customer & Building Services | <p><u>Page 31</u> – Gardens and Private Open Space</p> <p>The sentence which refers to the gardens being reasonably level and “not having a gradient exceeding 25 degrees” is not helpful. Such an incline is far from being reasonably level and it is suggested that this should be amend to 2.5 degrees.</p> | Advice from Building Standards colleagues is that it would be preferable to reference a 1 in 12 slope while at the same time making it clear that retaining walls should be capable of accommodating lateral loading. The text has been amended to this effect. |
| Central Scotland Green Network Trust (CSGNT) | While CSGNT did not make specific representations on the RDG it has subsequently provided literature relating to and promoting the creation of so called “raingardens” (areas of planting designed to receive rainfall which can subsequently help to reduce flooding by holding back rain water and slowly releasing it). CSGNT encourages the council to promote this concept through the Residential Development Guide as part of the wider green infrastructure initiatives. | It is acknowledged that “raingardens” can help improve site drainage, and at the same time enhance biodiversity, and a paragraph explaining their virtues and encouraging their provision has been incorporated into the residential development guide within the section dealing with Sustainable Urban Drainage Systems (SUDs). |



COUNCIL EXECUTIVE

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 Council Executive 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

It is recommended that the Council Executive:

1. notes the content of this report; and
2. agrees the proposed response to the consultation, as set out in Appendix One, is submitted to Food Standards Scotland.

C. SUMMARY OF IMPLICATIONS

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| 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 |

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| | 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 | A report on the consultation was considered by the Environment PDSP on 3 October 2017. The panel supported the terms of the report. |
| 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. 1831/2003 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-2018>

Report to Environment Policy Development and Scrutiny Panel - The Feed Enforcement (Scotland) Regulations 2018, 3 October 2017

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: 24 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.



COUNCIL EXECUTIVE

7 NAIRN ROAD, DEANS INDUSTRIAL ESTATE, LIVINGSTON - PROPOSED SALE TO DFDA (PROPERTY) LIMITED

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of 7 Nairn Road, Livingston to DFDA (Property) Limited.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of 7 Nairn Road, Livingston to DFDA (Property) Limited for £330,000 subject to the terms and conditions set out in the report;
2. Authorises the Head of Finance and Property Services to carry out any further negotiations with the purchaser in respect of the sale of the property, on the basis that any revised terms and conditions still represent the achievement of best value for the council.

C. SUMMARY OF IMPLICATIONS

| | |
|---|---|
| I Council Values | Making best use of our resources. Being honest, open and accountable. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973. |
| III Implications for Scheme of Delegations to Officers | None. |
| IV Impact on performance and performance Indicators | The sale of this property will contribute towards the council's 2017/18 approved capital receipts target and in doing so will assist the associated capital receipts performance indicator. |
| V Relevance to Single Outcome Agreement | We make the most efficient and effective use of resources by minimising our impact on the built and natural environment. |

| | |
|--|---|
| VI Resources - (Financial, Staffing and Property) | A capital receipt of £330,000 will be received during the 2017/18 financial year. This receipt will contribute to the budgeted receipts target for that year. |
| VII Consideration at PDSP | Not applicable. |
| VIII Other consultations | The local elected members for the ward have received a copy of this report for their information. |

D. TERMS OF REPORT

D1 Background

The property, which was built in 1975, is a detached industrial unit located at Nairn Road, Deans Industrial Estate, Livingston. The location of the property is shown outlined cross hatched black on attached plan. The unit extends to 2,097 m² (22,596 sq.ft.). The property has an extensive yard. The total site area is 0.69 ha.

The property, as part of the tenanted non-residential property portfolio, was leased to City Link (Properties) No 1 Limited until their liquidation in 2015. Subsequently the property has been used by Operational Services for the parking of refuse lorries, with the industrial unit being used to store bins as part of a project rolling out new refuse bins within West Lothian. This use will cease when Operational Services move to the new Service Centre at Whitehill later this year.

The proposed purchaser DFDA (Property) Limited is a pension fund arrangement for the Directors of Castle Masonry Products Limited. Castle Masonry Products Limited will be the occupier of the property.

Castle Masonry Products Limited is based in Broxburn and has a current work force of 27. It manufactures bespoke and standard architectural masonry products for use in the construction industry. Relocation to 7 Nairn Road would provide the company with premises of sufficient size to accommodate its continued expansion. The subject property is close to their existing property.

The property has been openly marketed on a for sale or lease basis since March 2015. A closing date was set for 6 October 2017. The highest offer received was for a sale to DFDA (Property) Limited at £330,000.

D2 Proposed Sale Terms

The proposed terms of the sale are as follows:-

| | |
|-----------------------|---|
| Purchaser | DFDA (Property) Limited |
| Subjects | 7 Nairn Road, Deans Industrial Estate, Livingston |
| Date of Entry | To be agreed, with the date to be after vacation by Operational Services. |
| Purchase Price | £330,000 subject to contract. |
| Use | Manufacturing, storage and distribution of masonry products. |

E. CONCLUSION

It is considered to be in the council's best interests to sell the property on the basis of the recommendation given in this report.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: Location plan attached.

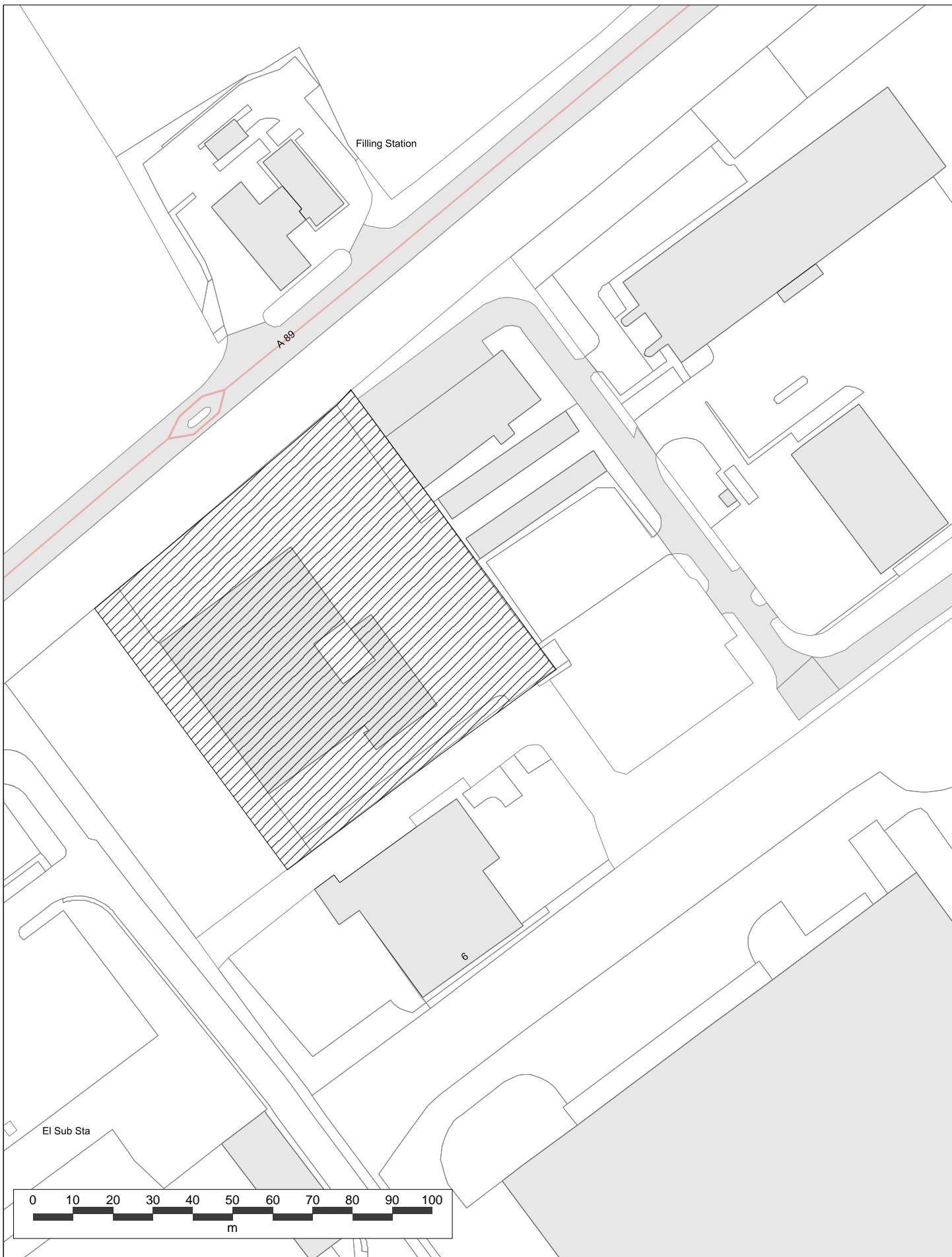
Contact Person:

Stephen Letch, Group Commercial Property Surveyor

Tel. (01506) 281122 e-mail: stephen.leitch@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 24 October 2017





West Lothian
Council

COUNCIL EXECUTIVE

COMMUNITY PLANNING PARTNERSHIP BOARD.

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To inform the members of the West Lothian Community Planning Partnership Board meetings held on 13 February 2017 and 26 June 2017.

B. RECOMMENDATION

To note the minutes of the West Lothian Community Planning Partnership meetings held on 13 February 2017 and 26 June 2017 attached to the report as a series of appendices.

C. SUMMARY OF IMPLICATIONS

| | |
|---|-------------------------------------|
| I Council Values | Focusing on our customers' needs |
| | Being honest, open and accountable |
| | Providing equality of opportunities |
| | Developing employees |
| | Making best use of our resources |
| | Working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | None. |
| III Implications for Scheme of Delegations to Officers | None. |
| IV Impact on performance and performance Indicators | None |
| V Relevance to Single Outcome Agreement | None |
| VI Resources - (Financial, Staffing and Property) | None |
| VII Consideration at PDSP | N/A |

VIII Other consultations

Community Planning Partners.

D. TERMS OF REPORT

The West Lothian Community Planning Partnership Board meets on a quarterly basis and involves partners from across the public, private, voluntary and community sectors.

E. CONCLUSION

The minutes of the meetings of the Community Planning Partnership Board are attached to this report for the information of the members of Council Executive.

F. BACKGROUND REFERENCES

N/A

Appendices/Attachments: Appendix 1 - Minute of Meeting of West Lothian Community Planning Partnership Board – 13 February 2017 and 26 June 2017.

Contact Person: Joanna Anderson, Community Planning Development Officer, Tel No.01506 281086

Date:- 24 October 2017

MINUTE of MEETING of the COMMUNITY PLANNING PARTNERSHIP BOARD of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 13 FEBRUARY 2017.

Present –

| | |
|----------------------------------|-----------------------------|
| Councillor Cathy Muldoon (Chair) | West Lothian Council |
| Councillor John McGinty | West Lothian Council |
| Councillor Tony Boyle | West Lothian Council |
| Councillor David Tait | West Lothian Council |
| Graham Hope, Chief Executive | West Lothian Council |
| Irene Beautyman | Improvement Service |
| Robin Strang | West Lothian Leisure |
| Andrew Baptie | sportscotland |
| Paul Stark | West Lothian Council |
| Jonathan Pryce | Scottish Government |
| John Reid | Dept of Works & Pensions |
| Grant McDougall | Skills Development Scotland |
| Gary Laing | Scottish Fire & Rescue |
| Bridget Meisak | Voluntary Sector Gateway WL |

In Attendance -

| | |
|-------------------|----------------------|
| Graeme Struthers | West Lothian Council |
| Donald Forrest | West Lothian Council |
| Craig McCorriston | West Lothian Council |
| Alistair Shaw | West Lothian Council |
| Carol Bebbington | West Lothian Council |
| Joanna Anderson | West Lothian Council |
| Alice Mitchell | West Lothian Council |
| Tim Ward | West Lothian Council |
| David Greaves | West Lothian Council |

Apologies –

| | |
|---------------------|------------------------|
| Councillor Tom Conn | West Lothian Council |
| Linda Scott | WL Chamber of Commerce |
| Mhairi Harrington | West Lothian College |
| Dr Alison McCallum | NHS Lothian |

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The Board approved the Minute of its meeting held on 21 November 2016. The Minute was thereafter signed by the Chair.

3. MINUTE OF CP STEERING GROUP HELD ON 30 JANUARY 2017

The Board noted the Minute of the Community Planning Steering Group

held on 30 January 2017.

4. MINUTES OF THEMATIC FORUMS :-

- a) The Board noted the Minute of the Community Safety Board held on 19 September 2016;
- b) The Board noted the Minute of the Economic Partnership Forum held on 6 December 2016; and
- c) The Board noted the Minute of the Climate Change and Sustainability Working Group held on 13 January 2017.

5. SOA PERFORMANCE REPORTS :-

- a) The Board noted the Health and Wellbeing Thematic report; and
- b) The Board noted the SOA Exceptions report

6. PLACE STANDARD TOOL DEMONSTRATION - PRESENTATION BY IRENE BEAUTYMAN, IMPROVEMENT SERVICES

The Board were provided with an overview of the Place Standard Tool by Irene Beautyman of the Improvement Service.

Irene explained that Place Standard was a tool used to evaluate the quality of a place by using 14 simple questions, which covered both the physical and social elements of a place. When all 14 questions had been completed, using a scale of 1 to 7, the results were shown in a simple diagram. In terms of the results 1 meant there was a lot of room for improvement with 7 meaning there was little need for improvement.

The tool could be used to evaluate places that were well-established, undergoing change or still being planned. It could be undertaken by communities and/or professionals.

The presentation continued by providing a sample of how the tool had been successfully used in 2016 by Shetland Islands Council.

There then followed a series of questions and answers and the presentation concluded with the Chair thanking Irene for a very informative presentation, noting that West Lothian Council had recently made use of the tool whilst it was devising the Charrette in Fauldhouse.

Decision

To note the contents of the presentation concerning the Place Standard Tool.

7. PLACEMAKING IN FAULDHOUSE

The Board considered a report (copies of which had been circulated) by the Economic Development and Regeneration Manager presenting the board with the final report from the consultants PAS who had delivered the charrette in Fauldhouse.

Following approval of the charrette being awarded to consultants PAS it had been agreed by the local steering group that the charrette would be known as Fauldhouse Focus and would run from 11 to 14 May 2016.

In addition to a series of events and workshops which had taken place over the four days of the charrette there was also pre-charrette work carried out including workshops with local primary and secondary schools and some survey work.

Four weeks after the charrette took place, feedback sessions were held in Fauldhouse Partnership Centre, Fauldhouse Community Development Hub and on the village green where information was provided to the local community on progress already made on some projects, along with displays showing how some of the other suggestions could take shape.

The output from all these discussions, conversations, surveys and workshops had resulted in the creation of a community orientated action plan.

A full report detailing the findings of the charrette had now been prepared by the consultants and was attached to the report at Appendix 1.

Some potential projects identified during the charrette were summarised as follows :-

- Better pedestrian access to the railway station and bus/cycle access
- Pedestrian priority in the centre of the village
- Options for developing vacant shops and sites
- Better access to social housing
- Support for new businesses

Projects would now require to be prioritised and would then need to be assessed to determine how feasible they were to deliver. The Fauldhouse Regeneration Plan Steering Group would take the lead role in delivering the action plan and the group had representation from West Lothian Council and partner organisations working in the area as well as input from Fauldhouse Community Development Trust and other local community members.

The report concluded that projects and ideas generated during the charrette had now been written up into an action plan and the Fauldhouse Regeneration Plan Steering Group would now consider the plan and prioritise the relevant actions to be taken forward,

It was recommended that the Board note:-

1. The conclusion of the charrette in Fauldhouse
2. The action plan would be adopted by Fauldhouse Regeneration Plan Steering Group

Decision

- 1) To note the contents of the report; and
- 2) To agree that as the Action Plan developed and work on implementing the Action Plan begun that a further report be provided to a future meeting of the Board.

8. SCOTTISH INDEX OF MULTIPLE DEPRIVATION 2016 - UPDATE REPORT ON PARTNER SEMINAR AND FURTHER ANALYSIS

The Board considered a report (copies of which had been circulated) and a presentation by the Economic Development Policy Manager providing information on the Scottish Index of Multiple Deprivation results for 2016 and how it applied to West Lothian and to also provide feedback on the CPP Partner's seminar held on 20 January 2017.

As reported to the previous meeting of the CPP Board the Scottish Index of Multiple Deprivation (SMID) Results were released in September 2016 and were the Scottish Government's main method of identifying area-based disadvantage across Scotland.

As agreed at the previous CPP Board meeting a partner seminar was organised and held on 20 January 2017 to discuss the results. The seminar was attended by around 50 participants drawn from across West Lothian CPP with feedback from participants being extremely positive. A number of partners had indicated that they planned to use the SMID analysis to inform development of their management plans next year.

The purpose of the seminar was to :-

- Provide an overview on the SMID picture as it applied to West Lothian;
- Explore the underlying issues which contributed to multiple deprivation within West Lothian; and
- Consider the implications for regeneration work and targeting of services

A number of workshops were held at the seminar and focused on three key questions :-

1. Identify an immediate practical initiative which could make a difference (within current budget constraints)

2. Identify a longer-term significant policy initiative which could address the causes of deprivation; and
3. What would success look like in ten years' time

The report provided a summary of the outcomes of the workshops held at the seminar.

The report also provided details on the community of Boghall which historically had been covered by 4 contiguous datazones over the last three SIMD's. However no datazones in Boghall were now to be found in the most deprived 20% category which did seem to indicate that interventions had had a real change for the positive.

The report concluded that the 2016 SMID analysis reinforced the need to take both a thematic and geographic based approach to targeting services to tackle deprivation. It should also be recognised that there were areas where there were generally greater levels of deprivation and a community-based approach to regeneration was valid, recognising the interconnectedness of deprivation issues in people's lives and the lived experiences of poverty more broadly.

The Board were asked to note the content of the report

Decision

- 1) To note the content of the report; and
- 2) To agree that as analysis of the SMID data continued a further report would be brought forward to a future meeting of the Board.

9. PARTNERSHIP WITH SPORTSCOTLAND

The Board considered a report (copies of which had been circulated) advising of West Lothian Council's existing partnership with **sportscotland** and West Lothian Leisure and asking the Board to consider **sportscotland**'s role as a statutory partner in Community Planning.

The Board were advised that the Community Empowerment (Scotland) Act 2015 listed **sportscotland** in Schedule 1 of the Act and, as such, **sportscotland** had responsibilities to work with local partners in the delivery of local outcomes.

As a national agency for sport, **sportscotland** was committed to working with all 32 local authorities and associated partners to contribute to world class sporting systems in Scotland. Appendix 1 attached to the report outlined the Scottish Government's Active Scotland Framework outcomes and **sportscotland**'s contribution to these outcomes.

The report continued to advise that **sportscotland** invested in West Lothian Council through a 4 year Partnership Agreement which detailed shared national and local outcomes and priorities for sport. Via a contract

for services with West Lothian Council some activities were delivered by West Lothian Leisure; this partnership contributed to many of West Lothian Council's statutory duties to ensure adequate provision of facilities for sport and to promote community wellbeing.

sportscotland invested in partners who planned strategically and where the contribution made by sport and physical activity towards community planning outcomes was evidenced. Participation in sport and physical activity played a significant role in wider council objectives such as Health and Wellbeing.

It was recommended that the Board considers **sportscotland's** role as a statutory partner for sport in local community planning.

Decision

- 1) To note the contents of the report; and
- 2) To agree to invite **sportscotland** to a future meeting of the Board to carry out a presentation on how they could play a role in community planning

10. JOINT INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE

The Board considered a report (copies of which had been circulated) by the Senior Manager for Young People and Public Protection, West Lothian Council advising of a joint inspection of services for children and young people by the Care Inspectorate.

The report explained that the Care Inspectorate was asked by Scottish Ministers to develop a new model for the scrutiny of and improvement of services for children and young people which aimed to :-

- Improve outcomes for all children and young people;
- Provide independent assurance about the effectiveness of services for children and particularly the most vulnerable children and young people; and
- Build capacity for improvement

The approach taken by the Care Inspectorate would focus on how well all of the services in a local authority area were working together to make a positive difference to the lives of children, young people and their families. It would also hold Community Planning Partners responsible for providing effective services for children and young people and would focus on how well services were working together to improve outcomes for children and young people.

Formal notification of the inspection had been received on 14 December 2016, an electronic survey was distributed to all key staff on 16 January 2017 and a pre-inspection return had been completed and submitted to

the Inspection Team on 27 January 2017. Further information was also submitted to the Care Inspectorate on 9 February 2017 and this would be used by the inspection team to determine the scope of the inspection and the nature and focus of the activities that would be carried out.

The report continued by providing details of the Inspection Phase which would get underway in week commencing 6 March 2017. At the end of the inspection the inspection team would undertake an analysis of the findings and jointly agree the final evaluations and high level messages to feedback to the partnership. The inspectors would report their findings and evaluations against nine quality indicators. Each indicator would be graded on a six point scale ranging from Excellent to Unsatisfactory and the final report would be publically available.

Following the publication of the final inspection report the partnership would be required to prepare a plan detailing the actions that would be undertaken in response to the report. The action plan would be required to be submitted to the Care Inspectorate within six weeks of the publication of the inspection report.

The report concluded that the joint inspection would take place over a 35 week period from notification to the publication of the inspection report. The process would take account of the full range of work that had been undertaken with children, young people and families locally and would ultimately report on the difference that services were collectively making to their lives.

It was recommended that the Board notes that there was a joint inspection of the services for children and young people currently underway in West Lothian.

Decision

- 1) To note the contents of the report; and
- 2) To agree that once the inspection was complete a report would be brought forward to a future meeting of the Board.

11. RESOURCE ALIGNING GROUP UPDATE

The Board considered a report (copies of which had been circulated) by the Head of Finance and Property Services, West Lothian Council providing a progress reports on the Resource Aligning Group (RAG).

The RAG had previously agreed a number of areas for development which supported information sharing and alignment of resources across the CPP to improve the CPP's capacity to target resources for better impact across the Single Outcome Agreement priorities. An action plan had been developed and the report provided an update on progress against the action plan along with proposed activities to be undertaken to further develop the action plan to assist in the delivery of the SOA.

With regards to Aligning Resources and Resource Efficiency three actions

had been identified as follows :-

- Clarify and strengthen the understanding of each partner's role and contribution;
- Improve resource allocation and resource efficiency; and
- Resource aligning taken to a local level to enable sharing of resources

The report provided a narrative on each of these actions including information on the Community Empowerment (Scotland) Act 2015, the Anti-Poverty Strategy and Participatory Budgeting.

The report also provided details of Asset Management Planning noting the development of a Community Planning Partnership Property Asset Management Plan. This would be supported by a set of principles which would be developed over three stages, details of which were summarised in the report.

And finally the Head of Finance and Property Services provided details of a scenario planning event, co-ordinated and facilitated by 3rd Horizon on 31 August 2016 and 3 October 2016, where the object of the event had been to explore, debate and discuss "Living in West Lothian in 2030". Participants at the workshops were asked to consider three possible future scenarios for West Lothian and to consider and identify the near and medium term opportunities and barriers with the three key drivers being :-

- ❖ Continued increase in community demand for public services
- ❖ Changing nature of politics and local democracy
- ❖ Continued reducing public services

Further details on the scenario planning events were attached to the report at Appendix 1.

The CPP Board were asked to :-

- 1) Note the resource improvement guidance from the Community Empowerment Engagement (Scotland) Act 2015;
- 2) Agree for the RAG to work with the CPP team to develop training for the board on the impact of the guidance and to identify any required actions to ensure compliance with the guidance;
- 3) Note the proposed staged approach to the Anti-Poverty Strategy refresh;
- 4) Note the approach and work currently being completed for the Participatory Budgeting development project;
- 5) Note that further work for mainstreaming Participatory Budget

would be undertaken and reported back to the board for consideration;

- 6) Note the progress of the West Lothian Funding Forum
- 7) Agree the amended principles of the proposed Community Planning Partnership Property Asset Management Plan;
- 8) Agree that all Community Planning Partners were required to endorse the principles of the CPP Property Asset Management Plan;
- 9) Agree that all Community Planning Partners were required to provide information on their Property Assets as a matter of urgency;
- 10) Agree that West Lothian Council should commence engagement with an independent third party property professional to support the research, development and implementation of a CPP Property Asset Management Plan;
- 11) Agree for engagement to be undertaken with West Lothian community groups to look at what services should be like in the future and who would be responsible for the design and delivery of the services;
- 12) Agree that continued horizon scanning should be completed on an ongoing basis, to understand better the impacts of change drivers and look for signals indicating which part of the scenarios may start to materialise;
- 13) Agree that the board should consider working with Community Councils on their potential new roles in working in changing contexts and/or bringing health and social care workforce together to explore cultural difference and shared systems leadership practices; and
- 14) Agree that the board reviews the barriers and opportunities identified from the workshops and target actions to be undertaken to try and mitigate and remove the barriers and to realise the opportunities.

Decision

To approve the terms of the report

12. COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015 - FINAL COMMUNITY PLANNING GUIDANCE AND REGULATION

The Board considered a report (copies of which had been circulated) by the Community Planning Development Officer advising that the Community Planning part of the Community Empowerment (Scotland) Act 2015 was now in force and to seek approval on plans for promoting the

Act within the community.

The provision in Part 2 of the Community Empowerment (Scotland) Act 2015 regarding Community Planning and the sole regulation regarding locality planning came into force on 20 December 2016. The final guidance for statutory partners was also launched. This was largely the same document as the near-final guidance as discussed at the CPP Board in November 2016.

The draft guidance was discussed at previous CPP Board meetings and a number of actions had already been agreed to ensure the CPP was well placed to take forward the requirements of the Act, including exploring community involvement in the CPP and holding development sessions for the Board.

CPP's were required to ensure all bodies which can contribute to Community Planning were able to do so in an effective way and to the extent that they wished to do so. In order to raise awareness the Community Planning team were currently developing a package of supporting information including briefing slide and FAQ's. This information would be made available to community groups, with the offer to come out and speak to groups across West Lothian; it was anticipated that partners would be involved in these briefings.

It was also proposed that a development session would be held with partners to further explore the local implications of the Community Empowerment Act, focusing mainly on the Community Planning provisions but also touching on other relevant parts of the Act, such as Participation Requests. This would increase partners' understanding of what the new duties would mean for them and would allow partners to identify local opportunities for improvement.

It was recommended that the Board :-

- 1) Note that Part 2 of the Community Empowerment Act was now in force and that final guidance had been published;
- 2) Approves plans to promote the Act within the community; and
- 3) Approves plans to hold a development session with partners on the Act.

Decision

To approve the terms of the report

13. DRAFT CPP WORKPLANS 2017

The Board considered a report (copies of which had been circulated) by the Community Development Planning Officer presenting draft Community Planning Partnership Board and Community Planning Steering Group work plans for 2017.

The Board were advised the workplans had been devised in order to prioritise and schedule discussion at meetings throughout 2017 and that having a workplan in place allowed the CPP to plan ahead to ensure all relevant items were discussed.

All partners were invited to contribute relevant upcoming strategies, plans, consultations and items for discussion for each of the Steering Group and Board meetings scheduled for 2017.

Copies of both workplans were attached to the report as a series of appendices and Board members were invited to review and approve the draft workplans.

Decision

To approve the terms of the report noting that the Community Planning team would update the workplan to reflect decisions made earlier in the meeting by the Board.

14. DATES OF FUTURE MEETINGS 2017

The Board noted the dates of future meetings of the Community Planning Partnership Board. These being :-

- Monday 22 May 2017
- Monday 21 August 2017
- Monday 20 November 2017

MINUTE of MEETING of the COMMUNITY PLANNING PARTNERSHIP BOARD of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 26 JUNE 2017.

Present –

Councillor Kirsteen Sullivan (Chair)
 Councillor Charles Kennedy
 Councillor Andrew McGuire
 Graham Hope, Chief Executive
 Craig Smith
 Gary Laing
 Grant McDougall
 Bridget Meisak
 Dr Margaret Douglas
 Marjorie Russell
 Billy Howie
 Moira Nelson
 Tim Ward
 Jane Kellock
 George Hotchkiss
 Jonathan Pryce
 Carol Bebbington
 Robin Strang

West Lothian Council
 West Lothian Council
 West Lothian Council
 West Lothian Council
 Police Scotland
 Scottish Fire & Rescue
 Skills Development Scotland
 Voluntary Sector Gateway WL
 NHS Lothian
 Dept Work & Pensions
 Dept Work & Pensions
 SESTran
 West Lothian Council
 West Lothian Council
 West Lothian College
 Scottish Government
 Health & Social Care Partnership
 West Lothian Leisure

In Attendance –

Graeme Struthers
 Craig McCorriston
 Jim Jack
 Alice Mitchell
 Donald Forrest
 Clare Stewart
 Susan Gordon
 Tim Ward
 Greg Welsh
 Peter Rogers
 David Greaves
 Martin Riach

West Lothian Council
 West Lothian Council
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 West Lothian Council
 West Lothian Council
 West Lothian Council
 West Lothian Council
 West Lothian Council
 Scottish Fire & Rescue

Apologies -

Councillor David Tait
 Councillor Cathy Muldoon
 Mhairi Harrington
 George Eckton
 John Reid
 Jim Forrest
 Dr Alison McCallum
 Andrew Baptie

West Lothian Council
 West Lothian Council
 West Lothian College
 SESTran
 Dept Work & Pensions
 Health & Social Care Partnership
 NHS Lothian
 SportScotland

1. WELCOME

The Chair welcomed all the partners to the meeting and asked that everyone introduce themselves as there were quite a few people attending their first meeting of the Board.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. MINUTE

The Board approved the Minute of its meeting held on 13 February 2017. The Minute was thereafter signed by the Chair.

4. NOTE MINUTE OF CP STEERING GROUP HELD ON 15 MAY 2017

The Board noted the Minute of the Community Planning Steering Group meeting held on 15 May 2017.

5. MINUTES OF THEMATIC FORUMS :-

- a) The Board noted the Minute of Community Safety Board held on 20 March 2017.

6. SINGLE OUTCOME AGREEMENT PERFORMANCE REPORTING :-

- a) The Board noted the Environment Thematic report; and
- b) The Board noted the SOA Exceptions report

7. WEST LOTHIAN COLLEGE REGIONAL PLAN & OUTCOME AGREEMENT 2017-2020 - PRESENTATION BY GEORGE HOTCHKISS, VICE PRINCIPAL, WEST LOTHIAN COLLEGE

The Board were provided with an overview of West Lothian College's 2017-2020 Regional Plan and Outcome Agreement also known as Opening Doors.

George Hotchkiss, Vice Principal of West Lothian College provided an overview of the future challenges being faced by the college including combating poverty, increasing learner success, building a skilled workforce and increasing innovation and enterprise.

This would be done by a series of measures which were outlined in the presentation including engagement with 2000 businesses to increase

apprenticeships and work-based learning, doubling the opportunities for international exchange visits, increasing the number of college places for disadvantaged individuals, improving the balance of female and male learning programmes and working in partnership with universities and economic partners in City Regions to deliver skills needed for the future.

The presentation continued that Opening Doors would be carried out in the context of sustainability through a campaign of “reduce, reuse and recycle” and by promoting initiatives to improve the environment.

The presentation concluded by summarising the college’s priorities for 2017-18 which were as follows :-

- Increase Foundation Apprenticeships for schools;
- Review NQ Programme Frameworks against aspirations;
- Develop staff teams with the “best players in the right place; and
- Measuring impact and results

George then responded to a number of questions from the Board members.

The Chair thanked George for the very informative presentation.

Decision

To note the contents of the presentation.

8. WEST LOTHIAN CHILDREN'S SERVICES PLAN 2017-2020 - PRESENTATION AND REPORT BY JANE KELLOCK, HEAD OF SOCIAL POLICY

The Board were provided with an overview of the West Lothian Children’s Service Plan 2017-20, which it was explained was a continuation of the previous integrated Children’s Services Plan 2012-18 and which had been revised to take into account new requirements under Parts 1 and 3 of the Children & Young People (Scotland) Act 2014.

The Children’s Services Plan had been developed to encompass the following principles :-

- Getting the right balance between universal and targeted services
- Re-distributing resources towards targeted activities with individuals, groups and communities
- Improved integrated working
- Improving outcomes for the individual child and their family
- Focusing on early intervention by shifting resources from managing

crisis to building resilience

The Head of Social Policy then provided details of the challenges ahead in the categories of Early Years, School Age and Young People in Transition. In noting these challenges the Board were advised of the Plan's priorities for dealing with these challenges and which included early intervention and prevention, child protections, corporate parenting and youth justice. Further information was then provided in terms of how each of these priorities would be undertaken.

Public consultation on the plan had commenced on 18 April alongside which a number of Strategic Needs Assessments had also been commissioned.

In terms of reviewing and reporting on the plan this would be an ongoing process and the plan would be kept under review to ensure that it continued to be able to meet the needs of children, young people and families in West Lothian while ensuring that collective responses could be put in place to respond to emerging needs

The Board were asked to note the progress made with regards to the development and launch of the West Lothian Children's Services Plan 2017-2020.

There then followed a series of questions and answers.

The Chair thanked the Head of Social Policy for the very informative presentation.

Decision

To note the contents of the presentation and the accompanying report

9. REGENERATION PLANS

The Board considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the process for developing Regeneration Plans for those areas identified as most deprived in West Lothian.

The Board were advised that the Regeneration Framework, approved by Council Executive in February 2014, contained a commitment to develop regeneration plans in key areas of deprivation in West Lothian.

Eight regeneration areas had been identified, based on the data zones within the bottom 20% of the Scottish Index of Multiple Deprivation. At present this process had started in five of the eight areas; these were Blackburn, Bridgend, Livingston Central, Fauldhouse & the Breich Valley and Whitburn. Work had now begun in Craigshill and the remaining areas of Armadale and Bathgate would begin shortly,

The report provided an overview of the process that was followed for the development of Regeneration Plans and it was noted that Steering

Groups had been established in each area to act as the vehicle for the development and delivery of regeneration plans. The groups would initially be co-ordinated by the Community Regeneration Officer but would eventually be community-led.

The report provided further information in relation to the mapping of community assets, evidence gathering and statistical information, identified themes and issues and performance monitoring and reporting.

Community Regeneration Offices would have responsibility for ensuring that plans linked with the Regeneration Framework and the Single Outcome Agreement. They would also ensure that there was an operational alignment with the West Lothian CLD Plan, the emerging Learning Community Plans relevant to each regeneration areas and with the Integrated Joint Board Health Locality Plans.

The Board continued to be advised that a Regeneration Framework Steering Board had been established to support the regeneration planning process. This would be chaired by the Head of Planning, Economic Development and Regeneration and had a named lead for each of the five themes within the framework. Community Regeneration Officers would also attend the board and would provide the link from the board to the eight regeneration plan steering groups.

Quarterly reports would be prepared and presented to the council's Partnership and Resources Policy Development and Scrutiny Panel with updates provided to the Community Planning Partnership Board on an annual basis.

It was recommended that the Board note :-

1. That regeneration plans would be developed in eight targeted West Lothian communities; and
2. The timescales for implementation of the plans.

Decision

To note the contents of the report

10. SCOTTISH INDEX OF MULTIPLE DEPRIVATION - FURTHER ANALYSIS

The Board considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing further information on the Scottish Index of Multiple Deprivation (SMID) as it applied to West Lothian.

The SMID 2016 results were released in September 2016 and were the Scottish Government's main method of identifying area-based disadvantage across Scotland. These results were reported to the Community Planning Partnership Board in February 2017 and at that meeting members were advised that further analysis would be undertaken

in consultation with partners.

Much discussion had been undertaken with regards to the most effective interventions that could be employed to tackle area based deprivation as had been witnessed in the Boghall area. After much discussion with practitioners it was deemed that positive changes had been achieved through a mix of interlinked interventions and initiatives and a long term approach. The report provided further information on some of the work undertaken in Boghall including activity by the Access2Employment and More Choices and More Chances teams.

In conclusion the 2016 SIMD showed some of the clusters of deprivation in West Lothian but there were a number of limitations to the SIMD based analysis as follows:-

- Using only SIMD to target resources could mean that the majority of deprived people did not receive the necessary services or support
- Targeting based on themes, such as unemployment or income deprivation could allow services to access those residents who had experienced multiple deprivation across all areas
- SIMD data could help inform regeneration work and other interventions by identifying key themes around health and education inequalities
- Area based deprivation in West Lothian was not as extensive a phenomenon as other parts of Scotland and it was important not to over emphasise the scale of deprivation and avoid stigmatising individual communities
- More up-to-date thematic intelligence should be used to inform targeting of resources (including knowledge from practitioners)

It was recommended that the Board note that the 2016 SIMD analysis reinforced the need to take both a thematic and geographic based approach to targeting services to tackling deprivation and that the Board undertake a visit to Boghall Community Hub to see the good work being accomplished in the community.

Decision

- 1) To note the contents of the report; and
- 2) To agree that partners participate in a visit to Boghall Community Hub to witness the good work being achieved in the community.

11. X-ROUTE: CO-DESIGNING ACTIVE TRAVEL

The Board considered a report (copies of which had been circulated) by SEStran providing an update on the X-Route Study which had looked at the barriers young people faced when using active travel as a mode of

transport and the implementation of “star paths” in the Knightsridge area of Livingston.

SEStran through the Regional Cycle Network Grant Scheme (RCNGS) commissioned Young Scot to develop and deliver a study focusing on young people and active travel. The RCNGS was a grant scheme, provided by SEStran from SUStrans, to improve cross-boundary commuter cycling across the eight local authorities in the south east of Scotland.

To facilitate the process Young Scot used their co-design service which involved young people systematically creating, designing and delivering solutions in collaboration with organisations. This allowed young people to be involved much earlier on the decision-making process through a highly participative approach which would have a more radical impact on service innovation.

Four groups of young people from varying socio-economic backgrounds across the SEStran region, including The Vennie in West Lothian, developed a series of ideas and recommendations to improve cross boundary active travel in and around their local area. The intention was for these routes to become a viable option and an integral part of travel for young people and their wide community.

One of the outcomes of the study was the increasing perception of safety on local path networks, to make them a more viable option. The Vennie therefore suggested that if paths were “glowing” there would be no light pollution for the surrounding area but users would be able to see the path more clearly making it more attractive to use. Some further research showed that Transport Scotland had published a desk study in 2014 on “star-path” technology to make roads glow to increase visibility and the feeling of safety.

SEStran then submitted a bid to the Scottish Road Research Board (SRRB) to turn the research paper into a trial in Knightsridge. After a successful bid the council was currently working with SEStran and The Vennie to implement a trial of Star Paths which would be first of its kind in Scotland.

The report concluded that X-Route addressed the underrepresentation of young people in developing their local communities, with a focus on the transport network. It also aligned with the Single Outcome Agreement 2013-2023 in that “our children have the best start in life and were ready to succeed”. SEStran would also continue to seek support for the further roll-out of “star paths”, if successful, in West Lothian and for further bids for funding to expand the network delivery, particularly in 2018, the Year of Young People.

It was recommended that the Board note the content of the X-Route report.

Decision

- 1) To note the content of the report;
- 2) To note the successful engagement with young people; and
- 3) To suggest that SEStran link in with those organisations across West Lothian (for example the West Lothian bike lending library) to seek access to bikes for those who would not ordinarily be able to afford one.

12. DEPARTMENT FOR WORK AND PENSIONS (DWP) - ENHANCED SUPPORT OFFER (ESO) PROGRAMME

The Board considered a report (copies of which had been circulated) by the Department of Work and Pensions advising of the Enhanced Support Offer which was part of the Personal Support Package that had been recently been introduced by the UK Government as part of the “*Improving lives – The Work, Health and Disability Green Paper*”.

The Enhanced Support Offer (ESO) was part of that Personal Support Package and applied to claimants from 3 April 2017 whose Work Capability Assessment outcome placed them in either the Employment and Support Allowance Work Related Activity Group or Universal Credit Work Preparation Group

There were 13 elements to the offer which would be introduced in phases between April 2017 and November 2017 with six elements introduced so far and a summary of which was provided in the report.

In April 2017 the Access to Work, Work First & Work Able and Specialist Employability Service were introduced. Then in June 2017 the Small Employer Offer, Journey to Employment and Lead Community Partner were introduced. The report provided a narrative on each of these elements.

Elements for future launch included Young Persons Supported Work Experience, Local Supported Employment – Proof of Concept, Jobcentre Plus led Personalised Support, WRAG Intensive Support Trial, Mental Health Training, Specialist Advice and Work & Health Programme. The report also provided a narrative on each of these.

The report concluded that the UK Government wanted to help everyone to be able to enjoy the independence, security and good health that being in work could bring.

Decision

To note the contents of the report

13. WEST LOTHIAN COMMUNITY CHOICES

The Board considered a report (copies of which had been circulated) by

the Head of Planning, Economic Development and Regeneration advising of progress related to West Lothian Community Choices.

Participatory Budgeting (PB) or “Community Choices” as it was known in Scotland was a democratic process in which members of the community helped decide how to spend part of a public budget. West Lothian Council had secured support from the Scottish Government to take forward community choices with assistance from the organisation Participatory Budget Process.

Let’s Get it Right for Autism was West Lothian’s first participatory budget project and which saw £10,000 set aside for local groups, organisations and clubs to put forward their ideas on how they could create new social opportunities for those with autism. To ensure that the scope of the project was appropriate to meet the needs of those with autism a survey was carried out in December 2016. 342 people responded to the survey. Therefore based on the results of the survey the focus of the “Let’s Get it Right for Autism” project aimed to support and encourage greater participation in social activities and opportunities for individuals with autism.

A Community Launch event was held on 25 March 2017 where ideas from the local group, clubs and organisations were presented. The event was open to the wider community who had an opportunity to vote for the ideas they thought would make a difference to individuals with autism. The date for the event was chosen to coincide with National Autism Awareness Week.

A range of people attended the event which resulted in 29 people engaging in the voting process. Online voting was also made available to those who were unable to attend the event. A great response was received to the online voting system; 792 individuals voted which therefore totalled 821 votes.

The successful projects were then announced at a short presentation on 26 April 2017 at West Lothian Civic Centre. These were as follows :-

- Broxburn United Sports Club and Team United with “Talking Tactics”
- Signpost and their “Lego Club”
- Winchburgh Youth Space with “Winchburgh Inspiring Inclusion”
- Youth Inclusion Project
- Barnardo’s and their “Caern Project”

Discussions had begun on how to “scale-up” or mainstream participatory budgeting. A meeting had also been held with PB partners to being to look at how this could be developed in West Lothian and the potential opportunities that could be taken forward. A Community Choices operational working group had also been established with representation

from Community Planning, Finance, Operational Services, Social Policy, Housing, Community Regeneration and Education and would be responsible for identifying potential areas and budgets that were complementary to the community choices approach.

The report concluded that an options paper on mainstreaming participatory budgeting was being drafted which would detail potential opportunities within council services and budgets for participatory budgeting to be developed and that the paper would be discussed at the next Resource Aligning Group meeting.

The Board was asked to note the progress of “Let’s Get it Right for Autism” and the approach being taken to mainstream participatory budgeting.

Decision

To note the contents of the report.

14. PARTICIPATION REQUESTS

The Board considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration outlining how the participation request process would operate in West Lothian and to highlight some considerations for the Board.

The Board were advised that Part 3 of the Community Empowerment (Scotland) act 2015 (Participation Requests) was focused on extending and improving community participation in improving outcomes for communities. This part of the Act came into force on 1 April 2017.

A Participation Request was a request that came from the community for them to be involved in a process that would improve an outcome which they had specified. A request could be made to a “community participatory body” (CPB)

With regards to the process for West Lothian Council the Community Planning and Regeneration team would act as “gatekeepers” for requests coming to the council and would carry out the initial vetting with the relevant service area to ensure that all the required information was present. Once all the required information was received the CPB would be formally notified of the validation date, triggering the statutory timescales for a Decision Notice to be published.

The validated request would then be passed to a “Participation Request Panel” for assessment which would be chaired by the Head of Planning, Economic Development and Regeneration and would involve relevant heads of service and partner organisations as required. The Panel, which would be a “virtual panel” depending on the nature of the request, would then decide if the request required to be taken to a council committee for decision.

Once a decision was made a Decision Notice would be forwarded to the

CPB and would then be published on the council's website. Where a participation request had been refused a clear rationale would be provided and where the participation request had been approved the Decision Notice would outline the improvement process, identifying if the process already existed or if a new one needed to be established.

Further details of the process to be followed including an application form were attached to the report as a series of appendices.

It was to be noted that the council had yet to receive any participation requests.

The Act also identified all other "Public Service Authorities" to which requests could be made and these were detailed in the report. Each public service authority was to have its own process for dealing with participation requests and to date Police Scotland had established a process with further information available on their website.

It was important to have identified contacts in each organisation for when a joint request was received. The Community Planning and Regeneration team had identified contacts in most other local public bodies that the part of the Act applied to with the exception of the SRUC, SEPA and Scottish Natural Heritage.

Planning partners were asked to note that :-

- Participation Requests were not to be viewed as a replacement for engagement and participation processes where they already functioned well but as an opportunity to establish dialogue where communities found it difficult to be recognised or heard;
- Each public authority was required to report annually on the number of requests received. However it was important to keep in mind that a low number of requests received and processed did not necessarily reflect a failure in participation;
- Public bodies were required to promote their participation request process and to provide support to applicants, particularly targeting those who did not typically engage in local decision-making;
- Consistency of the application process between partners would make it easier to community bodies to apply and would allow for a robust assessment, decision making and governance across the CPP; and
- Partners should look to share their participation processes and any initial requests received in order to build up a picture of requests across West Lothian.

The report concluded that following Part 3 of the Community Empowerment Act (Participation Requests) coming into force on 1 April 2017 West Lothian Council was trialling a process for dealing with requests and officers were in discussion with partners to gain an

understanding of the processes being implemented across West Lothian.

It was recommended that the Board :-

1. Notes the West Lothian Council participation request process;
2. Considers partner's processes; and
3. Discusses those considerations in relation to participation requests outlined in the report

Decision

To note the contents of the report

15. UPDATE REPORT ON NATIONAL PROGRESS ON COMMUNITY JUSTICE REDESIGN IN SCOTLAND AND WEST LOTHIAN DEVELOPMENT

The Board considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on national progress on community justice redesign in Scotland and in West Lothian, including the preparation of the West Lothian Community Justice Outcomes Improvement Plan.

The Head of Social Policy explained that Community Justice Redesign in Scotland had started some five years ago and that the powers in relation to Community Justice service for each local authority area had transferred to Scottish CPP's some three months ago. The legislative framework under which these changes were implemented focused largely on the needs of offenders who were already generally managed by local services.

In terms of West Lothian a change to committee structures had been undertaken to ensure robust governance arrangements for Community Justice were now bedding in. While the Safer Communities Strategic Planning Group had the strategic lead on this activity, a number of tasks had been further delegated to the Reducing Re-offending Sub-Committee and included :-

- Completion of an initial West Lothian Community Justice Needs Assessment
- Support the review of the West Lothian Reducing Re-offending Strategic Plan for 2013-18 to encompass the current changes in governance and vision
- Preparation of the West Lothian Community Justice Outcomes Improvement Plan. This document would explain the activities and initiatives that would be considered to make a substantial difference to West Lothian communities.

It was to be noted that West Lothian appeared to be reasonably well

placed having some well-established partnership projects which were considered mainstream, but some areas were now only starting to develop and included the Arrest Referral Scheme, Voluntary Throughcare arrangements at HMP Addiewell and a whole systems approach to Youth Justice.

With regards to 2017-18 significant areas of work for the Community Justice partnership in West Lothian were emerging and would benefit from detailed local consideration and were as follows :-

- ❖ How West Lothian could act on the intention of the Scottish Government to “bring a local perspective to community justice”. Communities should be active partners but would need to develop and understand ways they could contribute to reducing reoffending to make safer and better places to live;
- ❖ How the CPP, through its component organisations, could demonstrate and develop a commitment to partnership working;
- ❖ How CPP partners could best drive change within their organisations and within each organisation as the most appropriate person to lead this change;
- ❖ How each organisation could encourage a sense of shared ownership of the Community Justice agenda among its workers; and
- ❖ An expectation on CPP’s that leverage of resources was to be expected.

The report concluded that West Lothian justice partners had taken a number of significant steps towards an integrated approach to justice service delivery however it was clear that the profile of Community Justice Partnership work needed to be raised. The tasks still to be carried out were detailed in the Action Plan section of the West Lothian Community Justice Outcomes Improvement Plan 2017-18.

It was recommended that the Board :-

1. Support and promote the principles of Community Justice in West Lothian;
2. Encourage and the participation of all CPP partners in the further development of Community Justice principles and in particular the range of tasks outlined in the report; and
3. Note that further reports would be provided on the development of Community justice in West Lothian and nationally.

Decision

To note the contents of the report

16. EMPLOYABILITY INNOVATION AND INTEGRATION FUND

The Board considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the Scottish Government's Employability Innovation and Integration Fund and to seek approval to submit an application to the fund.

The Head of Planning, Economic Development and Regeneration advised that the Scottish Government had announced the creation of an Employability and Alignment Fund in December 2016 to support devolved powers on employment support services.

Then in June 2017 the Scottish Government announced on the Employability Innovation and Integration Fund which was seeking a collaborative and innovation approach that contributed to the regeneration or development on an area. Proposals were required to show such collaboration and innovation be demonstrating how the integration and/or alignment of employability and skills training services with health and social care, justice and/or housing services would contribute to an area's regeneration or development.

Projects were to be delivered within 18 months and by 31 March 2019.

There was a total of £2.5 million of funding available for the period 2017-18 to 2018-19 with the maximum level per project £500,000. The expectation was that bids would be a co-investment model and would be partnership bids. The closing date for applications was 27 July 2017 with successful bidders being notified by the end of August.

Proposals were required to meet certain criteria with details summarised in the report.

With regards to West Lothian Council and its partners there were a range of employability services aimed at supporting local residents to secure and sustain employment. This included the council's Steps N2 Work programme and services providing 1:1 support to residents experiencing multiple disadvantages. This additional funding could be used to enhance this provision and look at further integration.

Therefore it was being recommended that a bid be submitted by West Lothian Council on behalf of the Community Planning Partnership. The bid would look at areas of possible integration within Housing, Criminal Justice and Health where appropriate.

In order to develop a partnership bid, which identified current challenges, a short life working group would be established to produce the bid. The group would be chaired by the council's Economic Development & Regeneration Manager with the council's Employability Manager as Project Lead. The first meeting of the group would take place in week beginning 26 June and would meet regularly until the bid had been submitted.

The report concluded that the Employability Innovation and Integration

Fund had the possibility of enhancing and complementing a range of existing employability provision in West Lothian which would ultimately result in better outcomes for residents.

It was recommended that the Board :-

1. Notes and welcomes the additional funding announced by the Scottish Government;
2. Agree to submit a partnership bid which would be co-ordinated by Economic Development; and
3. Agree representation from key partners to support production of a bid to meet the fund criteria outlined in Section 2.2 of the report.

Decision

To approve the terms of the report