



Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

31 January 2019

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 5 February 2019** 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 15 January 2019 (herewith).
5. Correspondence arising from previous decisions (herewith)

Public Items for Decision

6. Civic Government (Scotland) Act 1982 - Taxi Fare Review - Report by Head of Corporate Services (herewith)
7. Purchase of Ground Lease 9 Inchmuir Road, Whitehill Industrial Estate, Bathgate - Report by Head of Finance and Property Services (herewith)
8. Land at 28 Station Road, Armadale - Proposed Sale to Parvinder Kumar - Report by Head of Finance and Property Services (herewith)

9. Sale of Former Waverley Depot, Waverley Street, Bathgate - Report by Head of Finance and Property Services (herewith)
10. APSE Scotland Building and Housing Seminar 2019 - Report by Head of Housing, Customer and Building Services (herewith)
11. Scottish Government Hate Crime Consultation - Report by Head of Housing, Customer and Building Services (herewith)
12. West Lothian Local Development Plan (LDP): Development Plan Scheme No.11 - Report by Head of Planning, Economic Development and Regeneration (herewith)
13. West Lothian Local Development Plan (LDP): Action Programme 2018 - Report by Head of Planning, Economic Development and Regeneration (herewith)

Public Items for Information

14. Annual Procurement Report - Report by Head of Corporate Services (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 held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 15 JANUARY 2019.

Present – Councillors Kirsteen Sullivan (Chair), Frank Anderson, Harry Cartmill, Tom Conn, David Dodds, Peter Heggie, Chris Horne, Peter Johnston, Charles Kennedy, Cathy Muldoon, Damian Timson, Dave King (Substituted for Lawrence Fitzpatrick), Dom McGuire (substituted for George Paul)

Apologies – Councillors Lawrence Fitzpatrick and George Paul

1. OPENING REMARKS

The Chair welcomed Councillor Peter Johnston back to the Council Executive meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE

The Council Executive confirmed the Minute of its meeting held on 18 December 2018 as a correct record. The Minute was thereafter signed by the Chair.

4. OBJECTIONS TO DISABLED PERSONS; PLACES ORDER (PTO 18/05)

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of two objections to a proposed new parking bay, identified for qualifying persons, in line with the Disabled Persons' Parking Places (Scotland) Act 2009.

The report recalled the decision of Council Executive on 15 May 2018 to commence the statutory process for enforcement of the Traffic Regulation Order for a disabled bay in Greig Crescent, Armadale. The bay was included in an Order along with numerous other new bays and amendments and was advertised in October 2018. Two objections were received, both in relation to the proposed bay in Greig Crescent.

The Head of Operational Services explained that under the Disabled Parking Places (Scotland) Act 2009 the council was required to provide bays, where it had the power to do so when a request was made by a qualifying person. The requirements were that the applicant had a valid blue badge, and that there was a vehicle registered to the same address as the applicant.

In this case officers ascertained that the applicant was a qualifying person and that there was no evidence other than what was contained in the objections that the applicant did not meet the criteria. The objections

were appended to the report.

The report went on to advise that Police Scotland, Disability West Lothian and Local Ward members were consulted and no adverse comments were received.

In conclusion it was considered that the two objections should not prevent the bay being made legally enforceable by the promotion of the Traffic Regulation Order. Once the order was made, Police Scotland could provide the necessary level of enforcement to ensure that the bay was not abused or be misused by members of the public.

The report recommended that the Council Executive refuse to uphold the objections submitted during the statutory objection period to the making of the traffic regulation order to provide disabled persons' parking bay in Greig Crescent, Armadale.

Decision

To approve the terms of the report.

5. PROCUREMENT ARRANGEMENTS – ONGOING PURCHASING OF RESOURCES AND TRAINING FROM TRIPLE P

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 for ongoing purchasing of resources and training from Triple P for a 5 year period.

The Head of Corporate Services explained that the Triple P Positive Parenting Programme was a parenting and family support system designed to prevent and treat behavioural and emotional problems in children and teenagers. It aimed to prevent problems in the family, school and community before they arose and to create family environments that encourage children to realise their potential.

The council had been delivering Triple P programmes in West Lothian since 2013. Embedding this programme into service plans was part of the original Psychology of Parenting Project plan and the council was successful in developing support in Teen Triple P and Stepping Stones as well as the standard programme.

The report went on to advise that there was no in house capability to undertake this service. With previous expenditure now exceeding the Head of Corporate Services approval for a Business Case Exemption, Council Executive was required to consider the report.

The report recommended that the Council Executive approve procurement from Triple P to allow continued delivery of services in the Early Years, Early Intervention and Prevention areas. The anticipated contract value was £37,500.

Decision

To approve the terms of the report

6. REVISION OF OPERATIONAL PRACTICES AT HOUSEHOLD WASTE RECYCLING CENTRES – TRANSFORMING YOUR COUNCIL

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to revise opening hours for the council's Household Waste Recycling Centres based on the proposal requested to deliver the approved savings with regards to the council's Household Waste Recycling Centres.

The report recalled that on 6 February 2018 the Council Executive agreed that a proposal for closing three of the five Household Waste Recycling Centres (HWRCs) should be replaced by an alternative reduction measure which was subsequently agreed at the Council meeting on 13 February 2018, to maintain all of the locations but review the operating hours to deliver the required savings of £321,000 from 1 April 2019.

In April 2015 under Delivering Better Outcomes, the staffing resource at the sites was reduced from four to three and the hours altered to a four month peak season opening of 9am to 7pm and an 8 month low season opening from 10am to 5pm seven day a week.

In April 2018, as a result of the completion and move to the Whitehill Service Centre, Deans centre was closed and due to a subsequent saving approved as part of the budget process on 13 February 2018, the proposed Commercial Recycling Centre was not opened and a saving of 2fte was made as a result. A table contained within the report provided a summary of the site performance information for years 2014/2015, 2015/2016, 2016/2017 and 2017/2018.

The report provided three further tables showing the current system, the proposal provided to the Environment PDSP and the new proposal. It was proposed that the 5 sites were opened, during the week for an additional 2 hour period each day to provide capacity for local businesses to deposit specific materials for which the business would have a re-approved council issued access pass. Appendix 1 contained Recycling Centre Site Traffic Data while Appendix 2 contained the application process.

The Head of Operational Services explained that in terms of direct financial risks the approved savings reduction could be achieved through the adoption of a reduction in operational hours to 132 hours per week in conjunction with delivering an income to offset the additional 20 hours over the original PDSP proposal.

However it was to be noted that there were financial risks outwith the direct saving that must be considered. There was also a risk that illegal fly tipping could increase both at the site gates and in the surrounding areas, or through smaller items and bagged material being disposed of via the grey bin or as contamination in the blue bin as a result of the

reduced number of days each facility is open.

All business and traders had a legal duty to dispose of their waste and recycling through a registered waste operator. The council estimated that around 80% of fly-tipping was to commercial business and it was believed that the increase noted to date was likely to be linked to increased cost of waste disposal for companies.

The report went on to advise that the service would communicate and consult with staff and Trade Unions to implement the changes required. Key to this would be managing the workforce change aspects of the opening pattern which was to be implemented.

In conclusion the report advised that a successful delivery of the approved savings measures was dependent on selecting a solution that disadvantages as few site users as possible and the proposal put forward was felt to meet the requirements of residents in terms of access times and patterns as well as supporting local businesses to recycle their commonly produced recyclable waste materials. The service had the ability to implement any pattern selected quickly and would continue to deliver a safe, efficient and effective HWRC service from recycling sites.

Additionally robust monitoring of external impacts from any change implemented would require to be in place to ensure any negative behaviour changes or illegal dumping of materials was challenged and addressed.

The report recommended that the Council Executive:

1. Approve the proposal presented in the report.
2. Note the potential impacts and risks.

Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Dom McGuire

Amendment

West Lothian Council SNP Group are totally opposed to the reduction in services proposed for the Recycling Centres, This proposal goes against all the Council are trying to achieve and certainly does not meet the criteria for SOA 8.

These proposals contain no information on the increase in fly tipping, the costs associated with dealing with fly tipping, the traffic impact at Oakbank and how we are going to address the issue of improving our recycling ambitions.

The SNP Group therefore calls on Council to reject these proposals, call for officers to report back on other options available, to with a specific

detail of traffic implications at Oakbank and the outcome of negotiations with the Trade Unions.

- Moved by Councillor Frank Anderson and seconded by Councillor Peter Johnston

A roll call vote was taken which resulted as follows:-

<u>Motion</u>	<u>Amendment</u>
Harry Cartmill	Frank Anderson
Tom Conn	Peter Heggie
David Dodds	Chris Horne
Dave King	Peter Johnston
Dom McGuire	Charles Kennedy
Cathy Muldoon	Damian Timson
Kirsteen Sullivan	

Decision

Following a roll call vote the motion was successful by 7 votes to 6 and it was agreed accordingly.

7. CONSULTATION ON STATUTORY TRANSPORT NOISE ACTION PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing the proposed response to Transport Scotland's consultation on the statutory Transportation Noise Action Plan 2019-2023. Appendix 1 contained the draft response.

The report advised that elevated background noise levels were recognised to lead to health problems, including those of the cardiovascular system. It was therefore important for the health of residents that homes were not exposed to elevated background noise levels.

The report was in relation to the strategic mapping and action planning for noise from transport sources. The council approved Supplementary Guidance on Planning and noise managed issues on a case by case basis for new developments.

The Head of Planning, Economic Development and Regeneration explained that the Environmental Noise Directives required the Scottish Government on a five yearly cycle to:

- Produce strategic noise maps;
- Prepare a series of specific noise action plans based on the results of these noise maps; and
- Develop a Noise Action Plan to prioritise the management of noise

The report went on to advise that it was the Scottish Government's responsibility for producing noise maps and Noise Action Plans via Transport Scotland.

The proposed consultation response made it explicit that whilst West Lothian Council had a strong track record on collaborative working, this would be dependent on the availability of revenue funding for staff resources and capital funding for any identified necessary works.

Initial analysis of the noise map, using the Prioritisation Matrix contained in Section 5.1 of the draft document, provided a focus for deriving actions to manage noise by identifying Candidate Noise Management Areas. This prioritised buildings with a high population density exposed to high levels of transport noise. In practice, flats close to busy roads or railways were most likely to be prioritised.

It was recommended that the principles of the draft Noise Action Plan were accepted however a number of key issues were raised and detailed in the report.

In conclusion the report advised that the Scottish Government had published the draft Transport Noise Action Plan associated with the third round of statutory noise mapping required by the Environmental Noise Directive 2002.

Whilst the general approach was supported, interaction with, and expectations on, local authorities was not clear and no process existed to identify areas in West Lothian.

The report recommended that the Council Executive:-

1. Note the contents of the report and the proposed consultation response in Appendix 1 to the report; and
2. Approve the proposed consultation response contained in Appendix 1 to the report.

Decision

To approve the terms of the report.

8. LEASE OF 19 ST HELENS PLACE, ARMADALE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services) seeking

approval for a ten year lease of 19 St Helens Place, Armadale.

The report advised that the property was situated at 19 St Helens Place, Armadale in a corner of the neighbourhood development. The location of the property was shown on the plan attached to the report. The property formed part of the council's Commercial Property Portfolio and was currently leased to Mr Mohammed Aslam at a rent passing of £3,700 per annum.

Mr Aslam had undertaken a major investment in the property that included works to improve the frontage, services and the general amenity of the retail and storage areas. To justify the investment he asked the council for a new ten year lease.

The lease was agreed in principle on the terms as detailed in the report.

There was no proposed initial uplift on the rent due to the investment by Mr Aslam and the commitment to a new ten year lease. It was noted that the current rent reflected the market value and secured the occupancy of the property for a further ten years.

In conclusion it was considered in the council's best interest to enter into the ten year lease at 19 St Helens Place, Armadale to Mohammed Aslam on the basis as outlined in the report.

The report recommended that the Council Executive:-

1. Approve a new ten year lease at 19 St Helens Place, Armadale to Mohammed Aslam at an initial rent of £3,700 per annum.
2. Authorise the Head of Finance and Property Services to agree to any changes required to the current terms in order to conclude the transaction, on the basis that any revised terms and conditions represent best value for the council.

Decision

To approve the terms of the report.

9. LETTING OF 1A LIGGAT SYKE PLACE, EAST MAINS INDUSTRIAL ESTATE, BROXBURN TO EXCEL VENDING LIMITED

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the letting of 1a Liggat Syke Place, East Main Industrial Estate, Broxburn to Excel Vending Limited.

The report advised that the property at 1a Liggat Syke Place was a semi-detached industrial unit with ancillary offices and a small enclosed yard.

Following vacation of the property by the previous tenant the council undertook a refurbishment of the property to extend its economic life and enable the proposed lease.

Established in 1993, Excel Vending Limited had grown to be Scotland's leading vending machine supplier. The company had expanded its operations in the east of Scotland and this property provided a service depot for the business. The report set out the terms and conditions of the proposed lease.

In conclusion the report advised that it was in the council's best interest to grant a new lease to Excel Vending Limited in accordance with the terms and conditions as set out in the report.

The report recommended that Council Executive:

1. Approve the letting of 1a Liggat Syke Place, East Mains Industrial Estate, Broxburn to Excel Vending Limited for a period of fifteen years on the terms outlined in the report; and
2. Authorise the Head of Finance and Property Services to negotiate any further terms and conditions or changes to those outlined in the report on the basis that these continue to represent the achievement of best value for the council.

Decision

To approve the terms of the report.

10. LETTING OF 1B LIGGAT SYKE PLACE, EAST MAINS INDUSTRIAL ESTATE, BROXBURN, TO CARS4YOU LIMITED

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the letting of 1b Liggat Syke Place, East Main Industrial Estate, Broxburn to Cars4You Limited.

The report advised that the property at 1a Liggat Syke Place was a semi-detached industrial unit with ancillary offices and a small enclosed yard.

Following vacation of the property by the previous tenant the council undertook a refurbishment of the property to extend its economic life and enable the proposed lease.

Established in 2016, Cars4You Limited operated a car dealership in both Edinburgh and Rosyth. The acquisition of 1b Liggat Syke Place provided the company with a third location from which to sell vehicles along with providing a workshop for vehicle servicing, repair and preparation. The proposed terms of the lease were detailed in the report.

In conclusion the report advised that it was in the council's best interest to grant a new lease to Cars4You Limited in accordance with the terms and conditions as set out in the report.

The report recommended that Council Executive:

1. Approve the letting of 1b Liggat Syke Place, East Mains Industrial Estate, Broxburn to Cars4You Limited for a period of fifteen years on the terms outlined in the report; and
2. Authorise the Head of Finance and Property Services to negotiate any further terms and conditions or changes to those outlined in the report on the basis that these continue to represent the achievement of best value for the council.

Decision

To approve the terms of the report.

11. WATSON PARK, NORTH STREET, ARMADALE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of alternative proposals for the development of the sports facilities at Watson Park, North Street, Armadale.

The report recalled that the council's General Services Capital Investment Strategy 2018/19 to 2027/28 was approved at a meeting of the full West Lothian Council on 13 February 2018. Included in that strategy was an approved budget of £947,000 for the provision of a new sports changing pavilion and drainage improvement works to the existing grass pitch at Watson Park, North Street, Armadale.

Armadale Community Football Club (ACFC) currently had a membership in excess of 400, making it the largest football club in West Lothian. The club was a registered youth group through the council's accreditation scheme and it was also registered with the football governing bodies.

The project to deliver a new changing pavilion and improvements to the existing grass pitch at Watson Park was developed following a period of community consultation and it was progressed on the basis that ACFC would be the principal end user. ACFC were a key participant in the community consultation and they initially agreed that they would lease the new pavilion from the council and be responsible for its associated day-to-day management and running costs.

ACFC had now presented an alternative proposal that it considered would better serve the needs of its members and Armadale's wider sporting community. The club also confirmed that it was no longer willing to enter into a lease of the proposed new pavilion if it was merely intended to service the existing 11-a-side grass pitch. The amended proposal by ACFC was detailed in the report.

The Head of Finance and Property Services explained that in order to confirm support or otherwise for the amended project it was proposed that council officers undertake a brief period of public consultation during January and February 2019. A report on the consultation findings along with any recommended amendments to the council's approved capital

project would be submitted to Council Executive on 26 March 2019.

In conclusion the report advised it was in the council's best interest that cognisance be taken of alternative proposal submitted by ACFC and that officers consult with the wider Armadale community on the merits of those proposals.

The report recommended that Council Executive:

1. Note the representations made by ACFC relating to an approved capital investment project planned at Watson Park, North Street, Armadale.
2. Agree that officers should undertake a community consultation on proposals submitted by ACFC for the provision of a new synthetic 3G sports pitch and modular changing facilities at Watson Park, North Street, Armadale.
3. Agree that officers should report the results of that community consultation to the Council Executive on 26 March 2019, along with any recommended alterations to the approved capital projects.

Decision

To approve the terms of the report.

12. SURPLUS PROPERTIES

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval to formally declare surplus a number of properties outlined in the report which were no longer required for service delivery.

The report advised that a number of property assets that were no longer required for the delivery of services were proposed to be declared surplus. The properties would be dealt with in accordance with the Surplus Property Procedures which were approved by Council Executive on 28 November 2017.

The council was committed to the efficient and effective management of assets to support the delivery of services. Property assets were managed as a corporate resource and those no longer required should not be retained as they represented both financial and management resource burdens.

In accordance with the updated Surplus Property Procedures, property assets that were no longer required for service deliver were required to be formally declared surplus and then be subject to a standard process to ensure transparent and consistent decision making on their future. Appendix 1 to the report contained the list of properties to be declared as surplus to service delivery requirements.

The Head of Finance and Property Services explained that all of the

properties met the criteria outlined in the report and therefore it was appropriate that they were declared surplus to requirements.

In conclusion the properties outlined in the report would no longer be required for service delivery and were therefore surplus to the council's operational requirements. It was in the council's best interest to proceed with the marketing of each property in accordance with the updated Surplus Property Procedures as outlined in the report.

The report recommended that Council Executive:

1. Approve the properties listed in the report and Appendix 1 are declared surplus to council requirements; and
2. Instruct officers to dispose or lease the properties concerned in accordance with previously approved Surplus Property Procedures as outlined in the report.

The Council Executive was advised that Bathgate Community Council had contacted officers on 8 January 2019 in connection with a possible asset transfer request for the Marjoribanks Street site and that officers would meet the community council in accordance with approved asset transfer procedures to see if a formal request could be made.

The Council Executive was also advised that if a formal asset transfer request was made as a result then there was a statutory bar affecting disposal of the site until it had been determined by the Asset Transfer Committee.

Motion

To approve the terms of the report.

- Moved by Councillor Kirsteen Sullivan and seconded by Councillor Dave King

Amendment

To approve the properties as surplus but no action to be taken on the property at Marjoribanks Street, Bathgate until negotiations had taken place with Bathgate Community Council with regard to a possible asset transfer request.

- Moved by Councillor Charles Kennedy and seconded by Councillor Damian Timson.

A roll call vote was taken which resulted as follows:-

Motion

Harry Cartmill

Tom Conn

Amendment

Frank Anderson

Peter Heggie

David Dodds

Chris Horne

Dave King

Peter Johnston

Dom McGuire

Charles Kennedy

Cathy Muldoon

Damian Timson

Kirsteen Sullivan

Decision

Following a roll call vote the motion was successful by 7 votes to 6 and it was agreed accordingly.

13. SCOTTISH DRAFT BUDGET 2019 AND LOCAL GOVERNMENT FINANCE SETTLEMENT 2019/20

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update in relation to the Scottish Draft Budget presented to the Scottish Parliament on 12 December 2018, and the local government finance settlement for 2019/20.

The Head of Finance and Property Services explained that in overall terms Scotland's total proposed spending plans, as set out in the Draft Budget 2019-20, amounted to £42,539 million which was an increase of £1,984 million compared to the Scottish Budget 2018-19. Amendment Regulations 2017. The allocations per portfolio were set out in a table in the report.

In 2019-20 the total managed expenditure available within the local government portfolio was £10,779.9 million. This figure included general revenue and capital grant funding, specific revenue and capital grants, as well as an estimate of non-domestic rate income. There were also a number of other funding allocations linked to individual policy initiatives held within other spending portfolios and taking this into account, this resulted in a total local government settlement of £11,071.4 million. An allocation for Scottish Government funding to Local Government in cash terms were set out in a table in the report.

It was important to note that the overall funding in 2019-20 to local government would increase in cash terms; however the core local government settlement would decrease in real terms by 3.4% in 2019/20. This decrease was calculated after allowing for new specific grants, which were earmarked for delivery of Scottish Government priorities such as early learning and childcare, and the return of £150 million in general capital grant which was re-profiled from 2016/17 local government finance settlement.

The report continued to provide information on Pay Award, Devolved

Taxation, Welfare Changes, Scottish Economic Growth and High Level Local Government Settlement.

The Head of Finance and Property Services also provided an overview of the high level implications for West Lothian Council.

The report concluded that the Scottish Government had published the draft 2019-20 Scottish Budget and the provisional Local Government Finance Settlement for 2019-20 on 12 December 2018.

For West Lothian the increase in revenue grant funding was £3.692 million. After taking account of funding provided for new spend commitments, the comparable reduction compared to 2018-19 was £4.770 million at this stage although confirmation on a number of funding streams was still required. It was however clear that the revenue funding package proposed by the Cabinet Secretary would not provide sufficient funds to meet cost pressures and increasing demands and very significant savings would be required in 2019-20 and future years.

It was therefore proposed that the Head of Finance and Property Services continued to assess the outcome of the detailed local government finance settlement, taking account of further confirmation required and the further funding streams to be clarified.

It was recommended that Council Executive :-

1. Notes the issue of the Scottish Draft Budget 2019/20, which included departmental spending plans for 2019/20;
2. Notes the outcome of the provisional local government finance settlement in respect of revenue and capital funding for 2019/20;
3. Notes that the revenue grant funding for West Lothian contained in the settlement, including assumed recurring items yet to be distributed, of £322.862 million reflects an increase of £4.692 million compared to 2018/19 funding, however it included £9.462 million of revenue funding directly relating to new Scottish Government spending commitments, meaning that the council had a reduction in core revenue funding of £4.770 million in 2019/20;
4. Note the general capital grant of £17.615 million, £296,000 for Cycling, Walking and Safer Streets and £4.8 million in capital funding for early learning and childcare in 2019/20;
5. Notes that the revenue grant funding package set out by the Scottish Government would not provide the funding required to meet unavoidable cost pressures such as pay awards, demographics and indexation and that, as a result, very significant budget savings would be required in 2019/20;
6. Notes the significant reductions in core revenue funding to the council since 2014/15 and the very significant savings that had been required since 2007/08;

7. Agrees that the Head of Finance and Property Services should update the agreed 2019/20 revenue budget taking account of the outcome of the finance settlement and latest circumstances;
8. Agrees that the Head of Finance and Property Services should continue to assess the outcome of the detailed local government settlement, and should provide updated revenue and capital budgets to council in February 2019;
9. Advises officers of any further action that Council Executive would wish to see in relation to the settlement.

Motion

To approve the terms of the report and:

Council notes with continuing despair that yet again the Scottish Government has mercilessly cut the core Scottish local government settlement in cash terms by £264 million, which is a 3.4% real terms cut. The Fraser of Allander Institute (a leading independent economic research institute) has stated that the headline Scottish Government figures for councils are flat in real terms only because capital and specific grants are included and reinforce the assessment that core local government funding has been cut.

At a national level, local government is receiving a reducing share of overall Scottish resources, with councils set to receive only 26.03% of the overall pot in 2019/20 compared to 28.62% in 2007/08. Between 2016/17 and 2019/20 the core local government finance settlement will have decreased by 9% in real terms, with the Fraser of Allander Institute estimating that £539 million would be required to restore local government funding in real terms to 2016/17.

Scottish Government demonstrates on an ongoing basis its lack of recognition and appreciation of the valuable local services councils provide to their communities by subjecting them to cuts, at five times the rate of reductions in the Scottish Government's own budget.

This level of year on year of staggering cuts to lifeline services exposes the most vulnerable in our communities. Cosla has repeatedly echoed the warning from the independent Accounts Commission and Audit Scotland that these cumulative cuts are not sustainable and the "councils are at a cliff edge". The impact of such savage cuts on this council is a reduction in budget of £92 million from 2007/08 to 2017/18. Over and above this savings of £65 million have had to be found for the five year period 2018/19 to 2022/23 and early indications from the first draft of the Scottish Government budget for 2019/20 show that further savings will have to be made.

The admission by Derek MacKay, Finance Secretary, at the Local Government and Communities committee on 9th January that councils will have to cut frontline services, after years of denial by him, his

predecessors and the Scottish Government, is welcomed. However, at this stage, he has failed to take action to stop or reverse the damage his policies cause within communities throughout Scotland although he has a range of financial measures available to him.

Council Executive therefore, given the Cabinet Secretary's admission, instructs the Chief Executive to write to the Cabinet Secretary for Finance, Economy and Fair Work and Scotland's First Minister setting out the negative impact the finance settlement would have on council services and to demand that her Government gives proper appreciation and recognition to local authorities in general and West Lothian Council in particular by providing sufficient revenue grant support in 2019/20 to allow fully funded provision of services.

- Moved by Councillor Kirsteen Sullivan and seconded by Councillor Harry Cartmill.

Amendment

West Lothian SNP Group welcomes the additional money given to Councils, this year. We welcome the additional money allocated to the Scottish Governments priority themes of NHS, Education and Integration.

West Lothian SNP Group notes the Recommendations and appreciates that changes could occur in later discussions at Holyrood.

- Moved by Councillor Frank Anderson and seconded by Councillor Peter Johnston.

A Roll Call Vote was taken which resulted as follows :-

Motion

Amendment

Harry Cartmill

Frank Anderson

Tom Conn

Peter Johnston

David Dodds

Peter Heggie

Chris Horne

Charles Kennedy

Dave King

Dom McGuire

Cathy Muldoon

Kirsteen Sullivan

Damian Timson

Decision

Following a vote the motion was successful by 11 votes to 2 and it was agreed accordingly.



**West Lothian
Council**

Chief Executive Office

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Our Ref: CEO/MC
Your Ref:

Contact: Graham Hope
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Private & Confidential
Derek MacKay MSP
Cabinet Secretary for Finance, Economy and Fair
Work
T3.21
The Scottish Parliament
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EH99 1SP

17 January 2019

Dear Cabinet Secretary

SCOTTISH DRAFT BUDGET 2019/20 AND LOCAL GOVERNMENT FINANCIAL SETTLEMENT 2019/20

West Lothian Council Executive agreed on 15 January 2019 that I should write to you asking that the Scottish Government gives proper recognition to local authorities by providing sufficient revenue grant support in 2019/20.

The draft local government settlement for 2019/20 sets out a cash increase; however the core local government settlement will decrease by 3.4 per cent in real terms. This reduction is calculated after allowing for new specific grants, which are earmarked for the delivery of Scottish Government priorities and the return of £150 million in general capital grant which was reprofiled from the 2016/17 local government finance settlement. Although total funding is increasing, if the ringfenced funding is deducted the actual movement is a reduction of £245.2 million. The increased use of ringfenced funding for national initiatives and priorities means that the total resources available to support existing local service delivery is becoming more constrained each year.

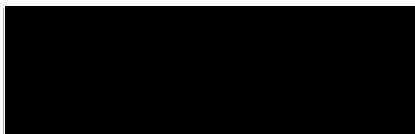
West Lothian Council has made savings of over £92 million over the ten year period 2008 to 2018, which equates to almost £1,200 per household, as a result of government grant funding being insufficient to meet estimated growth in council expenditure. In addition to this, savings of £65 million have had to be identified for the period 2018/19 to 2022/23 and indications from the draft Scottish Budget 2019/20 are that further savings will be required. Insufficient funding will have a negative impact on local services and there will also be further reductions in staffing numbers.

I attach a copy of the report presented to the Council Executive on the draft Scottish Budget 2019/20 and the Local Government Financial Settlement 2019, along with the motion agreed by the Council Executive.



westlothian.gov.uk

Yours sincerely



Graham Hope
Chief Executive



**West Lothian
Council**

Chief Executive Office

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Our Ref: CEO/MC
Your Ref:

Contact: Graham Hope
Tel: 01506 281697
e-mail: graham.hope@westlothian.gov.uk

Private & Confidential

The Rt Hon. Nicola Sturgeon MSP
First Minister
T4.25
The Scottish Parliament
Edinburgh
EH99 1SP

17 January 2019

Dear First Minister

SCOTTISH DRAFT BUDGET 2019/20 AND LOCAL GOVERNMENT FINANCIAL SETTLEMENT 2019/20

West Lothian Council Executive agreed on 15 January 2019 that I should write to you asking that the Scottish Government gives proper recognition to local authorities by providing sufficient revenue grant support in 2019/20.

The draft local government settlement for 2019/20 sets out a cash increase; however the core local government settlement will decrease by 3.4 per cent in real terms. This reduction is calculated after allowing for new specific grants, which are earmarked for the delivery of Scottish Government priorities and the return of £150 million in general capital grant which was reprofiled from the 2016/17 local government finance settlement. Although total funding is increasing, if the ringfenced funding is deducted the actual movement is a reduction of £245.2 million. The increased use of ringfenced funding for national initiatives and priorities means that the total resources available to support existing local service delivery is becoming more constrained each year.

West Lothian Council has made savings of over £92 million over the ten year period 2008 to 2018, which equates to almost £1,200 per household, as a result of government grant funding being insufficient to meet estimated growth in council expenditure. In addition to this, savings of £65 million have had to be identified for the period 2018/19 to 2022/23 and indications from the draft Scottish Budget 2019/20 are that further savings will be required. Insufficient funding will have a negative impact on local services and there will also be further reductions in staffing numbers.

I attach a copy of the report presented to the Council Executive on the draft Scottish Budget 2019/20 and the Local Government Financial Settlement 2019, along with the motion agreed by the Council Executive.



westlothian.gov.uk

Yours sincerely



Graham Hope
Chief Executive



COUNCIL EXECUTIVE

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

TAXI FARE REVIEW

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To inform the Council Executive regarding the steps taken in the review of the council's table of taxi fares and associated charges, and to ask the Council Executive to approve the fare table for the period 5 April 2019 to 4 October 2020 containing no changes to the current fare table.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Notes that a review of the fare table has been undertaken, as required under section 17 of the Civic Government (Scotland) Act 1982 ("the 1982 Act");
2. Notes that consultation has taken place with the relevant trade organisations, as required under section 17(4A)(a) of the 1982 Act;
3. Notes that notice of the proposed new fare table, explaining that there is no change to the current fare table, has been published in a newspaper circulating in the council's area, as required under section 17(4A)(c) of the 1982 Act;
4. Notes that the council must consider any representations made in writing regarding its proposed new fare table received within the period specified in the notice, as required under section 17(4A)(d) of the 1982 Act;
5. Notes that no representations were received within the statutory period.
6. Approves the proposed new fare table, containing no changes to the current fare table, contained in Appendix 1.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|--|
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | Section 17 of the Civic Government (Scotland) Act 1982 |
| III Implications for Scheme of | None |

Delegations to Officers

IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	Advertising costs of £511.92 plus VAT to be paid from Legal Services budget
VII	Consideration at PDSP	Environment PDSP – 29 January 2019
VIII	Other consultations	West Lothian Taxi Owners Association and West Lothian Taxi and Private Hire Car Owners and Drivers Association

D. TERMS OF REPORT

D.1 Background

Under section 17 of the Civic Government (Scotland) Act 1982 (“the 1982 Act”), the council as licensing authority is required to fix fares for the hire of taxis in its area, and all other charges in connection with the hire of a taxi or with the arrangements for its hire, and to review its fare table, detailing these fares and charges, every 18 months.

The council’s current fare table came into force on 5 October 2017 and requires to be reviewed by April 2019. In practice metered private hire cars also use the same fare table.

Section 17(4A)(a) of the 1982 Act requires the council, in carrying out a review of its fare table, to consult with persons or organisations appearing to it to be, or to be representative of, the operators of taxis operating within its area.

In accordance with previous practice, the Licensing Team has consulted with representatives of the West Lothian Taxi Owners Association and West Lothian Taxi and Private Hire Car Owners and Drivers Association. The representatives of the associations consulted informed the Licensing Team that their associations were not requesting any changes to the current fare table.

Under sections 17(4A)(b) and (c) of the 1982 Act, where the council proposes to make changes to its fare table it must publish its proposed new fare table in a newspaper circulating in its area:

- setting out its proposed new fares;
- explaining the effect of them (with reference to its current fare table);
- proposing a date on which they are to come into effect; and
- stating that any person may make representations in writing regarding them until a specified date at least one month after the first publication of the notice.

A copy of the notice published in the West Lothian Courier on 16 August 2018 containing the proposed new fare table is attached as Appendix 1 to this report. As stated in the notice published on 16 August 2018 the period for any representations ended on 20 September 2018. No representations have been received.

No changes are proposed to the scales and charges set out in the current fare table. Therefore, if the proposed new fare table is approved by the Council Executive, hire car operators will not require to reconfigure meters. If the proposed new fare table is approved the Licensing Team will arrange for copies to be printed and issued to all hire car operators and booking offices prior to the new table taking effect and will arrange for the new table to be published on the council's website.

D.2 Consideration at Environment PDSP

A report regarding the taxi fare review was considered at the Environment PDSP on 29 January 2019. The Panel noted the report and recommended that it be forwarded to the Council Executive for approval.

E. CONCLUSION

The council as licensing authority is required to comply with section 17 of the 1982 Act by reviewing its taxi fare table every 18 months in consultation with local trade organisations, to publish notice of any proposed changes to its fare table and to consider any representations made in writing regarding the proposed changes.

The Council Executive is invited to approve the new fare table for the period 5 April 2019 to 4 October 2020.

F. BACKGROUND REFERENCES

Civic Government (Scotland) Act 1982

Appendices/Attachments:

Appendix 1: copy notice published in the West Lothian Courier on 16 August 2018

Contact Person: Audrey Watson, Managing Solicitor – Licensing, Legal Services (01506) 281624 Audrey.watson@westlothian.gov.uk

Julie Whitelaw, Head of Corporate Services

Date: 5 February 2019

WEST LoTHIAN COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982

FARE TABLE FOR EXCLUSIVE HIRES: NOTICE IS HEREBY GIVEN in terms of section 17(4A)(c) of the Civic Government (Scotland) Act 1982 that West Lothian Council proposes, with effect from 5 April 2019, to fix fares and other charges for the hire of taxis in West Lothian at the same rates as those for the period 5 October 2017 to 4 April 2019, as detailed below:

<p>Tariff 1 - Monday - Friday 6am - 6pm for up to 2 passengers</p> <p>For</p> <ul style="list-style-type: none"> the initial hire not exceeding 190 yards; the initial period of waiting time of 43 seconds; or a combination of time and distance as above £2.60 <p>For</p> <ul style="list-style-type: none"> each additional 225 yards or part thereof; each additional period of waiting time of 43 seconds or part thereof; or a combination of additional time and distance 20p 	<p>Tariff 2 - Monday - Thursday 6pm - 6am and at weekends from 6pm on Friday - Monday 6am for up to 2 passengers</p> <p>For</p> <ul style="list-style-type: none"> the initial hire not exceeding 190 yards; the initial period of waiting time of 43 seconds; or a combination of time and distance as above £3.00 <p>For</p> <ul style="list-style-type: none"> each additional 225 yards or part thereof; each additional period of waiting time of 43 seconds or part thereof; or a combination of additional time and distance 20p
<p>Tariff 3 - Christmas and New Year for up to 2 passengers</p> <p>Hires commencing at 10pm on 24 December until 5am on 27 December and between 10pm on 31 December and 6am on 2 January in any year</p> <p>For</p> <ul style="list-style-type: none"> the initial hire not exceeding 190 yards; the initial period of waiting time of 43 seconds; or a combination of time and distance as above £3.90 <p>For</p> <ul style="list-style-type: none"> each additional 225 yards or part thereof; each additional period of waiting time of 43 seconds or part thereof; or a combination of additional time and distance 30p 	<p>Additional Charges</p> <p>Where more than 2 passengers: Per extra adult passenger (over 12 years): 40p Per extra child passenger (over 5 years and under 12 years): 20p Per extra infant passenger (0-5 years): no extra charge Note: each passenger must be properly seated (including children and infants)</p> <p>Luggage For every piece of luggage carried (subject to a maximum charge of 40p per hire): 20p For each piece of luggage or additional item carried requiring the assistance of the driver, or which cannot reasonably be lifted by one person: a charge of £5 (amount to be agreed before journey commences)</p> <p>Soiling Charge: £40.00 Cancellation Fee i.e. taxi or metered private hire car booked but not used: £2.60 Engagement Fee i.e. where taxi or metered private hire car booked by telephone or booked in advance: 60p per hire</p>
<p>Anyone wishing to make representations regarding this proposal must do so in writing to Carol Johnston, Chief Solicitor, Legal Services, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF by 20 September 2018 – carol.johnston@westlothian.gov.uk.</p>	



COUNCIL EXECUTIVE

PURCHASE OF GROUND LEASE 9 INCHMUIR ROAD, WHITEHILL INDUSTRIAL ESTATE, BATHGATE

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the purchase of the ground lease of 9 Inchmuir Road, Whitehill Industrial Estate, Bathgate.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves that the purchase of the ground lease at 9 Inchmuir Road, Whitehill Industrial Estate, Bathgate for £21,000 (twenty one thousand pounds); and
2. Authorises the Head of Finance and Property Services to negotiate any further terms and conditions or changes to those outlined in the report on the basis that these continue to represent the achievement of best value for the council.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customer's needs; being honest, open and accountable; and making best use of our resources
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973 and the Disposal of Land by Local Authorities (Scotland) regulations 2010.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	The purchase and letting of this property will contribute towards the councils Commercial Property Portfolio (CPP) revenue budget targets.
V Relevance to Single Outcome Agreement	Our economy is diverse and dynamic and west Lothian is an attractive place for doing business.
VI Resources - (Financial, Staffing and Property)	Rental income as set out in the report will accrue to the councils revenue budget. The project will be managed within existing staff resources.
VII Consideration at PDSP	None.
VIII Other consultations	None

The local elected members for relevant wards have received a copy of this report for their information.

D. TERMS OF REPORT

D1 Background

The land at 9 Inchmuir Road comprises 0.519 Ha (1.28 Acres) and has been let on a ground lease from 18 September 1978 for a term of 99 years with expiry 17 September 2077. There are ten yearly rent reviews with the next one due in September 2019. The current rent is £14,000 per annum. The land is currently let to National Grid Property Holdings Limited (NGPH)

The land has been developed by the tenant to provide an office building of approximately 630sqm and a secure surfaced yard. The property is sub-let to National Grid Gas Plc (NGG) on a full repairing and insuring lease until 9 February 2021 at a rent of £35,000 per annum.

NGPH as part of a major rationalising of property assets has offered to surrender the ground lease to the council and sell the building and secure yard, subject to the lease remaining in place, for a purchase price of £21,000 plus VAT.

West Lothian has a limited supply of yards with premises and, whilst it is likely that NGG will ask to extend their lease beyond February 2021 should this not occur officers are of the opinion that re-letting or disposal should be reasonably straightforward.

The proposed acquisition will be funded from within the existing Commercial Property Portfolio resources and through the securing of the additional £35,000 per annum up to February 2021.

D2 Proposed Terms

The main terms of the purchase agreed in principle are:

- Premium Payable by the council - £21,000 plus VAT
- Legal Expenses – Each party to meet their own legal costs
- The lease to National Grid gas Plc will remain in occupation on the terms of the existing lease
- Date of Entry - 31 March 2019
- Any other terms considered appropriate and reasonable.

It is proposed to delegate authority to the Head of Finance and Property Services to carry out further negotiations with the seller in respect to the property, on the basis that any revised terms and conditions still represent best value for the council.

E. CONCLUSION

It is considered to be in the council's best interest to purchase the ground lease of 9 Inchmuir Road Whitehill Industrial estate in accordance with the terms and conditions set out in the report.

F. BACKGROUND REFERENCES

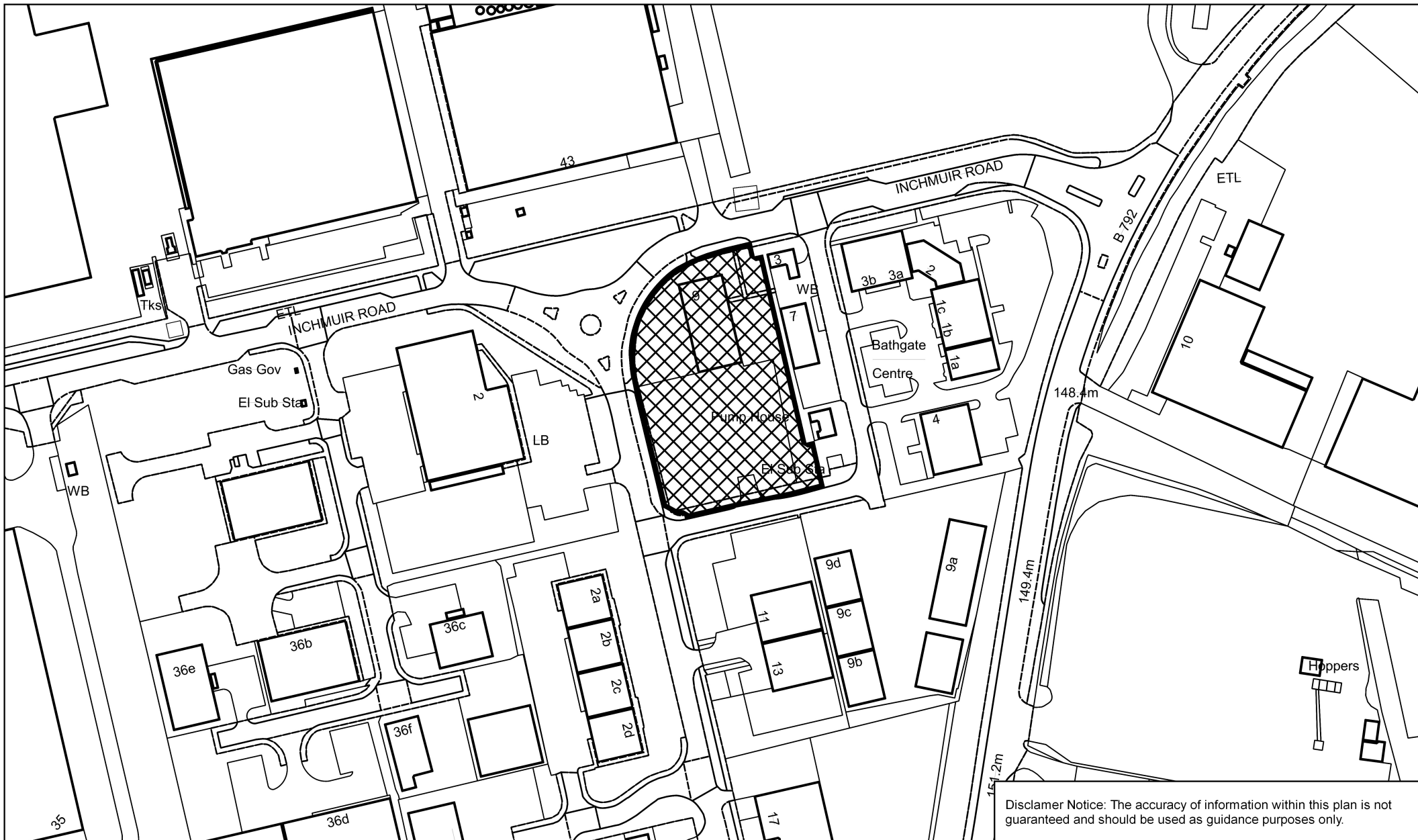
None



Appendices/Attachments: Appendix 1 – Location Plan

Contact Person: Tracey Thomson, Surveyor, Finance and Property Services
Tel: (01506) 281834 - Email: tracey.thomson@westlothian.gov.uk,

Donald Forrest
Head of Finance and Property Services

Date of meeting: 5 February 2019



	9 Inchmuir Road, Whitehill Industrial Estate, Bathgate	1:2,000	A4	
Property Management, West Lothian Civic Centre, Livingston, EH54 6FF	15/1/2019	Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office. Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings. ©Crown copyright. All rights reserved. Licence 100037194 2019		



COUNCIL EXECUTIVE

LAND AT 28 STATION ROAD, ARMADALE - PROPOSED SALE TO PARVINDER KUMAR

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of land extending to approx. 0.162 acres (656 sqm) or thereby at 28 Station Road, Armadale, EH48 3LH to Mr Parvinder Kumar.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of land extending to 0.162 acres (656 sqm) or thereby at 28 Station Road, Armadale to Parvinder Kumar for the sum of £70,000 (Seventy Thousand pounds) 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 and the Disposal of Land by Local Authorities (Scotland) Regulations 2010.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	The sale of this land will contribute towards the council's 2019/20 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 £70,000 will be received during the 2019/20 financial 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 land is located at 28 Station Road, Armadale and has been vacant for a number of years and was declared surplus to Council requirements by Council Executive on 15 January 2019. The property is shown hatched and outlined black on the attached plan.

The property has been marketed as a residential development opportunity since April 2018. Following suitable interest, a closing date was set for 17 January 2019 with three offers being received.

After evaluation, officers recommend the offer from Parvinder Kumar for £70,000 (Seventy Thousand pounds) as it represents the best value offer received.

D2 Proposed Sale Terms

It is proposed to sell to Parvinder Kumar for £70,000 (Seventy Thousand pounds). The offer is subject to the proposed purchaser obtaining planning consent for residential development and obtaining satisfactory property reports and other permissions.

It is proposed that the Head of Finance and Property Services is authorised to carry out any further negotiations with the purchaser in respect of the sale conditions, on the basis that any revised terms still represent the achievement of best value for the council and are not material.

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

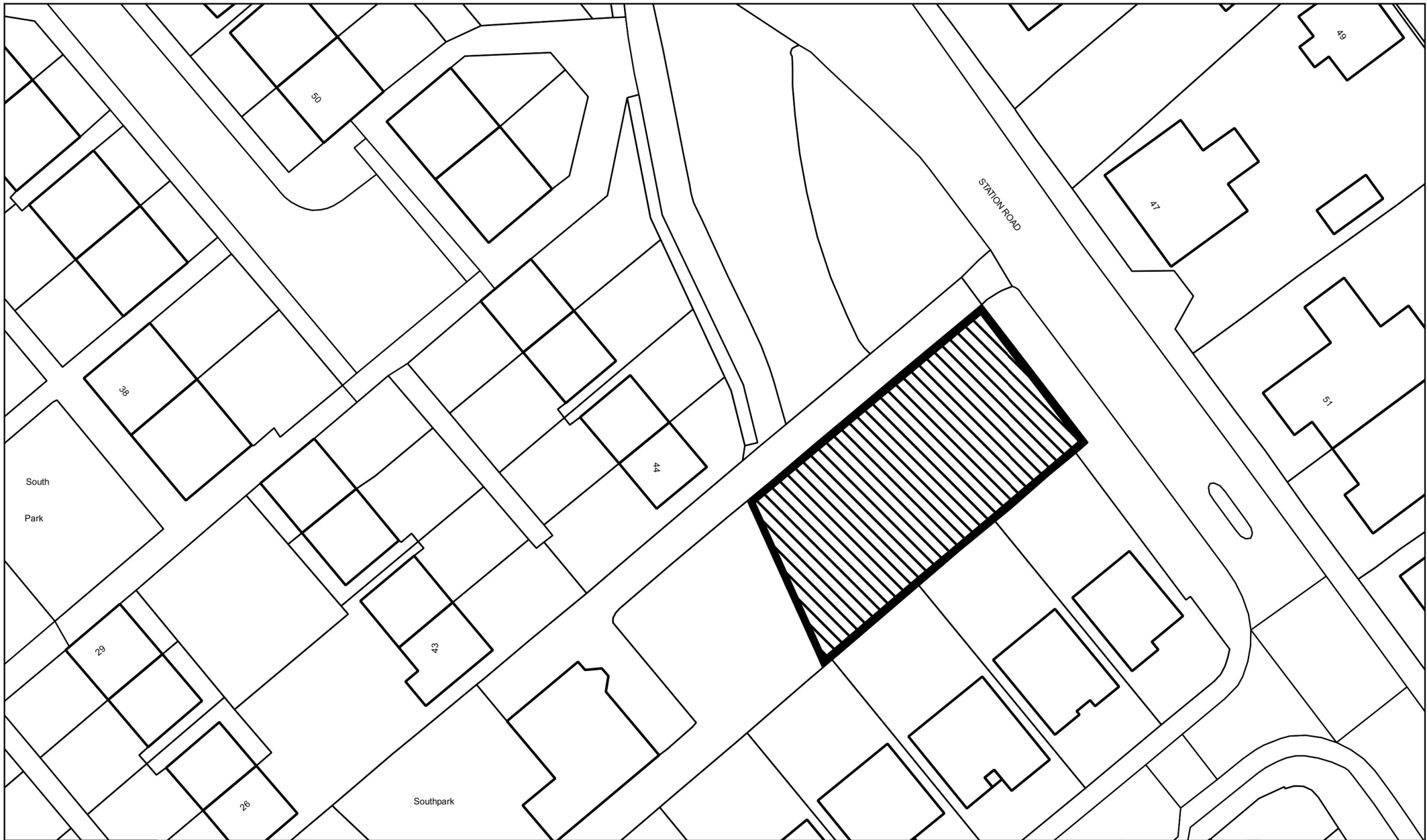
Appendices/Attachments: Location plan attached.



Contact Person: Janet Rutherford, Surveyor

Tel. (01506) 281831 e-mail: janet.rutherford@westlothian.gov.uk

Donald Forrest, Head of Finance and Property Services

Date of meeting: 5 February 2019



	28 Station Road, Armadale	1:500	A4	
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COUNCIL EXECUTIVE

SALE OF FORMER WAVERLEY DEPOT, WAVERLEY STREET, BATHGATE

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the sale of the former Waverley Depot, Waverley Street, Bathgate to Weslo Housing Management Limited.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of the former Waverley Depot, Waverley Street, Bathgate which extends to approximately 0.75 acres to Weslo Housing Management Limited for the sum of £105,000 (One Hundred and Five Thousand Pounds).
2. Authorise the Head of Finance and Property Services to carry out further negotiations with the purchaser in respect to the property, on the basis that any revised terms and conditions still represent best value for the council.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973 and the Disposal of Land by Local Authorities (Scotland) Regulations 2010.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	The sale of this land will contribute towards the council's 2019/20 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 effect on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	A financial receipt would be received in 2018/19 of £105,000.

VII	Consideration at PDSP	Not Applicable.
VIII	Other consultations	A copy of this report has been provided to the local elected members for information.

D. TERMS OF REPORT

Following the completion of the new Whitehill Service Centre, the former Waverley Depot became surplus to requirements and was vacated in May 2018. The site extends to approx. 0.75 acres and shown on the location plan within the Appendix. The Depot is held on the Housing Revenue Account and the Tenant Panel has agreed to the sale of the property.

Weslo Housing Management Limited (Weslo) is a Registered Social Landlord operating in the West Lothian Council area. The company's key objective is to provide affordable, good quality rented housing.

Working in partnership with Almond Housing Association (AHA), Weslo are also developing a nearby property in Waverley Street for social housing. This is shown illustrated on the attached plan. Given the potential for locational economies of scale, Weslo and AHA expressed an interest in the former depot to develop both sites in tandem.

Following this approach, the council commissioned an independent valuation from the District Valuer who valued the property at £105,000 on the basis of the use being restricted to affordable housing use and reflecting development costs associated with demolition of the existing buildings, removal of fuel tanks and appropriate contamination allowances.

Consequently the following terms were agreed, subject to Council Executive approval and the Weslo board approval;

1. The subjects of sale comprise the former Waverley Depot, Waverley Street, Bathgate as shown outlined on the attached plan.
2. The purchaser will be Weslo Housing Management Limited.
3. The purchase price will be £105,000 (exclusive of VAT if applicable)
4. Each party will meet their own legal costs.
5. The transaction will be subject to the following;
 - a) Weslo obtaining planning permission
 - b) Weslo obtaining Scottish Government Grant funding
 - c) Weslo being satisfied as to their site investigations
 - d) Weslo Board approval

The council is committed to increasing the number of affordable homes within West Lothian and, working in partnership with Weslo and AHA, will enable the former depot site to be redeveloped.

It is recommended that Council Executive approves the sale of the former depot to Weslo Housing Management Limited on the terms set out above.

Delegated powers are also recommended to be granted to the Head of Finance and Property Services to conclude any further negotiations that may be required with the purchaser, including any required amendment to the purchase price, provided always that the amended purchase price would still represent the best capital receipt for the Council.

E. CONCLUSION

It is considered in the council's best interest that the former Waverley Depot, Waverley Street, Bathgate be sold to Weslo Housing Management Limited in accordance with the terms set out in this report.

F. BACKGROUND REFERENCES

none

Appendices/Attachments: Location Plan

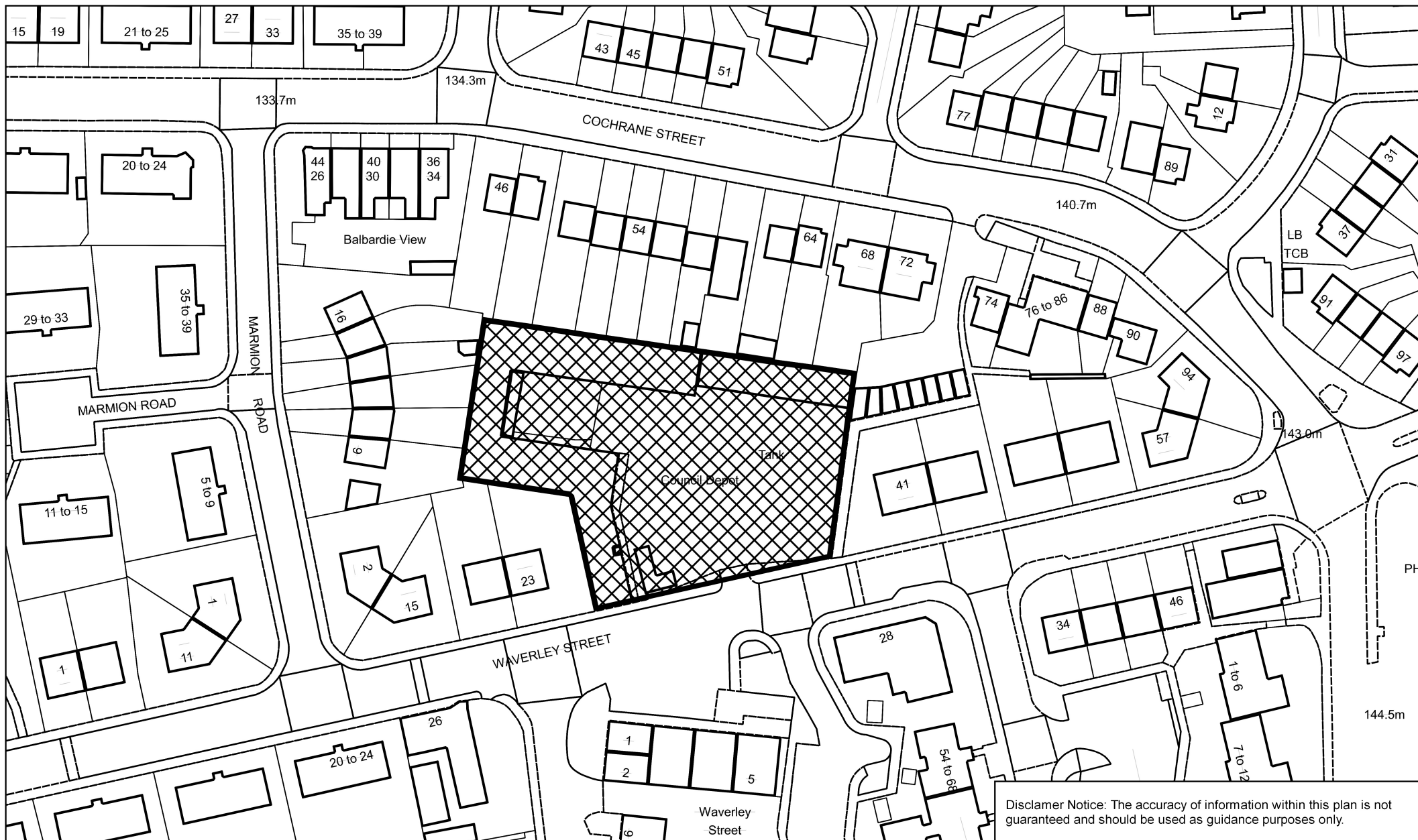
Contact Person:

Niall Carlton, Commercial Property Surveyor, Property Management and Development

Email: niall.carlton@westlothian.gov.uk Tel: 01506 283287

Donald Forrest, Head of Finance and Property Services

Date of meeting: 5 February 2019



Former Council Depot Waverley Street, Bathgate

Property Management, West Lothian Civic Centre, Livingston, EH54 6FF

21/1/2019

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A4





COUNCIL EXECUTIVE

APSE SCOTLAND BUILDING AND HOUSING SEMINAR 2019

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to seek approval from the Council Executive for the attendance of appropriate elected members attendance at the APSE Scotland Building and Housing Seminar 2019 incorporating the APSE Scotland Building and Housing Apprentice of the Year Awards 2019 which this year is being held in Dunblane Hydro, Perthshire on the 7/8 February 2019.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the attendance of the Executive Councillor for Services for the Community & Councillor Anderson at the APSE Scotland Building and Housing Seminar 2019, with appropriate officer support.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; 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)	The cost for individual attendance at the seminar for APSE members is £219 + VAT.
VII	Consideration at PDSP	None.

D. TERMS OF REPORT

D1 Background

The Council are members of APSE and the Executive Councillor for Services for the Community is also the Chair of the APSE Scotland Building and Housing Advisory Group.

The Building and Housing Seminar 2019 is the premier Scottish APSE event of the year including the annual apprentice awards dinner.

This year's APSE Scottish Building and Housing Seminar is being held in Dunblane Perthshire on 7/8 February, a copy of the programme is attached as Appendix 1.

The APSE Scottish Building and Housing Seminar 2019 brings together a range of Scottish wide specialists from council's, academics and others sharing award winning good practice in the promotion of the delivery of effective and efficiency local authority services.

The main topics on the programme cover –

- Rapid Rehousing Transition Plan
- Shortage of Affordable Homes
- Staff Recruitment & Retention
- Training, Multi-Skilling, Apprenticeships & Work Placements

E. Conclusion

It is proposed that the Council Executive approve the attendance of the Executive Councillor for Services for the Community and Councillor Anderson attendance at the APSE Scottish Building and Housing Seminar 2019 held in Dunblane Perthshire Stoke on the 7/8 February.

F. Background References

Appendices/Attachments: Seminar Programme

Contact Person: AnnMarie Carr - 01506 281355

Annmarie.carr@westlothian.gov.uk

AnnMarie Carr

Head of Housing, Customer and Building Services

5 February 2019

Building and maintaining the council housing of the future

APSE Scotland Building and Housing Seminar 2019



7 and 8 February 2019

Dunblane Hydro, Perthshire

Programme

Thursday 7 February 2019

09:00 Registration

10:00 **Session 1: The Bigger Picture**

"Question Time" challenges facing local government

- Joyce White, Chief Executive, West Dunbartonshire Council and Chair of Solace
- Craig Hatton, Chief Executive, North Ayrshire Council
- Councillor Cecil Meiklejohn, Leader, Falkirk Council
- Councillor Alison Evison, President, Cosla (inv)

Audience question and answer session

11:15 Refreshments and exhibition viewing

11:45 **Session 2: Helping to tackle our housing challenges**

Falkirk's Rapid Rehousing Transition Plan

- Putting our plan in place
- Areas of consideration
- Challenges faced when working to a short timeframe

Joanna Stewart, Senior Development Officer, Falkirk Council

Tackling the affordable housing shortage in the Highlands

- The Highland Housing Hub / collaboration versus competition
- Off-site fabrication versus traditional construction
- Constraints and solutions

Allan Maguire, Head of Development and Regeneration, Highland Council

Audience question and answer session

12:45 Lunch and exhibition viewing

14:00 **Session 3: Health & Safety within the construction division**

The importance of good fire safety within domestic properties

- Key areas of focus
- Examples of good practice
- Future considerations

Danny Howie, Watch Manager - National Fire Safety Enforcement Team, Scottish Fire and Rescue Service

Gaining accreditation to manufacture our own certified fire safety doors

- Main reasons for undertaking the accreditation
- Development of fire door sets / components to achieve certification, training and feedback from workforce
- How this accreditation has helped building and housing services

Gerry Doherty, Team Manager, Fife Council

Fire safety in construction - what you need to know

- Why is it important?
- What are your legal duties?
- How to remove the risk?

Graham Mitchell, HM Inspector of Health and Safety, Health & Safety Executive

Audience question and answer session

15:30 Refreshments and exhibition viewing

16:00 **Session 4: New innovations and methods of working**

Drones: Our research and development project

- Aims and objectives
- Their use for building inspections and surveys
- Areas for development / future focus

Andy Pollock, Curriculum Head, City of Glasgow College

Technology, Information and Skills - what does the future hold?

- Investing in our current and future workforce through training - multiskilling, apprenticeships and work placements
- The use of technology
- Opportunities to increase the variety of work carried out

William Andrew, Service Lead and Heather Michael, Systems Officer - Property Maintenance, South Ayrshire Council

Audience question and answer session

19:00 Drinks reception

19:30 Annual Dinner, Margo Blair Award and Apprentice Awards (sponsored by Jordan Electrics)

Friday 8 February 2019

09:30 **Session 5: Building Maintenance & Housing Clinic**

Discussion Forum

Topics including:

- Recruitment and retention
- Succession planning

Chaired by: Kenny Gillespie, Head of Housing, Falkirk Council and Colin McInnes, Associate, APSE

11:30 Seminar close

About the seminar

The setting of building maintenance and housing services continues to develop and change at a fast pace. APSE's 2018 joint publication with the TCPA "Delivering affordable homes in a changing world: Ensuring councils can meet local housing need" looks at different local authority models of council leadership in delivering and managing social and affordable housing. As well as this, local authorities continue to face ongoing budget pressures which make the challenges our important services face even more difficult to overcome. Specifically, this conference will provide the opportunity for delegates to pose their questions on current and future challenges for local authorities (within building and housing) to an expert panel of Chief Executives and Elected Members. During the event we will also look at how local authorities are helping to tackle the housing need, with presentations on the Rapid Rehousing Transition Plan and how the Highlands are meeting their housing challenges. As well as this we will be looking at the importance of health and safety especially post Grenfell. In addition, we will be looking to the future and hearing about some of the new innovations and methods of working which are out there. One of the "hot topics" at the moment is the use of drones and this conference will look at their potential use for inspections and surveys. As well as this we will hear how technology, information and skills are evolving and helping building services. Finally, we will have our building maintenance and housing clinic which provides colleagues attending the opportunity to discuss and debate the issues which are affecting their service areas. Topics to be discussed will include recruitment and retention as well as succession planning.

Who should attend?

- Elected Members
- Service Directors
- Maintenance and Repairs Managers
- Housing and Building Services Officers
- Asset Management Officers
- Contractors and Suppliers

Reserve your place now by completing the booking form and emailing it back to lmcnab@apse.org.uk or by completing the online booking form at www.apse.org.uk

The venue

DoubleTree by Hilton Dunblane Hydro
Perth Road
Dunblane
Perthshire
FK15 0HG

The hotel is located in over ten acres of picturesque landscaped grounds, overlooking Dunblane and its 12th century cathedral with the Perthshire countryside in the distance. Michelin star-winning celebrity chef Nick Nairn was invited to head up the new Kailyard Restaurant with his inspirational Scottish menu.

Directions

Roads and Parking

Directions from Glasgow - Follow the signs to Stirling (M80). Merge with the M9 at Stirling and leave at junction 11 for Dunblane. Drive for half a mile on the dual carriageway. Go straight over the next two roundabouts and Dunblane Hydro hotel is 200 yards on the right.

Train

Dunblane train station is 1 mile away from the venue.

Contact details

Contact name Authority

Address

Postcode

Email Telephone

Please detail any special dietary or access requirements for the delegates listed below (including vegetarian/vegan)

Delegate Packages Exclusive of accommodation costs

What's included: The delegate fee covers seminar attendance, delegates' documentation, lunches and light refreshments and dinner on the evening of 7 February. Accommodation is not included.

Full seminar attendance including evening function

APSE members: **£219 +VAT**

APSE members special offer: **£50 for one morning or afternoon only seminar place for every two full paying delegates**

Non member LAs / Commercial organisations: **Please contact us at 01698 459051 for prices**

Accommodation Bookings allocated on 'first come' basis

Option A: 1 night accommodation

Date: 7 February 2019 **Cost (B&B) £70***

Option B: 1 night accommodation (sharing)

Date: 7 February 2019 **Cost (B&B) £50 per person ***

(*) APSE will invoice delegates for the accommodation cost at the appropriate rate. All the above rates are exclusive of VAT. All extras must be paid direct to the hotel on departure.

Payment details

☐ Please find enclosed cheque made payable to APSE

☐ Please invoice me (if required please include purchase order number) _____

VAT registration number 671 447 720

Delegate details

Delegate name	Position	Email	Accommodation	Offer Place
			Yes / No / Sharing	Yes / No
			Yes / No / Sharing	Yes / No
			Yes / No / Sharing	Yes / No
			Yes / No / Sharing	Yes / No

- ☐ Please confirm that you are happy for APSE to retain your details so that we can send you information relevant to your area of interest. Your data will be used for sign in sheets, delegate lists and hotel lists (where relevant). If you are making a booking on behalf of other delegates please confirm that you have their permission to be included on our database. Our GDPR policy is available on our website: www.apse.org.uk.

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1

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2

Email this form to:
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COUNCIL EXECUTIVE

SCOTTISH GOVERNMENT HATE CRIME CONSULTATION

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The Scottish Government is undertaking consultation seeking views regarding consolidation of all Scottish Hate Crime legislation into one new hate crime statute including the expansion of the current statutory aggravations. The submission date for responses to be included in the consultation process is 24th February 2019, Officers are seeking approval from Council Executive to have the proposed consultation response submitted.

B. RECOMMENDATION

Council Executive to approve the consultation response set out in Appendix 2 of this report and submit by 24th February 2019 to the Scottish Government.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs Being honest, open and accountable Making best use of our resources Working in partnership Providing equality of opportunity
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Antisocial Behaviour etc. (Scotland) Act 2004; Equality Act 2010; Communications Act 2003; Criminal Justice & Licensing (Scotland) Act 2010; Criminal Justice (Scotland) Act 2003
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	SOA; Detection rate for Hate Crime
V Relevance to Single Outcome Agreement	This report will have a positive impact on the following SOA indicators; SOA11 – We have strong resilient and supportive communities, where people take responsibility for their actions and how they affect others
VI Resources - (Financial, Staffing and Property)	None

VII	Consideration at PDSP	See part D of the report
VIII	Other consultations	Social Policy, Equality & Diversity (HR)

D. TERMS OF REPORT

The Scottish Government appointed Lord Bracadale to conduct an independent review of Hate Crime Legislation in Scotland. The report was published in May 2018. The scope of the review was to consider:-

- The current law and consider how well it deals with hate crime behaviour
- Whether new statutory aggravation should be created
- Whether the religious statutory aggravation is fit for purpose or should be expanded
- Whether hate crime laws be made simpler by bringing them all together in one place
- Any issues or gaps in the framework for hate crime laws and make sure compatible with laws that protect human rights and equality.

D1. BACKGROUND

The Scottish Government responded to the publication of the 'Independent Review of Hate Crime Legislation' recommendations to consolidate all Scottish hate crime legislation into one new statute and committed to consult on the detail of what will be included in the new hate crime bill. The consultation period concludes on 24th February 2019.

To ensure the response to the consultation questionnaire is as comprehensive as possible, officers from Social Policy, Community Safety and HR Equality & Diversity worked collaboratively on the response. Due to the need to have the essential input from the outlined council services, the consultation period did not allow consideration by Policy & Scrutiny Panel. Officers requested an extension for a later submission however this was not possible.

D2. CONSULTATION DOCUMENT

The Scottish Government Consultation - 'One Scotland: Hate Has No Home Here' is contained within Appendix 1 of this report. The consultation document is set out over 5 parts covering range of consultation questions.

- Part One: Consolidating Hate Crime Legislation (6 Questions)
- Part Two: New Statutory Aggravations (4 Questions)
 - Section 4: Age (1 Question)
 - Section 5: Sectarianism (6 Questions)
 - Section 6: Other Groups or Characteristics (3 Questions)
 - Section 7: Association with Members of a Protected Group
- Part Three: New Stirring Up of Hatred Offences (5 Questions)
- Part Four: Exploitation and Vulnerability (2 Questions)
- Part Five: Other Issues (6 Questions)

D3. CONSULTATION RESPONSE

Hate crime and prejudice threatens community cohesion and impacts on our communities and broader society, the Council welcomes the opportunity to participate and respond to the Scottish Government consultation on Scottish Hate Crime legislation. Appendix 2 sets out the Council Response to the consultation.

E. CONCLUSION

Council has been invited to participate in the consultation process regarding the consolidation of all Scottish Hate Crime legislation and welcomes the opportunity to participate and provides consultation response encompassing contributions from key service areas. Appendices contains Scottish Government consultation document, One Scotland: Hate Has No Home Here and the Council's response to the consultation questionnaire.

F. BACKGROUND REFERENCES

<https://consult.gov.scot/hate-crime/consultation-on-scottish-hate-crime-legislation/>

Appendix 1 – One Scotland: Hate Has No Home Here - Consultation on amending Scottish Hate Crime Legislation.

Appendix 2 - Council response to the Consultation Questionnaire

Contact Person:

Alison Smith, Housing Management & Community Safety Manager, Housing, Customer and Building Services. Tel: 01506 281367. Alison.Smith@westlothian.gcsx.gov.uk

CMT member: AnnMarie Carr

Interim Head of Housing, Customer & Building Services.

Date of meeting: 5 February 2019

One Scotland: Hate Has No Home Here

Consultation on amending Scottish hate crime legislation



November 2018



Scottish Government
 Riaghaltas na h-Alba
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“Well, it may be true that morality cannot be legislated but behaviour can be regulated. It may be true that the law cannot change the heart but it can restrain the heartless. It may be true that the law cannot make a man love me but it can restrain him from lynching me; and I think that is pretty important also. And so, while the law may not change the hearts of men, it does change the habits of men if it is vigorously enforced, and through changes in habits, pretty soon attitudinal changes will take place and even the heart may be changed in the process.”

Dr Martin Luther King

Ministerial Foreword



Hate crime and prejudice are completely unacceptable and we are absolutely committed to tackling them. Hate crime has a hugely damaging effect on victims, their families and communities and everyone needs to play their part to challenge it.

Lord Bracadale published his review into hate crime legislation in Scotland in May 2018 and we want to thank him for his insightful report and recommendations. We now want to hear from you and from communities across the country about what our hate crime law should look like, so we hope you take the time to respond to this consultation.

We are committed to taking this opportunity to shape our legislation so that it is fit for 21st century Scotland and, most importantly, affords sufficient protection for those that need it.

We recognise that legislation in and of itself is not enough to build the inclusive and equal society that we aspire to, however having clear legislation about hate crime sends a strong message. It makes it clear to victims, to communities and to wider society that certain criminal behaviour is not acceptable in society.

Scotland's diversity is our strength and we are proud that Scotland is becoming an increasingly open and inclusive nation. However, we also recognise that intolerance and prejudice remain and that more needs to be done.

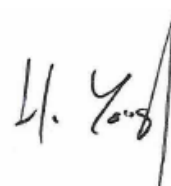
We are committed to working across government in order to build a Scotland - One Scotland - where there is simply no place for hatred and prejudice and where everyone feels connected, has a sense of belonging and feels valued.

We are confident that together we can build a stronger, more connected Scotland.

We look forward to hearing your views.

A handwritten signature in black ink, reading 'Aileen Campbell'.

Aileen Campbell MSP
Cabinet Secretary for Communities
and Local Government

A handwritten signature in black ink, reading 'Humza Yousaf'.

Humza Yousaf MSP
Cabinet Secretary for Justice

Introduction



What type of Scotland do you want to live in?

Hate crime and prejudice threaten community cohesion and have a corrosive impact on Scotland's communities as well as broader society. It is never acceptable and we are committed to tackling it.

A cohesive society is one with a common vision and a sense of belonging for all communities; a society in which the diversity of people's backgrounds, beliefs and circumstances are appreciated and valued, and where similar life opportunities are available to all.

It is through this lens that we are considering the recommendations from Lord Bracadale's 'Independent Review of Hate Crime Legislation in Scotland'¹ in order to inform the modernisation and reform of hate crime legislation in Scotland.

¹ <https://www.gov.scot/Resource/0053/00535892.pdf>

What is hate crime?

Hate crime can be verbal or physical and has hugely damaging effects on the victims, their families and communities, and we all must play our part to challenge it.

In the summary report² accompanying his full report, Lord Bracadale defined hate crime as:

Hate crime is the term used to describe behaviour which is both criminal and rooted in prejudice.

Some examples of behaviour that could be taken to court as a hate crime

- Abusive shouting by a person who is annoyed that their neighbour creates a noise when putting their bins out early in the morning. In the heat of the moment the offender makes comments about their neighbour's sexuality and says he hopes 'people like you die of Aids'
- Tipping a disabled person out of their wheelchair in the street.
- A murder committed because of someone's skin colour
- Vandalism/graffiti on a mosque which says 'terrorists go home'.

Current hate crime legislation allows any existing offence to be aggravated by prejudice in respect of one or more of the protected characteristics of race, religion, disability, sexual orientation and transgender identity. This approach does not involve the creation of new offences; rather it involves an existing offence, such as an assault, being motivated by, or demonstrating, hostility in respect of one or more protected characteristics. These provisions are known as **statutory aggravations**. The court is currently required to record the statutory aggravation and take it into account when determining an appropriate sentence.

This ensures that levels of hate crime are recorded and it sends a signal that society does not accept this form of conduct. It also reassures victims and their families that the fact an offence was motivated by prejudice has been formally acknowledged and taken into account in sentencing.

In Scotland, the law currently recognises hate crimes as motivated by prejudice for statutory aggravations based on:

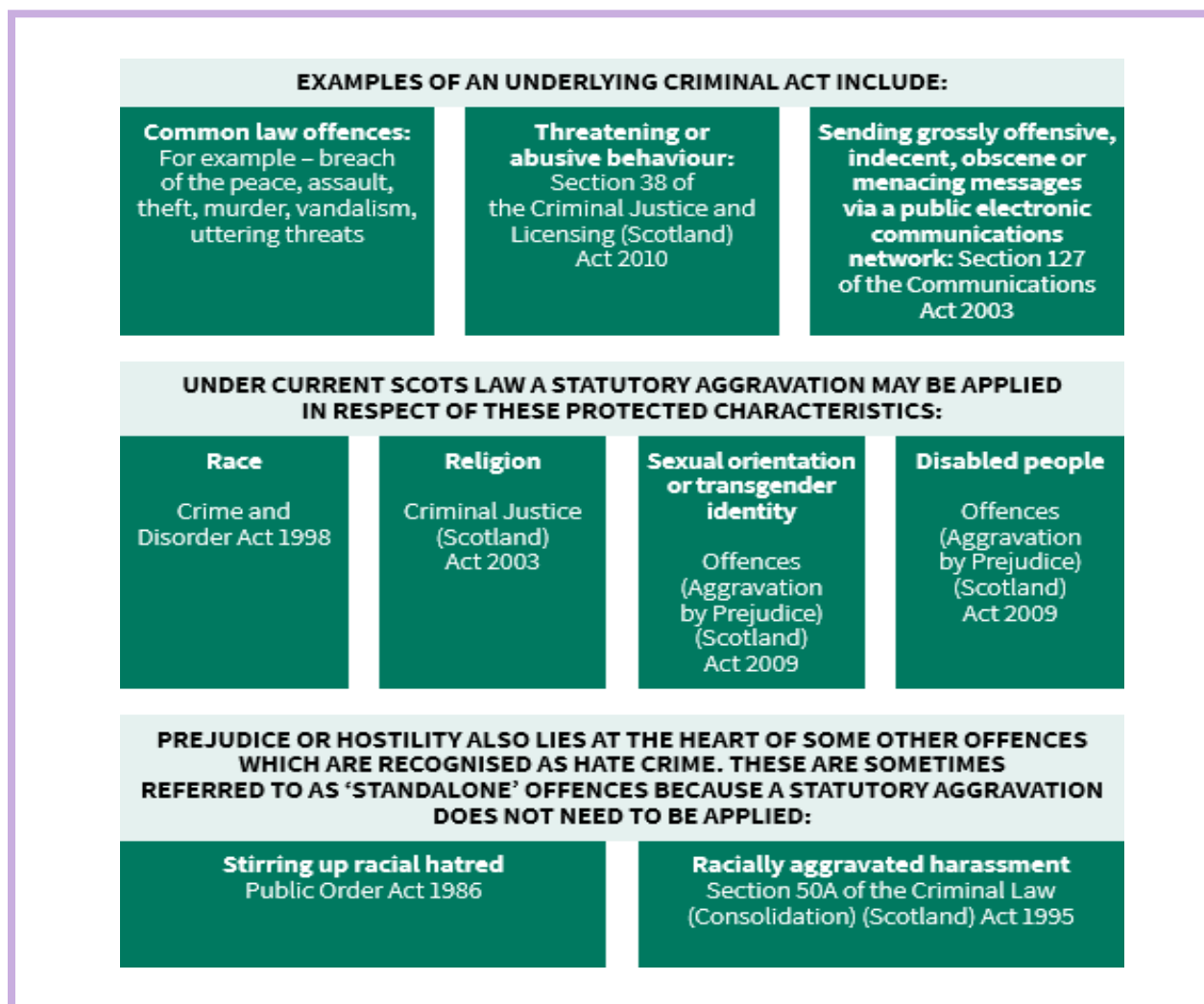
- **race**: section 96 of the Crime and Disorder Act 1998,
- **religion**: section 74 of the Criminal Justice (Scotland) Act 2003,
- **disability**: section 1 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009,
- **sexual orientation** and **transgender identity**: section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009

² [Independent Review of the Hate Crime Legislation in Scotland: Summary Document](#)

Prejudice or hostility also lies at the heart of some other offences which are recognised as hate crimes. These are sometimes referred to as **standalone** hate crime offences and they criminalise behaviour specifically because it is motivated by racial prejudice. Currently, these standalone offences include:

- **racially aggravated harassment:** section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995,
- **stirring up of racial hatred:** sections 18 to 22 of the Public Order Act 1986

In the summary report³ Lord Bracadale detailed the relevant laws used in the context of hate crime.



³ [Independent Review of the Hate Crime Legislation in Scotland: Summary Document](#)

Why have hate crime laws?

Lord Bracadale explained in his summary⁴ report that:

Legislation helps recognise the particular impact and harm caused by hate crime

Harm to the victim

- Harm can cause mental distress such as depression, anger, anxiety, trauma
- Harm has a social impact as victims or groups change their behaviour to avoid further victimisation
- May move home or job, avoid public spaces and become socially isolated

Harm to the group the victim belongs to

- Hate crimes remind members that they are potential targets
- Members can be fearful of those with the same identity as the perpetrator

Harm to wider society

- Undermines society's moral values
- Less tolerant society
- Hatred not recognised or challenged because it becomes the 'norm'
- May increase social unrest

Lord Bracadale's explained that:

Hate crime laws make it clear that such behaviour is not acceptable. It sends a message to victims, offenders and wider society that hate crime behaviour is unacceptable and will not be tolerated.

Background on this consultation

In September 2016, a review by the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion⁵ was published which included a number of recommendations for the Scottish Government and its partners. These recommendations included:

- the Scottish Government should consider whether the existing criminal law provides sufficient protections for those who may be at risk of hate crime,
- the Scottish Government should lead discussion on the development of clearer terminology and definitions around hate crime, prejudice and community cohesion

This led to the appointment of Lord Bracadale to conduct an Independent Review of Hate Crime Legislation in Scotland. The remit for Lord Bracadale's review was to consider whether existing hate crime law represents the most effective approach for the justice system to deal with criminal conduct motivated by hatred, malice, ill-will or prejudice.

⁴ [Independent Review of the Hate Crime Legislation in Scotland: Summary Document](#)

⁵ <https://www2.gov.scot/Resource/0050/00506074.pdf>

Lord Bracadale was asked by the Scottish Ministers to consider:

- the current law and consider how well it deals with hate crime behaviour,
- Whether new statutory aggravations should be created for example in relation to age and gender,
- whether the religious statutory aggravation is fit for purpose or should be expanded,
- whether we should make hate crime laws simpler by bringing them all together in one place,
- any issues or gaps in the framework for hate crime laws and to make sure that hate crime laws are compatible with laws that protect human rights and equality

Lord Bracadale published his 'Independent Review of Hate Crime Legislation'⁶ on 31 May 2018. In responding to publication of the report, **we accepted his recommendation⁷ to consolidate all Scottish hate crime legislation into one new hate crime statute and committed to consult on the detail of what will be included in the new hate crime bill.**

We recognise that on its own, legislation cannot build the inclusive and equal society that we aspire to. This consultation therefore includes questions in relation to the broader topics commented upon by Lord Bracadale such as victim support and restorative justice.

In parallel to Lord Bracadale's work, the Working Group on Defining Sectarianism in Scots Law has been developing its report 'Final Report of the Working Group on Defining Sectarianism in Scots Law'⁸, published in November 2018.

This group was established following a recommendation made by the Scottish Parliament's Justice Committee. During their Stage 1⁹ considerations of the Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill, the Committee heard evidence from a number of sources which suggested that the lack of a legal definition of the term 'sectarianism' was a hindrance to police and prosecutors in pursuing cases of abusive sectarian behaviour.

The Working Group considered whether this could be achieved; the technical obstacles to achieving it; and what a legal definition could look like. The Group has recommended the development of a statutory aggravation for sectarian hate crime.

This consultation provides you with an opportunity to share your views and inform what is included in the new hate crime legislation.

A summary of Lord Bracadale's recommendations is attached at Annex A.

⁶ <https://www.gov.scot/Resource/0053/00535892.pdf>

⁷ <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11583>

⁸ <http://www.gov.scot/ISBN/9781787812987>

⁹ [Stage-1-report-on-the-Offensive-Behaviour-at-Football-and-Threatening-Communications--Repeal-Scotland--Bill](#)

Part One – Consolidating and Modernising Hate Crime Legislation

This chapter looks at the recommendations made by Lord Bracadale on the underpinning principles of hate crime legislation and how our legislation might best be modernised to provide a clear and consistent basis for prosecuting hate crime behaviour.

As already announced by the Scottish Government following publication of Lord Bracadale’s report, we agree that all relevant hate crime provisions including the statutory aggravations should be contained in one place. Therefore we intend to consolidate all Scottish hate crime legislation into a single statute to provide clarity, transparency and consistency.

The discussion that follows in this consultation explores issues relating to how one set of consolidated hate crime legislation might be modernised and reformed.

Section 1: Rationale

Lord Bracadale’s report¹⁰ explained that:

At the core of the current scheme of hate crime legislation is the model that allows any existing offence to be aggravated by prejudice in respect of one or more of the protected characteristics of race, religion, disability, sexual orientation and transgender identity... It is important to understand that this approach does not involve the creation of new offences; rather, it involves an existing offence, such as an assault, being motivated by, or demonstrating, hostility in respect of one or more protected characteristics.

Where a person is convicted of an offence with a statutory aggravation in respect of a protected characteristic a number of consequences follow. First, the aggravation will be recorded and taken into account in sentencing. Secondly, the maintenance of records allows statistics to be kept and trends identified and monitored. Thirdly, and importantly, the aggravation will appear on the criminal record of the individual. This means that, if the person commits a further offence, the earlier aggravated conviction may be taken into account.

Lord Bracadale’s Recommendation 1

Statutory aggravations should continue to be the core method of prosecuting hate crimes in Scotland.

Lord Bracadale’s Recommendation 20

All Scottish hate crime legislation should be consolidated.

For further reading, the relevant material discussing these issues in Lord Bracadale’s report is at paragraphs 3.2 to 3.4¹¹ and paragraphs 9.1 to 9.13¹² of his report.

¹⁰ At paragraphs 3.2 and 3.3 of Lord Bracadale’s report.

¹¹ <https://www.gov.scot/Publications/2018/05/2988/4>

¹² <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/10>

Subject to discussion later on in this consultation relating to a small number of standalone offences, the Scottish Government agrees that maintaining statutory aggravations as the core method for dealing with hate crime is appropriate. We think that this approach is effective and that it allows for clear records and statistics to be kept in respect of hate crime. We therefore propose to accept this recommendation.

Question 1:

Do you think the statutory aggravation model should continue to be the core method of prosecuting hate crimes in Scotland?
(Please tell us why in the comments box.)

Section 2: Modernisation and Language

Thresholds

As has been explained above, the existing core method of prosecuting hate crimes in Scotland is via the attachment of a statutory aggravation when a person has committed an offence. A statutory aggravation ‘attaches’ to an offence in certain circumstances based on the conduct or motivation of the offender. In order for an aggravation to attach, there needs to be an underlying piece of criminal conduct i.e. a baseline offence committed. The circumstances that require to be met are sometimes referred as the ‘threshold’, or test for proving the aggravation.

At present, the various statutory aggravations in relation to different protected characteristics share a common framework as to when the aggravation will apply, and a similar ‘threshold’ for proving an aggravation applies in each case.

Lord Bracadale’s report¹³ explained that:

Currently, there are two thresholds for proving the aggravation of prejudice:

- if at the time of committing the offence, or immediately before or after doing so, the offender evinces malice and ill-will towards the victim based on the protected characteristic; or
- if the offence is motivated (wholly or partly) by malice and ill-will towards members of a group defined by reference to the protected characteristic.

¹³ At paragraph 3.5 of Lord Bracadale’s report.

Lord Bracadale considered¹⁴ whether the current thresholds were appropriate and concluded that they should remain the same, but with updated language:

The consultation responses indicated a need for simpler, 'user-friendly' language in the legislation. ...The review has found strong evidence about the confusion which surrounds the concept of hate crime and the level of behaviour that constitutes a hate crime in the eyes of the law. That confusion makes it less likely that people will report or challenge their experience. I conclude that these considerations make it important for the legislation to be as clear as possible for those who may be affected by it, whether as victims or potential offenders.

I take the view that to a layperson a phrase such as 'demonstrating hostility' is more easily understood than 'evincing malice and ill-will'. I stress that in recommending this change in the language I am not suggesting that there should be any change in the meaning or the legal definition of the thresholds.

The Scottish Government agrees with Lord Bracadale that the two existing thresholds (or tests) for the statutory aggravations are effective and should be retained but that the language should be updated.

We want to ensure that the language of the tests is easier to understand and therefore propose, as recommended by Lord Bracadale, that the wording should be changed from 'evincing malice and ill-will' to 'demonstrating hostility'.

However, the intent of this change of wording is not to change the scope of the thresholds or tests themselves. While we agree with Lord Bracadale that updating the language as suggested does not mean that there will be any change in how the test operate, this is a specific area where we have sought views in a consultation question below.

Lord Bracadale's Recommendation 2

The two thresholds for the statutory aggravations are effective and should be retained but with updated language. They should apply where:

- at the time of committing the offence, or immediately before or after doing so, the offender demonstrates hostility towards the victim based on the protected characteristic; or
- the offence is motivated (wholly or partly) by hostility based on the protected characteristic.

It should remain the case that evidence from a single source is sufficient evidence to establish the aggravation.

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 3.5 to 3.13¹⁵ of his report.

Question 2:

Do you think that the language of the thresholds for the statutory aggravations would be easier to understand if it was changed from 'evincing malice and ill will' to 'demonstrating hostility'?
(Please tell us why in the comments box.)

¹⁴ At paragraph 3.10 of Lord Bracadale's report.

¹⁵ <https://www.gov.scot/Publications/2018/05/2988/4>

Question 3:

**Do you think changing the language of the thresholds for the statutory aggravations from ‘evincing malice and ill will’ to ‘demonstrating hostility’ would change how the thresholds are applied?
(Please tell us why in the comments box.)**

Intersex and transgender

Section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009 (‘the 2009 Act’) created a statutory aggravation in respect of the protected characteristic of sexual orientation and the protected characteristic of transgender identity. Section 2(8) of that Act defined ‘transgender identity’ as being a reference to, among other things, intersexuality. However, in the time since the 2009 Act was enacted the Scottish Government now understands that there are concerns with a person’s intersex status being presented as an aspect of transgender identity, rather than as a separate identity characteristic.

Lord Bracadale’s report¹⁶ explained that:

...concern was raised by some interested parties as to whether the language used in the reference to ‘transgender identity’ in section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009 was now out of date...Section 2(8) defines transgender identity as:

- a) transvestism, transsexualism, intersexuality or having, by virtue of the Gender Recognition Act 2004 (c.7), changed gender, or
- b) any other gender identity that is not standard male or female gender identity.

The Explanatory Notes in respect of section 2(8) say:

... the definition gives four specific examples: transvestism (often referred to as ‘cross-dressing’); transsexualism; intersexuality; and where a person has changed gender in terms of the Gender Recognition Act 2004. However, the definition also extends expressly to cover other persons under the generality of broad reference to non-standard gender identity. For example, those who are androgynous, of non-binary gender or otherwise exhibit a characteristic, behaviour or appearance which does not conform with conventional understandings of gender identity.

Lord Bracadale’s report¹⁷ described the responses to his consultation questions on the use of language in this area:

Two issues emerged. The first is that in section 2(8), as currently framed, ‘intersex’ is included as part of the definition of ‘transgender’. While recognising that the 2009 Act remains progressive in that it covers intersex status and a wide definition of transgender people, including non-binary people, Equality Network contended that the language used in the Act does not reflect current understanding or best practice. In particular, intersex should be seen as a separate characteristic rather than as a sub-category of transgender identity. Equality Network explained that they and the Scottish Trans Alliance (STA) use the term ‘transgender’ and its shortened form ‘trans’ interchangeably, as an umbrella term for people who find their gender identity or gender expression differs from the gender they were assigned at birth. This includes, among other identities, non-binary people, trans women, trans men and cross-dressing people.

¹⁶ At paragraphs 3.28 and 3.29 of Lord Bracadale’s report.

¹⁷ At paragraphs 3.31 to 3.36 of Lord Bracadale’s report.

They use the term 'intersex' as an umbrella term for people who are born with variations of sex characteristics, which do not always fit society's perception of male or female bodies. Intersex is not the same as gender identity or sexual orientation.

A second issue was focused in the response of Stonewall Scotland who also recommended that the definition of 'transgender identity' be updated in line with current best practice. They explained that the terms 'transvestism' and 'transsexualism' are now widely viewed as outdated, and, indeed, some people find these terms offensive. These proposals were also supported by other respondents including Central Scotland Regional Equality Council and the Humanist Society Scotland.

I consider that it would be desirable for the language of any future provision to reflect up to date terminology and usage and, as far as possible, relate directly to the issue rather than using labels which may again become outdated.

Lord Bracadale identified that there is therefore a difference between 'transgender' and 'intersex' and that these are two separate identity characteristics, as opposed to intersex status being a sub-category of transgender identity. Lord Bracadale recommends that this should be reflected in hate crime legislation in respect of the protected characteristics to which hate crime legislation applies. We therefore propose to establish a separate category of 'intersex' to ensure legislation reflects current understanding and best practice.

We are aware of the importance of language and that a range of terms can be used to describe variations of sex characteristics, including 'intersex variations' and 'differences of sex development' (sometimes called DSD). In addition, some people born with variations in sex characteristics prefer not to use any of the collective terms to describe themselves or their variation, but instead may only talk specifically about their variation. Consultation questions below seek views on terminology in this area.

We are also aware, as regards the language used to describe transgender identity, that terms such as 'transvestism' and 'transsexualism' are widely viewed as outdated. The definition of 'transgender identity' in the 2009 Act currently uses these terms. Consultation questions below seek views on the terminology in this area.

As well as seeking views through this consultation exercise to update the language on transgender identity and intersex, we also propose to draw on the findings from our forthcoming consultation on improving the experiences of people with variations of sex characteristics (intersex) in Scotland.

Lord Bracadale's Recommendation 4

The drafting of any replacement for section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009 should include 'intersex' as a separate category rather than a sub-category of transgender identity. Consideration should be given to removing outdated terms such as 'transvestism' and 'transsexualism' from any definition of transgender identity (without restricting the scope of the definition).

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 3.28 to 3.36¹⁸ of his report.

¹⁸ <https://www.gov.scot/Publications/2018/05/2988/4>

Question 4:

Do you think that variations of sex characteristics (intersex) should be a separate category from transgender identity in Scottish hate crime legislation?

(Please tell us why in the comments box.)

Question 5:

Do you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated?

(Please tell us why in the comments box.)

Question 6:

If you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated, what language would you propose?

Part Two – New Statutory Aggravations

This part of the consultation considers the recommendations made by Lord Bracadale and by the Working Group on Defining Sectarianism in Scots Law on whether there should be additional statutory aggravations added to the suite of hate crime legislation to cover new groups and characteristics. As noted above, the existing statutory aggravations apply in respect of the identity characteristics of: race, religion, disability, sexual orientation and transgender identity.

The new groups and characteristics considered include the two characteristics proposed by Lord Bracadale: gender and age. It is also proposed that a consistent approach is taken to protecting those who associate with a person with a protected characteristic (see section 7 of this Consultation).

Lord Bracadale's report explained¹⁹ the approach that he took to considering whether additional statutory aggravations should be created as follows:

...I consider it important that the criminal law should be capable of dealing with hate crime in a way which is distinct from offending which does not have an element of hostility related to identity. There are three broad reasons for this:

- recognition of the additional harm which hate crime offending causes to the victim, others who share the protected characteristic and wider society;
- the important symbolic message which the law can send;
- the practical benefits which arise from having a clear set of rules and procedures within the criminal justice system to deal with hate crime.

I have found it important to keep these ideas in mind when considering whether any new form of hate crime legislation is appropriate to cover offending relating to a group or identity characteristic which is not already covered by existing laws.

Section 3: Gender

Lord Bracadale²⁰ considered whether offending relating to hostility (or malice and ill-will) based on gender should be covered by new hate crime legislation:

This issue was considered by the working group on hate crime in 2004, and by the Scottish Parliament when considering the Offences (Aggravation by Prejudice) Bill in 2008. On each occasion, it was concluded that hate crime legislation was not the best route to tackle gender-based offending at that time, but that this should be kept under review. I have therefore considered the evidence and arguments which have emerged in the intervening period. I have noted two significant changes. The first is the increased prevalence of online abuse related to gender. The second is a significant cultural shift in the sense that women are not now prepared to tolerate sexual harassment that might have been put up with in the past.

It is important to understand that... the practical impact of gender-based offending falls almost exclusively on women.

¹⁹ At paragraph 4.2 and 4.3 of Lord Bracadale's report.

²⁰ At paragraphs 4.9 and 4.10 of Lord Bracadale's report.

For ease of consistency of references with Lord Bracadale's report, this consultation paper takes the same approach to the use of the term 'gender' as opposed to 'sex' as is taken in the report.²¹

Lord Bracadale noted that in the context of the debate on gender based hate crime, the term 'misogyny' is commonly used. This is relevant as to whether any new provision is framed in terms of 'gender' or is framed in terms of 'misogyny'. Lord Bracadale concludes that a new statutory aggravation should be based in terms of gender rather than misogyny (please see further below for discussion on this point). Lord Bracadale also considered what is meant by the term 'misogyny'²²:

The term 'misogyny' is used a lot in the context of the debate about offending based on gender. This is a term which has changed in usage over time. In its second edition (1989), the Shorter Oxford English Dictionary defined misogyny as 'hatred of women'. This was updated in the third edition (2002) to 'hatred or dislike of, or prejudice against women.' Many women's organisations incorporate a sense of imbalance of power when articulating what is meant by misogyny. For example, Engender define it as 'systems or actions that deliberately subordinate women, and reflect the actor's understanding that women are not their equals.' Some people treat the terms 'misogyny' and 'sexism' as synonymous, while others would argue that misogyny is often more targeted or negative and used to assert male dominance over women. It was apparent to me in the course of this review that different people use the term misogyny to mean slightly different things, and I suspect that its meaning may continue to evolve over time. I have used this language in the remainder of this part to reflect what I have heard, but where it is used in debate and discussion I would urge caution in considering exactly what is meant in the particular context.

In his report, Lord Bracadale²³ summarises the responses received in relation to gender.

Although the consultation responses did not demonstrate any clear consensus on the general principle of extending hate crime legislation, there was strong support among both individual and organisational respondents for some kind of provision relating to gender or misogyny.

The broad reasons given in support of such a provision are a recognition that women are routinely subjected to verbal and physical harassment as a result of their gender, whether in the workplace, education settings, in public places or online. In recent months, the revelations about sexual intimidation by some men in positions of power (film producers, politicians etc.) have led to high profile campaigns to encourage women to recognise and challenge incidents of sexual harassment. The #metoo hashtag has been used by women and men on social media to highlight examples of sexual assault and harassment in an attempt to demonstrate its magnitude.

...Many respondents noted that misogynistic behaviour is normalised and reluctantly accepted. As a result, sexist bullying and sexual harassment are very likely to be underreported because women who are subject to them do not see them as significant enough to be taken seriously by the authorities.

²¹ At paragraph 4.11 of Lord Bracadale's report.

²² At paragraph 4.12 of Lord Bracadale's report.

²³ At paragraphs 4.13, 4.14 and 4.17 of Lord Bracadale's report.

As extracted above, and set out more fully in paragraphs 4.9 to 4.50 of his report, Lord Bracadale considers that there are various reasons why recognition of gender based hostility as a hate crime is necessary. This includes the increasing prevalence of online gender hostility (see Part 3 Section 9 for further discussion about online hate crime) and because of the risk of normalisation of hostility based on gender and the damaging effect this can have on society. Lord Bracadale²⁴ sets out what he thinks could be achieved by gender hostility being considered a hate crime:

- 'It would make it more culturally acceptable to object to the behaviour – victims would have more confidence that it will be taken seriously by the criminal justice system (whether the police, prosecutors or the courts).
- It would recognise the additional harm caused to the individuals involved and others who identify with them.
- It would have a symbolic value – giving security to community and 'send a message'.
- It would allow for record keeping, the collection of data, and a targeted response to offenders.'

After concluding that gender based hostility should be categorised as a hate crime, Lord Bracadale considered what form that should take, first considering whether or not there should be a statutory aggravation based on gender hostility and then considering whether or not a standalone offence is warranted.

Aggravation building on existing baseline offences

Lord Bracadale considered whether or not an aggravation based on gender hostility, in the same model as existing statutory aggravations based on other identity characteristics, should be introduced²⁵:

Most of the consultation responses which advocated the inclusion of a new provision related to misogyny or gender hostility argued that this should be through the creation of a new statutory aggravation based on the existing model used for race, religion, disability, sexual orientation and transgender identity.

I recognise the arguments that it may be difficult to identify what amounts to hostility based on gender, and accept that there will be a difference of opinion on this.

... I think that an approach which is consistent with the other existing hostility aggravations is more appropriate and will be more easily understood by practitioners and the public. It would have a significant advantage in cases where hostility is based on more than one protected characteristic – for example, an assault on a hijab-wearing Muslim woman – because the sheriff or jury would be asked to apply the same test when deciding whether the offence involved hostility on both religious and gender grounds.

²⁴ At paragraph 4.35 of Lord Bracadale's report.

²⁵ At paragraphs 4.39 to 4.41 of Lord Bracadale's report.

Lord Bracadale recommends a statutory aggravation based on gender hostility rather than specifically misogyny. Throughout the discussion on gender, Lord Bracadale notes that there is no consistent understanding of what is encompassed by the term 'misogyny'²⁶ and that this can 'unintentionally mask what is meant, as similar language is used by different people to mean different things'.²⁷ He also notes that as part of the preparation of his report, an academic report was prepared which undertook comparative research of the hate crime laws in place in other countries. While several countries had in place legislation concerning offences based on gender prejudice, none of these were in terms of misogyny and were instead in terms of 'gender' or 'sex'.²⁸ Lord Bracadale's conclusions on whether the aggravation should be based on gender or on misogyny are set out in paragraph 4.43²⁹ of his report:

I have carefully considered the arguments whether an aggravation should apply to all forms of gender hostility, or whether it should be 'one-way' and only cover hostility or malice and ill-will towards women. Although I agree that the essence of the conduct which we are seeking to cover is usually against women, it is not inconceivable that there could be hostility against a man (or non-binary person) based on their gender. I have some concern that an approach which focused only on hostility towards women would risk stereotyping (all) men as perpetrators and (all) women as victims, which I do not consider to be an accurate or helpful message. A human rights-based approach suggests that having a consistent approach which is capable of applying in equivalent cases, regardless of the sex of the victim, is better. Some consultation responses argue that it is nonsensical to have a provision based on gender/sex because that would then cover everyone in the population and make any offence a potential hate crime. It is important to be clear here that it is not just a question of the identity of the victim: there must also be evidence of hostility based on gender. Having a provision which is capable of applying to everyone and not just to women should help to reinforce that point.

In regards to a new statutory aggravation based on gender, Lord Bracadale³⁰ concluded that:

I have considered the alternative options, and am recommending a new statutory aggravation based on gender hostility, following the pattern used in the existing statutory aggravations for race, religion, disability, sexual orientation and transgender identity. Where an offence is committed, and it is proved that the offence was motivated by hostility based on gender, or the offender demonstrates hostility towards the victim based on gender during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by gender hostility. The court would be required to state that fact on conviction and take it into account when sentencing.

²⁶ At paragraphs 4.12 and 4.19 of Lord Bracadale's report.

²⁷ Paragraph 4.29 of Lord Bracadale's report.

²⁸ At paragraph 1.10 of Lord Bracadale's report for background on the academic report, and paragraphs 4.24 to 4.27 for commentary on the findings of that report in this context.

²⁹ <https://www.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/5/>

³⁰ At paragraph 4.50 of Lord Bracadale's report.

Standalone offence – misogynistic harassment

Lord Bracadale³¹ also considered whether or not there should be a new standalone offence to tackle misogynistic harassment and abuse:

The alternative approach, proposed by Engender (supported by Scottish Women's Aid and Rape Crisis Scotland), is that the problem would be better tackled through a new standalone offence to tackle misogynistic harassment and abuse. In this context, they use the term 'harassment' to cover a wide range of gendered constraints on women's freedom. Engender argued that there is insufficient data at present to say precisely how the offence should operate, but that this should be developed through a participatory process of relevant organisations, similar to that used to develop the concept of coercive control in the recent Domestic Abuse (Scotland) Act 2018. Such a process could take a number of years.

In regards to a standalone offence, Lord Bracadale³² concluded that:

I am grateful for the thorough and thoughtful way in which these proposals were advanced, but am not convinced that they are the best way to tackle the problem of criminal misogynistic harassment.

In general terms, I think the clearest and most effective way to mark out hate crime is a scheme involving baseline offences and statutory aggravations which reflect identity hostility. That is the underlying philosophy which I have applied throughout the scheme which I am recommending. I would depart from that approach if I felt that it was necessary in order to achieve effective recognition of gender-based hate crime. However, based on the evidence and arguments which I have heard, I do not think there is any real gap in relation to patterns of conduct against women which ought to be criminal but are not. Any new standalone offence would therefore have a considerable cross-over with other existing offences, which risks causing confusion and undermining the aim of collecting reliable data.

Lord Bracadale's Recommendation 9

There should be a new statutory aggravation based on gender hostility. Where an offence is committed, and it is proved that the offence was motivated by hostility based on gender, or the offender demonstrates hostility towards the victim based on gender during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by gender hostility. The court would be required to state that fact on conviction and take it into account when sentencing.

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 4.9 to 4.50³³ of his report.

³¹ At paragraph 4.45 of Lord Bracadale's report.

³² At paragraphs 4.47 and 4.48 of Lord Bracadale's report.

³³ <https://www.gov.scot/Publications/2018/05/2988/5>

Gender-based offending is a complex issue and there are different views on the action needed to tackle this. Since the publication of Lord Bracadale's report, there have been a number of developments in this area which have further emphasised the need for action to be taken, whilst recognising the complexity of this issue:

- on 9 July 2018, the 'Misogyny as a Hate Crime Evaluation Report' was published. The report details the findings of an evaluation commissioned by the Office of the Nottinghamshire Police and Crime Commissioner and the Nottingham Women's Centre to assess the impact of the 'Misogyny Hate Crime' policy, introduced by Nottinghamshire Police in April 2016'. The report findings reiterated that 'there is a high level of complexity in tackling misogyny, and that a significant part of the challenge is due to the 'normalisation' of these incidents',
- on 5 September 2018, UK Government Ministers announced that they will be asking the UK Law Commission to undertake a review of English and Welsh hate crime legislation. The terms of reference of this review were published on 18 October 2018³⁴, and include consideration as to how additional protected characteristics, in particular sex and gender, should be considered by new or existing hate crime law in England and Wales

We believe that there is a clear need for action to be taken to tackle gender based prejudice and misogyny and have identified **four main options** for progressing this work. These options are set out below.

Option A: Implement Lord Bracadale's recommendation to establish a statutory aggravation based on gender hostility.

Lord Bracadale stated that 'there are patterns of offending which relate particularly to the victim's gender and should be addressed through [hate crime] legislation³⁵'. Although this option focuses on gender based hostility, Lord Bracadale stated 'that the practical impact of gender-based offending falls almost exclusively on women.³⁶

This option would establish a new statutory aggravation based on gender hostility. This would mean that where an offence is committed and it is proved that the offence was motivated by hostility based on gender, or the offender demonstrates hostility towards the victim based on gender, it will be recorded as aggravated by gender hostility. The court would be required to state that fact on conviction and take it into account when sentencing. This option follows the current approach taken in the existing statutory aggravations for race, religion, disability, sexual orientation and transgender identity.

Lord Bracadale felt that this approach would be easiest to understand by both practitioners and the public as it will remain consistent with other hostility based aggravations. For further information, Lord Bracadale's discussion of why he made this recommendation can be found above and at paragraphs 4.9-4.50³⁷ of his report.

³⁴ <https://www.lawcom.gov.uk/law-commission-review-into-hate-crime-announced/>

³⁵ At paragraph 4.28 of Lord Bracadale's report.

³⁶ At paragraph 4.10 of Lord Bracadale's report.

³⁷ <https://www.gov.scot/Publications/2018/05/2988/5>

This approach would provide consistency with section 2 in terms of using aggravations as the core method of tackling hate crime (as set out on page 8). By way of example, sections 38 and 39 of the Criminal Justice and Licensing (Scotland) Act 2010 create the offences of threatening and abusive behaviour and stalking respectively. These can cover a range of conduct, and the creation of an aggravation based on gender would enable such conduct to be recorded and dealt with as aggravated by gender hostility.

Lord Bracadale mentions that one advantage of statutory aggravations compared to standalone offences is the evidentiary burden.³⁸ Existing statutory aggravations can be proved by a single source of evidence at trial whereas standalone offences require two sources of evidence (known as corroboration). Applying this here, it may be easier to prove a statutory aggravation based on gender hostility compared to a standalone offence of misogynistic harassment.

Option B: Develop a standalone offence relating to misogynistic harassment.

Organisations such as Engender, Rape Crisis Scotland, Scottish Women's Aid and Zero Tolerance have called for the development of a standalone offence for misogyny to tackle the unique features of violence and harassment against women. These organisations take the view that adding an aggravation for gender hostility will not be helpful in tackling misogynistic harassment and/or abuse. They believe that the development of a specific offence to deal with this would recognise that the reality of violence against women is a complex issue and requires a considered approach.

The Scottish Government's Equally Safe strategy³⁹ states that violence against women and girls is a gendered issue and that it occurs in a societal context where gender stereotypes and inequality continues to persist. Women and girls therefore experience gender based violence because they are women and girls.

A number of women's organisations have stated that in order to tackle misogynistic harassment and abuse, an approach that focuses specifically on the experience of women needs to be taken.

At this stage it is not clear what specific conduct a potential standalone offence for misogyny might cover, therefore if consultees consider that a standalone offence is necessary we would welcome views on the types of behaviour that could be captured by an offence of this nature.

To inform the development of a potential standalone offence, we could draw on our experience of the approach taken to develop the Domestic Abuse (Scotland) Act 2018. The approach to developing domestic abuse legislation was to work closely with stakeholders with a role in tackling violence against women and girls, although the legislation itself is gender neutral. A potential first step could be to consider the types of conduct experienced by women which could be described as misogynistic behaviour. This would include considering the impact of such conduct on those who experience it and whether such conduct is or is not captured within existing criminal offences.

³⁸ At paragraphs 7.19 and 7.20 of Lord Bracadale's report. In the context of the existing standalone offence in relation to racial harassment under section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 (which Lord Bracadale recommends is repealed, and which is discussed below).

³⁹ <https://beta.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/>

As noted by Lord Bracadale, development of a standalone offence in this way is likely to take a significant amount of time. This approach would likely therefore be a longer term piece of work out with the development of this hate crime legislation.

Option C: Build on Equally Safe to tackle misogyny (a non-legislative approach)

The Equally Safe Strategy⁴⁰, the Scottish Government and COSLA's joint strategy for preventing and eradicating violence against women and girls, recognises that violence against women and girls can have both an immediate and long-lasting impact on the individuals and families directly involved. It impacts on the wider health, wellbeing and safety of our communities breeding a culture where this type of harm is tolerated – sometimes even condoned – and as a result is allowed to continue.

The Scottish Government is clear that this is unacceptable for modern day Scotland and does not reflect the country of equality we aspire to become. Equally Safe sets out a shared understanding of the causes, risk factors and scale of gender based violence and highlights the need to prioritise prevention in order to challenge the notion that violence and abuse is inevitable or acceptable. It recognises that this is a systemic issue that requires change in practice and, fundamentally, a change in culture.

On this basis, legislation is not always the sole or indeed the correct vehicle to drive this change forward. This option would focus on the use of education and wider activity to drive societal change, focusing on the implementation of Equally Safe alongside more gendered based policy and practice to end violence against women.

This would build on current work to deliver Equally Safe, including a suite of interventions that focus on primary prevention and aim to educate children and young people about gender based violence, 'consent' and healthy relationships. Current and relevant interventions include Rape Crisis' Sexual Violence Prevention Programme and the piloting of a 'Whole School' approach to tackling gender based violence.

This option could be taken forward in its own right, or in tandem with one or both of the legislative options set out above.

Option D: Take forward all of the above Options.

This would include both Options A (establish a statutory aggravation based on gender hostility) and B (standalone offence relating to misogynistic harassment), as well as Option C (building on Equally Safe).

This option would involve taking forward proposals to include a statutory aggravation for gender in the hate crime bill as well as exploring the development of a standalone offence for misogyny. This would mean that we would develop a gender aggravation to be included within the new hate crime bill alongside work on a standalone misogyny offence which would be a longer term piece of work. In the short term this would send a clear message to society that the type of behaviour set out in Option A is unacceptable and is being taken more seriously by the justice system, however would also recognise the complexity associated with tackling misogynistic harassment or abuse.

⁴⁰ <https://beta.gov.scot/publications/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/>

Question 7:

Do you agree with Option A to develop a statutory aggravation for gender hostility?

(Please provide details in the comments box below.)

Question 8:

Do you agree with Option B to develop a standalone offence for misogynistic harassment?

(If you agree, please tell us why and provide examples of the types of behaviour that could be captured by this offence.)

Question 9:

Do you agree with Option C of building on Equally Safe to tackle misogyny (this would be a non-legislative approach)?

(If you agree please tell us why.)

Question 10:

Do you agree with Option D of taking forward all of the identified options?

(This would include development of a statutory aggravation based on gender hostility (Option A); development of a standalone offence relating to misogynistic harassment (Option B); and work to build on Equally Safe (Option C)?

(If you agree, please tell us why.)

(Please provide examples of the types of behaviour that could be captured by the standalone offence.)

Section 4: Age

In some cases where a crime is committed against an older person, it may be that the victim is not targeted because of the offender's hostility against older people but rather because the offender perceives the victim as being more vulnerable than other people in society. The reason for the offence in those circumstances is exploitation of a perceived vulnerability – for instance if the victim is physically frail. Lord Bracadale draws a distinction between crimes motivated by the exploitation of a perceived vulnerability and crimes committed because of hostility based on the victim's perceived age i.e. hostility against a person because they are old, or because of their age.

This section of the consultation focuses on hostility based on age. Section 11 of this consultation considers the separate issue of crimes motivated by exploitation of vulnerability.

Lord Bracadale considered whether age should be included as a protected characteristic in the suite of hate crimes. He noted stakeholders reported that while it may be that many crimes against the elderly are motivated by a desire to exploit a perceived vulnerability, some crimes are motivated by hostility based on the perceived age of the victim.

Lord Bracadale ⁴¹ found that:

There is clearly considerable support for some form of recognition that offences against the elderly do constitute a type of offence which the criminal law should mark in a particular way...The difficulty which emerges... is that, although some offences committed against the elderly are motivated by, or demonstrate, hostility, the majority are committed because of the frailty and vulnerability of the elderly victims.

...As I noted in relation to gender, in general terms, I think the clearest and most effective way to mark out hate crime is a scheme involving baseline offences and statutory aggravations which reflect identity hostility.

...I consider that there is sufficient evidence of hostility-based offences against the elderly, particularly in the light of the information provided by Action for Elder Abuse, to include age as a protected characteristic based on the current model of hostility.

A statutory aggravation on 'age' hostility would cover people of any age. It does not refer to a particular age group such as elderly people or children and young people. Lord Bracadale considered the application of this to children and young people. He noted in his report⁴² that:

The main issue that emerged in relation to youth is bullying. That is a matter for very real concern. Having considered the report prepared by EHRC and the responses to the consultation paper on this issue, I agree with the proposition that bullying covers a range of behaviour and can amount to hate crime. I do not, however, consider that any change in the law is required. It seems to me that the problem of bullying raises issues of policy and implementation of policy which are outwith the remit of my review. I have no doubt that it is an issue which the Scottish Government takes extremely seriously.

The responses did not identify offences being committed against young people because they are young people. The issues regarding hate crime were in relation to children who came within one of the current protected characteristics. That said, while there is little evidence that there is a problem of hostility against youth in and of itself, it is conceivable that such behaviour could occur.

While I would expect, therefore, that most hostility-based offences based on age would be committed against elderly persons, I consider that it is appropriate to adopt an approach where a protected characteristic of age generally is introduced. Whether a particular offence is motivated by hostility in relation to age, or in the course of an offence hostility to age is demonstrated, would be a matter for consideration on a case-by-case basis.

In summary, Lord Bracadale found that, although there might only be a relatively small proportion of crimes relating to hostility against a person because of their age, introducing a new statutory aggravation based on age hostility would send a clear message to society that these offences would be treated seriously and would not be tolerated.

⁴¹ At paragraphs 4.52, 4.64 and 4.66 of Lord Bracadale's report.

⁴² At paragraphs 4.67 to 4.69 of Lord Bracadale's report.

His view was that where crimes motivated by hostility based on age do occur, it is important that these crimes should be treated in the same way as other hate crimes.

This proposal focuses on an aggravation concerning hostility based on age, rather than a proposal for additional protection of a vulnerable person. Please see Part Four which considers Lord Bracadale's recommendation on exploitation and vulnerability.

Lord Bracadale's Recommendation 10

There should be a new statutory aggravation based on age hostility.

Where an offence is committed, and it is proved that the offence was motivated by hostility based on age, or the offender demonstrates hostility towards the victim based on age during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by age hostility. The court would be required to state that fact on conviction and take it into account when sentencing.

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 4.51 and 4.70⁴³ of his report.

Question 11:

Do you think that a new statutory aggravation on age hostility should be added to Scottish hate crime legislation?

(Please provide details in the comments box.)

Section 5: Sectarianism

This section considers the issue of sectarianism. Specifically, whether sectarianism should be included within new hate crime legislation and, if so, how sectarianism would be defined within that legislation.

In his review of hate crime legislation, Lord Bracadale noted that the issue of sectarianism goes beyond hate crime and considered the issue in the context of the recent repeal of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 (the 2012 Act) and the creation of the Working Group on Defining Sectarianism in Scots Law (the Working Group) which is discussed below.

Lord Bracadale noted that there was no consensus among those consulted during his review on what is meant by sectarianism, and noted that there were 'sharp divisions of opinion on whether it is a religious concept, a political and cultural concept or involves a mixture of religion, politics and culture.' Given the Working Group was specifically tasked with considering the merits of a legal definition of sectarianism, and the Working Group had not reported at the time he delivered his review, Lord Bracadale stated that the Working Group was 'best suited to take [this] forward'.

Sectarianism is often described as an intersectional issue – meaning that expressions of sectarianism can combine prejudice toward different characteristics, some of which are already protected in law, such as religion and race, and some which are not, such as the more difficult to define concept of culture. Lord Bracadale concluded that the absence of a statutory aggravation based on sectarianism would not leave a gap in the law because both the race and religion statutory aggravations can be attached to any specific offence once proven.

⁴³ <https://www.gov.scot/Publications/2018/05/2988/5>

Lord Bracadale explained in his report⁴⁴:

First, it is clear that the concept of sectarianism extends beyond hate crime. The references to 'exclusion' and 'discrimination' in one of the definitions emphasise that sectarianism is not restricted to crime at all. It is a broader societal issue. In addition to criminal offences, it may feature in non-legislative contexts and in circumstances governed by the civil law. Thus, many aspects of sectarianism are beyond the remit of this review.

Secondly, there is a range of strongly held views as to what is meant by the term. There are sharp divisions of opinion as to whether it is a religious concept, a political and cultural concept or involves a mixture of religion, politics and culture.

Thirdly, the Justice Committee, by referring to 'future parliaments and governments' clearly contemplated a developing long-term debate in relation to laws to tackle sectarianism.

Fourthly, the working group has been established to work on a definition of sectarianism and they are best suited to take that forward.

It may be that as a result of the labours of the working group and future discussion and debate a specific bespoke means of dealing with offences of a sectarian nature may emerge. In the meantime, I am satisfied that criminal conduct in the context of a football match, which gave rise to prosecutions under section 1 [of the 2012 Act] when it was in force, can be prosecuted under the existing law. In relation to an offence characterised by religious prejudice a statutory aggravation may be applied. In relation to an offence with a political aspect, while.....I have concluded that hate crime should not extend to political identity, where the offence involves glorifying a proscribed organisation, a common law aggravation may be applied. The same approach can be adopted in relation to offences of a sectarian nature outwith the context of football. The majority of respondents to the consultation paper considered that it was appropriate to deal with sectarian singing, chanting etc. in the same way wherever it occurred.

In its report at Stage 1, the Scottish Parliament's Justice Committee noted that scrutiny of the Repeal Bill (now the Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Act 2018) had sparked a new debate on sectarian behaviour. The Committee considered that it was important that the Scottish Government gave consideration to introducing a definition of sectarianism in Scots Law, which, whether or not the 2012 Act was repealed, would help any future parliaments and governments in taking forward laws to tackle sectarianism.

⁴⁴ At paragraphs 8.34 to 8.38 and 8.23 of Lord Bracadale's report.

Lord Bracadale's Recommendation 19

No statutory replacement for section 1 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 is required. I do not consider it necessary to create any new offence or statutory aggravation to tackle hostility towards a sectarian identity (insofar as that is different from hostility towards a religious or racial group) at this stage. The conclusions of the working group which has been appointed to consider whether and how sectarianism can be defined in law will provide Scottish Ministers and Parliament with the basis to debate how best to deal with offences of a sectarian nature in due course. That debate might include consideration of whether any such offences should be classed as a form of hate crime or treated as something distinct.

For more information on Lord Bracadale's recommendation please see Chapter 8⁴⁵ of his report.

We agree with Lord Bracadale that the will of the Scottish Parliament should be respected in relation to the repeal of section 1 of the 2012 Act (covering offensive or threatening behaviour at football matches which was likely to incite public disorder) and that the focus of our considerations on this issue should be on the conclusions and proposals made by the Working Group which was established by the Scottish Government to provide a basis for considering whether or not sectarianism should be defined in Scots Law.

The Working Group has now reported to Scottish Ministers who are committed to using the group's report as the basis for further consultation. This section takes forward that commitment and we have included questions on defining sectarianism in Scots Law below as part of this broader consultation on hate crime legislation.

Background to the working group

During their consideration of the Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill (the Repeal Bill), the Justice Committee of the Scottish Parliament heard from a range of sources that there was a need to establish a legal definition of the term 'sectarianism' to aid application of the law by police and prosecutors. The Justice Committee Stage 1 report on the Repeal Bill, published on 18 January 2018 recommended that:

The Committee considers it important that the Scottish Government gives consideration to introducing a definition of sectarianism in Scots Law, which – whether or not the 2012 Act⁴⁶ is repealed – would help any future parliaments and governments in taking forward laws to tackle sectarianism.

The Working Group was established to provide evidence on the benefits and drawbacks of establishing a legal definition of sectarianism, and Scottish Ministers further committed to consulting on the findings of the Working Group to allow considerations of this issue to be informed by a wide range of views.

The working group's remit was:

To consider and weigh up the pros and cons of establishing a legal definition of 'sectarianism' in Scots Law. Report the findings of these considerations to Scottish Ministers making clear recommendations on whether such a definition should be introduced and, if so, propose the text of such a definition.

⁴⁵

<https://www.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/9/>

⁴⁶ [Offensive Behaviour at Football and Threatening Communications \(Scotland\) Act 2012](#)

The 'Final Report of the Working Group on Defining Sectarianism in Scots Law'⁴⁷ was published at the same time as this consultation document. The Working Group proposed that:

Definition: Sectarianism should be defined in law and that the definition should reflect the common understanding of sectarianism in modern Scotland. The Group's view is that sectarianism as it is commonly understood in Scotland is rooted in religious antipathy based on perceived Christian denominational affiliation, and hostility expressed in terms of perceived British or Irish national origins and citizenship. In other words, for the purpose of naming sectarianism in Scots Law, sectarianism should be defined as hostility based on perceived (a) Roman Catholic or Protestant denominational affiliation, (b) British or Irish citizenship, nationality or national origins or (c) a combination of (a) and (b).

The Working Group noted that sectarianism becomes a reality when antagonism, hostility, abuse or violence is directed at people because they are perceived to belong to the other group, or when perceived identity with a group is used to give permission to or justify violent and/or discriminatory behaviour which would otherwise be condemned.

Fair naming: The principle of 'fair naming' or 'fair labelling' (that is, naming something for what it is) should apply so that criminal acts of prejudice can be named more accurately whether that be anti-Catholicism; anti-Protestantism; sectarianism or any other descriptor. The Working Group noted that sectarianism is an issue which does not fall easily into a single categorisation, but has evolved over time to be present within the religious, racial, cultural and political spheres.

The original link to religion is often completely obscured as the language of sectarianism is applied in cultural areas where the links to religion are no longer obvious. However, the context for this work was seeking to explore the options for defining sectarianism in law, and not simply to define it in a general sense.

Political views: In line with Lord Bracadale's findings, political views should not be included in any legal definition of sectarianism.

Breadth of the definition: Without a more robust evidence base, any legal definition of sectarianism should be limited to sectarianism rooted in religious hostilities and rivalries within Christianity at present.

Levels of sectarianism that exist outside of Christian communities in Scotland were not clear but that the views of all faiths should be sought through this consultation to allow evidence of non-Christian sectarianism to be identified and better understood.

Statutory aggravation: Lord Bracadale recommended the introduction of two new statutory aggravations for hate crime based on the protected characteristics of age and gender, and the Working Group believes that a new statutory aggravation of 'sectarian prejudice' should be incorporated into future consolidated hate crime legislation. This would introduce the language of sectarianism into Scots Law and be symbolically important, allowing sectarian crimes to be fairly named as such. The Working Group concluded that legal recognition of sectarianism could assist those struggling to tackle the issue out with the legal sphere and add a strong driver to support their work.

⁴⁷ <http://www.gov.scot/ISBN/9781787812987>

The Working Group concludes that a statutory aggravation of sectarian prejudice/ hostility should be introduced. Throughout the report the Working Group mentions the complex, intersectional nature of sectarianism. They set out a draft definition of what 'sectarian prejudice' would mean at pages 30 and 31 of their report.

The Working Group also concludes that there is no need for a standalone offence of sectarian prejudice. Lord Bracadale also looked at stirring up hatred offences (discussed below), which are a category of standalone hate crime offences. The Working Group did not support a stirring up of hatred offence in connection with sectarianism.

The full rationale for the draft legal definition outlined by the Working Group can be found on pages 31-32⁴⁸ of their report.

The Scottish Government believes that further exploration of the findings and proposals made by the Working Group are required. Specifically, the Scottish Government recognises that the argument for fair naming is an important one as understanding the different forms of hate crime in Scotland more accurately is essential for the development of future government policy. The Scottish Government already recognises that anti-Catholicism; anti-Protestantism; anti-Irish racism; and anti-British racism all exist to varying degrees. However, the intersectional nature of sectarianism, as described by the Working Group, raises the question of whether there is value in being able to specifically identify and name sectarianism as something which differs from these categories.

The Scottish Government also believes that the idea of a statutory aggravation for sectarianism is worth exploring further as this may be an effective way to ensure that sectarian behaviour which crosses the criminal threshold is seen to be punished without the need to create a new standalone offence. As with all statutory aggravations, a sectarian aggravation could only be added if an initial charge for criminal behaviour was proven. On conviction, the fact that the offence was motivated by, or demonstrated, sectarian prejudice would be taken into account in passing sentence. However, the Scottish Government also acknowledges that if such an aggravation was to be taken forward, the scope of this would need to be carefully considered.

The following questions have therefore been designed to explore the findings of the Working Group:

Question 12:

Do you think there is a need for sectarianism to be specifically addressed and criminalised in hate crime legislation.

(Please give your reasons for your response.)

Question 13:

If your response to question 12 was yes, do you think a statutory aggravation relating to sectarianism should be created and added to Scottish hate crime legislation?

(Please give your reasons for your response.)

⁴⁸ <http://www.gov.scot/ISBN/9781787812987>

Question 14:

If your response to question 12 was yes, do you think a standalone offence relating to sectarianism should be created and added to Scottish hate crime legislation? (Please give your reason for this.)

Question 15:

If your response to question 12 was yes, do you agree with the Working Group that sectarianism should be defined in Scots Law in terms of hostility based on perceived Roman Catholic or Protestant denominational affiliation of the victim and/or perceived British or Irish citizenship, nationality or national origins of the victim?

(Please give your reason for this.)

Question 16:

If you disagree with the Working Group's proposed definition of sectarianism, what do you believe should be included in a legal definition of sectarianism?

(Please give your reason for this.)

Question 17:

The Scottish Government recognises that legislation on its own will not end sectarianism. What else do you feel could be done to address sectarianism?

If you have answered the questions in this section, you may also wish to refer to the following section (6) on Other Groups or Characteristics and questions 18 to 20.

Section 6: Other Groups or Characteristics

Sections 3 and 4 outlined Lord Bracadale's recommendations on the creation of statutory aggravations based on the characteristics of gender and age. Section 5 then considered recommendations made by both Lord Bracadale and the Working Group on Defining Sectarianism in Scots Law in regards to whether sectarianism should be included within hate crime law. Lord Bracadale concluded that, other than gender and age, it is not necessary to create any further statutory aggravations within hate crime law.

This section considers political/religious/racial cross-over; other new groups and characteristics; and whether it is necessary to extend the religious aggravation provision to capture religious or other beliefs held by an individual rather than a group. Each of these aspects will be considered in turn.

Political/religious/racial cross-over

As part of his review, Lord Bracadale considered whether a statutory aggravation should apply where an offence is motivated by malice and ill-will (or hostility) towards a political entity which the victim is perceived to be associated with by virtue of their racial or religious group. His report found that⁴⁹:

⁴⁹ At paragraphs 3.40 to 3.44 of Lord Bracadale's report.

It features in cases in which an offence is motivated by malice and ill-will towards a political entity (e.g. foreign country, overseas movement) with which the victim is perceived to be associated by virtue of their racial or religious group.

The consultation paper cited examples of Jewish people being targeted because of a perceived association with the state of Israel, and Muslims being targeted because of a perceived association with ISIS.

Those respondents who supported the introduction of an aggravation of this type argued that victims in such cases may be subject to attack because of the perpetrator's perception of the victim's membership of a religious or racial group, and such cases should therefore come within the law. They considered that it would be difficult to distinguish such attacks from other attacks motivated by malice and ill-will towards a racial or religious group per se.

A number of powerful arguments were advanced by those opposed to an aggravation of this type. There was a concern that the introduction of an aggravation based on malice and ill-will towards political entities would represent a move away from the principle of protected characteristics reflecting intrinsic personal characteristics. A new aggravation in this area would be difficult to legislate for and potentially contentious, and would therefore introduce complexity and uncertainty into the law. In addition, a new aggravation would be open to interpretation and abuse for political ends, and open to change over time, depending on the political climate.

A further argument was based on freedom of speech. Freedom to hold differing political views, and to debate those views, was fundamental to a democratic society and should be protected. This included freedom to subject political entities and foreign states to legitimate criticism. A new aggravation of this type could, therefore, have unintended consequences regarding the curtailment of freedom of expression and freedom of political debate.

Lord Bracadale⁵⁰ concluded:

I accept the arguments advanced by those respondents who contended that hate crime legislation should not extend to political entities as protected characteristics. I consider that such an approach would extend the concept of hate crime too far and dilute its impact. The freedom of speech to engage in political protest is vitally important. For these reasons I do not recommend extending the range of protected characteristics to include political entities.

I consider that in most cases the conduct and the context in which it is engaged will indicate whether the circumstances are such that an offence is committed at all, and, if an offence is committed, such that an aggravation in respect of race or religion should properly be attached.

⁵⁰ At paragraphs 3.48 and 3.49 of Lord Bracadale's report.

Lord Bracadale recommended that it was not necessary to create a statutory aggravation to cover hostility towards a political entity. We propose to accept his recommendation.

Lord Bracadale's Recommendation 6

I do not consider it necessary to create a statutory aggravation to cover hostility towards a political entity

For further information, Lord Bracadale's reasons for these recommendations can be found at paragraphs 3.40 to 3.49⁵¹ of his report:

Question 18:

Do you think that a new statutory aggravation on hostility towards a political entity should be added to Scottish hate crime legislation?

(Please provide details in the comments box.)

Other specific new groups or characteristics

Lord Bracadale considered whether it would be necessary to create statutory aggravations to cover hostility towards any other specific new groups or characteristics (other than gender or age, which are discussed above).

He considered immigration status and concluded⁵²:

I have concluded that offending behaviour which is motivated by hostility relating to immigration status or involves the demonstration of such hostility should be a hate crime. However, I do not think any change in the law is needed to achieve this: such offending should already be treated as racially aggravated under the existing law. The current race aggravation is concerned with malice and ill-will towards a racial group, and racial group is defined by reference to 'race, colour, nationality (including citizenship) or ethnic or national origins.'

Lord Bracadale considered membership of the Gypsy/Traveller community and concluded⁵³:

Romany gypsies have long been recognised as an ethnic racial group, and other more recent court decisions have treated Irish travellers and Scottish Gypsy/Travellers as ethnic groups too. While these decisions have been made in relation to the civil law definition of 'race' in the Race Relations Act (the pre-cursor to the Equality Act 2010), I can see no reason why the same analysis would not apply to the criminal legislation. I note also that Gypsy/Traveller was included as a sub-category of 'white' ethnicity in the 2011 census. I am therefore satisfied that such offending behaviour can and should be treated as racially aggravated under the existing race aggravation.

⁵¹ <https://www.gov.scot/Publications/2018/05/2988/4>

⁵² At paragraph 4.74 of Lord Bracadale's report.

⁵³ At paragraph 4.79 of Lord Bracadale's report.

Lord Bracadale considered Gaelic speakers and concluded⁵⁴:

I consider that there is a fairly strong argument that Gaelic speaking Gaels belong to an 'ethnic group' within the meaning of the current race aggravation. That means that, in a case in which hostility towards Gaelic speakers did amount to a criminal offence, COPFS could consider prosecuting the offence as a hate crime with the statutory race aggravation.

I recognise that there will be some Gaelic speakers who may not consider themselves (or be considered by others) to be members of a Gaelic 'ethnic group' but who use the language in aspects of their daily lives. This might include those who learned the language at school or in adulthood, rather than as their mother tongue. However, as I have noted earlier in this report at recommendation 5, the concept of hostility should not be limited to the cases where the victim does in fact have the relevant protected characteristic. It should also cover cases where the hostility occurs because the victim is presumed to have the characteristic or has an association with those who do. I consider that would very likely be the case in relation to such Gaelic speakers.

On balance, therefore, I do not think any change in the law is required to ensure that [the Crown Office and Procurator Fiscal Service] and the courts could respond appropriately if cases were to arise of criminal offences motivated by or demonstrating hostility towards Gaelic speakers.

Accordingly, Lord Bracadale did not consider it necessary for there to be new statutory aggravations in connection with hostility toward immigrants/ immigration status, the Gypsy/ Traveller community or Gaelic speakers. That is because the existing statutory aggravation in connection with hostility based on race is defined widely enough in the existing legislation to capture these other areas in so far as they are examples of nationality (including citizenship and ethnicity).

Lord Bracadale also considered socioeconomic status, and concluded⁵⁵:

I am not persuaded that a person's socioeconomic position can be equated with any kind of identity characteristic: it is a matter of fact determined by a number of factors (employment, poverty, security of housing etc.) which will change over time. These factors may well render an individual vulnerable to particular offending patterns, but I think it would stretch the concept of 'hate crime' too far from what is readily understood by society to treat offending based on hostility to these factors as hate crime.

I also note that other means to tackle discrimination or disadvantage based on socioeconomic status are likely to arise through the implementation of section 1 of the Equality Act 2010, which came into force in Scotland on 1 April 2018.

⁵⁴ At paragraph 4.81, 4.83 and 4.84 of Lord Bracadale's report.

⁵⁵ At paragraph 4.87 and 4.89 of Lord Bracadale's report.

Lord Bracadale set out his conclusion in relation to other groups⁵⁶:

...a number of further groups were suggested by consultation respondents to be covered by hate crime legislation.

...The characteristic which has been highlighted by respondents is often a lifestyle choice, rather than something which forms an inherent part of the individual's identity. For example, reference was made to those who choose not to drink alcohol and to members of alternative sub-cultures (such as goths, emos, punks). I do accept that there have been instances of very serious offending against individuals based on this kind of transient characteristic (notably the murder of Sophie Lancaster in England in 2007, targeted because of her goth appearance). However, this was a very unusual case, and I am of the view that the Scottish courts would be able to pass an appropriate sentence in such a case as a matter of common law.

I also consider that the arguments about hate crime causing harm to the wider group which shares the characteristic with the victim or to wider society are much less compelling in the context of characteristics which do not form an inherent part of the individual's identity.

Lord Bracadale recommended that it was not necessary to create a statutory aggravation to cover hostility towards any specific new groups or characteristics, (other than gender or age). We propose to accept his recommendation.

Lord Bracadale's Recommendation 12

I do not consider it necessary to create a statutory aggravation to cover hostility towards any other (meaning other than gender or age) specific new groups or characteristics.

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 4.71 to 4.95⁵⁷ of his report.

Question 19:

Do you think that a new statutory aggravation should be added to Scottish hate crime legislation to cover hostility towards any other new groups or characteristics (with the exception of gender and age)?
(Please provide details in the comments box.)

Religiously aggravated offending: consideration of extending the religious aggravation provision to capture beliefs held by an individual

The remit of Lord Bracadale's review included considering whether the existing religious statutory aggravation (section 74 of the Criminal Justice (Scotland) Act 2003) should be adjusted to reflect further aspects of religiously motivated offending.

⁵⁶ At paragraphs 4.91, 4.93 and 4.95 of Lord Bracadale's report.

⁵⁷ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/5/>

Lord Bracadale's report explained the background⁵⁸:

The background to this aspect of the remit was the murder of Asad Shah by Tanveer Ahmed in 2016. At the time that he pled guilty to the murder, Tanveer Ahmed issued a statement explaining that he had committed the murder because he felt Mr Shah had disrespected the Prophet Muhammad and had claimed to be a prophet himself. However, this did not indicate malice and ill-will against the deceased based on his membership (or presumed membership) of a religious group. There was no suggestion that any religious group (including the Ahmadi sect to which Mr Shah belonged) considered Mr Shah to be a prophet. Rather, it could be interpreted in terms of the perpetrator's attitude of malice and ill-will to the individual religious beliefs of the victim and the way in which the victim had expressed those beliefs. Accordingly, the Crown took the view that the case did not fall within section 74 of the 2003 Act.

Lord Bracadale concluded⁵⁹:

I have carefully considered the arguments advanced on each side of this debate. In my view, a consistent approach across the protected characteristics is highly desirable. This allows for a clear understanding of what is meant by hate crime. At its core is the concept of a shared protected characteristic. It would require strong arguments to depart from that principle. I am not persuaded that these are made out here. The Tanveer Ahmed case was a highly unusual one. I note that, in the event, it is clear from her sentencing statement that the judge in that case was able to take the particular religious motivation into account using the common law. Accordingly, I am not persuaded that there is any gap that requires to be filled by departing from the core approach of recognising hate crime in relation to a group with a protected characteristic. Accordingly, I do not propose to make a recommendation in respect of this particular issue.

Lord Bracadale also considered whether the provision should extend to those targeted for being a humanist or an atheist⁶⁰:

... the Humanist Society Scotland argued that the law should recognise the manifestations of an individual's belief rather than membership of a set group. Where it could be shown that the manifestation of an individual's belief was an aggravating factor in the offence the court should be able to take that into account. This should extend to a person being targeted for being a humanist or an atheist. For the reasons explained above, I have rejected the contention that the religious belief of the individual should found a hate crime. In my view, the same would apply to the non-religious beliefs of an individual.

The Humanist Society Scotland also pointed out that section 74 of the Criminal Justice (Scotland) Act 2003 was restricted to offences aggravated by religious prejudice. By contrast, the civil law provisions of the Equality Act 2010 recognised 'belief' as comprising 'any religious or philosophical belief'. It was of concern to the Society that the criminal law did not extend protection to non-theistic beliefs such as humanism or atheism.

⁵⁸ At paragraph 3.50 of Lord Bracadale's report.

⁵⁹ At paragraph 3.54 of Lord Bracadale's report.

⁶⁰ At paragraphs 3.55 and 3.56 of Lord Bracadale's report.

I note that the background to the introduction of section 74 was the Report of the CrossParty Working Group on Religious Hatred which reported in 2002. The work of the group arose out of concerns about religious intolerance in Scotland. While in principle I consider that hostility towards members of a group based on non-theistic beliefs could give rise to hate crime, there was no evidence before the review to suggest that such an extension was required. This may be because individuals with non-theistic beliefs are less likely to form a group and consider themselves to be associated with one another through those beliefs. I am not satisfied that there is a gap in the law which requires to be addressed. In these circumstances I do not propose to make any recommendation along these lines.

Lord Bracadale recommended that it was not necessary to create a statutory aggravation to extend the religious aggravation provision to capture religious or other beliefs held by an individual rather than a group. We propose to accept his recommendation.

Lord Bracadale's Recommendation 7

I do not consider it necessary to extend the religious aggravation provision to capture religious or other beliefs held by an individual rather than a group.

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 3.50-3.56⁶¹ of his report.

Question 20:

Do you think that the religious statutory aggravation in Scottish hate crime legislation should be extended to include religious or other beliefs held by an individual?

(Please provide details in the comments box.)

Section 7: Association with Members of a Protected Group

At the moment, the existing statutory aggravations in relation to the protected characteristics of race, religion, disability, sexual orientation and transgender identity each apply where the offence is motivated by, or demonstrates, hostility based on one of those grounds even where the victim does not have the identity characteristic in question. For instance, someone is assaulted because of the perpetrator's prejudice against Muslims but the victim is not Muslim. In such cases, a statutory aggravation would apply even though the perpetrator was mistaken as to the fact that the victim had the identity. This is because the statutory aggravations apply where the perpetrator presumes that the victim has the identity characteristic.

Lord Bracadale recommends that it continues to be the case that the statutory aggravations (including any new statutory aggravations) continue to apply where an offence is motivated by, or demonstrates, hostility in relation to people who are presumed to have the identity characteristic. The Scottish Government agrees with this approach.

Currently the race and religion statutory aggravations also apply in relation to persons who have an association with someone with the protected characteristic.

⁶¹ <https://www.gov.scot/Publications/2018/05/2988/4>

This is because section 96 of the Crime and Disorder Act 1998 (race statutory aggravation) defines membership of a racial group as including association with members of the group. Likewise, section 74 of the Criminal Justice (Scotland) Act 2003 (religion statutory aggravation) defines membership of a religious group as including association with members of the group. This is different to the perpetrator being mistaken as to the victim being a member of a particular racial group or religious group. Rather, the application of the aggravations in relation to people who have an association applies where, for example, a white person is assaulted because they socialise with a person of a different race.

While the race and religion aggravations apply in relation to people associating with members of a racial or religious group, this is not the same in relation to the statutory aggravations applying in relation to disability, sexual orientation and transgender identity. Lord Bracadale recommends that the association principle should apply in relation to all of the statutory aggravations.

Lord Bracadale considered association and presumed membership. His report⁶² explained that:

Section 96 of the Crime and Disorder Act 1998 provides that an offence is racially aggravated if the offender evinces malice and ill-will based on the victim's membership (or presumed membership) of a racial group or the offence is motivated by malice and ill-will towards members of a racial group based on membership of that group. Section 74 of the Criminal Justice (Scotland) Act 2003 makes a similar provision in respect of membership (or presumed membership) of a religious group or of a social or cultural group with a perceived religious affiliation. In each case, 'presumed' means presumed by the offender and 'membership' includes association with members of the group. Thus, a person who does not actually have the protected characteristic could come within these provisions if (a) the perpetrator presumed that the person had the protected characteristic even if they did not; or (b) the victim had an association with members of the group.

When the aggravations in respect of the remaining protected characteristics of disability, sexual orientation and transgender identity were introduced in the Offences (Aggravation by Prejudice) (Scotland) Act 2009, the reference to 'presumed by the offender' was retained, but the concept of association was not expressly included.

It would seem appropriate for legislation to apply in cases where hostility is demonstrated because of a protected characteristic, even if the person to whom the hostility is expressed does not actually have the characteristic. In their submission to the Justice Committee considering the 2009 Bill, Action on Hearing Loss Scotland (the Royal National Institute for Deaf People) referred to examples of deaf families being the victims of crimes, and gave anecdotal evidence that such crimes also affected hearing members of the family. Such a provision would also catch offending behaviour against individuals who act as advocates or champions for groups with one of the protected characteristics.

⁶² <https://www.gov.scot/Publications/2018/05/2988/4>

The Scottish Government recognises the merits of modernising legislation to ensure that all of the hate crime statutory aggravations apply in relation to people who are presumed to have the characteristic or who have an association with the protected characteristic.

For example, if a person is targeted because the perpetrator presumed they were gay (i.e. this is an example of the aggravation applying where there is a presumption that a person has a protected characteristic), or a parent is targeted because they are with their disabled child (i.e. this is an example of the aggravation applying where there is an association with the protected characteristic).

We propose to accept Lord Bracadale's recommendation.

Lord Bracadale's Recommendation 5

The statutory aggravations should also apply where hostility based on a protected characteristic is demonstrated in relation to persons who are presumed to have the characteristic or who have an association with that particular identity.

For further reading, the relevant material discussing these issues in Lord Bracadale's report is at paragraphs 3.37 to 3.39⁶³ of his report.

Question 21:

Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people are presumed to have one or more protected characteristic(s)?

(Examples of protected characteristics are religion, sexual orientation, age, gender, race, disability, transgender identity and intersex).

(Please provide details in the comments box.)

Question 22:

Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people have an association with that particular identity (relating to religion, sexual orientation, age, gender, race, disability, transgender identity and intersex)?

(Please tell us why?)

⁶³ <https://www.gov.scot/Publications/2018/05/2988/4>

Part Three – New Stirring Up of Hatred Offences

Section 8: Current Position and Proposed Changes

As mentioned above, in the context of hate crime, there are both statutory aggravations and standalone offences. So far, this consultation has focused on statutory aggravations, but this section considers a category of standalone offences referred to as stirring up hatred offences.

Lord Bracadale noted that statutory offences of stirring up hatred only exist in relation to race. These are contained in sections 18 to 22 of the Public Order Act 1986. These existing offences would capture actions that are threatening, abusive or insulting, with the intention of stirring up racial hatred, or which, having regard to all the circumstances, are likely to stir up racial hatred.

Lord Bracadale's report⁶⁴ explained that:

Stirring up hatred is conduct which encourages others to hate a particular group. It is dealt with as a standalone offence in our current legislation. This is distinct and different from the concept of a baseline offence directed at a member or members of the group (e.g. harassment or assault) with a statutory aggravation in relation to a protected characteristic. In the case of the latter, the baseline conduct is already criminal; it is the motive or demonstration of hostility that marks it out as a hate crime. The offence is directed against a member, or members, of the group. In the context of stirring up hatred, the intention of the perpetrator is that hatred of the group as a whole is aroused *in other persons*. Hate is primarily relevant, not as the motive for the crime, but as a possible effect of the perpetrator's conduct. It is not necessary that the perpetrator incites others to commit an offence.

Unlike an aggravated offence, where the underlying conduct is itself criminal, a stirring up of hatred offence may criminalise conduct which would not otherwise be criminal... Criminalising conduct is a serious step, not taken lightly. In deciding whether to recommend extension of stirring up offences a number of considerations have to be taken into account. These include:

- ☐ whether stirring up hatred of a group with a protected characteristic is morally wrong;
- ☐ the harm caused by stirring up of hatred offences;
- ☐ their seriousness;
- ☐ whether they fulfil a strong symbolic function;
- ☐ whether there is a gap in the law; and
- ☐ whether there are practical benefits flowing from them.

The Scottish Government agrees that these are the key issues to consider in assessing the merits of an expansion of stirring up hatred offences.

⁶⁴ At paragraphs 5.3 and 5.4 of Lord Bracadale's report.

In considering the merits of having stirring up hatred offences, Lord Bracadale⁶⁵ explained his views on these key issues as follows:

Wrongfulness

There is a general consensus that stirring up racial hatred is morally wrong. I think that there would be broad agreement that stirring up of hatred in relation to any of the protected characteristics is wrongful.

Harm

Stirring up of hatred may lead to violence or public disorder. It may incite people to commit offences such as assault against individuals in the group. ...Even where not resulting in offences, the stirring up of hatred can contribute to a social atmosphere in which prejudice and discrimination are accepted as normal. Behaviour which may stir up hatred can cause members of the group to feel vulnerable to attack and excluded from the wider community. There may be an impact on the dignity of the group. ...The harm caused by stirring up of hatred offences can be particularly severe and it is an important consideration pointing towards the extension of such offences.

Seriousness

Offences of stirring up of hatred in relation to a protected characteristic are particularly serious. They attack the group generally rather than individual members of the group. The following examples illustrate the serious nature of stirring up offences:

- In March 2018, a letter was circulated online entitled *Punish a Muslim* in which points were offered for carrying out a variety of acts against Muslim persons on a particular day of action.
- In the one case of stirring up religious hatred prosecuted on indictment under section 6 [of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 ('OBFTCA')], the accused posted remarks on Twitter stating that he hated Shia and Kurds and called for them to die 'like the Jews did at the hands of Nazi Germany'.
- In another section 6 OBFTCA case, the accused posted on Facebook showing support for the IRA including a picture of a person with a gun saying 'Where is the Orange walk?'

Symbolic function

The labelling of the particular behaviour in terms of stirring up of hatred is symbolically important. They are particularly serious offences and the conviction and sentence for stirring up hatred should carry a stigma. Stirring up of hatred offences communicate to those convicted and to those who might be tempted to engage in such conduct that society particularly condemns it. A stirring up of hatred offence will be a highly significant entry on the record of previous convictions of the offender. It also communicates to the groups with protected characteristics, and to society in general, that the law has taken steps to protect those with a protected characteristic from hatred... I consider that the symbolic function is a persuasive argument in favour of having stirring up of hatred offences.

Frequency of prosecutions for stirring up offences

Stirring up of hatred offences directed against the group are likely to be much less common than aggravated offences directed against one or more individual member(s) of the group... The limited number of prosecutions does not, however, necessarily mean that there is under-prosecution of these offences, or that they do not have a useful function... I do not consider that the argument that there might not be many prosecutions is persuasive against having a regime of stirring up hatred offences. Indeed, their relative rarity may only enhance their symbolic value.

⁶⁵ At paragraphs 5.9 to 5.16 of Lord Bracadale's report.

Is there a gap in the law?

I recognise that almost every case which could be prosecuted as a stirring up offence could also be prosecuted using a baseline offence and an aggravation: most, for example, could be prosecuted as threatening or abusive behaviour under section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 (CJLSA), along with an aggravation.

in each case the nature of the offence, which was directed against the group rather than individual members of it, called out for it to be more appropriately marked by a specific stirring up of hatred offence. I conclude that there is a gap in the law in the absence of stirring up offences in relation to the protected characteristics apart from race.

Practical benefits

The practical benefits are similar to those identified in relation to aggravated offences. The seriousness of the offence of stirring up of hatred is likely to be reflected in increased sentence. The perpetrator will have on his/her criminal record a particularly egregious conviction. Recording of conviction and sentence will allow statistics to be kept and trends to be identified and monitored.

Freedom of expression

Lord Bracadale⁶⁶ also identified that these are concerns arise that any expansion of stirring up hatred offences could adversely affect freedom of speech and freedom of expression.

The potential risk to freedom of expression from the introduction of stirring up hatred offences is well recognised. The (now-repealed) offence of stirring up religious hatred in section 6 OBFTCA includes express exceptions in section 7 to ensure that the freedom to debate and express views relating to religion was protected. Nothing in the section 6 provision of stirring up of religious hatred prohibited or restricted: (a) discussion or criticism of religions or the beliefs or practices of adherents of religions; (b) expressions of antipathy, dislike, ridicule, insult or abuse towards those matters; (c) proselytising (persuading others to share the same view or belief); or (d) urging of adherents of religions to cease practising their religions. When the Westminster Parliament legislated to prohibit stirring up of hatred on religious and sexual orientation grounds in England and Wales, it included similar protection in relation to the discussion of religion. In relation to sexual orientation, it expressly provided that the discussion or criticism of sexual conduct, practices or marriage, or urging people to alter their behaviour was not in itself to be treated as threatening or intending to stir up hatred.

⁶⁶ At paragraph 5.17 of Lord Bracadale's report.

Having considered Article 10 (freedom of expression) of the European Convention on Human Rights (ECHR) Lord Bracadale⁶⁷ concluded that:

A protection of freedom of expression provision, similar to those described above, could be included in legislation. I do not consider that new stirring up of hatred offences would have the effect of stifling legitimate views or seriously hindering robust debate. I conclude that concerns about freedom of expression should not preclude the extending of stirring up hatred offences.

The Scottish Government considers that issues relating to freedom of speech and freedom of expression must be considered carefully.

Article 10 stipulates

10.1 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

The European Court of Human Rights has consistently treated freedom of expression as a fundamental human right, emphasising its importance not only directly, but also as a core underpinning of democracy and other human rights.

Protection for freedom of expression is built into the operation of the legal system. All laws made by the Scottish Parliament have to be interpreted in a way that is compatible with the ECHR. If they cannot be interpreted as compatible, they have no effect.

However, even with these protections, the Scottish Government believes there can be merit in clearly and explicitly signally respect for human rights in legislation. There are examples on the statute book of provisions that offer direct protection of ECHR rights. For example, section 16 of the Marriage and Civil Partnership (Scotland) Act 2014⁶⁸ explicitly provides that nothing in the Act affects the ECHR rights to freedom of thought, conscience and religion or to freedom of expression. A similar approach could be adopted for the purposes of any new legislation relating to offences concerning stirring up of hatred.

English and Welsh law contains stirring up hatred offences in relation to religion and sexual orientation (under sections 29A to 29N of the Public Order Act 1986). Sections 29J and 29JA of that Act contain protections for freedom of expression in relation to those offences. Section 6 of the now-repealed Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 created an offence of stirring up religious hatred and section 7 contained protections for freedom of expression in relation to that offence. Lord Bracadale recommended that similar protections for freedom of expression should be included in any new legislation relating to stirring up of hatred.

⁶⁷ At paragraph 5.29 of Lord Bracadale's report.

⁶⁸ <http://www.legislation.gov.uk/asp/2014/5/section/16>

Protected characteristics to be included

Lord Bracadale's report also considered whether stirring up hatred offences should be expanded to other protected characteristics⁶⁹:

The strongest case for extending stirring up cases to other protected characteristics may be made in respect of religion. The repeal of section 6 OBFTCA has left a gap in the law. Stirring up of hatred in relation to religion is an offence in the rest of the United Kingdom.

...I consider that the arguments in favour of extending stirring up of hatred offences to include religion are strong.

...I consider that the argument that there should be parity between all protected characteristics is strong. It is highly undesirable to have a hierarchy of protected characteristics. I do not consider that the fact that there might be fewer convictions in respect of one characteristic rather than another to be particularly significant. I conclude that, if stirring up offences are to be extended to other protected characteristics, they should extend to all, including any new protected characteristics.

The Scottish Government considers there is merit in considering whether stirring up hatred offences should be extended to other protected characteristics and is interested in hearing views on whether there should be an expansion.

Thresholds

Lord Bracadale's report also considered the different approaches taken to the scope and thresholds (or tests) that apply for an offence to be committed in existing 'stirring up hatred' offences in the different UK jurisdictions and considered how they might need to be adjusted⁷⁰:

The provisions in the Public Order Act 1986 for stirring up racial hatred require conduct or material that must be 'threatening, abusive or insulting'. There must also be either:

(a) an intention to stir up racial hatred; or (b) having regard to all the circumstances it is likely that racial hatred will be stirred up (which I refer to below as 'the likelihood formula').

...I consider that the requirement for threatening behaviour sets the threshold too high. Abusive conduct which was not necessarily threatening could still be intended to stir up hatred in relation to a protected characteristic or could give rise to the likelihood that hatred could be stirred up. The use of the phrase 'threatening or abusive' would be consistent with the approach in section 38 of the [Criminal Justice and Licensing (Scotland) Act 2010]. I recommend that the threshold about the nature of the conduct in a stirring up of hatred offence should use the words 'threatening or abusive'.

⁶⁹ At paragraphs 5.30 and 5.33 of Lord Bracadale's report.

⁷⁰ At paragraphs 5.34 & 5.37 of Lord Bracadale's report.

As to whether the offences should be restricted to an *intention* to stir up hatred, or should also include the *likelihood* formula used in the stirring up of racial hatred offences, I consider that the wider test including both of these would give more flexibility.

...If the stirring up of racial hatred provisions in the Public Order Act 1986 are to be consolidated along with any new provisions it would be desirable that the tests would be consistent in relation to each protected characteristic. I therefore recommend that any new stirring up of hatred offences should include a requirement of an intention to stir up hatred or that having regard to all the circumstances hatred in relation to the particular protected characteristic is likely to be stirred up thereby.

The existing offences concerning stirring up racial hatred (contained in sections 18 to 22 the Public Order Act 1986) requires that, for the offence to be committed the conduct or material must be 'threatening, abusive or insulting'. Lord Bracadale recommended that consistency with other protected characteristics required that the reference to 'insulting' should be deleted.

Lord Bracadale noted in his report that the word 'insulting' was deleted from the English and Welsh harassment offence under section 5 of the Public Order Act 1986 in 2014 without any material impact. He observed that there did not appear to be any adverse effect on the ability of the Crown Prosecution Service (the English and Welsh equivalent of the COPFS) to prosecute such conduct, as any 'stirring up hatred' conduct that had actually been prosecuted involved behaviour that could be characterised as 'abusive' as well as 'insulting'.

Lord Bracadale's Recommendation 13

Stirring up of hatred offences should be introduced in respect of each of the protected characteristics including any new protected characteristics.

Lord Bracadale's Recommendation 14

Any new stirring up of hatred offences should (a) require conduct which is threatening or abusive; and (b) include a requirement (i) of an intention to stir up hatred, or (ii) that having regard to all the circumstances hatred in relation to the particular protected characteristic is likely to be stirred up thereby.

Lord Bracadale's Recommendation 15

The current provisions in relation to stirring up racial hatred under the Public Order Act 1986 should be revised and consolidated in a new Act containing all hate crime and stirring up of hatred legislation.

Any replacement for the stirring up of racial hatred provisions should (a) require conduct which is threatening or abusive; and (b) include a requirement (i) of an intention to stir up hatred, or (ii) that having regard to all the circumstances hatred in relation to the particular protected characteristic is likely to be stirred up thereby.

Lord Bracadale's Recommendation 16

A protection of freedom of expression provision similar to that in sections 29J and 29JA of the Public Order Act 1986 and section 7 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 should be included in any new legislation relating to stirring up offences.

Further information on Lord Bracadale's recommendations can be found at paragraphs 5.1 to 5.42⁷¹ of his report.

Question 23

Do you agree with Lord Bracadale's recommendation that stirring up of hatred offences should be introduced in respect of each of the protected characteristics including any new protected characteristics?

(Please provide details in the comments box.)

Question 24:

Do you agree with Lord Bracadale's recommendation that any new stirring up hatred offences should require that the conduct is 'threatening or abusive'?

(If not, what do you think the threshold should be for the offence to be committed?)

Question 25:

Do you think that the existing provisions concerning the stirring up of racial hatred should be revised so they are formulated in the same way as the other proposed stirring up hatred offences?

(This would mean that the offence would apply where the behaviour is 'threatening or abusive', but not where it is only 'insulting'.)

(Please provide details in the comments box.)

Question 26:

Do you agree with Lord Bracadale's recommendation that there should be a protection of freedom of expression provision for offences concerning the stirring up of hatred?

(If you answered yes to this question, do you have any comments on what should be covered by any such 'protection of freedom of expression' provision?)

(Please provide details in the comments box.)

Section 9: Online Hate

In the modern era, online communication is a core part of many people's everyday lives and interactions with others. The Scottish Government notes that the starting point in considering what changes may be necessary as regards online hate crime is that what is criminal off-line is criminal on-line, and that an existing offence committed online can be aggravated in the same way as any other offence can be aggravated.

⁷¹ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/6/>

For instance, the offence of threatening or abusive behaviour at section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 can be prosecuted in relation to conduct occurring online or in person and, in both cases, statutory aggravations can be attached if the offence is motivated by, or the perpetrator demonstrates, hostility toward the victim on the basis of a protected characteristic. Similarly, the offences of stirring up racial hatred under sections 18- 22 of the Public Order Act 1986 can be prosecuted in relation to online conduct.

This consultation asks whether stirring up of hatred offences should be extended to cover other identity characteristics.

With this in mind, the focus of this section is on whether any additional criminal law measures are needed to combat online hate crime that the criminal law does not already provide.

Lord Bracadale⁷² considered how well the current law operates in relation to hate crime and hate speech online, and whether any changes are needed. Lord Bracadale's report found that:

Consultation responses indicated a concern that the online environment was becoming increasingly hostile, with significant harm caused to individuals and groups as a result of online hate and harassment, and a perception that it is not taken as seriously as equivalent face-to-face conduct.

Areas where respondents felt the law does not respond at all, or responds inadequately, include: online bullying and harassment (including 'crowd-sourced harassment'); misogyny and incitement to misogyny; inciting self-harm or suicide; enabling pornography to be viewed by children; online paedophilia; publication of 'fake' news; expressions of hate through gaming platforms and sites; impersonating another person online; posting photographs or personal information without consent and with intention to harass, demean or degrade; threats to an individual's life, family or home. I would note here that some of the conduct described goes beyond what might be thought of as identity-based hate crime or hate speech. Respondents were concerned about more general forms of abuse and offensive communication.

It should be noted that there are a range of criminal offences which can be used to prosecute abuse and harassment, whether it occurs online or face-to-face. These include the offences of threatening or abusive behaviour, stalking, indecent communication and offences concerning the stirring up of racial hatred.

- the offence of 'threatening or abusive behaviour' at section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 ('the 2010 Act') makes it an offence to behave in a threatening or abusive manner, where that behaviour is such that it would be likely to cause a reasonable person to feel fear or alarm.

⁷² At paragraphs 6.5 and 6.6 of Lord Bracadale's report.

- where a person undertakes a course of conduct which is intended to cause the victim to suffer fear or alarm (or where the person knows or ought to have known that engaging in the course of conduct would be likely to cause the victim to suffer fear or alarm), it may amount to an offence of stalking under section 39 of the 2010 Act.
- where the abusive or threatening communications are of a sexual nature, depending on the circumstances, it may be prosecuted using offences concerning 'communicating indecently' or 'coercing a person into looking at a sexual image' contained in the Sexual Offences (Scotland) Act 2009.
- section 127 of the Communications Act 2003 contains two offences:
 - a) it is an offence to send by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character or to cause such a message or matter to be sent
 - b) it is an offence, for the purpose of causing annoyance, inconvenience or needless anxiety to another:
 - i) to send by means of a public electronic communications network, a message that the sender knows to be false
 - ii) to cause such a message to be sent, or
 - iii) to persistently make use of a public electronic communications network

Lord Bracadale⁷³ considers that all forms of hate crime – whether committed face-to-face or online - will be able to be better addressed through implementing his proposals for modernising hate crime legislation. He concluded:

Having reviewed the existing legislation, I consider that the current suite of offences (if supplemented in accordance with my recommendations for a gender hostility aggravation and stirring up offences) are capable of being used to prosecute all of the examples of online hate crime and hate speech drawn to my attention which justify a criminal response.

It is worth noting that some of the examples of online behaviour which were noted by respondents to the consultation, while undoubtedly harmful, distressing and offensive, would not amount to hate crime falling within the scope of this review. Examples include incitement to self-harm and suicide, online fraud and impersonating another person online.

However, stakeholders have expressed concern that 'lower level' online abuse is not covered by legislation and that further consideration is needed due to the often damaging impact it can have on people's lives.

⁷³ At paragraphs 6.51 to 6.52 of Lord Bracadale's report.

Lord Bracadale's Recommendation 17

Recommendations 9 (gender hostility) and 13 (stirring up) will form part of an effective system to prosecute online hate crime and hate speech.

I do not consider any further legislative change necessary at this stage.

However, I would encourage the Scottish Ministers in due course to consider whether the outcomes of the Law Commission's work on online offensive communications identify any reforms which would be of benefit to Scots criminal law across reserved and devolved matters.

Further information on Lord Bracadale's recommendation can be at paragraphs 6.1 to 6.53 ⁷⁴ of his report.

Question 27:

Do you agree with Lord Bracadale's recommendation that no specific legislative change is necessary with respect to online conduct?

(Please provide details in the comments box.)

⁷⁴ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/7/>

Part Four - Exploitation and Vulnerability

Section 10 New Statutory Aggravation – Exploitation and Vulnerability

As discussed above, the thresholds used in the statutory aggravation approach in hate crime legislation are based on **hostility** by the perpetrator towards a person or persons due to their perceived membership of a particular group. For example, an offence committed against a person where the perpetrator demonstrated hostility towards that person because they were elderly would be addressed through the inclusion of age as a protected characteristic, as discussed in section 4 of Part 2 of this consultation paper.

However, Lord Bracadale draws a distinction between crimes based on hostility towards a particular group, and crimes where the perpetrator targets a potential victim because the perpetrator believes them to be in some way vulnerable. Lord Bracadale defined hate crime as 'offences which adhere to the principle that crimes motivated by hatred or prejudice towards particular features of the victim's identity should be treated differently'⁷⁵ from other crimes. Where a perpetrator targets a victim in order to exploit a vulnerability (perceived or otherwise) the perpetrator does not necessarily hate the person because of that vulnerability, but is motivated to exploit the vulnerability for the purposes of the offence.

Accordingly, this chapter considers Lord Bracadale's further recommendations in this area regarding introducing a general aggravation covering exploitation and vulnerability Lord Bracadale discussed the issue as follows⁷⁶:

The principal difficulty with defining hate crime around vulnerability is that the message conveyed by labelling the crime as hate crime becomes diluted and the category of hate crime 'loses its special symbolic power'. Although there may be instances where a decision to target an individual because of their perceived vulnerability involves the offender making a value judgement about the individual's 'worthiness' based on their characteristic... I am not convinced that this will always be the case.

Vulnerability will usually arise from issues associated with a characteristic rather than from the identity characteristic itself. For example, some older people may be frail and have memory difficulties; others do not. An offender who deliberately targets a person they know to be vulnerable may well be doing so because of what they know of the specific individual rather than their views or value judgments about the wider group.

It is also difficult to apply this approach to cases where the characteristic is not the reason for the victim being targeted, but instead is associated with the reason the crime succeeds. For example, a bogus workman might target a number of people on a street and be successful in defrauding some of the neighbours but not others. This may be because the particular individuals are more easily deceived, and this could be considered to be related to their age or disability. However, it is not clear to me that this type of crime is what society would wish to mark out specifically as a hate crime.

⁷⁵ At paragraph 2.10 of Lord Bracadale's report.

⁷⁶ At paragraphs 3.22 to 3.27 of Lord Bracadale's report.

These examples illustrate why I think an approach which considers why an offender selects victims risks mischaracterising exploitation as a hate crime. There is also the danger that this approach could have practical difficulties and raise false expectations. It would be difficult for prosecutors to prove an intention to select a victim on grounds of an identity characteristic and the number of cases caught might be significantly less than hoped for.

This is a controversial issue and I suspect that many people will have differing views. While I was initially attracted by the approach, for the reasons outlined above I ultimately decided not to recommend it. I have, however, set out the argument so that Ministers may judge it for themselves. I shall revisit this issue in the context of whether age should be added as an additional protected characteristic and I propose an alternative approach which could be used to recognise and tackle the phenomenon of targeting people who are, or are perceived to be, vulnerable without treating this as a form of hate crime.

As part of his consideration of a new statutory aggravation based on age hostility within the existing suite of hate crime legislation, Lord Bracadale concludes that⁷⁷:

...this approach is likely to capture a relatively small proportion of the offences committed against elderly persons. I am conscious of the strength of feeling supporting the introduction of a statutory aggravation which would capture the bulk of the offences committed against the elderly on the basis of perceived vulnerability. I also note that a proportion of offences committed against disabled persons are based, not on hostility, but on perceived vulnerability. For these reasons, although noting that it would not fall within the hate crime scheme which I envisage, I invite the Scottish Government to consider the option of introducing a wider aggravation that would cover exploitation and vulnerability generally. This would have the advantage of including opportunistic crimes committed against the elderly and disabled persons.

Lord Bracadale noted the strong support for the introduction of a statutory aggravation covering offences committed against older people because of perceived vulnerability. Often, older people are targeted by perpetrators of particular forms of crime not because the perpetrator is motivated by hatred of older people, but because the perpetrator perceives them as being more vulnerable to such crime.

However, not all crime involving exploitation of vulnerability is 'opportunistic'. There have been high profile cases where someone responsible for caring for a person has taken advantage of their position of trust to financially exploit the person they are meant to be caring for.

⁷⁷ At paragraph 4.70 of Lord Bracadale's report.

Equally, we are aware of cases where people who rely on carers or family have been abused or neglected by those who are supposed to be looking after them and that this may or may not be accompanied by financial exploitation.

As Lord Bracadale notes, these issues do not only affect older people. His view is that people may be vulnerable, or perceived as being vulnerable, because of, for example, a physical disability, illness or a learning disability.

Lord Bracadale explicitly recognised that a proportion of offences committed against disabled people are based not on hostility, but on perceived vulnerability.

Lord Bracadale therefore recommended that the exploitation of vulnerability should not fall within the definition of ‘hate crime’, and that the Scottish Government should consider the introduction, outwith the hate crime scheme, of a general aggravation concerning exploitation of vulnerability.

Statutory aggravations in contexts other than hate crime already exist on the statute book. For instance:

- aggravation of an offence which involves abuse of a partner or ex-partner (section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016)
- aggravations of offences in connection with human trafficking (sections 5 to 7 of the Human Trafficking and Exploitation (Scotland) Act 2015)
- aggravation of the offence of domestic abuse by reason of involving a child (section 5 of the Domestic Abuse (Scotland) Act 2018)

This is a complex subject and we want to use this consultation to explore the impact of Lord Bracadale’s recommendation in this area. We want to carefully consider how ‘vulnerability’ is defined in any such aggravation and what circumstances should be covered.

Vulnerability can take very different forms. As noted above, a person may be targeted because they are perceived as being more vulnerable because of factors such as their age, or because of a physical disability. Equally, a person may be perceived as being more vulnerable, for example, because they are under the influence of alcohol or drugs at the time an offence is committed against them, or even because they are identified by the perpetrator as being lost or in unfamiliar surroundings (for example a tourist visiting a city they do not know, late at night).

It is also important to consider that vulnerability can be relative. While people with mobility issues may be especially vulnerable to an opportunistic street robbery, and people with cognitive issues or learning disabilities could be especially vulnerable to opportunistic fraudsters, most of the population could be considered vulnerable relative to a person who threatens them with a weapon. Indeed, perpetrators may target victims for certain types of crime, such as street robbery because they perceive them as being vulnerable to that crime or unlikely to put up resistance.

It is not clear that all types of ‘vulnerability’ described in the above two paragraphs should necessarily be treated in the same way as the kind of crimes committed against people who are perceived as being especially vulnerable because of their age, disability or physical infirmity.

In addition to this, any aggravation will require the prosecution to prove beyond reasonable doubt that the offence is aggravated in the way specified.

It may, for example, be easier to prove that a person deliberately exploited the vulnerability of someone they were caring for over a significant period of time, than that an opportunist thief or doorstep scammer deliberately targeted their victim because they believed them to be especially vulnerable.

Given these issues a statutory aggravation covering exploitation and vulnerability may not be the best way to address this issue. The judiciary are able to take account of the full facts and circumstances of each case before them, including whether, and in what way, the perpetrator exploited the vulnerability of their victim, when determining an appropriate sentence for each offender. A statutory aggravation may risk unnecessarily complicating sentencing decisions in this area.

However, a statutory aggravation would provide reassurance that the justice system recognises the particular harm caused by perpetrators who target victims because they perceive them to be especially vulnerable.

We would welcome views on whether there should be a statutory aggravation, outwith the hate crime scheme, concerning exploitation of vulnerability and, if so, how that aggravation should be framed.

Lord Bracadale's Recommendation 3

Offending behaviour which involves the exploitation of perceived vulnerabilities should not be treated as a hate crime. (But see recommendation 11).

Lord Bracadale's Recommendation 11

The Scottish Government should consider the introduction, outwith the hate crime scheme, of a general aggravation covering exploitation and vulnerability.

Further information on Lord Bracadale's recommendations can be at paragraphs 3.14 to 3.27⁷⁸ and paragraphs 4.1 to 4.70⁷⁹ of his report.

Question 28:

Do you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim?

(Please provide details in the comments box.)

Question 29:

If you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim, please provide details of the circumstances that you think such an aggravation should cover?

⁷⁸ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/4/>

⁷⁹ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/5/>

Part Five – Other Issues

Section 11: Repeal of Section 50A Racially Aggravated Harassment

Other **standalone offences** in the context of hate crime law are the offences relating to racially-aggravated harassment, contained in section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995. These offences include the element of hostility as a core part of the offence. This is different from operating on the basis of a baseline offence with a separate statutory aggravation.

Lord Bracadale explains section 50A as follows

Section 50A incorporates two separate offences:

- a) racially aggravated course of conduct which amounts to harassment of a person and is intended to amount to harassment or occurs in circumstances where it would appear to a reasonable person that it would amount to harassment; and
- b) a single racially aggravated act which causes, or is intended to cause, a person alarm or distress.

In each case the offence is racially aggravated if the offender is motivated by malice and ill-will towards members of a racial group based on their membership of that group, or evinces malice and ill-will towards the person affected based on that person's membership, presumed membership or association with a racial group.

For these purposes, 'harassment' in section 50A(1)(a) includes causing the person alarm or distress and a 'course of conduct' must involve conduct on at least two occasions.

There are no equivalent offences in relation to other protected characteristics.

The Crime and Disorder Act 1998 simultaneously created:

- the standalone offence of racially aggravated harassment by way of inserting section 50A into the Criminal Law (Consolidation) (Scotland) Act 1995 (section 33 of the 1998 Act)
- the statutory racial aggravation (section 96 of the 1998 Act)

The offence was developed before the introduction of other statutory aggravations concerning e.g. religious hatred, now found elsewhere in the statute book. The development of this approach was informed by concerns that the problems of racial harassment and racially motivated violence were not treated seriously enough by the criminal justice system.

Lord Bracadale takes the view that, over time, other legislation has been introduced which captures the behaviour covered under section 50A. He goes on to discuss the offence of threatening or abusive behaviour which is contained in section 38 of the Criminal Justice and Licensing (Scotland) Act 2010⁸⁰:

In 2010, the Scottish Parliament enacted the offence of threatening or abusive behaviour. The offence is committed if a person behaves in a threatening or abusive manner, the behaviour would be likely to cause a reasonable person to suffer fear or alarm, and the perpetrator intends to cause fear or alarm or is reckless about doing so.

It is possible to charge the section 38 offence with any of the statutory aggravations. According to the Scottish Government Criminal Proceedings database statistics the number of convictions for section 50A offences reached a peak during the years 2011/12 and 2012/13 when 929 and 933 convictions were recorded.

There then appears to be a noticeable decline, because by 2016/17 there were only 626 convictions under section 50A. Looking at similar statistics for convictions under section 38 with a racial aggravation there has been an increase in the number of convictions since the 2010 Act came into force with 125 convictions in 2011/12 and 433 convictions in 2016/17

A reasonable conclusion which can be drawn from the numbers is that the decline in the convictions under section 50A has been accompanied by a corresponding increase in convictions under section 38 with a racial aggravation. The figures suggest that the newer offence of section 38 with a racial aggravation has been recognised and brought into use.

⁸⁰ At paragraphs 7.12 to 7.13 of Lord Bracadale's report.

In comparing the tests of 'fear or alarm' (as per section 38 of the Criminal Justice and Licensing (Scotland) Act 2010) and 'alarm or distress' (per section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995), Lord Bracadale's report explains⁸¹:

The tests of 'fear or alarm' and 'alarm or distress' are not identical, but it is difficult to envisage a realistic circumstance which could be prosecuted under section 50A and not also under section 38 with a racial statutory aggravation. No such examples have emerged from the review's consultation or research.

Sentencing differences

The section 50A offence allows for a maximum sentence of 12 months on summary complaint and seven years on indictment. In comparison, a section 38 offence allows for a maximum sentence of 12 months on summary complaint and five years on indictment. If the section 50A offence were repealed, allowing section 38 to remain, then arguably it may reduce the scope for sentencing by two years on indictment.

However, the review has consulted the Criminal Proceedings Statistics office of the Scottish Government and has been advised that there have been no instances where a custodial sentence exceeded five years on a section 50A conviction. On that basis, the sentencing provisions provided by section 38, with a maximum of five years on indictment would have covered all previous cases.

...It is of note that the vast proportion of section 50A and section 38/section 96 offences are prosecuted on summary complaint rather than indictment. With sentencing ceilings being identical on summary complaint between section 50A and section 38 and the majority of such cases proceeding on that basis, any difference between maximum sentencing on indictment will have little practical impact.

Corroboration implications

In terms of sufficiency of evidence required to prove a section 50A offence, it must be corroborated which means that there must be more than one piece of evidence to prove all parts of the offence. This is a requirement of proof in any criminal proceedings in Scotland.

There is a difference in the sufficiency of evidence required to prove a statutory aggravation because corroboration is not essential. While the baseline offence attached to any statutory aggravation must be corroborated, the evidence to prove the racial aggravation does not need to be. From a prosecution perspective, the extent of evidence required to prove a section 38 offence with a section 96 racial aggravation attached is slightly less onerous in terms of corroboration than that required of a section 50A offence where the entire element of the offence must be corroborated.

⁸¹ At paragraphs 7.15 and 7.17 to 7.20 of Lord Bracadale's report

Lord Bracadale⁸² concluded:

I am concerned that the continued use of section 50A has a potentially negative effect. It makes the scheme of hate crime legislation more complicated than it needs to be, which risks causing confusion to the public. It also complicates the statistics and makes it difficult to identify trends.

I recognise the force of the arguments that section 50A had a very important symbolic significance when it was enacted. However, I consider that the symbolism of section 50A should be considered in the light of other developments in equality and hate crime law since 1998, which now cover a number of protected characteristics. I consider that a consistency of approach is important to avoid a perception of there being a counter-productive 'hierarchy' between the different protected characteristics. A human-rights based approach would suggest that legislation should apply consistently to protected groups unless there is a strong reason to do otherwise.

I do not detract in any way from the seriousness of racial harassment. Racially aggravated offending remains a very significant issue, with a corrosive impact of society. I understand the arguments made by some parties that removing a specific legislation provision risks reducing the emphasis which is placed on tackling that form of offending or diluting the message that it is condemned by the State. However, I do not agree that is a necessary or likely consequence of repeal, particularly when Scots law includes a clear and focused alternative charge which can be used. It remains important that crimes of racial violence and racial harassment are dealt with seriously, but this is achieved more through the resources and procedures which are devoted to the issue than the specific form of legislation applied. Effective action to tackle racial harassment and to convey its seriousness to the public does not require a separate legislative framework. I therefore recommend the repeal of section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995.

Lord Bracadale's view is that the existence of section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 and section 96 of the Crime and Disorder Act 1998 have resulted in section 50A no longer being needed to meet the aims which it was intended to achieve when it was created in 1998. The report recommends that Section 50A of the Criminal Law (Consolidations) (Scotland) Act 1995 should be repealed.

Some stakeholders have raised concern around the repeal of Section 50A and the potential message that this sends to victims, perpetrators and wider society. It has also been suggested that this would leave a gap in the level of protection provided to this group of people.

Lord Bracadale's Recommendation 18

Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 should be repealed.

⁸² At paragraphs 7.24 to 7.26 of Lord Bracadale's report

For further information, Lord Bracadale's reasons for this recommendation can be found at paragraphs 7.1 to 7.26⁸³ of his report.

Question 30:

Do you think that Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 about racially aggravated harassment should be repealed? (Please provide details in the comments box.)

Question 31:

What do you think the impact of repealing section 50A of the Criminal Law (Consolidations) (Scotland) Act 1995 about racially aggravated harassment could be?

Section 12: Sentencing

Lord Bracadale's report⁸⁴ explained that certain requirements fall on the court when sentencing for a hate crime aggravation. His report explained that:

There is a requirement on the sentencing court to:

- take the aggravation into account in determining the appropriate sentence;
- state on conviction that the offence was aggravated in relation to the particular characteristic;
- record the conviction in a way that shows that the offence was so aggravated; and
- to state, where the sentence in respect of the offence is different from that which the court would have imposed if the offence were not so aggravated, the extent of and the reasons for that difference, or, otherwise, the reasons for there being no such difference.

Lord Bracadale's report⁸⁵ indicated that:

From those who supported the concept of a hate crime there was very strong support in favour of clear and consistent recording of the aggravation. The following reasons were given. The requirement to record enhanced the transparency of the justice system. It showed that hate crime was being taken seriously; it would increase confidence in the justice system; and encourage reporting.

⁸³ <https://www.gov.scot/Publications/2018/05/2988/8>

⁸⁴ At paragraph 3.57 of Lord Bracadale's report.

⁸⁵ At paragraphs 3.59 and 3.60 of Lord Bracadale's report.

It was also important to ensure that records were kept so that the offending appeared on the criminal record of the perpetrator. Good records allowed for monitoring the impact of legislation and the maintenance of statistics. This informed the development of effective policy and practice.

I strongly agree with these responses. It is fundamental to the scheme that the sentencing judge takes the aggravation into account in determining the appropriate sentence. It is also essential that, first, the sentencer states in court that the aggravation has been taken into account, in order that all may be aware of this; and, secondly, there is consistent compliance with the requirement to record the conviction in a way that shows that the offence is aggravated so that that will appear on the schedule of previous convictions and can be taken into account in any future case. I consider these requirements to be crucial to the effective operation of the statutory aggravation approach. In addition, good recording allows for the maintenance of statistics and monitoring the impact of legislation.

Lord Bracadale considered whether it was necessary to maintain the rule that the sentencing judge should state the difference between the sentence and what it would have been in the absence of an aggravation. His report⁸⁶ stated:

I consider that... to take the aggravation into account in determining the appropriate sentence, to state on conviction that the offence was aggravated in relation to the particular characteristic, and to record the conviction in a way that shows that the offence was so aggravated, are the vital requirements to promote understanding of the law, transparency of the judicial process and consistency in sentencing. It is these requirements that send a message and permit meaningful records to be kept.

I recognise that the introduction of the requirement to state the difference in sentence was well-intentioned. However, to be effective such provisions must be practical and workable. I consider that there is force in the arguments advanced by those operating the scheme that the requirement to state the difference in sentence expressly gives rise to difficulty. Sentencing is a matter of judgement and the sentencer requires to take into account a range of considerations in assessing the appropriate sentence in a particular case. Some factors may point in different directions. In some cases the difference in sentence attributable to the aggravation may lead to disappointment and disillusionment on the part of the victim.

I conclude that this requirement is over-complicated and does not serve a clear purpose so should be repealed. There may of course be circumstances in which a sentencer chooses to set out this detail, but that should be a decision for them in the individual case rather than a blanket requirement.

The Scottish Government agrees with Lord Bracadale's comments on the importance of the requirements to state and record that convictions have been aggravated, and that aggravations should be taken into account in determining the sentence. We propose to accept his recommendation in respect of these requirements.

⁸⁶ At paragraphs 3.63 and 3.64 of Lord Bracadale's report.

However, while the Scottish Government is broadly supportive of Lord Bracadale's views in this area, we would propose to reject his recommendation to remove the current requirement to state the extent to which the sentence imposed is different from what would have been imposed in the absence of the aggravation. If this was implemented, it would mean that the difference in the length of sentence would no longer be required to be stated in open court.

During initial engagement with stakeholders following publication of Lord Bracadale's report, we have heard a range of views about this recommendation, including a number of concerns with the potential removal of the requirement to state the extent to which the sentence imposed is different to what it would have been without the aggravation.

We heard that stating the difference in the sentence sends a message to both victims and perpetrators that these types of crimes are being taken seriously. In addition, it was thought that there was potential to make more use of this information in providing effective support to victims.

Lord Bracadale's Recommendation 8

Where a statutory aggravation is proved, the court should be required to state that fact expressly and it should be included in the record of conviction. The aggravation should be taken into account in determining sentence. There should no longer be an express requirement to state the extent to which the sentence imposed is different from what would have been imposed in the absence of the aggravation.

Further information on Lord Bracadale's recommendation can be found at paragraphs 3.57 to 3.66 ⁸⁷ of his report.

Question 32:

Do you think that courts should continue to be required to state in open court the extent to which the statutory aggravation altered the length of sentence? (This would mean that Lord Bracadale's recommendation on sentencing would not be taken forward.) (Please provide details in the comments box.)

Section 13: Wider context: Support for Victims of Hate Crime and Restorative Justice

Support for victims of hate crime

In 2017, in response to Duncan Morrow's Independent Advisory Group report on Hate Crime, Prejudice and Community Cohesion⁸⁸ the Scottish Government published its Tackling Prejudice and Building Connected Communities Action Plan⁸⁹, an ambitious programme of work to tackle hate crime and build community cohesion.

⁸⁷ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/4/>

⁸⁸ <https://www2.gov.scot/Resource/0050/00506074.pdf>

⁸⁹ <https://beta.gov.scot/publications/tackling-prejudice-building-connected-communities-scottish-government-response-report-independent/>

It looks to address under reporting of hate crime, including barriers to reporting and third party reporting; consider and address prejudice-based bullying; consider the gathering of data and evidence in relation to hate crime; and hate crime in the workplace.

An Action Group, chaired by the Cabinet Secretary for Communities and Local Government with key stakeholders, was established to take this work forward. The Action Group will publish a report on progress in 2020.

Lord Bracadale⁹⁰ stated in his report:

Reporting hate crime and the criminal justice response are integral parts of the implementation of hate crime legislation. An effective suite of hate crime laws must be underpinned and supported by:

- a willingness on the part of victims of hate crime to report it; unless it is reported no prosecution is possible and victims will not receive justice; and
- a criminal justice system that is effective and co-ordinated.

Lord Bracadale addressed the issue of under reporting of hate crimes and the various ways that could remedy this, such as a through the use of third party reporting centres, anonymity for witnesses and a change of culture within the police and criminal justice system. In his report Lord Bracadale⁹¹ also highlights activity underway to support victims:

In April 2018, the Cabinet Secretary for Justice announced a new, 3-year funding package for Victim Support Scotland totalling £13.8 million, to enable them to provide free practical and emotional support to victims of crime across the country.

The Programme for Government⁹² contains a package of measures to improve the experience of victims of crime. This includes work being led by Victim Support Scotland to develop a new victim centred approach, working with partners to streamline points of contact, improve information flow and ensure victims of crime feel supported through the criminal justice system.

In addition, the Cabinet Secretary for Justice is chairing a new Victims Task Force, to provide leadership to guide and shape the development of this victim-centred approach. Beginning its work before the end of 2018, the Task Force will focus on delivery of the victims commitments in Programme for Government. This will provide the necessary oversight and momentum to ensure progress and achieve better outcomes for all victims of crime.

There are currently many initiatives being undertaken to ensure that victims of hate crime are supported throughout the reporting process. We therefore believe that no legislation change is required at this point to support victims of hate crime.

⁹⁰ At paragraph 10.2 of Lord Bracadale's report.

⁹¹ At paragraph 10.33 of Lord Bracadale's report.

⁹² <https://beta.gov.scot/programme-for-government/>

On this basis, we propose to accept Lord Bracadale's recommendation that no legislative change is required in this area.

Recommendation 21

No legislative change is required in relation to the support given to victims of hate crime offences. However, I note and commend the practical measures being taken to create a more coordinated response to reporting, preventing and responding to hate crime offences.

Further information on Lord Bracadale's recommendation can be found at paragraphs 10.1 to 10.37 and paragraphs 10.38 to 10.52⁹³ and of his report.

Question 33:

Do you agree that no legislative change is needed in relation to the support given to victims of hate crime offences?

(Please provide details in the comments box.)

Restorative justice

Lord Bracadale encourages the use of restorative justice processes in dealing with hate crime, where appropriate. Lord Bracadale defines restorative justice as 'a process of independent, facilitated contact, which supports constructive dialogue between a victim and a person who has harmed arising from an offence or alleged offence.'⁹⁴

Lord Bracadale also noted that⁹⁵

From the evidence available to the review, I consider that there is strong potential for diversion and restorative justice techniques to be effective when used appropriately.

Restorative justice is the concept that mediation may be helpful between victims of crime (either people or communities as a whole) and perpetrators where the perpetrator faces up to their offending behaviour and takes responsibility for it.

We do not believe there is a need for statutory change to facilitate restorative justice or diversion from prosecution as there are clear structures and Scottish Government guidance on restorative justice⁹⁶ that can be used to ensure the consistent governance, oversight and standards.

In addition, the Scottish Government has made a commitment in Programme for Government to have restorative justice services widely available across Scotland by 2023 with the interests of victims at their heart. We will publish a Restorative Justice Action Plan by spring 2019 that will set out how we deliver this aim.

⁹³ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/11/>

⁹⁴ At paragraph 10.39 of Lord Bracadale's report.

⁹⁵ At paragraph 10.50 of Lord Bracadale's report.

⁹⁶ <https://www.gov.scot/publications/guidance-delivery-restorative-justice-scotland/>

Accordingly we agree with Lord Bracadale that legislative change is not required in relation to restorative justice.

On this basis, we propose to accept Lord Bracadale's recommendation that no legislative change is required in this area.

Lord Bracadale's Recommendation 22

No legislative change is required in relation to the provision of restorative justice and diversion from prosecution services. However, I encourage practitioners to take note of, and learn from, developing practice in this area.

Further information on Lord Bracadale's recommendation can be found at paragraphs 10.38 to 10.52⁹⁷ of his report.

Question 34:

Do you agree that no legislative change is needed in relation to the provision of restorative justice and diversion from prosecution within hate crime legislation in Scotland?

(Please provide details in the comments box.)

Section 14: Any Gaps?

Lord Bracadale provided a comprehensive review of hate crime legislation and made a number of recommendations in his report. We would like to know if there are any other issues that we should consider for inclusion in our consolidated and modernised hate crime legislation for Scotland.

Question 35:

What else do you think the Scottish Government could include in its proposals to update Scottish hate crime legislation?

⁹⁷ <https://beta.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/pages/11/>

Part Six - Responding to this Consultation

1. Please respond to this consultation by **24 February 2019**.
2. You can view and respond to this consultation online at:
<https://consult.gov.scot/hate-crime/consultation-on-scottish-hate-crime-legislation>
3. You can save and return your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 24 February 2019.
4. If you are unable to respond online, please complete the Respondent Information Form at Annex B (see 'Handling your Response' below) and send with your completed questionnaire to:

Hate Crime Legislation Team
Scottish Government
Area 3H South
Victoria Quay
Edinburgh
EH6 6QQ

Or by email to connectedcommunities@gov.scot.

5. Questions are raised throughout the consultation but they can all be found and answered in the questionnaire at Annex B to this consultation paper.

Handling your Response

6. If you respond online using the Scottish Government's consultation platform, Citizen Space (<http://consult.scotland.gov.uk>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.
7. If you are unable to respond through Citizen Space, please complete and return the Respondent Information Form which is also included in Annex B to this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.
8. All respondents should be aware that the Scottish Government is subject to the provisions of the [Freedom of Information \(Scotland\) Act 2002](#) and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next Steps in the Process

9. Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>.

10. If you used Citizen Space to respond, you will receive a copy of your response via email.
11. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and Complaints

12. If you have any comments about how this consultation exercise has been conducted, please send them by email to connectedcommunities@gov.scot.

Scottish Government Consultation Process

13. Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work. You can find all our consultations online: <http://consult.scotland.gov.uk>.
14. Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis within three months of the closing date of the consultation.
15. The consultation is also available in Easy Read and BSL. Alternative versions can be obtained by emailing connectedcommunities@gov.scot or writing to Hate Crime Legislation Team at the address in paragraph 3 above.

LORD BRACADALE'S RECOMMENDATIONS

Current statutory aggravations – Chapter 3

Recommendation 1

Statutory aggravations should continue to be the core method of prosecuting hate crimes in Scotland.

Recommendation 2

The two thresholds for the statutory aggravations are effective and should be retained but with updated language.

They should apply where:

- at the time of committing the offence, or immediately before or after doing so, the offender *demonstrates hostility* towards the victim based on the protected characteristic; or
- the offence is motivated (wholly or partly) by *hostility* based on the protected characteristic.

It should remain the case that evidence from a single source is sufficient evidence to establish the aggravation.

Recommendation 3

Offending behaviour which involves the exploitation of perceived vulnerabilities should not be treated as a hate crime. (But see recommendation 11.)

Recommendation 4

The drafting of any replacement for section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009 should include 'intersex' as a separate category rather than a sub-category of transgender identity.

Consideration should be given to removing outdated terms such as 'transvestism' and 'transsexualism' from any definition of transgender identity (without restricting the scope of the definition).

Recommendation 5

The statutory aggravations should also apply where hostility based on a protected characteristic is demonstrated in relation to persons who are presumed to have the characteristic or who have an association with that particular identity.

Recommendation 6

I do not consider it necessary to create a statutory aggravation to cover hostility towards a political entity.

Recommendation 7

I do not consider it necessary to extend the religious aggravation provision to capture religious or other beliefs held by an individual rather than a group.

Recommendation 8

Where a statutory aggravation is proved, the court should be required to state that fact expressly and it should be included in the record of conviction.

The aggravation should be taken into account in determining sentence.

There should no longer be an express requirement to state the extent to which the sentence imposed is different from what would have been imposed in the absence of the aggravation.

Additional characteristics: chapter 4

Recommendation 9

There should be a new statutory aggravation based on gender hostility.

Where an offence is committed, and it is proved that the offence was motivated by hostility based on gender, or the offender demonstrates hostility towards the victim based on gender during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by gender hostility.

The court would be required to state that fact on conviction and take it into account when sentencing.

Recommendation 10

There should be a new statutory aggravation based on age hostility.

Where an offence is committed, and it is proved that the offence was motivated by hostility based on age, or the offender demonstrates hostility towards the victim based on age during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by age hostility.

The court would be required to state that fact on conviction and take it into account when sentencing.

Recommendation 11

The Scottish Government should consider the introduction, outwith the hate crime scheme, of a general aggravation covering exploitation and vulnerability.

Recommendation 12

I do not consider it necessary to create a statutory aggravation to cover hostility towards any other specific new groups or characteristics.

Stirring up hatred: chapter 5

Recommendation 13

Stirring up of hatred offences should be introduced in respect of each of the protected characteristics including any new protected characteristics.

Recommendation 14

Any new stirring up of hatred offences should (a) require conduct which is threatening or abusive; and (b) include a requirement (i) of an intention to stir up hatred, or (ii) that having regard to all the circumstances hatred in relation to the particular protected characteristic is likely to be stirred up thereby.

Recommendation 15

The current provisions in relation to stirring up racial hatred under the Public Order Act 1986 should be revised and consolidated in a new Act containing all hate crime and stirring up of hatred legislation.

Any replacement for the stirring up of racial hatred provisions should (a) require conduct which is threatening or abusive; and (b) include a requirement (i) of an intention to stir up hatred, or (ii) that having regard to all the circumstances hatred in relation to the particular protected characteristic is likely to be stirred up thereby.

Recommendation 16

A protection of freedom of expression provision similar to that in sections 29J and 29JA of the Public Order Act 1986 and section 7 OBFTCA should be included in any new legislation relating to stirring up offences.

Online hate: chapter 6

Recommendation 17

Recommendations 9 (gender hostility) and 13 (stirring up) will form part of an effective system to prosecute online hate crime and hate speech.

I do not consider any further legislative change necessary at this stage.

However, I would encourage the Scottish Ministers in due course to consider whether the outcomes of the Law Commission's work on online offensive communications identify any reforms which would be of benefit to Scots criminal law across reserved and devolved matters.

Section 50A: racially aggravated harassment: chapter 7

Recommendation 18

Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 should be repealed.

OBFTCA Act: chapter 8

Recommendation 19

No statutory replacement for section 1 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 is required.

I do not consider it necessary to create any new offence or statutory aggravation to tackle hostility towards a sectarian identity (insofar as that is different from hostility towards a religious or racial group) at this stage.

The conclusions of the working group which has been appointed to consider whether and how sectarianism can be defined in law will provide Scottish Ministers and Parliament with the basis to debate how best to deal with offences of a sectarian nature in due course.

That debate might include consideration of whether any such offences should be classed as a form of hate crime or treated as something distinct.

Consolidation: chapter 9

Recommendation 20

All Scottish hate crime legislation should be consolidated.

Procedural issues: chapter 10

Recommendation 21

No legislative change is required in relation to the support given to victims of hate crime offences. However, I note and commend the practical measures being taken to create a more coordinated response to reporting, preventing and responding to hate crime offences.

Recommendation 22

No legislative change is required in relation to the provision of restorative justice and diversion from prosecution services. However, I encourage practitioners to take note of, and learn from, developing practice in this area.



Annex B

Consultation on amending Scottish hate crime legislation

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- ☐ Individual
- ☐ Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- ☐ Publish response with name
- ☐ Publish response only (without name)
- ☐ Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

☐ Yes

☐ No

Questionnaire

Respondents should take into consideration the information provided in this document alongside any other knowledge or personal experiences that could be relevant. All opinions are welcome.

We ask that you try to answer all the questions in each section, however, if you are unable to answer any question then please feel free to move on to the next.

There is a comments box below each question to allow you to set out your reasoning and provide general comments

Part One: Consolidating Hate Crime Legislation

Q1. Do you think the statutory aggravation model should continue to be the core method of prosecuting hate crimes in Scotland?
(Please tell us why in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q2. Do you think that the language of the thresholds for the statutory aggravations would be easier to understand if it was changed from 'evincing malice and ill will' to 'demonstrating hostility'?
(Please tell us why in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q3. Do you think changing the language of the thresholds for the statutory aggravations from ‘evincing malice and ill will’ to ‘demonstrating hostility’ would change how the thresholds are applied?
(Please tell us why in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q4. Do you think that variations of sex characteristics (intersex) should be a separate category from transgender identity in Scottish hate crime legislation?
(Please tell us why in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q5. Do you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated?
(Please tell us why in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q6. If you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated, what language would you propose?

Comments

Part Two: New Statutory Aggravations

Q7. Do you agree with Option A to develop a statutory aggravation for gender hostility?

(Please provide details in the comments box below.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q8. Do you agree with Option B to develop a standalone offence for misogynistic harassment?

(If you agree, please tell us why and provide examples of the types of behaviour that could be captured by this offence.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q9. Do you agree with Option C of building on Equally Safe to tackle misogyny (this would be a non-legislative approach)?
(If you agree please tell us why.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q10. Do you agree with Option D of taking forward all of the identified options? (This would include development of a statutory aggravation based on gender hostility (Option A); development of a standalone offence relating to misogynistic harassment (Option B); and work to build on Equally Safe (Option C)?

(If you agree, please tell us why.)

(Please provide examples of the types of behaviour that could be captured by the standalone offence.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q11. Do you think that a new statutory aggravation on age hostility should be added to Scottish hate crime legislation?
(Please provide details in the comments box below.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q12. Do you think there is a need for sectarianism to be specifically addressed and defined in hate crime legislation?
(Please give your reasons for your response.)

- ☐ Yes
- ☐ No (you may wish to go to question 16)
- ☐ Unsure

Comments

Q13. If your response to question 12 was yes, do you think a statutory aggravation relating to sectarianism should be created and added to Scottish hate crime legislation?
(Please give your reasons for your response.)

- ☐ Yes
- ☐ No (you may wish to go to question 16)
- ☐ Unsure

Comments

**Q14. If yes to question 12, do you think a standalone offence relating to sectarianism should be created and added to Scottish hate crime legislation?
(Please give your reason for this.)**

- ☐ Yes
- ☐ No
- ☐ Unsure

**Q15. If your response to question 12 was yes, do you agree with the Working Group that sectarianism should be defined in Scots Law in terms of hostility based on perceived Roman Catholic or Protestant denominational affiliation of the victim and/or perceived British or Irish citizenship, nationality or national origins of the victim?
(Please give your reason for this.)**

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

**Q16. If you disagree with the Working Group's proposed definition of sectarianism, what do you believe should be included in a legal definition of sectarianism?
(Please give your reason for this.)**

Comments

Q17. The Scottish Government recognises that legislation on its own will not end sectarianism. What else do you feel could be done to address sectarianism?

Comments

**Q18. Do you think that a new statutory aggravation on hostility towards a political entity should be added to Scottish hate crime legislation?
(Please provide details in the comments box.)**

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

**Q19. Do you think that a new statutory aggravation should be added to Scottish hate crime legislation to cover hostility towards any other new groups or characteristics (with the exception of gender and age)?
(Please provide details in the comments box.)**

- ☐ Yes
- ☐ No
- ☐ No Opinion

Comments

Q20. Do you think that the religious statutory aggravation in Scottish hate crime legislation should be extended to include religious or other beliefs held by an individual?

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q21. Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people are presumed to have one or more protected characteristic?

(Examples of protected characteristics are religion, sexual orientation, age, gender, race, disability, transgender identity and intersex).

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q22. Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people have an association with that particular identity (relating to religion, sexual orientation, age, gender, race, disability, transgender identity and intersex)?

(Please tell us why?)

- ☐ Yes
- ☐ No
- ☐ Unsure

Part Three: New Stirring Up of Hatred Offences

Q23. Do you agree with Lord Bracadale’s recommendation that stirring up of hatred offences should be introduced in respect of each of the protected characteristics including any new protected characteristics?’

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q24. Do you agree with Lord Bracadale’s recommendation that any new stirring up hatred offences should require that the conduct is ‘threatening or abusive’? (If not, what do you think the threshold should be for the offence to be committed?)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q25. Do you think that the existing provisions concerning the stirring up of racial hatred should be revised so they are formulated in the same way as the other proposed stirring up hatred offences?

(This would mean that the offence would apply where the behaviour is ‘threatening or abusive’, but not where it is only ‘insulting’.)

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q26. Do you agree with Lord Bracadale’s recommendation that there should be a protection of freedom of expression provision for offences concerning the stirring up of hatred?

(If you answered yes to this question, do you have any comments on what should be covered by any such ‘protection of freedom of expression’ provision?)

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q27. Do you agree with Lord Bracadale’s recommendation that no specific legislative change is necessary with respect to online conduct?

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Part Four: Exploitation and Vulnerability

Q28. Do you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim?

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q29. If you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim, please provide details of the circumstances that you think such an aggravation should cover?

Comments

Part Five: Other Issues

Q30. Do you think that Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 about racially aggravated harassment should be repealed?
(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ No Opinion

Comments

Q31. What do you think the impact of repealing section 50A of the Criminal Law (Consolidations) (Scotland) Act 1995 about racially aggravated harassment could be?

Comments

Q32. Do you think that courts should continue to be required to state in open court the extent to which the statutory aggravation altered the length of sentence?

(This would mean that Lord Bracadale's recommendation on sentencing would not be taken forward.)

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q33. Do you agree that no legislative change is needed in relation to the support given to victims of hate crime offences?

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Q34. Do you agree that no legislative change is needed in relation to the provision of restorative justice and diversion from prosecution within hate crime legislation in Scotland?

(Please provide details in the comments box.)

- ☐ Yes
- ☐ No
- ☐ Unsure

Comments

Q35. What else do you think the Scottish Government could include in its proposals to update Scottish hate crime legislation?

Comments



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Appendix 2

One Scotland: Hate Has No Home Here Consultation on amending Scottish hate crime legislation

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.
To find out how we handle your personal data, please see our privacy policy:
<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

Individual

Organisation

Full name or organisation's name West Lothian Council

Phone number 01506 280000

Address West Lothian Civic Centre, Howden South Road, Livingston, West Lothian

Postcode EH54 6FF

Email AnnMarie.Carr@westlothian.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

Publish response only (without name)

Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published. If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Part One: Consolidating Hate Crime Legislation

Q1. Do you think the statutory aggravation model should continue to be the core method of prosecuting hate crimes in Scotland?

YES

If it is suitable to all and the statutory aggravation model is appropriate and fair. The existing model is appropriate for now, but we need to be able to monitor and evaluate this on an ongoing basis.

Q2. Do you think that the language of the thresholds for the statutory aggravations would be easier to understand if it was changed from 'evincing malice and ill will' to 'demonstrating hostility'?

YES

This should be changed to demonstrating hostility so it is clearer for people to know what the actual crime/incident is – the lay person would be more likely to understand it.

Q3. Do you think changing the language of the thresholds for the statutory aggravations from 'evincing malice and ill will' to 'demonstrating hostility' would change how the thresholds are applied?

NO

It is noted that changing the wording is not intended to change the scope of the thresholds or tests but to make them more user-friendly to all and it is agreed that this wording should not affect the tests applied.

Q4. Do you think that variations of sex characteristics (intersex) should be a separate category from transgender identity in Scottish hate crime legislation?

YES

There are differences between trans identity and intersex. The current categorising of intersex as a sub-category of transgender identity is misleading. There is no connection and it is itself a separate category in its own right.

Q5. Do you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated?

YES

These should be updated now to be reflective of inclusivity and appropriate language and mirror the advice from leading LGBT charities/organisations.

Q6. If you think that the terms used in Scottish hate crime legislation in relation to transgender identity and intersex should be updated, what language would you propose?

YES

The language should be changed and in accordance with what the 'people' want it to be – reflective of the LGBT charities and organisations.

Part Two: New Statutory Aggravations

Q7. Do you agree with Option A to develop a statutory aggravation for gender hostility?

YES

This should be developed to cover a gap where gender hostility features. This aggravation requires to be addressed to cover these widely reported instances-with women overwhelmingly being the victims. It also covers 'strangers' that the Domestic Abuse (Scotland) Act 2018 is not covering.

Q8. Do you agree with Option B to develop a standalone offence for misogynistic harassment? (If you agree, please tell us why and provide examples of the types of behaviour that could be captured by this offence.)

YES

We need to change culture over a long term strategy and through education in schools on healthy and acceptable relationships, lifestyles and cultures.

Q9. Do you agree with Option C of building on Equally Safe to tackle misogyny (this would be a non-legislative approach)? (If you agree please tell us why.)

YES

The non – legislative approach is the correct basis to effect change in this area where education is used to drive change within society, working in partnership with gender based practice and policy tackling gender based violence. This change has to take place rather than through legislation which will not address the underlying issues and causes.

Q10. Do you agree with Option D of taking forward all of the identified options?

(This would include development of a statutory aggravation based on gender hostility

(Option A); development of a standalone offence relating to misogynistic harassment

(Option B); and work to build on Equally Safe (Option C)?

(If you agree, please tell us why.)

(Please provide examples of the types of behaviour that could be captured by the standalone offence.)

YES

It is agreed that all the above options should be taken forward for the reasons outlined.

In addition, work will be required to identify specific offences to be included in any standalone offence relating to misogynistic harassment and would require work to identify the types of conduct experienced by women that could be described as misogynistic and then to decide which ones are not already addressed in existing legislation.

Section 4: Age

Q11. Do you think that a new statutory aggravation on age hostility should be added to Scottish hate crime legislation?

YES

People should not be victims of a hate crime because of their age and it is an area of increased awareness and not covered by any of the current aggravations.

Section 5: Sectarianism

Q12. Do you think there is a need for sectarianism to be specifically addressed and defined in hate crime legislation?

YES

There is a need for Sectarianism to be clearly defined within Scots law and for it to reflect the modern understanding of what it means within Scotland today. There is a great deal of confusion surrounding this term and its historical roots and this requires clarification.

Q13. If your response to question 12 was yes, do you think a statutory aggravation relating to sectarianism should be created and added to Scottish hate crime legislation? (Please give your reasons for your response.)

YES

As above, this would help to clarify this complex area and enable a common, shared understanding.

Q14. If yes to question 12, do you think a standalone offence relating to sectarianism should be created and added to Scottish hate crime legislation? (Please give your reason for this.)

NO

The above aggravation would ensure that these offences are criminalised without the need to have a special category of its own.

Q15. If your response to question 12 was yes, do you agree with the Working Group that sectarianism should be defined in Scots Law in terms of hostility based on perceived Roman Catholic or Protestant denominational affiliation of the victim and/or perceived British or Irish citizenship, nationality or national origins of the victim? (Please give your reason for this.)

The emphasis on the perceived denominational affiliation and or perceived citizenship, nationality /national origin we agree with as this is commonly understood in Scotland. We however ask that all faith groups are recognised - noting that through this consultation process views of all faiths would be captured to contribute to reaching Scots Law definition.

Q16. If you disagree with the Working Group's proposed definition of sectarianism, what do you believe should be included in a legal definition of sectarianism? (Please give your reason for this.)

As per Q15 – all faith groups to be recognised

Q17. The Scottish Government recognises that legislation on its own will not end sectarianism. What else do you feel could be done to address sectarianism?

Education; Engagement across public and private sector.

Section 6: Other Groups or Characteristics

Q18. Do you think that a new statutory aggravation on hostility towards a political entity should be added to Scottish hate crime legislation? (Please provide details in the comments box.)

NO

Reasons include protection of freedom of speech and difficulty in legislating for this. Also where required, existing aggravations may be used, for example race or religion.

Other specific new groups or characteristics

Q19. Do you think that a new statutory aggravation should be added to Scottish hate crime legislation to cover hostility towards any other new groups or characteristics (with the exception of gender and age)? (Please provide details in the comments box.)

NO

Religiously aggravated offending: consideration of extending the religious aggravation provision to capture beliefs held by an individual

Q20. Do you think that the religious statutory aggravation in Scottish hate crime legislation should be extended to include religious or other beliefs held by an individual? (Please provide details in the comments box.)

NO

Existing legislation already covers this area adequately.

Section 7: Association with Members of a Protected Group

Q21. Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people are presumed to have one or more protected characteristic?

(Examples of protected characteristics are religion, sexual orientation, age, gender, race, disability, transgender identity and intersex).(Please provide details in the comments box.)

YES

This would include any new statutory aggravations not yet included.

Q22. Do you think that the statutory aggravations in Scottish hate crime legislation should apply where people have an association with that particular identity (relating to religion, sexual orientation, age, gender, race, disability, transgender identity and intersex)? (Please tell us why?)

YES

Discrimination by association is already covered in the Equality Act 2010. Therefore there may be already an understanding of a legislative breach.

Part Three: New Stirring Up of Hatred Offences

Q23. Do you agree with Lord Bracadale's recommendation that stirring up of hatred offences should be introduced in respect of each of the protected characteristics including any new protected characteristics?'

YES

If extended to all protected characteristics including any new groups or characteristics.

Q24. Do you agree with Lord Bracadale's recommendation that any new stirring up hatred offences should require that the conduct is 'threatening or abusive'? (If not, what do you think the threshold should be for the offence to be committed?)

YES

Q25. Do you think that the existing provisions concerning the stirring up of racial hatred should be revised so they are formulated in the same way as the other proposed stirring up hatred offences?

(This would mean that the offence would apply where the behaviour is 'threatening or abusive', but not where it is only 'insulting'.)

YES

This would provide consistency

Q26. Do you agree with Lord Bracadale's recommendation that there should be a protection of freedom of expression provision for offences concerning the stirring up of hatred?

(If you answered yes to this question, do you have any comments on what should be covered by any such 'protection of freedom of expression' provision?)

YES

Q27. Do you agree with Lord Bracadale's recommendation that no specific legislative change is necessary with respect to online conduct?

YES

Once the new proposals for modernising the hate crime legislation is imposed, it will be adequate.

Part Four: Exploitation and Vulnerability

Q28. Do you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim?

YES

This area requires to be addressed but it does not necessarily fall within hate crime, although it could, and should therefore sit apart from hate crime legislation and as a statutory aggravation.

Q29. If you think a statutory aggravation (outwith hate crime legislation) should be introduced that could be applied when a perpetrator exploits the vulnerability of the victim, please provide details of the circumstances that you think such an aggravation should cover?

Same as above – example may include bogus caller on an elderly, frail individual/person(s) with disabilities/ people living on their own etc.

Part Five: Other Issues

Q30. Do you think that Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 about racially aggravated harassment should be repealed?

Yes – because newer legislation covers the offences in a more comprehensive manner with no corroboration required.

Q31. What do you think the impact of repealing section 50A of the Criminal Law (Consolidations) (Scotland) Act 1995 about racially aggravated harassment could be?

It will provide greater clarity and an increase in successful prosecutions.

Q32. Do you think that courts should continue to be required to state in open court the extent to which the statutory aggravation altered the length of sentence?

(This would mean that Lord Bracadale's recommendation on sentencing would

not be taken forward.)
(Please provide details in the comments box.)

Yes – it highlights and emphasizes the seriousness of the offence based on the crime committed

Q33. Do you agree that no legislative change is needed in relation to the support given to victims of hate crime offences?
(Please provide details in the comments box.)

Yes. Agree

Q34. Do you agree that no legislative change is needed in relation to the provision of restorative justice and diversion from prosecution within hate crime legislation in Scotland?
(Please provide details in the comments box.)

YES

As restorative justice is in fairly early stages of development in Scotland, it would be inappropriate to enshrine this in legislation at this current time. Increased resources would be required to take this forward on any statutory basis.



COUNCIL EXECUTIVE

WEST LOTHIAN LOCAL DEVELOPMENT PLAN (LDP): DEVELOPMENT PLAN SCHEME No.11

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Council Executive of a Development Plan Scheme (DPS No.11) for the West Lothian Local Development Plan (LDP2).

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Approves the content of Development Plan Scheme No.11 (DPS) for submission to Scottish Government.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The Planning etc. (Scotland) Act 2006 introduced a new statutory basis for development planning in Scotland. It inserted a new 'Part 2' into the Town and Country Planning (Scotland) Act 1997 ('the Act') requiring the replacement of structure plans and local plans with strategic development plans (SDPs) and local development plans (LDPs).

Section 20B of the Planning etc. (Scotland) Act 2006 requires planning authorities to prepare a development plan scheme (DPS) at least annually for the local development plan (LDP). The DPS must be in place by 31 March each year and submitted to Scottish Government.

The West Lothian LDP forms part of the development plan alongside the Strategic Development Plan (SDP 1) and provides the statutory framework for land use planning in West Lothian.

SDP1 is in the process of being replaced by

		SDP2. The LDP will be required to be consistent with this.
III	Implications for Scheme of Delegations to Officers	There are no implications for the Scheme of Delegation to officers.
IV	Impact on performance and performance Indicators	The West Lothian LDP provides the policy and development framework to support improving opportunities in West Lothian and sustainable growth. The Development Plan Scheme sets out a programme for replacement of the LDP.
V	Relevance to Single Outcome Agreement	Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business. 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)	Development proposed in the West Lothian LDP will require additional infrastructure to be provided and the LDP explains that infrastructure is expected to be funded by the council through the capital programme and by the development industry. The council's Local Infrastructure Fund and City Region Deal may also have a part to play in assisting with forward funding some improvements.
VII	Consideration at PDSP	DPS No.11 was reported to the Development and Transport PDSP on 29 January 2019.
VIII	Other consultations	No consultations were required in the preparation of this report.

D. TERMS OF REPORT

- D1** Section 20B of the Planning etc. (Scotland) Act 2006 requires planning authorities to prepare a development plan scheme (DPS) at least annually for the local development plan (LDP). The DPS sets out the programme for preparing, reviewing and consulting on the LDP. The DPS must be in place by 31 March each year and submitted to Scottish Government.

The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018 and provides the spatial land use policy and development framework for West Lothian for the next ten years. The LDP is a vital component in ensuring economic growth and business support, seeking to meet housing need in all tenures, and ensuring the protection/enhancement of built and natural heritage resources, all within an overarching aim of securing environmental stability. The LDP has been prepared within the context of the Strategic Development Plan (SDP1).

SDP1 is in the process of being replaced by SDP2. SDP2 has been the subject of Examination by reporters appointed by Scottish Government. The Report of Examination is currently with Scottish Ministers for consideration and a decision is awaited on approval of SDP2.

The Report of Examination for SDP2 was submitted to Scottish Ministers on 20 July 2018. Once Ministers have received the report, Section 13 of the Planning etc (Scotland) Act 2006, allows them to approve SDP2 in whole or in part (with or without modifications) or reject the plan. Circular 6/2013 (Development Planning) sets out an indicative timeline for a decision to be made of two months. This period was passed on the 20 September 2018.

An update was requested from Scottish Government who have advised that whilst they would not wish to delay the plan process, or that of related LDPs, full and proper consideration is being given to the plan given its significance to future plans and development delivery. The Scottish Government also advised that given the complex range of matters involved an indication of when a decision is likely to be made is unable to be given at this time. A decision will be issued in due course. Unlike LDP adoption procedures there is no formal timescale for a decision to be made on SDPs.

Once approved, the West Lothian LDP will be required to be reviewed and updated in order to be consistent with the terms of SDP2. At present, LDP1 could be considered to be broadly compliant with the terms of the SDP2 Report of Examination in terms of housing land requirements.

Under current legislation, Scottish Ministers have powers under the Planning etc. (Scotland) Act 2006 (section 16(7)) as set out in paragraph 25 of Planning Circular 6/2013: Development Planning to direct a planning authority to prepare and submit a report as to why it has failed to replace its LDP within five years.

D2 Development Plan Scheme No.11

A draft DPS (DPS No.11) for the new West Lothian LDP (LDP2) has been prepared and is attached as Appendix 1. DPS No.11 may require to be amended to reflect a decision by Scottish Ministers on whether or not to approve SDP2 in whole or in part (with or without modification) or to reject the plan. Other influencing factors are progression of the Planning Bill which may alter the approach taken to the preparation of the development plan.

DPS No.11 sets out a programme for preparation of a new LDP (LDP2) to meet with the requirements of SDP2 and alters the indicative timetable previously set out in DPS No.10. There are no significant differences to note from DPS No.10 other than it is now anticipated that work will commence on LDP2 in Spring 2019 with publication of the Main Issues Report anticipated in Spring 2020. The project stages set out in the draft DPS No.11 are based on Scottish Government Circular 6/2013: Development Planning. These may alter as a result of legislative changes arising from progress with the Planning Bill and anticipated approval of SDP2.

Prior to the publication of the Main Issues Report, Development Planning will require to carry out several evidence gathering exercises and will need to prepare a participation statement and monitoring statement.

In the interim, and until such time as SDP2 is approved, the intention is to focus resource on producing Supplementary Guidance (SG) and Planning Guidance (PG) to support and provide further information and detail in respect of policies and proposals set out in the adopted LDP, details of which are set out in Appendix 4 of the LDP.

D3 Planning Reform and the Planning Bill

The Executive will be aware that the Planning Bill is progressing through parliamentary process. This is likely to make changes to the operation of the planning system including format and timescales for development plans. The Planning (Scotland) Bill completed its Stage 2 consideration in November 2018.

The latest draft of the Planning Bill places new duties and responsibilities on planners. These include the need for planning authorities to make sure that local development plans assess the need for public toilets, water refill points and preserving disused railway infrastructure. All planning authorities would also be required to have a chief planning officer. An amendment to the Bill that would have seen third parties have the right to appeal decisions that go against the development plan was narrowly rejected by the Local Government and Communities Committee. There is no guarantee that such an amendment will not be considered at Stage 3 consideration of the Bill.

The next step is for the Scottish Parliament to debate the Bill and then decide whether to pass it in its final form or not. While the timing of this consideration is dependent on the terms of a business motion from the Parliamentary Bureau, early in 2019 would seem to be the most likely scenario and thereafter the Bill would progress to Stage 3 where further amendments to the Bill can be laid down. Timescales for Stage 3 of the Bill are not yet known.

With regard to LDPs the amended Bill refers to the preparation of an evidence report in advance of preparing a local development plan which would be assessed by Scottish Ministers who would then determine whether or not the planning authority can commence preparation of the LDP.

Any changes arising as a consequence of the Planning Bill may result in changes to the timelines set out in DPS No.11. If that is the case a mid-year update will be prepared or, depending on timescales for the review, picked up in DPS No.12.

E. CONCLUSION

A DPS for the LDP is required to be published annually, or more frequently as major issues arise in the process, as required by current legislation. DPS No.11 sets out a timeline for preparation and adoption of LDP2.

F. BACKGROUND REFERENCES

West Lothian Local Development Plan
https://www.westlothian.gov.uk/media/27735/Adopted-West-Lothian-Local-Development-Plan/pdf/West_Lothian_Local_Development_Plan_-_Adopted_final.pdf

West Lothian Local Development Plan Development Plan Scheme (DPS) No.11

Appendices/Attachments: One – West Lothian Local Development Plan Development Plan Scheme No.11

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Craig McCorriston
Head of Planning, Economic Development & Regeneration

5 February 2019

WEST LoTHIAN LOCAL DEVELOPMENT PLAN Development Plan Scheme No. 11

March 2019



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WHAT IS A DEVELOPMENT PLAN SCHEME (DPS)?

1. The Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006), the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and Circular 6/2013, require planning authorities to prepare a DPS each year.
2. It must be updated annually and include:
 - An explanation of what a Development Plan is;
 - A programme for preparing and reviewing Development Plans;
 - A summary of what is involved at the various stages of preparing the Local Development Plan (LDP);
 - A proposed updated timetable for preparing the LDP; and
 - A Participation Statement, with information on when and how you can get involved.
3. This is the eleventh edition of the West Lothian DPS, replacing the previous scheme (March 2018). This latest version reflects progress made over the last twelve months and sets out a programme for preparation of a new West Lothian Local Development Plan (LDP2).

WHAT IS A DEVELOPMENT PLAN?

4. Development Plans set out policies and proposals for the future development and use of land, where development should, or should not happen and how development affects its surroundings and are the basis for decision making on planning applications.
5. The current Development Plan for West Lothian comprises the South East Scotland Strategic Development Plan (SDP) (approved with modifications by Scottish Ministers on 27 June 2013), the West Lothian Local Development Plan (LDP) adopted on 4 September 2018, together with a suite of Supplementary Planning Guidance. These are informed by the Third National Planning Framework for Scotland (NPF3) which is prepared by Scottish Government.
6. Strategic Development Plan 2 for Edinburgh and South East Scotland is anticipated to be approved by Scottish Ministers in early 2019 and will replace the SDP which was approved in June 2013. Once approved, SDP2 will form part of the development plan for West Lothian.

The Third National Planning Framework for Scotland (NPF3)

7. Produced by the Scottish Government, NPF3 sets out at the national level the Scottish Government's strategy for development and includes development proposals identified in schemes of national importance. NPF3 was published in June 2014.

National Planning Framework for Scotland (NPF3)

South East Scotland Strategic Development Plan (SDP)

West Lothian Local Development Plan (LDP)

Supplementary Guidance (SG)

Strategic Development Plan (SDP)

8. SDPs are produced for Scotland's four largest city regions. SDPs set out a long term (20 years or more) land use planning strategy indicating, in broad terms, where future development will be located and what is needed to deliver it.

9. The SDP for South East Scotland is prepared by the Strategic Development Plan Authority for Edinburgh and South East Scotland (SESplan). The six councils which are members of SESplan are City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian.



Local Development Plan (LDP)

10. LDPs are produced by local planning authorities and set out detailed policies and proposals to guide development. They must conform to the approved SDP and seek to implement requirements on a more detailed site-specific basis than exists within the SDPs. LDPs should be adopted within two years of the approval of a relevant SDP.



West Lothian Local Development Plan 2018

11. The current West Lothian Local Development Plan was adopted in September 2018. The plan preparation process/timeline was as follows:

August 2014	publication of the Main Issues Report to seek views on the policy and development options that could be included in the Local Development Plan.
October 2015	Publication of the Proposed Plan.
October 2016	Submission of the Proposed Plan to Scottish Government for examination. The Examination concluded in December 2017.
April 2018	Publication of the West Lothian Local Development Plan as modified following examination.
September 2018	Publication of the adopted West Lothian Local Development Plan. The adopted plan is available on line at https://www.westlothian.gov.uk/article/33299/Adoption

12. Supplementary and Planning Guidance in support of the adopted LDP is now being prepared (SG and PG). Requirements for supplementary and planning guidance are set out in Appendix 4 of the LDP.

13. The LDP is now being used to determine planning applications. it is accompanied by an Action Programme which the council is required to review and update on an annual basis.

THE EMERGING LOCAL DEVELOPMENT PLAN (LDP2)

14. The West Lothian LDP2 will replace the the West Lothian Local Development Plan (LDP 1). It will contain a spatial strategy, proposals map, action programme for identified developments and a schedule of the local authority's land interests affected by LDP policies or proposals. It will focus on specific proposals for the period up to Year 10 from the date of adoption.

The purpose of the LDP is to:

- provide a clear basis for determining planning applications; and
- allocate land to meet the needs and targets set out in the Strategic Development Plan for the wider city region (the SESplan area).

15. The process of preparing LDPs is prescribed by Scottish Government and set out in detailed regulations which the council is required to observe. Legislation which governs the preparation of LDPs is in the process of being reviewed. This may impact on the key components which comprise the LDP. The key components are as follows:

Publish the Development Plan Scheme (DPS)

Main Issues Report (MIR)

16. The MIR is accompanied by an Environmental Report and Monitoring Statement. It is a consultation document that sets out the options for the West Lothian LDP. A wide range of stakeholders are consulted at this time including members of the public, community councils, community groups, businesses, infrastructure providers, key consultation agencies, neighbouring authorities and the Scottish Government. The MIR is the main consultation stage of the LDP process.

Development Plan Scheme

Main Issues Report

Proposed Local Development Plan

Examination

Adoption

Proposed Local Development Plan

17. The Proposed LDP provides a stronger view of proposed development locations proposed by the council, informed by consultation responses at the previous stage. There is a formal consultation period following the publication of the Proposed LDP which provides an opportunity for formal representations (both in support and against the plan).

Examination

18. Following the consideration of representations, the Proposed LDP and a summary of unresolved issues is submitted to the Scottish Government's Planning and Environmental Appeals Division (DPEA) for examination. The examination process is largely expected to be undertaken by way of written submissions but it is not uncommon for there also to be a number of hearing sessions to which interested parties are invited by the examination Reporter to attend.

Adoption

19. The LDP is published and adopted with changes recommended by the Reporter.

20. An Action Programme is also adopted and published. The Action Programme identifies what developments are to be taken forward, who is responsible for delivery of these and when they will be delivered.

21. To ensure the LDP takes account of effects on the environment and does not adversely affect protected European nature conservation sites or any particular social group, we have undertaken the following assessments as a part of the LDP preparation:

- Strategic Environmental Assessment (SEA)
- Equalities and Human Rights Impact Assessment
- Habitats Regulations Appraisal
- Monitoring Statement
- Action Programme
- Transport Appraisal





THE WEST LoTHIAN LOCAL DEVELOPMENT PLAN TIMETABLE (LDP2)

22. It is a requirement that the LDP must be in compliance with the approved Strategic Development Plan. The timetable for producing the West Lothian LDP2 is set out in the following table. LDP2 will be prepared within the context of SDP2.

Publication of Main Issues Report, Monitoring Report and Strategic Environmental Assessment (SEA)	Spring 2020
Publication of Proposed Plan including Environmental Report and Action Programme	Winter 2020/2021
Submission of Proposed LDP, representations and a summary of unresolved issues submitted to the DPEA for examination	Summer 2021
Examination Report	Winter 2021/2022
Anticipated Adoption of Plan	Spring 2022

ENGAGEMENT AND PARTICIPATION

23. A Participation Statement will be prepared setting out when and with whom the council intends to engage with in preparing the LDP.

24. There will be several consultation periods in the preparation of the LDP. Input will be obtained through a range of different techniques such as questionnaires, newspaper advertisements, writing to key agencies and stakeholders, neighbouring planning authorities, Scottish Government, Community Council's and West Lothian Citizen Panel. Various events anticipated to be arranged for members of the public including drop in events at partnership centres, shopping centres and libraries, as well as tailored meetings with community councils.

25. The council's website, Facebook and Twitter pages are anticipated to be updated to advise of progress on the LDP.

LOCAL DEVELOPMENT PLAN 3

26. Planning Authorities are required to review their LDP at least every five years.

27. The next Local Development Plan for West Lothian (LDP3) requires to be consistent with future legislative requirements which are at present unknown and will emerge following conclusion of the Planning Bill through Parliamentary process.





KEEPING YOU INFORMED

28. West Lothian Council is committed to notifying the public, interested parties and stakeholders at periodic stages throughout the LDP process. We believe your views are important and help enrich the process of the preparation of the LDP.
29. For the forthcoming LDP, the early stages will focus on seeking the views of the community and other stakeholders.
30. In the interim there are various methods to keep you informed:
 - Our Local Development Plan website
 - Subscribe to our e-newsletter by emailing us wlldp@westlothian.gov.uk
 - Phone us on 01506 280000
 - Write to us at **Development Planning, Planning and Economic Development, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian EH54 6FF**

We welcome feedback and comments on our service and encourage comments to be emailed to us.



COUNCIL EXECUTIVE

WEST LOTHIAN LOCAL DEVELOPMENT PLAN (LDP): ACTION PROGRAMME 2018

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise Council Executive of the updated 'Action Programme' in support of the West Lothian Local Development Plan (LDP) and to seek approval of the Action Programme. The proposed Action Programme is attached as Appendix 1.

B. RECOMMENDATION

It is recommended that Council Executive:

1. notes that the council is required to submit an Action Programme to Scottish Ministers and publish it within three months of the date of adoption of the LDP;
2. adopts the Action Programme which supports and underpins the infrastructure requirements and further supplementary and planning policy guidance for the adopted LDP (Appendix 1);
3. notes the comments received in response to the consultation on the Action Programme (Appendix 2);
4. notes that, if approved by Council Executive, the Head of Planning, Economic Development & Regeneration will be required to make the necessary arrangements to:
 - a. send two copies of the adopted Action Programme to Scottish Ministers;
 - b. place copies of the adopted Action Programme in all public libraries and online; and
 - c. publish the adopted Action Programme, including electronically.

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 Planning etc. (Scotland) Act 2006 introduced a new statutory basis for development planning in Scotland. It inserted a new 'Part 2' into the Town and Country Planning (Scotland) Act 1997 ('the Act') requiring the replacement of structure plans and local plans with strategic development plans (SDPs) and local development plans (LDPs).</p> <p>The West Lothian LDP forms part of the development plan alongside the Strategic Development Plan (SDP 1) and will provide the statutory framework for land use planning in West Lothian.</p> <p>The adoption and publication of the LDP Action Programme will ensure adherence to the statutory procedures governing plan preparation.</p>
III Implications for Scheme of Delegations to Officers	<p>No changes are proposed to the current scheme of delegation for planning activities.</p>
IV Impact on performance and performance Indicators	<p>The West Lothian LDP provides the policy and development framework to support improving opportunities in West Lothian and sustainable growth. The Action Programme is a working document that sets out how the LDP will be implemented and monitors progress to that end.</p>
V Relevance to Single Outcome Agreement	<p>Outcome 1 - Our children have the best start in life and are ready to succeed.</p> <p>Outcome 2 - We are better educated and have access to increased and better quality learning and employment opportunities.</p> <p>Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>Outcome 4 - We live in resilient, cohesive and safe communities.</p> <p>Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI Resources - (Financial, Staffing and Property)	<p>There are direct financial consequences arising from the approval of this report.</p>

Development proposed in the West Lothian LDP will require additional infrastructure to be provided and the LDP explains that infrastructure is expected to be funded by both the council through the capital programme and the development industry. The council's Local Infrastructure Fund and City Region Deal may also have a part to play in assisting with forward funding some improvements.

VII Consideration at PDSP

Reports have been made to the Development & Transport PDSP at key stages in the preparation of the LDP, the most recent being 21 March 2018.

A first iteration of an Action Programme was reported to a meeting of the D&T PDSP on 7 September 2015. Additional references to the Action Programme have also been integral to reports relative to preparation of the LDP. The Action Programme was most recently considered by the D&T PDSP on 14 November 2018.

VIII Other consultations

Community Planning, Education, NETS, Land & Countryside Services, Transportation; Finance and Property Services; and the NHS.

D. TERMS OF REPORT

D1 Background

The West Lothian Local Development Plan (LDP), which was adopted on 4 September 2018, provides the spatial land use policy and development framework for West Lothian for the next ten years and is a vital component in ensuring economic growth and business support, seeking to meet housing need in all tenures, and ensuring the protection/enhancement of built and natural heritage resources, all within an overarching aim of securing environmental stability.

The Planning etc. (Scotland) Act 2006 requires a Local Planning Authority to publish an Action Programme to accompany its LDP which sets out how the local authority proposes to implement the plan to which it relates. The Action Programme must contain a list of actions required to deliver each of the plan's policies and proposals; identify the appropriate parties that are required to carry out the action(s); and provide an indicative timescale for completing these actions. In preparing the Action Programme the council is required to consult and consider the views of the key agencies and those parties specified by name in the document.

Action Programmes must be published and submitted to Scottish Ministers within three months of the LDP being adopted and, ordinarily, updated at least every two years. In this instance, the council has agreed to a request from the Scottish Ministers pursuant to Section 21(9)(a) of the Town and Country Planning (Scotland) Act 1997 that the Action Programme will be updated and republished on an annual basis until

the end of the plan period. The measure of success will be an efficient and effective approach to land use planning, which ensures that new developments are suitably served by supporting infrastructure.

The Scottish Government has been advised that due to the festive break the LDP Action Programme will not be published within three months of adoption of the LDP. The proposed Action Programme is attached as Appendix 1.

Items identified in the LDP Action Programme essentially fall into four main topic areas: education, transportation, green infrastructure and community services. The current status of projects has been identified. The plan period covers 2014 to 2024, thus some twenty-five actions have already been completed.

D2 Main Report

Alongside the LDP, the Action Programme will be the principal mechanism by which to monitor the performance of the LDP and to trigger change and/or adjustments to the development strategy in order to maintain the planned investment in future growth and development in West Lothian over the plan period. The LDP and Action Programme will help to inform the future spending priorities of the council and its community planning partners as well as other public, private and voluntary sector bodies.

Infrastructure is key to the delivery of the aims and strategy of the adopted LDP. As a consequence of reducing direct central government funding and in a climate of financial restraints, the Scottish Government has encouraged other ways of funding the necessary infrastructure required to support development, particularly housing. Developer contributions and other related funding streams, including the Local Infrastructure Fund (LIF) and City Region Deal have become increasingly important. The Scottish Government's review on the future of the Scottish planning system, [*Places, People and Planning*](#) also puts more emphasis on the role of local government in managing, seeking and delivering infrastructure. However, this role will have to be viewed in the context of on-going austerity measures which impact on the funding available to local authorities.

In responding to calls for more financially numerate Action Programmes, wherever possible an attempt has been made to include indicative costs and establish funding sources for the proposals listed. The indicative figures are not aggregated because in most cases best estimates are given, and, a range of other capital programme systems within the public, voluntary and private sectors are drawn upon much of which are beyond the direct control of the council.

West Lothian continues to be an area of significant growth. Twenty-one West Lothian settlements are identified through the Action Programme as requiring additional infrastructure to support residential development. There are also two dozen proposals identified in the landward areas of the council, which are outwith settlement boundaries – primarily related to transport and green infrastructure.

An important feature of the Action Programme is to set out the policy framework which gives status and force to the mechanisms which are required to put in place capital funds to pay for infrastructure delivery. There is also a requirement that LDP Action Programmes include a section setting out further Supplementary and Planning Guidance which is to be produced for the adopted LDP. This is addressed in the latter pages of the Action Programme.

D3 ACTION PROGRAMME CONSULTATION

In preparing the Action Programme the council is required to consult the Scottish Ministers and the 'Key Agencies' i.e. Scottish Natural Heritage, Scottish Environment Protection Agency, Scottish Water, Scottish Enterprise, SEStran and NHS Lothian. Additionally, there is an obligation to consult anyone named in the Action Programme as having a responsibility in respect of the policy actions/and or infrastructure requirements of the LDP to carry out a specific action or actions. Consultation was carried out over a four-week period commencing on 15 November and ending on 13 December 2018. A total of 14 representations were received to the consultation. These have been summarised and responded to resulting in some revisions being required to the Action Programme. The consultation comments and proposed response are set out in Appendix Two. Where changes are required to the Action Programme, for ease of reference these have been set out as track changes in Appendix One. The main areas of change include additions to promote pedestrian and cycle routes as well as better access, minor editing changes and updates relating to proposed development sites.

E. CONCLUSION

The LDP Action Programme is an important document marking the transition from the plan making stage to the delivery stage and focusing on the specific infrastructure required to facilitate the implementation of the West Lothian Local Development Plan.

Further engagement on how the actions identified within the Action Programme are to be delivered will be carried out as part of the statutory requirements of preparing supplementary guidance on developer contributions and infrastructure delivery and monitoring of the Action Programme itself.

F. BACKGROUND REFERENCES

West Lothian Local Development Plan (LDP)

Appendices/Attachments: Two

Appendix 1: West Lothian Local Development Plan Action Programme 2018 (as amended following consultation)

Appendix 2: LDP Action Programme Consultation Responses

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Craig McCorriston
Head of Planning, Economic Development & Regeneration

5 February 2019



West Lothian Local Development Plan 2018

ACTION PROGRAMME

Incorporating changes made in response to the consultation exercise

'Track Changed' version showing revisions made in response to the consultation exercise.

West Lothian Local Development Plan 2018**ACTION PROGRAMME****Consultation Version – November 2018**

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■ Introduction

The West Lothian Local Development Plan 2018 was adopted by the council on 4 September 2018.

This Action Programme supports the delivery of the West Lothian Local Development Plan 2018 (LDP) and fulfils a statutory requirement of Section 21 of the Planning etc. (Scotland) Act 2006. It sets out what is required to implement the strategy of the LDP and in particular, it identifies:

- a list of actions required to deliver each of the LDP's policies and proposals;
- the name of the party who is to carry out the action(s); and
- the timescale for carrying out each action.

The Action Programme focuses on the delivery of development and infrastructure provision and on identifying measures to overcome particular constraints and thereby serving to enhance the effectiveness and deliverability of sites.

The council, together with other public agencies, have an important role to play in facilitating and delivering parts of the LDP but much will also depend on the engagement and participation of the private sector development industry. This is especially important in the current economic climate where there continues to be a need for proportionate developer contributions.

The council has therefore drafted this Action Programme with input from a number of its own internal service providers, relevant key agencies to the LDP process (Scottish Water, the Scottish Environment Protection Agency, Scottish Natural Heritage, **Historic Environment Scotland**, Transport Scotland, the Scottish Government) and other organisations / delivery bodies named in the document.

The Action Programme is a working document reflecting the continuous process of delivering the LDP and will be used to monitor progress of development proposals. Somewhat uniquely, it is the one element of the development plan process that is fluid and which can be responsive to events. It can be revised and updated over the lifetime of the LDP and its effectiveness is dependent on this. West Lothian Council aspires to build on this version of the Action Programme by maintaining an ongoing dialogue with partners and is committed to updating and republishing it on an annual basis until the end of the plan period with information available from the development agencies and key stakeholders.

The council also has an established system for monitoring Planning Obligations which will inform and support subsequent reviews of the Action Programme. The Action Programme will be closely aligned with the annual Housing Land Audit, Local Housing Strategy and Employment Land Audit, ensuring that real time data on house completions and the take-up of economic land is used to best advantage to inform any necessary changes that may be required to the development strategy of the LDP.

■ Structure of the Action Programme

The Action Programme has been structured as a series of five schedules:

Schedule 1 - Key Infrastructure Actions allied to Proposals

Schedule 2 - Key Infrastructure Actions allied with Housing Land Allocations

Schedule 3 - Key Infrastructure Actions allied with Employment Land Allocations

Schedule 4 - Policy Actions

Schedule 5 - Supplementary Guidance and Planning Guidance

The schedules set out details of infrastructure requirements as well as charting the progress and status of each action.

■ Delivery of Infrastructure for the Local Development Plan

The West Lothian Local Development Plan 2018 (LDP) promotes a development strategy that supports sustainable planned growth across West Lothian. Although it is expected that the development strategy will have many positive effects, by providing new homes, jobs and economic development, it is recognised that new development will also have a significant impact on infrastructure and that such impacts require to be addressed. It is generally accepted that development cannot be progressed unless the necessary services, infrastructure and facilities are in place, or can be provided to accommodate them. It is therefore incumbent on the council and developers to work together and to take collective responsibility for providing for these requirements. The planning system allows mitigation to be sought from applicants towards delivering infrastructure capacity solutions where the need for this arises as a direct consequence of the development or arising from the cumulative impact of development.

While development plans need to be aspirational they also need to be realistic and capable of delivery. The challenge, particularly in a difficult economic climate, is to deliver effective sites, key priorities and developments to support the aims of the LDP.

The West Lothian Local Development Plan 2018 is framed by national and regional policy set by the National Planning Framework and the Strategic Development Plan. While all the Strategic and National Development Actions from National Planning Framework 3 (NPF3) and the Regional Transport Strategy are important, only some will have a direct impact on the delivery of the West Lothian LDP, for instance NPF3 initiatives relative to: The Queensferry Crossing, Winchburgh rail station, and the Central Scotland Green Network (CSGN).

The Action Programme purposefully relates to specific sections of the adopted West Lothian Local Development Plan 2018, namely:

- LDP Chapter 6 - Development Proposals by Settlement
- LDP Appendix 1 - Employment Land Allocations
- LDP Appendix 2 - Schedule of Housing Sites / Site Delivery Requirements

The Action Programme also adopts the structure of the LDP housing and employment chapters by addressing issues on a geographical / settlement by settlement basis.

Finance of Infrastructure

The Action Programme is intended to align the delivery of the LDP with corporate and national investment in infrastructure. It will be used by the council as a delivery mechanism to lever the best possible outcomes for West Lothian and to co-ordinate development proposals with infrastructure and the services needed to support them. Leadership and stakeholder commitment are also critical to the successful delivery of the approved Action Programme.

The council's Local Infrastructure Fund (LIF) will aid in financing required infrastructure in support of LDP allocations, however, funding of a number of the schemes contained within the Action Programme will be dependent on future Scottish Government spending priorities and the availability of public and private sector finance. The Edinburgh and South East Scotland City Deal will also assist in the delivery of some infrastructure projects.

It is important that financial arrangements for infrastructure are addressed early in the development process and that contact is made with the council's Development Management team to review cost implications of infrastructure and legal agreements.

The council recognises that the Planning (Scotland) Bill has proposed that LDPs should put greater emphasis on the deliverability of the infrastructure required to underpin the spatial strategy and development allocations and that Action Programmes have been identified as the most appropriate mechanism for doing this. In response to that challenge, this Action Programme begins the process of identifying indicative costings and funding sources. The intention is to increase the level of financial information in future iterations of this Action Programme.

West Lothian and New Infrastructure

West Lothian is strategically located in the central belt of Scotland with unrivalled access to the national trunk road and rail network making for easy access to customers, suppliers and workforce. Its central location and excellent business and labour market connections have helped the area become an important and economically buoyant hub and have enhanced its attractiveness as a place to invest and do business.

West Lothian also has one of the fastest growing and youngest populations in Scotland. By 2039 the population is projected to be 192,523, an increase of 8.6% compared to the population in 2014. At the same time, the age group projected to increase the most in size in West Lothian is the 75+ age group.

Forecasting, planning and timeously providing the necessary infrastructure is clearly a challenging, complex and costly business, often with long lead in times and delivery periods. The LDP has been conceived with the knowledge of these important spatial, economic and demographic considerations. This has been reflected by the planned growth of many settlements in West Lothian over the lifetime of the plan, particularly those locations which are embraced by Core Development Area (CDA) status. It will be observed that the key infrastructure demands are therefore principally allied to education capacity, community service provision and transport infrastructure. The completed actions which populate the table below helpfully illustrate and characterise the wide range of infrastructure projects identified in the Action Programme.

Completed Actions

At the time of publication of this first edition of the West Lothian LDP Action Programme thirty infrastructure 'actions' have been completed. This table will be updated in future iterations of the Action Programme.

COMPLETED COMMUNITY PROPOSALS (9)		
P-5	Armadale	Partnership centre - Council services, Housing office, CIS, Library, Sure-start, Museum and early years space
P-11	Blackburn	Health centre at Ash Grove - new site as part of Blackburn Partnership Centre, GP surgery and dentist
P-12	Blackburn	Partnership centre - Council Services, Library, CIS, A2E, Macmillan Hub, Credit Union and Community Centre
P-14	Blackridge	Partnership centre - Craiginn Community Centre has been re-structured to include library, museum, hall, computer suite etc.
P-24	East Calder	Partnership centre / community / health service provision linked to the Calderwood CDA
P-42	Linlithgow	Partnership centre - refurbishment of historic Grade 2 listed building and conversion to community facility
P-48	Livingston	New doctors surgery opened in Murieston
P-65	Livingston	Toronto Primary School - school enhancement

'Track Changed' version showing revisions made in response to the consultation exercise.

COMPLETED EDUCATION PROPOSALS (14)

P-2(a)	Armadale	New primary school associated with Armadale Core Development Area (CDA) i.e. Southdale Primary School Phase 1A
P-3(a)	Armadale	St Anthony's Primary School - extension Phase 1
P-4	Armadale	Armadale Academy - school extension
NP-122	Armadale	Armadale Primary School - extension
P-7	Bathgate	Boghall Primary School - extension
NP-121	Bathgate	Windyknowe Primary School - MUGA and access improvements
NP-125	Bathgate	Balbardie Primary School - hall extension
P-8	Bathgate	Simpson Primary School - extension
P-9	Bathgate	St Mary's Primary School - extension
P-20	Broxburn	St Nicholas Primary School - extension
P-27	East Calder	East Calder Primary School – extension for nursery provision
P-63	Livingston	Peel Primary School - school enhancement
P-73	Torphichen	Torphichen Primary School - new hall
P-79	West Calder	West Calder High School - replacement high school and new access road
P-99	Winchburgh	Winchburgh Primary School - extension

COMPLETED COUNTRYSIDE / OPEN SPACE / GREEN NETWORK PROPOSALS (6)

NP-124	East Calder	Calderwood CDA - access link to Almondell & Calderwood Country Park
P-102(a)	Landward	Union Canal Linlithgow area - surface and access improvements
P-103(c)	Landward	Links from the National Cycle Network NCR75 – to Blackness / South Queensferry area and Round the Forth Route
P-51	Livingston	Killandean Greenway (Allotments) - extension of allotments, drainage improvements and expansion of the adjacent car park
P-72	Threemiletown	Existing play facilities relocated
P-74	Uphall	Cemetery extension

COMPLETED TRANSPORT RELATED PROPOSALS (1)

P-70	Pumpherston	Houstoun Road / Drumshoreland Road link - distributor road built
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■ Monitoring & Revisions to the Action Programme

Planning authorities in Scotland are required to update their Action Programmes at least every two years. However, under Section 21 (9)(a) of the Town & Country Planning (Scotland) Act 1997, the Scottish Ministers have required that the West Lothian Local Development Plan Action Programme is updated and re-published on an annual basis until the end of the LDP plan period.

Future iterations of the Action Programme will record the change for each proposal since the previous Action Programme was published.

■ Abbreviations and Acronyms

A2E	Access 2 Employment
AP	Action Programme
CDA	Core Development Area
CHP	Combined Heat & Power
CCSGN/T	Central Scotland Green Network/ Trust
DPEA	The Planning and Environmental Appeals Division (Scottish Reporters)
FRA	Flood Risk Assessment
LDP	Local Development Plan
LIF	Local Infrastructure Fund
MUGA	Multi Use Games Area
NPF 3	National Planning Framework
NETS	Neighbourhood Environmental Teams

OSS	(West Lothian) Open Space Strategy
P&R	Park & Ride
PG	Planning Guidance
RTS	Regional Transport Strategy
SEPA	Scottish Environmental Protection Agency
SESplan	Strategic Development Planning Authority for Edinburgh and South East Scotland
SNH	Scottish Natural Heritage
SG	Supplementary Guidance
SPP/2014	Scottish Planning Policy 2014
WLC	West Lothian Council

■ Schedule 1 – Key Infrastructure Actions allied to Proposals

Schedule 1 of this Action Programme provides a comprehensive listing of all **proposals** in the LDP using the most up to date information available. For ease of reference key infrastructure actions fall largely into four types which have been colour-coded as follows:

■ Community

■ Education

■ Countryside / Open Space / Green Network

■ Transport

■ Mixed infrastructure

The table in this Schedule is divided into five columns:

Location

In most cases a specific location is identified but where a CDA or large site masterplan has yet to identify that location an indicative location is given. To facilitate monitoring, some actions have been subdivided.

LDP Proposals Map Reference & Key Infrastructure Action Required

Each action is identified on the LDP Proposals Map by a red diamond ♦ and a corresponding number. If the action has not been mapped the symbol ⌘ is shown in the table.

Responsibility / Involvement / Finance

It is a requirement that agents responsible for the delivery of infrastructure/actions are identified. For actions at an early stage, indicative information is provided where known. Financial information has been provided and will be added to over the plan period.

Timescale

The LDP identifies three timescales over the course of the plan: 2014-2019; 2020-2024 and 2024 and beyond.

Current Status/Action/Comments

The current status of an action is identified with reference to one of the following stages:

■ Land Reservation/Initiation Stage	brief finalisation, feasibility, estimates, commercial / business case
■ Funding Stage	funding sought, legal agreement in progress
■ Proposal Stage	design, costings
■ Consultation Stage	usually finalising design proposals
■ Procurement Stage	preparing for works on site / tendering / contracting
■ Construction Stage	on site and fit out works in some cases
■ Completion Stage	works on site completed but in some cases project funding continues
■ Remedial Stage	post-construction / snagging / finance outstanding

New Actions

It is the nature of Action Programmes that new infrastructure requirements arise in response to gaining better information and firmer timescales for housing allocations as the spatial strategy in the Local Development Plan progresses. It is important to record these and they have been identified with the prefix 'NP' and are detailed below.

OTHER PROPOSALS

NP-121	Bathgate	Windyknowe Primary School – Multi Use Games Area and access improvements (completed)
NP-122	Armadale	Armadale Primary School – school extension (completed)
NP-123	Whitburn	Whitburn, Heartlands – primary school extension (Polkemmet or Croftmalloch Primary School)
NP-124	East Calder	Countryside access links to Almondell Country Park
NP-125	Bathgate	Balbardie Primary School – hall extension (completed)

⌘ indicates proposals that are not mapped on any of the LDP Proposals Maps

'Track Changed' version showing revisions made in response to the consultation exercise.

It should be noted that projected costs were mainly established in 2017 and will be linked to BCIS indices. They will also be subject to inflation (circa 2.5% per annum) and exclude any risks associated with Brexit).

ADDIEWELL & LOGANLEA

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Addiewell Rail Station	P-1(a) Path upgrade between village / Addiebrowhill and north rail platform, including all-weather surface and lighting.	CSGNT Sustrans Network Rail WLC	2020 - 2024	Proposal Stage CSGNT in discussion with WLC and Sustrans about a joint project to deliver the path. CSGNT have produced an outline proposal for the path and wider environment.
	Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	Indicative cost £75,000 Funding source To be agreed		
	LDP Proposals Map Reference & Key Infrastructure Action required P-1(b) Parking and bus interchange for railway station / access improvements.	WLC Network Rail Developer	2014 - 2019 2020 - 2024	Initiation Stage 'Access for all' policy requires that rail facilities are accessible to the widest number of citizens feasible. Progress in early 2018 - Network Rail has delivered an upgrade of the station as part of the Shotts rail-line electrification works including lifts. Parking improvements still outstanding.
	Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	Indicative cost To be agreed Funding source To be agreed		

'Track Changed' version showing revisions made in response to the consultation exercise.

ARMADALE

Location <div>Southdale Primary School, Armadale CDA</div>	<div></div> LDP Proposals Map Reference & Key Infrastructure Action required <div> P-2(b) Future extension needed for CDA school in P-2(a) (classes to be reorganised). </div> Policy Support <div> Policy INF 1 Policy CDA 1 Education Strategy SG </div>	Responsibility / involvement <div> WLC DEVELOPER </div> Indicative cost <div>£3,800,000</div> Funding source <div>WLC and Developer contributions</div>	 Timescale <div>2020 - 2024</div>	 Current Status / Action / Comments <div>Initiation Stage</div>
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Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement	Timescale	Current Status / Action / Comments
Extension to existing primary schools	<p>P-3(b) Eastertoun Primary School, Manse Avenue - Rebuild as larger school</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy SG</p>	<p>WLC</p> <p>DEVELOPER</p> <p>SCOTTISH GOV</p> <p>Indicative cost</p> <p>£3,556,692 (25%)</p> <p>Funding source</p> <p>75% West Lothian Council & SSFTF / 25% Developers</p>	2020-2024	<p>Initiation Stage</p> <p>Funding is subject to successful Scottish Schools Future Trust Fund bid (SSFTF)</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Heatherfield West	<p>P-119 Colinshiel link road to A89</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>To be agreed</p> <p>Funding source</p> <p>Fully funded by developers</p>	2020 - 2024	<p>Initiation Stage</p> <p>Associated with housing sites H-AM 5 and H-AM 6</p> <p>Specific consideration to be given to providing for the needs of pedestrians, cyclists and access to public transport.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments					
<div>Armadale CDA</div> <div>Areas shown within orange dashed lines on Proposals Map</div> <div>#</div>	<table><tr><td></td><td>Other proposals linked to Armadale CDA see LDP Appendix 2 - <i>Housing Land Site Delivery Requirements</i></td></tr></table> <div>Policy Support</div> <table><tr><td>Policy INF 1</td></tr><tr><td>Policy CDA 1</td></tr><tr><td>Policy ENV 34</td></tr></table>		Other proposals linked to Armadale CDA see LDP Appendix 2 - <i>Housing Land Site Delivery Requirements</i>	Policy INF 1	Policy CDA 1	Policy ENV 34	<div>DEVELOPER</div> <div>Indicative cost</div> <div>Various – not available</div> <div>Funding source</div> <div>Developer contributions – to be agreed</div>	<div>2014 - 2024</div>	<div>Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas</i></div>
	Other proposals linked to Armadale CDA see LDP Appendix 2 - <i>Housing Land Site Delivery Requirements</i>								
Policy INF 1									
Policy CDA 1									
Policy ENV 34									

BATHGATE

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Hardhill Road Cemetery, Boghead	<div><div>P-6</div><div>Land safeguarded for extension to cemetery</div></div> <div>Policy Support</div> <div>Policy INF 1</div>	<div>WLC</div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div>WLC</div>	Post 2024	Land Reservation / Initiation Stage

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Bathgate Academy, Edinburgh Road	P-10 School extension Policy Support Policy INF 1 Education Strategy (SG)	WLC DEVELOPER Indicative cost £3,000,000 Funding source Developer contributions	Beyond 2024	Initiation Stage There are particular cost risks associated with extending a PPP school.

BLACKRIDGE

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
South east of Craiginn crossroads/A89	P-13 Neighbourhood centre Policy Support Policy INF Policy HOU 7 Policy TCR 2	DEVELOPER / OTHERS Indicative cost Developer to procure Funding source Developer funding / others as developed	2020-2024	Proposal Stage Associated with sites H-BL 6 and H-BL 4. Sites subject to a Section 75 Agreement as part of outline planning application 0223/P/17; land reserved in masterplan for local / neighbourhood centre uses

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Blackridge Primary School	P-15 School extension Policy Support Policy INF Education Strategy (SG)	WLC DEVELOPER Indicative cost To be agreed Funding source WLC and Developer contributions	2020-2024	Initiation Stage N.B. Developer contributions are only being sought to deliver housing site H-BL 4 (Craiginn Terrace). There is potential for synergy with proposed nursery capacity.

BROXBURN

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Clarkson Road / Greendykes Road	P-16 Broxburn Distributor Road - safeguard of new road line and construction to make connection and improve local network & support new CDA areas Policy Support Policy INF Policy CDA 1 Policy TRAN 1 Policy TRAN 2	DEVELOPER Indicative cost Not available Funding source Developer contributions; potential City Deal	 2020-2024 Post 2024	Land Reservation / Proposal Stage Requires to be delivered to progress housing for the Core Development Area; negotiations are underway to assemble the necessary land. A road design was previously approved but has now lapsed. Specific consideration to be given to providing for the needs of pedestrians, cyclists and access to public transport.

'Track Changed' version showing revisions made in response to the consultation exercise.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
East Broxburn CDA - West of Faucheldean village and north to Glendevon, Winchburgh ♦ P-17 and P-92 are combined on proposals Map 2	P-17 Distributor Road in association with Winchburgh CDA Policy Support Policy INF Policy CDA 1 Policy TRAN 1 Policy TRAN 2	DEVELOPERS Indicative cost Not available Funding source Developer contributions /	2014-2019 2020-2024	Land Reservation / Proposal Stage Land Reservation – routing needs to be revised and agreed Requires to be delivered jointly by developers for Broxburn CDA and Winchburgh CDA. Phasing of delivery is currently being reviewed. Updated phasing agreed in October 2018 Specific consideration to be given to providing for the needs of pedestrians, cyclists and access to public transport.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Broxburn Primary School, School Lane, off West Main Street	P-18 Re-organisation of school layout Policy Support Policy INF Education Strategy (SG)	WLC Indicative cost Not available Funding source WLC	Beyond 2024	Proposal Stage Brief and design requirements under review

'Track Changed' version showing revisions made in response to the consultation exercise.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Kirkhill Primary School, Rashierigg	P-19 School extension Policy Support Policy INF Education Strategy (SG)	WLC DEVELOPER Indicative cost Not available Funding source To be agreed	2020-2024	Initiation Stage Educational infrastructure requirements under review

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
East Broxburn CDA	P-21 New primary school to support Broxburn CDA development Policy Support Policy INF Policy CDA 1 Education Strategy (SG)	WLC DEVELOPER Indicative cost Phase 1 £8,500,000 Phase 2 To be agreed Funding source East Broxburn CDA Developers	Beyond 2024	Initiation Stage Education solution to be identified

Location	LDP Proposals Map Reference & Key Infrastructure Action required		Current Status / Action / Comments
Broxburn Academy	<div>P-22</div> <div>School extension</div> <div>ACTION NOT REQUIRED</div>		Extension not considered feasible and not being progressed Education solution to be identified

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
East Broxburn CDA Areas shown within orange dashed lines on Proposals Map #	<div>Other proposals linked to East Broxburn CDA see LPD Appendix 2 - <i>Housing Land Site Delivery Requirements</i></div> <div>Policy Support</div> <div>Policy INF 1</div> <div>Policy CDA 1</div> <div>Policy ENV 34</div>	<div>Developer</div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div>Developer contributions</div>	<div>2014-2024</div> <div>2020-2024 and beyond</div>	Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas</i>

DECHMONT & BANGOUR

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement	Timescale	Current Status / Action / Comments
Former Bangour Village Hospital	P-23 New primary school Policy Support Policy INF Education Strategy (SG)	WLC DEVELOPER Indicative cost £8,500,000 Funding source Developer funded.	2020-2024	Initiation Stage Educational infrastructure requirements under review & to be confirmed to inform design work

EAST CALDER

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement	Timescale	Current Status / Action / Comments
Mansfield Park	P-26 Park improvements at "The Muddies" in association with Calderwood CDA Policy Support Policy INF Policy CDA 1 Policy ENV 8	WLC DEVELOPER Indicative cost Not available Funding source WLC and Developer contributions	2020-2024	Consultation Stage Master plan prepared

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
St Paul's Primary School, Main Street	<p>P-28 School extension and new access (including land) in phases</p> <p>Policy Support</p> <p>Policy INF</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC and Developer contributions</p>	<p>Phase 1 2014-2019</p> <p>Phase 2 2020-2024</p>	<p>Proposal Stage – dependent upon progress with lead developers; included in WLC capital programme</p> <p>Phase 1 (to 231 capacity)</p> <p>Phase 2a (360 total capacity achieved)</p> <p>Phase 2b (to 462 capacity)</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Calderwood CDA	<p>P-29 New primary school - to be built in 3 phases</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>£8,500,000</p> <p>Funding source</p> <p>Developer forward funding</p>	<p>Phase 1 2014-2019</p> <p>2020-2024</p> <p>Phase 2 2020-2024</p> <p>Phase 3 2020-2024</p>	<p>Phase 1 Consultation Stage</p> <p>Phase 2 Initiation Stage</p> <p>Phase 3 Initiation Stage</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Raw Holdings	<p>P-30 Land acquisition / construction of new secondary school as part of Calderwood CDA</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Phase 1 (660) £25,000,000</p> <p>Phase 2 (1,100) £9,400,000</p> <p>Phase 3 (1,210) £3,000,000</p> <p>Funding source</p> <p>Developer contributions</p>	Beyond 2024	<p>Initiation Stage</p> <p>Joint funding with West Livingston / Mossend developers</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<p>Calderwood CDA</p> <p>Areas shown within orange dashed lines on Proposals Map</p> <p>#</p>	<p>Other proposals linked to Calderwood CDA see LPD Appendix 2 - <i>Housing Land Site Delivery Requirements</i></p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy ENV 34</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions – to be agreed</p>	2014-2024	<p>Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas</i></p>

KIRKNEWTON

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Milrig Holdings / Kirknewton railway station	<p>P-31 Park & Ride and bus interchange</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p>	<p>DEVELOPER</p> <p>SCOTTISH GOVERNMENT</p> <p>NETWORK RAIL</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer</p>	2020-2024	<p>Initiation Stage / Proposal Stage</p> <p>Relates to Calderwood CDA development at East Calder north-west. Timescale for delivery is linked to Section 75 Agreement for the Calderwood CDA</p> <p>Specific consideration to be given to providing for the needs of pedestrians and cyclists.</p>


Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Kirknewton Primary School	<p>P-32 School extension and related land acquisition</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Education Strategy (SG)</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>£1,850,000</p> <p>Funding source</p> <p>WLC and Developer contributions</p>	2020-2024	<p>Initiation Stage</p> <p>Educational infrastructure requirements under review & to be confirmed to inform design work</p>

LANDWARD

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Kilpunt	<p>P-33 Land reservation for Park & Ride in support of Broxburn CDA</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p> <p>SDP 2 Action Programme</p>	<p>WLC</p> <p>CITY OF EDINBURGH COUNCIL</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>City Region Deal and Developer contributions</p>	2020-2024	<p>Land Reservation / Proposal Stage</p> <p>Land Reservation – site identified to the southeast of East Mains Industrial Estate</p> <p>Proposals being developed</p> <p>Specific consideration to be given to providing for the needs of pedestrians and, cyclists.</p>


Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<div>A801 Avon Gorge Crossing</div> <div>#</div>	<div> <div>P-34</div> <div>Land reservation for new crossing/improvements</div> </div> <div>Policy Support</div> <div> <div>Policy INF 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> <div>SDP 1 Action Programme</div> <div>SDP 2 Action Programme</div> </div>	<div> <div>SCOTTISH GOVERNMENT</div> <div>TRANSPORT SCOTLAND</div> <div>FALKIRK COUNCIL</div> </div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div> <div>Scottish Government/Transport Scotland/ Falkirk Council/WLC</div> </div>	<div>2020-2024</div>	<div>Land Reservation</div> <div>Included in Scottish Government works programme for 2021. ; consent anticipated</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Land east of Winchburgh	<p>P-35 Land reservation for Dalmeny Chord for rail infrastructure</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p>	<p>SCOTTISH GOVERNMENT</p> <p>TRANSPORT SCOTLAND</p> <p>NETWORK RAIL</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Scottish Government/Transport Scotland/ Network Rail</p>	<p>Beyond 2024</p>	<p>Land Reservation</p> <p>Rail link is associated with the Edinburgh to Glasgow Improvement Programme (EGIP).</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required			Current Status / Action / Comments
Land between boundary with Edinburgh and Broxburn / Livingston	<p>P-36 Extension of the Edinburgh Tramline to Broxburn, Uphall and Livingston</p>			<p>Referenced in SDP2 proposed plan</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
A8 / A89 / A899 corridor  Located on Livingston proposals map at J3/M8	P-37 Sustainable transport options for travel route along the A8 / A89 / A899 corridor between Livingston Town Centre, the West Lothian / City of Edinburgh boundary, Newbridge and to Maybury Junction; land to be safeguarded adjacent routes. Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 SDP 2 Action Programme	WLC CITY OF EDINBURGH COUNCIL DEVELOPER Indicative cost Not available Funding source WLC / potential City Deal funding and Developer contributions	2014-2019 2020-2024 Beyond 2024	Land reservation stage Preparatory study completed. Shared use walking and cycling off-road path in place along the A89 between Bathgate and the Edinburgh boundary / Newbridge. There are also longer-term aspirations for a tram route to follow the A8 / A89 east-west route from Edinburgh turning south along the A899 / Livingston spine road corridor.
Location	LDP Proposals Map Reference & Key Infrastructure Action required			Current Status / Action / Comments
Register of built heritage assets	P-38 The council has undertaken to compile a register of all built heritage assets within its guardianship, monitor their condition and take action to ensure their preservation. ACTION NOT REQUIRED			See 'General Actions in Support of LDP Policies'.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement/ Finance	Timescale	Current Status / Action / Comments
Former Bangour General Hospital	<p>P-39 Community woodland and off-road pedestrian/ cycleway route between Drumcross Road and Black Law ridge road - proposed to link the Livingston Greenways network with the Bathgate Hills Quiet Roads Initiative; subject to negotiation with landowners.</p> <p>Policy Support</p> <p>Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8</p>	<p>WLC DEVELOPER Sustrans CSGN</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC and Developer contributions</p>	<p>2020-2024</p>	<p>Proposal Stage</p> <p>Part of Quiet Roads Initiative (QRI)</p> <p>Further application for external consultation to deliver as Sustrans Community Links programme as part of Bathgate Hills Quiet Roads Initiative.</p> <p>Sustrans has confirmed design grant.</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement/ Finance	Timescale	Current Status / Action / Comments
M8 – Junctions 3 and 4	<p>P-40 M8 Linear art project</p> <p>Policy Support</p> <p>Policy INF Policy ENF 34 Developer contributions towards Public Art (SG)</p>	<p>WLC DEVELOPERS CREATIVE SCOTLAND TRANSPORT SCOTLAND</p> <p>Indicative cost</p> <p>Various – not available</p> <p>Funding source</p>	<p>J4/M8 Project 2014-2019</p> <p>J3/M8 Project Beyond 2024</p> <p>Other projects to be confirmed</p>	<p>Proposal Stage</p> <p>Initiation Stage</p> <p>Not yet known</p>

		Developer contributions		
Location	LDP Proposals Map Reference & Key Infrastructure Action required			Current Status / Action / Comments
Pentland Hills Regional Park	<div>P-41</div> <div>Land reservation for the extension of the Pentland Hills Regional Park</div> <div>ACTION NOT REQUIRED'</div>			Member's bill for proposed park extension not progressed at Scottish parliament
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement	Timescale	Current Status / Action / Comments
Union Canal – Linlithgow / Broxburn areas	<div>P-102(b)</div> <div>Access to / from and along the Union Canal</div> <div>Policy Support</div> <div>Policy INF 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> <div>Policy TRAN 3</div> <div>Policy ENV 8</div> <div>Policy ENV 12</div> <div>SDP 1 Action Programme</div>	<div>WLC</div> <div>SCOTTISH CANALS</div> <div>HISTORIC ENVIRONMENT SCOTLAND</div> <div>SUSTRANS</div> <div>LANDOWNER</div> <div>DEVELOPERS</div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div>Not available</div>	<div>2019-2024</div>	<div>Proposal Stage</div> <div>Various other towpath links in Broxburn area.</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Blackridge / Kirknewton / Blackness / South Queensferry 	P-103(a) Links from the National Cycle Network NCR 75 – Improved access to Blackridge Station (south platform) as part of initiative to add more links across West Lothian	WLC Sustrans LANDOWNERS	2014-2019 2020-2024	Proposal Stage Realignment of path connection for access to the rail station currently delayed.
	Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	Indicative cost £200,000 Funding source Sustrans	Timescale 2014-2019 2020-2024	Current Status / Action / Comments Proposal Stage
	LDP Proposals Map Reference & Key Infrastructure Action required P-103(b) Links from the National Cycle Network NCR 75 – Kirknewton / Calderwood / Raw Holdings	WLC Sustrans LANDOWNERS	2014-2019 2020-2024	Current Status / Action / Comments Proposal Stage
	Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	Indicative cost Not available Funding source To be agreed		

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Breich Valley	P-104 Almond & Breich Valley walkway paths Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC LANDOWNER Indicative cost Not available Funding source To be agreed	2020-2024	Proposal Stage Carried forward from the West Lothian Local Plan – long-term aspiration.
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Westfield / Linlithgow #	P-105 Links to River Avon Heritage Trail for Torphichen and Westfield Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC LANDOWNER Indicative costs A: £42,000 B: Not available Funding source To be agreed	2020-2024	Proposal Stage / Initiation Stage A: Torphichen – designed and costed scheme. B: Westfield – link via the former railway viaduct deemed too expensive; feasibility on alternative timber bridge near the sewage works under consideration.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
South Livingston / Harperigg #	P-106 Linhouse Valley to the Pentland Hills – via Almondell & Calderwood Country Parks Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC LANDOWNER Indicative cost Not available Funding source To be agreed	Beyond 2024	Proposal Stage Details to be confirmed
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Armadales/ Whitburn	P-107 Cycle route link parallel to B8084 between Whitdale Roundabout and Armadale Railway Station Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC Sustrans LANDOWNER Indicative cost £100,000 Funding source Sustrans	2020-2024	Proposal Stage Funding secured from Sustrans, Community Links and West Lothian Council. Land ownership issues have caused delays. Designed and costed CPO in support of route concluded early 2018.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Linlithgow/ Blackness	<p>P-108 Cycle route at A803 from Linlithgow to the B903 for Blackness</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>Policy TRAN 3</p> <p>Policy ENV 8</p>	<p>WLC</p> <p>SUSTRANS</p> <p>LANDOWNER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>To be agreed</p>	2020-2024	<p>Initiation Stage</p> <p>Identified as a missing link to 'Round the Forth' Cycle Route in Local Active Travel Network Plan for Linlithgow (Active Travel Plan 2016-2021).</p>
Newton/South Queensferry	<p>P-109 Cycle route at A904 Newton to City of Edinburgh boundary</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>Policy TRAN 3</p> <p>Policy ENV 8</p> <p>SDP 2 Action Programme</p>	<p>WLC</p> <p>CITY OF EDINBURGH COUNCIL</p> <p>LANDOWNER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>To be agreed</p>	2020-2024	<p>Initiation Stage</p> <p>Details to be confirmed; potential cross-boundary project.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Livingston/ Wilkieston	<p>P-110 Strategic Cycle route parallel to A71 from Lizzie Brice's roundabout to Wilkieston</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>Policy TRAN 3</p> <p>Policy ENV 8</p> <p>SDP 2 Action Programme</p>	<p>WLC</p> <p>CITY OF EDINBURGH COUNCIL</p> <p>LANDOWNER</p> <p>SEStran</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>To be agreed</p>	2020-2024	<p>Proposal Stage</p> <p>Feasibility study on A71 active travel corridor carried out in 2016, funded by SEStran and City of Edinburgh Council and managed by West Lothian Council.</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Ecclesmachan/ Threemiletown	<p>P-111 Parallel cycle route by B8046 from Ecclesmachan to Threemiletown</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>Policy TRAN 3</p> <p>Policy ENV 8</p>	<p>WLC</p> <p>CSGNT</p> <p>LANDOWNERS</p> <p>THREEMILETOWN COMMUNITY COUNCIL</p> <p>Indicative cost</p> <p>£318,000</p> <p>Funding source</p> <p>Sustrans</p>	2020-2024	<p>Proposal Stage</p> <p>CSGNT and Ecclesmachan & Threemiletown Community Council have prepared a feasibility study with outline route and costs and are also in discussion with landowners; Council may promote access agreement with landowners.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<div>West Calder/ Harburn</div> <div>#</div>	<div> <div>P-112</div> <div>Cycle route parallel to B7008 West Calder (from Turniemoon crossroads) to Harburn</div> </div> <div>Policy Support</div> <div> <div>Policy INF 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> <div>Policy TRAN 3</div> <div>Policy ENV 8</div> </div>	<div> <div>WLC</div> <div>LANDOWNER</div> <div>WL Development Trust</div> </div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div>Funding sought from WL Development Trust (wind farm community benefit funds)</div>	<div>2020-2024</div>	<div>Proposal Stage</div> <div>WC Com Dev Trust access study has confirmed a route – design & outline cost but requires bridging of Harburn Water.</div>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<div>Linlithgow/ Bathgate</div> <div>#</div>	<div> <div>P-113</div> <div>Upgraded paths and improved accessibility to Beecraigs Country Park and Bathgate Hills – from Bathgate</div> </div> <div>Policy Support</div> <div> <div>Policy INF 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> <div>Policy TRAN 3</div> <div>Policy ENV 8</div> </div>	<div> <div>WLC</div> <div>LANDOWNER</div> </div> <div>Indicative cost</div> <div>Not available</div> <div>Funding source</div> <div>To be agreed</div>	<div>Beyond 2024</div>	<div>Initiation Stage</div> <div>Similar path links sought to the well-used off-road whin dust path from Linlithgow to Beecraigs parallel to Preston Road.</div> <div>It is likely that the improved access to Beecraigs will be supported through consultation on Bathgate Hills Quiet Roads Initiative.</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Bangour / Dechmont Bathgate Hills #	P-114 Off road pedestrian / cycle route at Drumcross / Blacklaw Ridge Road (Bathgate Hills Quiet Roads Initiative) Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC Sustrans Indicative cost Not available Funding source To be agreed	2014-2019 2020-2024	Consultation Stage The Quiet Roads Initiative was the subject of a public consultation in 2016. It is primarily a cycling strategy and access improvement initiative. Following the consultation it was agreed that a pilot area around Beecraigs should be established and that this would be progressed in 2018/19 subject to funding being available.
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Bathgate / Harthill	P-117 New strategic pedestrian & cycle route from Inchcross (Boghead) Roundabout, Bathgate along the A706 and B7066 at Whitburn towards Greenrigg/ Harthill Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8 SDP 2 Action Programme	WLC Sustrans LANDOWNER Indicative cost £300,000 Funding source Sustrans, Community Links and WLC	2014-2019 2020-2024	Funding Stage / Proposal Stage The project is being progressed in stages: Inchcross Roundabout west to Harthill still to be completed. Sustrans Community Links funding was obtained in principle for 50% of project costs in 2016/17. Further funding needs to be identified to match. Design complete; bid to Sustrans 2018-19 part funding / WLC

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Limefield Glen Walkway, Livingston / Polbeth	P-120 Strategic walking along east side of Limefield Glen eastern Polbeth to Alba Campus, Livingston Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 Policy TRAN 3 Policy ENV 8	WLC Sustrans Landowner Indicative cost Not available Funding source To be agreed	2020-2024	Funding Stage / Proposal Stage There has long been a desire to make this link however various routing and funding problems have delayed the project

LINLITHGOW & LINLITHGOW BRIDGE

Location	LDP Proposals Map Reference & Key Infrastructure Action required		Current Status / Action / Comments
Burghmuir	P-43 High amenity employment site, Burghmuir, Linlithgow ACTION NOT REQUIRED		Site removed from LDP by virtue of an examination modification.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
M9-J3 Westbound slip roads	<p>P-44 Westbound slip roads on the M9 at Burghmuir</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p> <p>SDP 2 Action Programme</p>	<p>TRANSPORT SCOTLAND</p> <p>DEVELOPERS (IN WEST LOTHIAN AND FALKIRK COUNCIL AREA)</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions</p>	<p>2014-2019</p> <p>2020 -2024</p> <p>Beyond 2024</p>	<p>Proposal Stage</p> <p>Related to initiatives to improve the air quality and amenity of Linlithgow High Street by reducing through traffic levels and ultimately improving local road network infrastructure. Supplementary Guidance on developer contributions towards transport infrastructure is to be prepared.</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
To south-west of M9-J3	<p>P-45 Coach Park & Ride facility</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions</p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Proposal Stage</p> <p>Related to initiatives to improve the air quality and amenity of Linlithgow High Street by reducing through traffic levels and improving management of commuter traffic.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Kettilstoun Mains Park	P-46 Provision of cycle track west of existing leisure centre Policy Support Policy ENV 21 Policy ENV 22	WLC Indicative cost Not available Funding source WLC	2014-2019 2020-2024	Initiation Stage Part of upgrade and expansion of Linlithgow Leisure Centre.
Location	LDP Proposals Map Reference & Key Infrastructure Action required			Current Status / Action / Comments
St Joseph's Primary School	P-47 School extension ACTION NOT REQUIRED			No longer considered feasible
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Linlithgow Town Centre #	P-115 Traffic management measures in Linlithgow town centre Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2	DEVELOPER Indicative cost Not available Funding source Developer contributions	2014-2019 2020-2024	Proposal Stage The traffic management measures to be taken forward to mitigate traffic flow issues in Linlithgow primarily relate to improvements at existing junctions highlighted in the Systra traffic modelling study. They are also related to initiatives to improve the air quality of Linlithgow High Street.

LIVINGSTON

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Gavieside CDA	<p>P-49 Provision of additional community / health facilities in support of West Livingston / Mossend CDA</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy HOU 7</p> <p>Policy TCR 2</p>	<p>DEVELOPER</p> <p>NHS Lothian</p> <p>West Lothian Health and Social Care Partnership</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions</p>	<p>Beyond 2024</p>	<p>Land Reservation / Proposal Stage</p> <p>Land identified for additional community and health facilities in the Gavieside CDA area in support of new housing development in West Livingston and Mossend CDA area.</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Adambrae	<p>P-50 Extension to cemetery</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC (main funder and Developer contributions)</p>	<p>2014-2019</p>	<p>Construction Stage</p> <p>Development is on site and at an advanced stage – laid out and partially in use.</p>

Location <div>Bellsquarry Primary School</div>	LDP Proposals Map Reference & Key Infrastructure Action required <div> <div>P-55</div> <div>School extension</div> <div>ACTION NOT REQUIRED</div> </div>		Current Status / Action / Comments <div>No longer required to support LDP allocations.</div>
Location <div>Carmondean Primary School</div>	LDP Proposals Map Reference & Key Infrastructure Action required <div> <div>P-56</div> <div>School extension</div> <div>ACTION NOT REQUIRED</div> </div>		Current Status / Action / Comments <div>No longer required to support LDP allocations.</div>
Location <div>Deans Primary School</div>	LDP Proposals Map Reference & Key Infrastructure Action required <div> <div>P-57</div> <div>School extension</div> <div>ACTION NOT REQUIRED</div> </div>		Current Status / Action / Comments <div>No longer required to support LDP allocations.</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Gavieside CDA	<p>P-58 Land safeguarding for new primary school associated with Gavieside CDA</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>£8,500,000</p> <p>Funding source</p> <p>Developer forward funding</p>	2020-2024	<p>Initiation Stage</p> <p>Phase 1 (to 231 capacity) Phase 2 (to 462 capacity)</p> <p>Educational infrastructure requirements under review to be confirmed for design work</p>
Howden St Andrew's Primary School	<p>P-59 School extension</p> <p>ACTION NOT REQUIRED</p>			<p>No longer required to support LDP allocations.</p>
Harrysmuir Primary School, Ladywell	<p>P-60 School extension</p>			<p>No longer required to support LDP allocations.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Livingston Village Primary School	P-61 School extension (in 2 phases) Policy Support Policy INF 1 Education Strategy (SG)	DEVELOPER Indicative cost Phase 1 Hall extension £490,000 Phase 2 Classroom extensions £300,000 Funding source Developer forward funding in full	Phase 1 2020-2024 Phase 2 2020-2024	Proposal Stage Educational infrastructure requirements agreed; design work commenced
Meldrum Primary School	P-62 School extension ACTION NOT REQUIRED			No longer required to support LDP allocations.
St John Ogilvie's Primary School	P-64 School extension ACTION NOT REQUIRED			No longer required to support LDP allocations.

<div>Location</div> <div>James Young High School</div>	<div>LDP Proposals Map Reference & Key Infrastructure Action required</div> <div><div>P-66</div><div>School extension</div><div>ACTION NOT REQUIRED</div></div>		<div>Current Status / Action / Comments</div> <div>No longer required to support LDP allocations.</div>	
<div>Location</div> <div>Deans Community High School, Eastwood Park</div>	<div>LDP Proposals Map Reference & Key Infrastructure Action required</div> <div><div>P-67</div><div>School extension (1,270 capacity increase)</div></div> <div>Policy Support</div> <div><div>Policy INF 1</div><div>Education Strategy (SG)</div></div>	<div>Responsibility / involvement / Finance</div> <div>DEVELOPERS</div> <div>Indicative cost</div> <div>£3,000,000</div> <div>Funding source</div> <div>Developer contributions</div>	<div>Timescale</div> <div>Beyond 2024</div>	<div>Current Status / Action / Comments</div> <div>Initiation Stage</div> <div>Educational infrastructure requirements under review & to be confirmed to inform design work</div>
<div>Location</div> <div>St Margaret's Academy</div>	<div>LDP Proposals Map Reference & Key Infrastructure Action required</div> <div><div>P-68</div><div>School extension</div><div>ACTION NOT REQUIRED'</div></div>		<div>Current Status / Action / Comments</div> <div>No longer considered feasible</div>	
<div>Location</div> <div>Mid Calder Primary School</div>	<div>LDP Proposals Map Reference & Key Infrastructure Action required</div> <div><div>P-69</div><div>Extension to provide for nursery accommodation</div><div>ACTION NOT REQUIRED'</div></div>		<div>Current Status / Action / Comments</div> <div>No longer required to support LDP allocations.</div>	

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
South Murieston	P-101 Distributor Road Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2	DEVELOPER Indicative cost Not available Funding source Developer contributions	2020-2024	Initiation Stage Road required for access to sites H-LV 35 & E-LV 46. Specific consideration to be given to providing for the needs of pedestrians, cyclists and access to public transport. Alignment of distributor road is subject to change to reflect planning consent for site H-LV 35 and any future planning consent for site E- LV 46.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Various – West Livingston / Mossend CDA Areas shown within orange dashed lines on Proposals Map #	Other proposals linked to West Livingston / Mossend CDA see LDP Appendix 2 - <i>Housing Land Site Delivery Requirements</i> Policy Support Policy INF 1 Policy CDA 1 Policy ENV 34	Developer Indicative cost Various – not available Funding source Developer contributions	2014-2019 2020-2024 Beyond 2024	Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas.</i>

'Track Changed' version showing revisions made in response to the consultation exercise.

PUMPHERSTON

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Pumpherston and Uphall Station Community Primary School, Drumshoreland Road	P-71 School extension (2 further phases) Policy Support Policy INF 1 Education Strategy (SG)	WLC DEVELOPERS Indicative cost Not available Funding source WLC and Developer contributions	2014-2019 2020-2024	Proposal Stage Phase 2 (to 360 capacity) Phase 3 (to 462 capacity)

WEST CALDER & HARBURN


Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
West Calder Railway Station	P-75 Bus interchange and parking at West Calder rail station (associated with Mossend / Cleugh Brae CDA) Policy Support Policy INF 1 Policy CDA 1 Policy TRAN 1	DEVELOPER NETWORK RAIL SCOTRAIL Indicative cost Not available	2019-2024	Proposal Stage

	<div>Policy TRAN 2</div> <div>SDP 1 Action Programme</div>	Funding source <div>Developer contributions</div>		
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Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<div>Mossend / Cleugh Brae / Gavieside CDA</div>	<div> P-76 <div>Road reservation - road corridor linked to Mossend / Cleugh Brae / Gavieside CDA requirements</div> </div> <div> Policy Support <div>Policy INF 1</div> <div>Policy CDA 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> </div>	<div> <div>DEVELOPER</div> <div>NETWORK RAIL</div> <div>SCOTRAIL</div> </div> <div> Indicative cost <div>Not available</div> </div> <div> Funding source <div>Developer contributions</div> </div>	<div>2019-2024</div>	<div>Proposal Stage</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<div>Parkhead Primary School, Harburn Road</div>	<div> P-77 <div>Further school extension</div> </div> <div> Policy Support <div>Policy INF 1</div> <div>Policy CDA 1</div> <div>Education Strategy (SG)</div> </div>	<div> <div>WLC</div> </div> <div> Indicative cost <div>Not available</div> </div> <div> Funding source <div>WLC and Developer contributions</div> </div>	<div>Beyond 2024</div>	<div>Initiation Stage</div> <div>Educational infrastructure requirements under review & to be confirmed to inform design work</div>

Location	LDP Proposals Map Reference & Key Infrastructure Action required		Current Status / Action / Comments
West Calder	<div>P-78</div> <div>New primary school</div> <div>ACTION NOT REQUIRED</div>		Duplication of proposal P-58 Gavieside

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Various – West Livingston / Mossend Areas shown within orange dashed lines on Proposals Map 	<div>Other proposals linked to West Livingston / Mossend CDA see LPD Appendix 2 - <i>Housing Land Site Delivery Requirements</i></div> <div> Policy Support <div>Policy INF 1</div> <div>Policy CDA 1</div> <div>Policy ENV 34</div> </div>	<div>Developer</div> <div> Indicative cost <div>Various – not available</div> </div> <div> Funding source <div>Developer contributions</div> </div>	2014-2019	Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas.</i>

WESTFIELD

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Westfield	<p>P-80 New primary school</p> <p>Policy Support</p> <p>Policy INF 1 Education Strategy (SG)</p>	<p>WLC DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC and Developer contributions</p>	2020-2024	<p>Initiation Stage</p> <p>Educational infrastructure requirements under review & to be confirmed to inform design work</p>

WHITBURN

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Armada Road/East Main Street	<p>P-81 Re-development of the Burgh Halls site as partnership centre to include Library, CIS, Museum and Housing. Community space for events and meetings</p> <p>Policy Support</p>	<p>WLC</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p>	2014-2019	<p>Construction Stage</p> <p>Scheduled to open Autumn 2019</p>

	Policy INF 1 Policy HOU 7 Policy TCR 2	WLC		
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Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Cowhill	P-83 Express coach service, with associated Park & Ride Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2 SDP 1 Action Programme SDP 2 Action Programme	DEVELOPER Indicative cost To be procured by developer Funding source Developer funded	2014-2019 2020-2024	Initiation Stage Land identified; requirement of outline consent for the Heartlands development



Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
A706 - B7066 link, Polkemmet	P-84 Land safeguarded for road corridor Policy Support Policy INF 1 Policy TRAN 1 Policy TRAN 2	DEVELOPER Indicative cost Not available Funding source Developer funded	2014-2019 2020-2024	Land Reservation / Proposal Stage

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Blaeberryhill Road	<p>P-85 Land safeguarded for southern extension of cemetery</p> <p>Policy Support</p> <p>Policy INF 1</p>	<p>WLC</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC</p>	Beyond 2024	Land Reservation / Proposal Stage

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
St Joseph's Primary School, Gateside Road	<p>P-86 Replacement school with extended capacity</p> <p>Policy Support</p> <p>Policy INF 1 Education Strategy (SG)</p>	<p>WLC DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC and Heartlands developer</p>	Beyond 2024	<p>Initiation Stage</p> <p>Educational infrastructure requirements under review & to be confirmed to inform design work</p> <p>Replacement school may be delivered as Phase 1 with capacity increase delivered as Phase 2.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Heartlands, Polkemmet	P-87 New primary school Policy Support Policy INF 1 Education Strategy (SG)	WLC DEVELOPER Indicative cost Not available Funding source WLC	Beyond 2024	Initiation Stage Educational infrastructure requirements under review & to be confirmed to inform design work

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Heartlands Croftmalloch Primary School or Polkemmet Primary School ⌘	NP-123 Primary school extension NEW ACTION – Action Programme 2018 Edition Policy Support Policy INF 1 Education Strategy (SG)	DEVELOPER Indicative cost Not available Funding source Heartlands developer	Beyond 2024	Initiation Stage Educational infrastructure requirements under review & to be confirmed to inform design work

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Whitburn Areas shown within orange dashed lines on Proposals Map 	<div>  <p>Other Projects arising from Whitburn Charrette e.g. shopfront improvements, public realm enhancements, gap site development, strategic footpath, greenway and associated environmental improvements.</p> </div> <p>Policy Support</p> <div> <div>Policy INF 1</div> <div>Policy CDA 1</div> <div>Policy ENV 34</div> </div>	<div>Developer / others</div> <p>Indicative cost</p> <div>Various – not available</div> <p>Funding source</p> <div>Further information required</div>	2014-2024	Refer to Chapter 6 of the LDP, <i>Development Proposals by Settlement</i>

WILKIESTON

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
North of Wilkieston	<div> <div>P-88</div> <p>A71 Bypass; relief road north of Wilkieston (linked to Calderwood CDA).</p> </div> <p>Policy Support</p> <div> <div>Policy INF 1</div> <div>Policy TRAN 1</div> <div>Policy TRAN 2</div> </div>	<div>DEVELOPER</div> <p>Indicative cost</p> <div>Not available</div> <p>Funding source</p> <div>Developer contributions</div>	2020-2024	Proposals Stage

WINCHBURGH

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Auldcathie Landfill site	<p>P-89 Alternative site for golf course as restoration/ after-use for Auldcathie landfill site.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy ENV 21</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions / other sources to be sought</p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Proposal Stage</p> <p>An application (0033/FUL/07) has previously granted for recreational uses, site investigation, strategy for restoration which has now lapsed; new planning application anticipated during 2018.</p> <p>Consultation for a proposed district park is anticipated in August 2018 (0262/PAC/18).</p> <p>A planning application was lodged in November 2018 for the formation of a district park on the site of the former Auldcathie landfill site (1123/FUL/18)</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
M9 at Duntarvie	<p>P-90 Land reservation for new motorway junction on the M9.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>SDP 1 Action Programme</p> <p>SDP 2 Action Programme</p>	<p>DEVELOPER</p> <p>TRANSPORT</p> <p>SCOTLAND</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions</p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Land Reservation / Proposal Stage</p> <p>Developers In active discussion with Scottish Government; scheduling of works not agreed.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA	<p>P-91 Land reservation for rail station and associated park and ride.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p> <p>SDP 1 Action Programme</p> <p>SDP 2 Action Programme</p>	<p>DEVELOPER</p> <p>NETWORK RAIL</p> <p>TRANSPORT SCOTLAND</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Fully developer funded</p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Land Reservation / Proposal Stage</p> <p>Land reserved in advanced masterplan.</p> <p>Business case approved by Transport Scotland / Network Rail; agreement between Network Rail and Transport Scotland to deliver; timetabled into Network Rail programme</p> <p>Proposals – designs being advanced</p>
<p>Winchburgh CDA (South of Glendevon/west of Faucheldean)</p> <p>♦ P-17 and P-92 are combined on proposals Map 2</p>	<p>P-92 Distributor road in association with Broxburn CDA.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy TRAN 1</p> <p>Policy TRAN 2</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions / Scottish Government funding sought</p>	<p>2014-2019</p> <p>2020-2024</p> <p>Post 2024</p>	<p>Proposal Stage</p> <p>See P-17 for further details</p> <p>Specific consideration to be given to providing for the needs of pedestrians, cyclists and access to public transport.</p>

'Track Changed' version showing revisions made in response to the consultation exercise.

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA	<p>P-93 Land reservation for community / health service uses as part of Winchburgh CDA town centre.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy HOU 7</p> <p>Policy TCR 2</p>	<p>DEVELOPER</p> <p>NHS Lothian</p> <p>WLC</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions / other funding sought</p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Land Reservation / Proposal Stage</p> <p>Land Reservation – identified site within town centre to be transferred to developers</p> <p>Proposal Stage – negotiations are ongoing between NHS Lothian & WLC regarding the provision of facilities required; requirements still to be fully defined with additional medical facilities forming a key part of proposals</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA	<p>P-94 Land reservation for proposed Partnership Centre</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy HOU 7</p> <p>Policy TCR 2</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p></p> <p>Funding source</p> <p></p>	<p>2014-2019</p> <p>2020-2024</p>	<p>Land Reservation / Initiation Stage</p> <p>Community facilities primarily considered as part of proposed partnership centre will where appropriate be included in new education provision facilities.</p> <p>Amalgamated with action P-93 above.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA	<p>P-95 Land safeguarded for extension to cemetery.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p>	<p>WLC</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>WLC</p>	Beyond 2024	Land Reservation / Proposal Stage

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
<p>Winchburgh CDA</p> <p>♦ See Glendevon, east & central areas on LDP Map 2</p>	<p>P-96 3 new neighbourhood centres</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Policy HOU 7</p> <p>Policy TCR 2</p>	<p>DEVELOPER</p> <p>NHS Lothian</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Developer contributions</p>	<p>2019-2024</p> <p>Beyond 2024</p>	<p>Proposal Stage</p> <p>The three neighbourhood centres are indicated on the 2015 masterplan for Winchburgh village and are integral to the layout approach. So far development has focused on the central area with environmental improvements and building refurbishments for the traditional high street area. In addition a new supermarket has been delivered in the designated town centre area.</p> <p>Delivery of further neighbourhood uses for the identified west and east local centres will be delivered in sync with subsequent phases of development.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA	<p>P-97(a) Joint new high school (Denominational) – to be built in 2-4 phases.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy SG</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Phase 1 £25,000,000</p> <p>Funding source</p> <p>Developer contributions / WLC borrowing / City Deal guarantee / forward funding</p>	2020-2024	Procurement Stage
	<p>LDP Proposals Map Reference & Key Infrastructure Action required</p> <p>P-97(b) Joint new high school (Non-denominational) – to be built in 2-4 phases.</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy SG</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>Phase 1 £25,000,000</p> <p>Funding source</p> <p>Developer contributions / WLC borrowing / City Deal guarantee / forward funding</p>	2020 - 2024	Procurement Stage

Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA, Glendevon Area	<p>P-98 New primary school (built in 2-3 phases).</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>DEVELOPER</p> <p>Indicative cost</p> <p>Not available</p> <p>Funding source</p> <p>Fully developer funded</p>	Beyond 2024	<p>Land Reservation</p> <p>Phased with build out of CDA housing areas</p>
Location	LDP Proposals Map Reference & Key Infrastructure Action required	Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Holy Family Primary School, Glendevon Park, Winchburgh CDA	<p>P-100 School extension (2-3 phases)</p> <p>Policy Support</p> <p>Policy INF 1</p> <p>Policy CDA 1</p> <p>Education Strategy (SG)</p>	<p>WLC</p> <p>DEVELOPER</p> <p>Indicative cost</p> <p>£8,500,000</p> <p>Funding source</p> <p>WLC and Developer contributions</p>	2020-2024	<p>Proposal Stage</p> <p>Phase 1 (to 231 capacity) Phase 2 (to 360 capacity) Phase 3 (to 462 capacity)</p> <p>Phase 1 projected start in 2021</p> <p>School relocation and extension on new site to be confirmed in due course.</p>

Location	LDP Proposals Map Reference & Key Infrastructure Action required		Responsibility / involvement / Finance	Timescale	Current Status / Action / Comments
Winchburgh CDA Areas shown within orange dashed lines on Proposals Map #		Other proposals linked to Winchburgh CDA see LPD Appendix 2 - <i>Housing Land Site Delivery Requirements</i>	Developer Indicative cost Various – Not available Funding source Developer contributions	2014 - 2024	Refer to Appendix 2 of LDP - <i>Requirements for infrastructure, local facilities and amenities for housing proposals in Core Development Areas.</i>
	Policy Support Policy INF 1 Policy CDA 1 Policy ENV 34				

■ Schedule 2 – Key Infrastructure Actions allied with Housing Land Allocations

This section of the Action Programme contains actions for each LDP housing allocation and indicates three delivery periods; 2014 - 2019, 2020 - 2024 and 2025 - 2029. It is however the case that the council anticipates that any site identified in the Action Programme can assist to maintain the effective 5 year supply of housing land.

In addition to the specific site requirements listed in this Schedule it should be noted that:

For all housing sites in West Lothian there is a requirement for developers to make financial contributions towards:

- the cost of providing a new **Denominational Secondary school** in accordance with approved SG.
- the cost of **cemetery provision** in accordance with approved SG;
- the provision of **public art** in accordance with approved SG (with the exception of those sites that are being explicitly developed for affordable housing, or comprise less than 10 units)
- the provision of **open space** in accordance with approved Residential Development Guide SG (with the exception of those sites comprising less than 10 dwellings or 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 cost of **school infrastructure and/or increasing capacity** (except where properties have less than three habitable rooms).
Developers are also required to fund school commissioning costs in situations where a new school or an extension to a school is required.

For all housing sites in West Lothian **in the previously designated Core Development Areas** (identified with an asterisk) there are additional requirements for developers to contribute to the payment and delivery of necessary infrastructure:

- sustainable transport initiatives, including:
 - funds to subsidise new bus services;
 - funds for school transport costs in circumstances where children will have to be bussed to school pending the construction of a new school or the extension of an existing school;
 - provision of bus shelters;

- contributions to funds to assist with the implementation of proposals arising from public transport
- road corridor studies.

- provision of electricity, gas, digital ducting and other utilities, i.e. serviced land;
- upgrading of existing road junctions/improvements to existing road network/ road signage;
- traffic management initiatives including provision of traffic calming, e.g. pelican crossings;
- closure or redetermination of existing roads where appropriate; and
- water and drainage provision (including sustainable urban drainage systems)
- local facilities and amenities, including
 - land for community facilities, e.g. Partnership Centre and libraries;
 - funds for town centre improvements in adjacent/host communities (i.e. Armadale, Winchburgh, Broxburn, West Calder, Polbeth, East Calder);
 - serviced employment land;
 - woodland planting to implement Green Network objectives;
 - management of existing trees and woodlands;
 - open space provision and indoor and outdoor sports facilities in accordance with approved strategies of the council;
 - provision of public art and commuted sums for future maintenance; and
 - recycling facilities.

In many instances these contributions and requirements are regulated by bespoke Section 75 legal Agreements which, together with the conditions of the relevant planning permission, provide a comprehensive and definitive source of guidance.

ADDIEWELL & LOGANLEA								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-AD 1	Muirhousedykes Mains	Full planning permission granted 11/01/11 (0829/FUL/10) Development commenced but has not been completed.	Preparation of SG on Education.	WLC	X	X	X	Development has stalled and requires to be re-commenced in accordance with approved planning permission.
H-AD 2	Meadowhead Avenue (North)	No permission	Developer contributions required towards the enhancement of local park provision at Loganlea Park.	Developer	X	X	X	
			Implementation of enhancement works to local park.	WLC		X	X	
			Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			Preparation of SG on Education.	WLC	X			
H-AD 3	Loganlea Road	No permission	Limited capacity at East Calder waste water treatment works and early discussion with	Developer/ Scottish Water		X		

			Scottish Water required. Preparation of SG on Education.	WLC	X			
H-AD 4	Loganlea Crescent/Place	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Unadopted section of Loganlea Place requires to be upgraded. Preparation of SG on Education.	Developer/ Scottish water Developer WLC		X X X		

ARMADALE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-AM 1	Muirfield, North Street	No permission	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG. Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer Developer	X X	X X	X X	Armadale Primary School undercroft extension completed August 2013 Southdale School extension Phase 1A completed August 2016 Southdale School extension Phase 1B completed August 2018 St Anthony's primary school extension completed August 2016

			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.		X			
H-AM 3	Nelson Park/Mallace Avenue	Planning permission granted 03/07/2015 (824/FUL/15) Planning guidelines have been prepared for the development of this site.	Preparation of SG on Transportation Infrastructure. Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	WLC Developer	X X			Extension at Armadale Academy completed August 2009 Southdale School extension Phase 1A completed August 2016

			Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	St Anthony's primary school extension completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
H-AM 4	High Academy Street (former nursery)	Planning permission granted 01/07/2013 (0403/08)	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Developer contributions	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
								Southdale School

			required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.					extension Phase 1B completed August 2018
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	St Anthony's primary school extension completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			

H-AM 5*	Colinshiel (Site A)	No permission	Provision of a new link road to the A89 to facilitate access to sites H-AM 5 and H-AM 6.	Developer		X		
			Developer contributions required towards dualling the A801 between	Developer	X	X	X	

			Boghead Roundabout and M8 Junction 4 in accordance with SG.					
			Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4.	WLC		X		
			Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer	X	X	X	
			Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer/ WLC		X	X	
			Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC		X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armada Academy) in accordance with SG.	Developer	X	X	X	Armada Primary School undercroft extension completed August 2013
			Developer contributions required towards the	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
								Southdale School

			extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.					extension Phase 1B completed August 2018
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	St Anthony's primary school extension completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	

			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	
			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.	Developer				
			A management plan shall be prepared for Colinshiel Wood.	Developer		X		
H-AM 6*	Colinshiel (Site B)	No permission	Provision of a new link road to the A89 to facilitate access to sites H-AM 5 and H-AM 6.	Developer		X		
			Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG.	Developer	X	X	X	
			Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4.	WLC		X		
			Developer contributions required towards a new distributor road network serving the southern expansion of the town	Developer	X	X	X	

			linking Lower Bathville, A801 and B8084.					
			Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer/ WLC		X	X	
			Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC		X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	

			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	
			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and	Developer				

			Standhill areas. A management plan shall be prepared for Colinshiel Wood.	Developer		X		
H-AM 7*	Tarrareoch (Southdale Meadows)	Planning permission granted 23/06/14 (0073/MSC/14)						Development completed
H-AM 8*	Tarrareoch Remainder	Planning permission in principle granted 22/11/10 (1044/P/08)	Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG. Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4. Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084. Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084. Provision of a network of pedestrian and cycleway	Developer WLC Developer Developer/ WLC Developer /WLC	X X	X X	X X	

			links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.					
			Developer contributions required towards the extension of the non-denominational secondary school (Armada Academy) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Armada Primary School undercroft extension completed August 2013
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Delivery of the extension of the non-denominational Eastertoun primary	Developer/WLC		X		St Anthony's primary school extension completed August 2016
								Extension at Armada Academy completed August 2009

			school, Armadale.					
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	
			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.	Developer				
			A management plan shall be prepared for Colinshiel Wood.	Developer		X		
			Land to be transferred to the council and payment of endowment to facilitate a park and ride facility south of Armadale	Developer		X	X	

			<p>railway station in accordance with legal agreement.</p> <p>Delivery of park and ride facility south of Armadale railway station.</p>	WLC		X	X	
H-AM 9*	Netherhouse, Phase1, R1A (East Ferrier Path)	Planning permission granted) 15/03/2011 (0814/FULL/11)						Development completed
H-AM 10*	Netherhouse, Phase1, R1B West (Hanlin Park)	Planning permission granted) 15/03/2011 (0814/FULL/11)						Development completed
H-AM 11*	Netherhouse (Ferrier Way)	Planning permission granted 23/06/14 (0186/MS/14)						Development completed
H-AM 12*	Standhill (North)	No permission	<p>New roundabout on A89 required to access site</p> <p>Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG.</p> <p>Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4.</p>	<p>Developer</p> <p>Developer</p> <p>WLC</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	

		Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer	X	X	X	
		Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer/ WLC		X	X	
		Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC	X	X	X	
		Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Armadale Primary School undercroft extension completed August 2013
		Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016 Southdale School extension Phase 1B completed August 2018
		Developer contributions required towards the extension of the non-	Developer	X	X	X	St Anthony's primary school extension

			denominational Southdale primary school, Armadale in accordance with SG.					completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	

			<p>Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.</p> <p>A management plan shall be prepared for Colinshiel Wood.</p> <p>Land to be transferred to the council and payment of endowment to facilitate a park and ride facility south of Armadale railway station in accordance with legal agreement.</p> <p>Delivery of park and ride facility south of Armadale railway station.</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p> <p>WLC</p>		<p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p>	
H-AM 13*	Standhill (South)	Planning permission granted 23/11/17 (0047/FUL/16)						Development completed
H-AM 14*	Trees Farm	Planning permission in principle granted 22/11/10 (1044/P/08)	<p>Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG.</p> <p>Delivery of dualling the A801 between Boghead Roundabout and M8</p>	<p>Developer</p> <p>WLC</p>	<p>X</p>	<p>X</p> <p>X</p>	<p>X</p>	

			Junction 4.					
			Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer	X	X	X	
			Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer/ WLC		X	X	
			Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC	X	X	X	
			Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Armadale Primary School undercroft extension completed August 2013
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Developer contributions	Developer	X	X	X	St Anthony's primary school extension completed August 2016

			required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.					
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	
			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.	Developer				

			<p>A management plan shall be prepared for Colinshiel Wood.</p> <p>Land to be transferred to the council and payment of endowment to facilitate a park and ride facility south of Armadale railway station in accordance with legal agreement.</p> <p>Delivery of park and ride facility south of Armadale railway station.</p>	<p>Developer</p> <p>Developer</p> <p>WLC</p>		<p>X</p> <p>X</p> <p>X</p>	<p></p> <p>X</p> <p>X</p>	
H-AM 15*	Lower Bathville	<p>Planning permission in principle granted</p> <p>15/01/2013 (0191/P/09)</p>	<p>Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG.</p> <p>Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4.</p> <p>Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.</p> <p>Delivery of a new distributor road network serving the southern</p>	<p>Developer</p> <p>WLC</p> <p>Developer</p> <p>Developer/ WLC</p>	<p>X</p> <p></p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p></p> <p>X</p>	

		expansion of the town linking Lower Bathville, A801 and B8084.					
		Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC	X	X	X	
		Developer contributions required towards the extension of the non-denominational secondary school (Armada Academy) in accordance with SG.	Developer	X	X	X	Armada Primary School undercroft extension completed August 2013
		Developer contributions required towards the extension of the non-denominational Eastertown primary school, Armada in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
		Developer contributions required towards the extension of the non-denominational Southdale primary school, Armada in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
		Developer contributions required towards the extension of the denominational St Anthony's primary school, Armada in accordance	Developer	X	X	X	St Anthony's primary school extension completed August 2016
							Extension at Armada Academy completed August 2009

			with SG.					
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	
			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.	Developer				
			A management plan shall be prepared for Colinshiel Wood.	Developer		X		

			Land to be transferred to the council and payment of endowment to facilitate a park and ride facility south of Armadale railway station in accordance with legal agreement.	Developer		X	X	
			Delivery of park and ride facility south of Armadale railway station.	WLC		X	X	
H-AM 16	Mayfield Drive	Planning permission granted 18-08-15 (0444/FUL/15)	Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Armadale Primary School undercroft extension completed August 2013
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Delivery of the extension of the non-denominational Eastertoun primary	Developer/ WLC		X		St Anthony's primary school extension completed August 2016
								Extension at Armadale Academy completed August 2009

			school, Armadale. Preparation of SG on Education.	WLC	X			
H-AM 17	Drove Road	No permission	Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Armadale Primary School undercroft extension completed August 2013
			Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer		X		St Anthony's primary school extension completed August 2016
			Preparation of SG on Education.	WLC	X			Extension at Armadale Academy completed August 2009
H-AM 18	Stonerigg Farm	Planning permission in principle granted	Developer contributions required towards the extension of the non-	Developer	X	X	X	This site is owned by WLC and is held on the Housing Revenue Account with the potential for being developed for a future phase of council house building.
								Armadale Primary School undercroft extension

		03/08/15 (0542/P/12)	<p>denominational Eastertoun primary school, Armadale in accordance with SG.</p> <p>Developer contributions required towards the extension of the non-denominational Southdale primary school, Armadale in accordance with SG.</p> <p>Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.</p> <p>Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.</p> <p>Preparation of SG on Education.</p>	<p>Developer</p> <p>Developer</p> <p>Developer/ WLC</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>completed August 2013</p> <p>Southdale School extension Phase 1A completed August 2016</p> <p>Southdale School extension Phase 1B completed August 2018</p> <p>St Anthony's primary school extension completed August 2016</p> <p>Extension at Armadale Academy completed August 2009</p>
H-AM 19*	Tarrareoch Farm	Planning permission in principle granted 15/01/2013 (0191/P/09)	<p>Developer contributions required towards dualling the A801 between Boghead Roundabout and M8 Junction 4 in accordance with SG.</p> <p>Delivery of dualling the A801 between Boghead Roundabout and M8 Junction 4.</p>	<p>Developer</p> <p>WLC</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	

			Developer contributions required towards a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer	X	X	X	
			Delivery of a new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084.	Developer/ WLC		X	X	
			Provision of a network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside.	Developer /WLC	X	X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Armadale Primary School undercroft extension completed August 2013
			Developer contributions required towards the extension of the non-denominational Eastertoun primary school, Armadale in accordance with SG.	Developer	X	X	X	Southdale School extension Phase 1A completed August 2016
			Developer contributions required towards the extension of the non-	Developer	X	X	X	Southdale School extension Phase 1B completed August 2018
			Developer contributions required towards the extension of the non-	Developer	X	X	X	St Anthony's primary school extension completed August 2016
			Developer contributions required towards the extension of the non-	Developer	X	X	X	Extension at Armadale Academy completed

			denominational Southdale primary school, Armadale in accordance with SG.					August 2009
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.	Developer	X	X	X	
			Delivery of the extension of the non-denominational Eastertoun primary school, Armadale.	Developer/ WLC		X		
			Preparation of SG on Education.	WLC	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Enhancement of open space at Black Moss between Avondale Drive and Upper Bathville and the formation of community woodland on western edge of Armadale.	Developer		X	X	
			Woodland planting adjacent to A801, to north and east of mixed use allocation at Colinshiel and on the west edge of the allocations at Standhill.	Developer		X	X	

			Extension of Armadale Round Town Walk (re-named Davie Kerr Heritage Trail) into both the Colinshiel and Standhill areas.	Developer				
			A management plan shall be prepared for Colinshiel Wood.	Developer		X		
			Land to be transferred to the council and payment of endowment to facilitate a park and ride facility south of Armadale railway station in accordance with legal agreement.	Developer		X	X	
			Delivery of park and ride facility south of Armadale railway station.	WLC		X	X	

BATHGATE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H- BA 1	Balmuir Road (Former Woodthorpe Garden Centre)	Planning permission granted 06/01/2010 (0128/ARM/08) Expired permission	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG. Preparation of SG on Education.	Developer WLC	X X	X	X	Extension at Armadale Academy completed August 2009 Extension at Simpson primary school completed Extension at Boghall primary school completed

			Developer contributions required towards the cost of non-denominational primary school infrastructure.					Extension at Balbardie primary school completed Extension at Windyknowe primary school completed
H- BA 2	Wester Inch (land to east of Meikle Lane)	Planning permission granted 10/03/15 (0803/MS/14)	Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education. Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer Developer/ WLC WLC Developer	X X X	X X	X X	Extension at Simpson primary school completed Extension at Boghall primary school completed Extension at Balbardie primary school completed Extension at Windyknowe primary school completed
H-BA 3	Standhill (Site A Inchcross Grange)	Planning permission granted 20/11/12 (0841/MS/11)						Development completed
H-BA 4	Standhill (Site B) Inchcross Grange)	Planning permission granted 03/05/16 (0824/MS/14)						Development completed

H- BA 5	Napier Avenue	Planning permission granted 28/08/13 (0614/FUL/08)	Developer contributions required towards the enhancement of the local park.	Developer	X	X	X	Extension at Simpson primary school completed
			Implementation of enhancement works to local park.	WLC		X	X	Extension at Boghall primary school completed
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.	Developer	X	X	X	Extension at Balbardie primary school completed
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			Extension at Windyknowe primary school completed
			Preparation of SG on Education.	WLC	X			
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	
H- BA 6	Eastoun Road/Balmuir Road (Sibcas site)	Planning permission granted 02/12/05 (1335/04) Planning permission has been validated by minimal engineering works having	Developer contributions required towards the enhancement of the local park.	Developer	X	X	X	
			Implementation of enhancement works to local park.	WLC		X	X	
			Preparation of SG on Education.	Developer	X			

		been implemented.						
H- BA 7	Little Boghead Remainder	No permission	Developer contributions required towards the enhancement of existing park/play facilities.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Implementation of enhancement works to local park/play facilities.	WLC		X	X	Extension at Simpson primary school completed
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Extension at Boghall primary school completed
			Preparation of SG on Education.	WLC	X			Extension at Balbardie primary school completed
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	Extension at Windyknowe primary school completed
H-BA 8	Wester Inch, Area S	Planning permission granted 12/03/14 (0813/MS/13)						Development completed
H-BA 9	Wester Inch, Area X,Y,Z, & AA (Wester Grove and The Lays)	Planning permission granted 22/01/08 (0102/ARM/07)						Development completed

H-BA 10	Wester Inch, Areas U & V (Queen's Gait and Reiver Grange)	Planning permission granted 04/12/13 (0608/MSC/12)						Development completed
H-BA 11	Wester Inch, Phase 3	Planning permission granted 15/05/15 (0151/MSC/15)						Development completed
H- BA 12	Main Street	Planning permission granted (0217/02) Expired permission	Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education.	Developer Developer/ WLC WLC	X X X	X	X	
H- BA 13	Jarvey Street	Planning permission granted 23/08/16 (0645/FUL/15))	Developer contributions required towards the enhancement of existing Balbardie Park of Peace and improve access. Implementation of enhancement works to local park facilities. Developer contributions required towards the extension of the non-denominational	Developer WLC Developer	X X		X X	Development at an advanced stage

			secondary school (Bathgate Academy) in accordance with SG.					
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer	X			
			Preparation of SG on Education.	WLC	X			
H-BA 14	Windyknowe, Glasgow Road (East)	Planning permission granted 11/05/15 (0150/MS)						Development completed
H- BA 15	Windyknowe, Glasgow Road (West)	No permission	Developer contributions required towards the enhancement of existing Balbardie Park of Peace and to improve access.	Developer	X	X	X	
			Implementation of enhancement works to local park facilities.	WLC		X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Preparation of SG on	WLC	X			Extension at Simpson primary school completed Extension at Boghall primary school completed

			Education. Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	Extension at Balbardie primary school completed Extension at Windyknowe primary school completed
H- BA 16	Whitburn Road (Site A) (former foundry)	Planning permission granted 20/09/13 (0748/MS/12)	Developer contributions required towards the enhancement of the local park.	Developer	X	X	X	
			Implementation of enhancement works to local park facilities.	WLC		X	X	
			An extension to Wester Inch Primary School may be required in order to meet forecasted capacity.	Developer	X	X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	
			Preparation of SG on Education.	WLC	X			
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	
								Extension at Armadale Academy completed August 2009 Extension at Simpson primary school completed Extension at Boghall primary school completed Extension at Balbardie primary school completed Extension at Windyknowe primary school completed

H- BA 17	Whitburn Road (Site B) (former foundry)	Planning permission granted 10/03/04 (1119/P/03)	Developer contributions required towards the enhancement of the local park.	Developer	X	X	X	Extension at Armadale Academy completed August 2009 Extension at Simpson primary school completed Extension at Boghall primary school completed Extension at Balbardie primary school completed Extension at Windyknowe primary school completed
			Implementation of enhancement works to local park facilities.	WLC		X	X	
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	
			Preparation of SG on Education.	WLC	X			
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	
H- BA 18	9 Hardhill Road (former Creamery garage)	Planning permission granted 21/05/18 (0635/FUL/16)	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Application granted on appeal on 21/05/18 Extension at Armadale Academy completed August 2009
			Preparation of SG on Education.	WLC	X			Extension at Simpson primary school completed
			Developer contributions required towards the cost of non-denominational primary school	Developer		X	X	Extension at Boghall primary school completed Extension at Balbardie primary school completed

			infrastructure.					Extension at Windyknowe primary school completed
H- BA 19	Bloomfield Place	Planning application undetermined (0940/FUL/15)	Developer contributions required towards the enhancement of the local park.	Developer		X	X	Current undetermined application
			Implementation of enhancement works to local park facilities.	WLC	X	X	X	Extension at Simpson primary school completed
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.	Developer	X			Extension at Boghall primary school completed
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			Extension at Balbardie primary school completed
			Preparation of SG on Education.	WLC	X			Extension at Windyknowe primary school completed
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	
H-BA 20	Mid Street/Rosemount Court	Planning permission granted 21/08/13 (0238/FUL/13)						Development completed

H- BA 21	Meadowpark, 13-15 Glasgow Road	Planning permission granted 09/09/14 (0093/FUL/08)	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X	X	X	Extension at Armadale Academy completed August 2009
			Preparation of SG on Education.	WLC	X			Extension at Simpson primary school completed
			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	Extension at Boghall primary school completed
								Extension at Balbardie primary school completed
H- BA 22	Bathgate Community Education Centre	No permission	Developer contributions required towards the enhancement of local park provision.	Developer	X	X	X	
			Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.		X	X	X	
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Preparation of SG on Education.	WLC	X			

H- BA 23	Wester Inch	No permission	<p>Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the cost of non-denominational primary school infrastructure.</p>	<p>Developer</p> <p>WLC</p> <p>Developer</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p>	<p>Extension at Armadale Academy completed August 2009</p> <p>Extension at Simpson primary school completed</p> <p>Extension at Boghall primary school completed</p> <p>Extension at Balbardie primary school completed</p> <p>Extension at Windyknowe primary school completed</p>
H- BA 24	Guildiehaugh Depot	<p>No permission</p> <p>Planning guidelines have been prepared for the development of this site.</p>	<p>There are potential capacity issues relative to Simpson Primary School which will require to be addressed through catchment review before housing can be supported.</p> <p>Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy).</p> <p>Delivery of extension to Bathgate Academy.</p>	<p>Developer</p> <p>Developer/ WLC</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>Extension at Simpson primary school completed</p> <p>Extension at Boghall primary school completed</p> <p>Extension at Balbardie primary school completed</p> <p>Extension at Windyknowe primary school completed</p>

			Developer contributions required towards the cost of non-denominational primary school infrastructure.	Developer		X	X	
H- BA 27	Blackburn Road (former abattoir)	No permission	<p>To explore opportunities for developing links to rail stations at Armadale and Bathgate to be explored.</p> <p>Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required.</p> <p>Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the cost of non-denominational primary school infrastructure.</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p> <p>WLC</p> <p>Developer</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>Extension at Armadale Academy completed August 2009</p> <p>Extension at Simpson primary school completed</p> <p>Extension at Boghall primary school completed</p> <p>Extension at Balbardie primary school completed</p> <p>Extension at Windyknowe primary school completed</p>
H- BA 28	Mid Street (former swimming pool site)	No permission Planning brief have been prepared for the development of	Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in	Developer		X	X	<p>Extension at Armadale Academy completed August 2009</p> <p>Extension at Simpson primary school completed</p>

BLACKBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H- BB 1	Daisyhill Road	Planning permission granted 18/07/06 (1270/05)	Footpath link required to Murrayfield primary school.	Developer	X			
H- BB 2	Riddochill Road	No permission	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Preparation of SG on Education.	WLC	X			
H- BB 3	West Main Street (West)	No permission Planning brief has been prepared for the development of this site.	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			Developer contributions required towards the extension of the non-	Developer	X	X	X	

			denominational secondary school (Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education.	WLC WLC	X X			
H- BB 4	West Main Street (East)	No permission Planning brief has been prepared for the development of this site.	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required. Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education.	Developer Developer Developer/ WLC WLC	X X X X		X	
H- BB 5	16 Bathgate Road	Planning Permission Granted 30/07/08 (0528/FUL/08)	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required. Developer contributions required towards the extension of the non-denominational secondary school	Developer/ Scottish Water Developer	X X		X	

			(Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education.	Developer/ WLC WLC	X X			
H- BB 6	11 East Main Street (former garage)	Planning Permission Granted 15/11/12 (0272/FUL/12)	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required. Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG. Delivery of extension to Bathgate Academy. Preparation of SG on Education.	Developer/ Scottish Water Developer Developer/ WLC WLC	X X X X	X	X	
H-BB 7	Redhouse West	Planning permission granted 06/03/15 (0695/FUL/14) Planning brief has been prepared for the development of this site.						Development completed

H- BB 8	West main Street (former adult training centre)	No permission Planning brief has been prepared for the development of this site.	Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Preparation of SG on Education.	WLC	X			
H- BB 9	Ash Grove, Site A	No permission	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			The location of a waste water pipe traversing the site requires investigation and accommodation.	Developer/ Scottish Water	X			
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.		X	X	X	
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Preparation of SG on Education.	WLC	X			

H- BB 10	Ash Grove, Site B	No permission	Limited capacity at Blackburn waste water treatment works and early discussion with Scottish Water required	Developer	X			
			The location of a waste water pipe traversing the site requires investigation and accommodation.	Developer/ Scottish Water	X			
			Developer contributions required towards the extension of the non-denominational secondary school (Bathgate Academy) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to Bathgate Academy.	Developer/ WLC	X			
			Preparation of SG on Education.	WLC	X			

BLACKRIDGE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H- BL 1	Allison Gardens, Site A	Planning permission granted 29/05/06 (0484/06) Development commenced but	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway station.	Developer	X	X	X	Development has stalled and requires to be re-commenced in accordance with approved planning permission. Station forward funded by WLC and completed in

		has not been completed						December 2010.
H- BL 2	Allison Gardens, Site B	Planning permission granted 29/05/06 (0484/06)	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway station.	Developer	X			Station forward funded by WLC and completed in December 2010.
H- BL 3	Westcraigs Road (south of railway line)	Planning permission granted 05/03/07 (0738/ARM/06)	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway station.	Developer	X	X		Station forward funded by WLC and completed in December 2010.
		Planning permission has been validated by minimal engineering works having been implemented.	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) for units in excess of 10.	Developer	X	X		Extension at Armadale Academy completed August 2009
			Developer contributions required towards the extension of the denominational Primary school (St Anthony's) in accordance with SG.	Developer	X	X		Extension at St Anthony's primary school completed August 2016
			Preparation of SG on Education.	WLC	X			
H- BL 4	Craiginn Terrace	No permission Planning application undetermined	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway	Developer	X	X		Station forward funded by WLC and completed in December 2010.

		0223/P/17	<p>station.</p> <p>100% developer contribution required towards the costs associated with the construction of the <u>access road</u> serving the station park and ride facilities (£850,000)</p> <p>Developer contributions required towards the extension of the non-denominational secondary school (Armada Academy) in accordance with SG.</p> <p>Developer contributions required towards the extension of the denominational primary school (St Anthony's) in accordance with SG.</p> <p>There are potential capacity issues relative to Blackridge primary school which will require to be addressed before housing can be occupied</p> <p>Preparation of SG on Education.</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p> <p>Developer/ WLC</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p>	<p>Access road forward funded by WLC and completed.</p> <p>Extension at Armada Academy completed August 2009</p> <p>Extension at St Anthony's primary school completed August 2016</p>
H- BL 5	Woodhill Road	No permission Planning brief has been prepared for the development of	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway station.	Developer	X		Station forward funded by WLC and completed in December 2010.

		this site.	Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developer	X			Extension at Armadale Academy completed August 2009
			Developer contributions required towards the extension of the denominational primary school (St Anthony's) in accordance with SG	Developer	X			Extension at St Anthony's primary school completed August 2016
			Preparation of SG on Education.	WLC	X			
H- BL 6	South of Craiginn Terrace (part of H- BL 4)	No permission	Developer contributions required towards the costs associated with the delivery of the new Blackridge railway station.	Developer	X	X	X	Station forward funded by WLC and completed in December 2010.
			Developer contributions required towards the extension of the non-denominational secondary school (Armadale Academy) in accordance with SG.	Developers	X	X	X	Access road forward funded by WLC and completed.
			Developer contributions required towards the extension of the denominational primary school (St Anthony's) in accordance with SG	Developers	X	X	X	Extension at Armadale Academy completed August 2009
								Extension at St Anthony's primary school completed August 2016

			Preparation of SG on Education	WLC	X			
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BREICH								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H- BR 1	Rashiehill Crescent	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X	X	
H- BR 2	Woodmuir Road (West)	Planning permission granted 06/09/04 (0813/FUL/04)						Plotted development at an advanced stage
H- BR 3	Woodmuir Road (East)	Planning permission granted 18/01/18 (0203/FUL/15)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			Preparation of SG on Education.	WLC	X			
H- BR 4	Woodmuir Community Hall	No permission Planning brief has been prepared for the development of						

		this site.						
H- BR 5	Former Woodmuir Primary School	No permission Planning brief has been prepared for the development of this site.	Preparation of SG on Education.	WLC	X			
H- BR 6	Blackhill Farm	No permission Planning brief has been prepared for the development of this site.	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Preparation of SG on Education.	Developer/ Scottish Water WLC	X X			

BRIDGEND

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H- BD 1	Willowdean (Site A)	Planning application undetermined (0537/FUL/16)	Developer contributions required towards the enhancement of the local park in Bridgend. Implementation of enhancement works to local park facilities. Developer contributions required towards the provision of new	Developer WLC Developer		X X X	X X X	Current undetermined application

			denominational secondary school capacity in accordance with SG. Preparation of SG on Education.	WLC	X			
H- BD 2	Willowdean (Site B)	No permission	Developer contributions required towards the enhancement of the local park in Bridgend. Implementation of enhancement works to local park facilities. Limited capacity at Bridgend waste water treatment works and early discussion with Scottish Water required. Developer contributions required towards the provision of new denominational secondary school capacity in accordance with SG. Preparation of SG on Education.	Developer WLC Developer/ Scottish Water Developer WLC	 X X X	X X X	X X X	
H- BD 3	Willowdean (Bridgend Golf Course)	No permission Planning application undetermined	Developer contributions required towards the enhancement of the local park in Bridgend.	Developer		X	X	Current undetermined application

		(0739/P/16)	<p>Implementation of enhancement works to local park facilities.</p> <p>Developer contributions required towards the provision of non-denominational secondary school capacity in accordance with SG.</p> <p>Delivery of new non-denominational secondary school in Winchburgh.</p> <p>Preparation of SG on Education.</p>	<p>WLC</p> <p>Developer</p> <p>Developer/ WLC</p> <p>WLC</p>	<p></p> <p></p> <p></p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p>	
H- BD 4	Auldhill	Planning permission granted 25/05/15 (0204/FUL/15)						Development completed
H-BD 5	Bridgend Farm	No permission	<p>Developer contributions required towards the enhancement of the local park in Bridgend.</p> <p>Implementation of enhancement works to local park facilities.</p> <p>Developer contributions required towards the provision of non-denominational secondary school capacity in accordance</p>	<p>Developer</p> <p>WLC</p> <p>Developer</p>	<p></p> <p></p> <p></p>	<p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p>	

			with SG. Preparation of SG on Education.	WLC	X			
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BROXBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-BU 1	Greendykes Road	No permission	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards the new non-denominational secondary school in Winchburgh	Developer	X	X		
			Delivery of the new Winchburgh non-denominational secondary School.	WLC		X		
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			There are capacity issues in the denominational and non-denominational primary school sectors which will require to be addressed through the provision of additional primary school capacity	Developer / WLC		X		

H-BU 2	Holmes (North), Site B	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards St. Nicholas denominational primary school extension.</p> <p>St. Nicholas denominational primary school extension.</p> <p>Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.</p> <p>Developer contributions required to enhance local park provision at nearby park.</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>Developer/ Scottish Water</p> <p>Developer</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	X		St. Nicholas primary school extension completed August 2016
H-BU 3	Holmes (North), Site C	No permission						Site sold for non-residential development
H-BU 4*	Albyn	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards education improvements.</p> <p>Delivery of the new Winchburgh non-denominational secondary School.</p>	<p>WLC</p> <p>Developer</p> <p>Developer/ WLC</p>	<p>X</p> <p></p> <p></p>	X	X	

			There are capacity issues in the denominational and non-denominational primary school sectors which will require to be addressed through the provision of additional primary school capacity	Developer / WLC		X		
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water	X			
			Preparation of SG on Transportation. Infrastructure.	WLC	X			
			Developer contributions towards transportation infrastructure.	Developer		X		
			New distributor road linking new housing at Winchburgh with new housing at East Broxburn.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Park and ride provision at Kilpund South of A89 (with potentially a road bridge across the Brox Burn).	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and	Developer		X		Suitable alternative location to be sought. Listed location is no longer suitable.

			improved links to town centre via Stewartfield Park.					
			New distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood.	Developer		X		
			New distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West	Developer		X		
			Public transport improvements on the A89 and at Newbridge roundabout.	WLC		X		
			Joint preparation (with Winchburgh CDA developers) of a Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	WLC/		X		
			Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.	Developer		X		
			Land for canal related facilities having regard to	Developer		X		

			the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)					
			Contribution to improvements at Stewartfield Park.	Developer		X		
			The current supply of open space in the existing settlements is not of a sufficient size and types to cater for the potential demand from new housing. Winchburgh / East Broxburn should include appropriate levels of each part of the West Lothian open space typology, including district parks, neighbourhood parks, local parks, sports areas, play spaces, green path corridors and amenity greenspace.	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space	Developer		X		

			Strategy.					
H-BU 5*	Candleworks	No permission	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education improvements.	Developer		X		
			Delivery of the new Winchburgh non-denominational secondary school.	WLC		X		
			St. Nicholas denominational primary school extension.	WLC		X		St. Nicholas primary school extension completed August 2016
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water		X		
			Preparation of SG on Transportation Infrastructure.	WLC		X		
			Contributions towards Transportation Infrastructure.	Developer		X		
			New distributor road linking new housing at Winchburgh with new housing at East Broxburn.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Park and ride provision at	Developer		X		Suitable alternative location to be sought. Listed

			Kilpunt south of A89 (with potentially a road bridge across the Brox Burn).					location is no longer suitable.
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield Park.	Developer		X		
			New distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood.	Developer		X		
			New distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West.	Developer		X		
			Public transport improvements on the A89 and at Newbridge roundabout.	WLC		X		
			Joint preparation (with Winchburgh CDA developers) of a Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
				Developer		X		

			Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.					
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals).	Developer		X		
			Contribution to improvements at Stewartfield Park.	Developer		X		
			The current supply of open space in the existing settlements is not of a sufficient size and types to cater for the potential demand from new housing. Winchburgh / East Broxburn should include appropriate levels of each part of the West Lothian open space typology, including district parks, neighbourhood parks, local parks, sports areas, play spaces, green path corridors and amenity greenspace.	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in	Developer		X		

			the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.					
H-BU 6	Holmes (North), Site A	No permission	<p>Preparation of SG on Education</p> <p>Developer contributions towards improvements in education infrastructure.</p> <p>St. Nicholas denominational primary school extension.</p> <p>Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>Developer/ Scottish Water</p>	<p>X</p> <p></p> <p>X</p> <p>X</p>	<p></p> <p>X</p> <p></p>		St. Nicholas primary school extension completed August 2016
H-BU 7	West Main Street (former Broxburn Primary School)	Permission granted 04/04/13 (0583/FUL/12)						Development completed
H-BU 8*	Greendykes Road (West)	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards education improvements.</p> <p>Delivery of new non-</p>	<p>WLC</p> <p>Developer</p> <p>Developer/</p>	<p>X</p> <p></p> <p>X</p>	<p></p> <p>X</p> <p>X</p>		

			denominational secondary school in Winchburgh.	WLC				
			There are capacity issues in the denominational and non-denominational primary school sectors which will require to be addressed through the provision of additional primary school capacity	Developer / WLC		X		
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
			Woodland planting to the north of mixed use sites at Pyothall Road, Greendylkes Road West and Greendylkes Road East as extension of Broxburn Community woodland and green network corridor.	Developer		X		
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Developer contributions towards Transportation Infrastructure.	Developer		X		
			New distributor road linking new housing at Winchburgh with new housing at East Broxburn.	Developer		X		
				Developer		X		Suitable alternative location to be sought. Listed location is no longer suitable.

			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn).	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield Park.	Developer		X		
			New distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood.	Developer		X		
			New distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West.	WLC		X		
			Public transport improvements on the A89 and at Newbridge roundabout.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) of a Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor'					

			between Winchburgh and East Broxburn and funds to allow implementation of the plan.					
			Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)	Developer		X		
			Contribution to improvements at Stewartfield Park.	Developer		X		
			The current supply of open space in the existing settlements is not of a sufficient size and types to cater for the potential demand from new housing. Winchburgh / East Broxburn should include appropriate levels of each part of the West Lothian open space typology, including district parks, neighbourhood parks, local parks, sports areas, play spaces, green path corridors and amenity greenspace.	Developer		X		

			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.	Developer		X		
H-BU 9*	Greendykes Road (East)	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards education improvements</p> <p>Delivery of the new Winchburgh non-denominational secondary school.</p> <p>There are capacity issues in the denominational and non-denominational primary school sectors which will require to be addressed through the provision of additional primary school capacity</p> <p>Limited capacity at Newbridge waste water treatment works and early discussion with Scottish</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>Developer / WLC</p> <p>Developer / Scottish Water</p>	<p>X</p> <p></p> <p></p> <p>X</p> <p></p>	<p></p> <p>X</p> <p>X</p> <p></p> <p>X</p>		

			Water required.					
			Woodland planting to the north of mixed use sites at Pyothall Road, Greendylkes Road West and Greendylkes Road East as extension of Broxburn Community woodland and green network corridor.	Developer		X		
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Developer contributions towards improvements in Transportation Infrastructure	Developer		X		
			New distributor road linking new housing at Winchburgh with new housing at East Broxburn.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn).	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield	Developer		X		
								Suitable alternative location to be sought. Listed location is no longer suitable.

			Park.					
			New distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood.	Developer		X		
			New distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West	Developer		X		
			Public transport improvements on the A89 and at Newbridge roundabout.	WLC		X		
			Joint preparation (with Winchburgh CDA developers) of a Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal	Developer		X		

			<p>moorings study previously prepared by British Waterways (now Scottish Canals)</p> <p>Contribution to improvements at Stewartfield Park.</p> <p>The current supply of open space in the existing settlements is not of a sufficient size and types to cater for the potential demand from new housing. Winchburgh / East Broxburn should include appropriate levels of each part of the West Lothian open space typology, including district parks, neighbourhood parks, local parks, sports areas, play spaces, green path corridors and amenity greenspace.</p> <p>The proposed "Heritage Park" around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p>		<p>X</p> <p>X</p> <p>X</p>		
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H-BU 10*	West Wood	No permission	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education improvements	Developers		X		
			Delivery of the new Winchburgh non-denominational secondary school.	WLC		X		
			There are capacity issues in the denominational and non-denominational primary school sectors which will require to be addressed through the provision of additional primary school capacity	Developer / WLC		X		
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water	X			
			Preparation of SG on Transportation Infrastructure.	WLC	X			
			Developer contributions towards Transportation Infrastructure	Developer		X		
			New distributor road linking new housing at Winchburgh with new housing at East Broxburn.	Developer		X		Suitable alternative location to be sought. Listed location is no longer suitable.

			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn).	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield Park.	Developer		X		
			New distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood.	Developer		X		
			New distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West	Developer		X		
			Public transport improvements on the A89 and at Newbridge roundabout.	WLC		X		
			Joint preparation (with Winchburgh CDA developers) of a Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and	Developer		X		

			for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.					
			Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)	Developer		X		
			Contribution to improvements at Stewartfield Park.	Developer		X		
			The current supply of open space in the existing settlements is not of a sufficient size and types to cater for the potential demand from new housing. Winchburgh / East Broxburn should include appropriate levels of each part of the West Lothian open space typology, including district parks, neighbourhood parks, local parks, sports areas, play spaces, green path corridors and amenity greenspace.	Developer		X		

			The proposed "Heritage Park" around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.	Developer		X		
H-BU 11	Church Street depot	No permission	Preparation of SG on Education. Developer contribution to school improvements. St. Nicholas denominational primary school extension.	WLC Developer WLC	X X	 X		St. Nicholas primary school extension completed August 2016
H-BU 13	Kirkhill North	Permission granted 09/04/2015 & 02/09/2015 (0757/FUL/14 & 0259/MS/15)	Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required. Preparation of SG on Education. Developer contribution to school improvements. St. Nicholas	Developer/ Scottish Water WLC Developer WLC	X X X	 X		Development commenced

			denominational primary school extension.					
H-BU 14	East Main Street (former Vion factory site)	Permission granted 22/07/2015 (0489/FUL/15)	Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required. Preparation of SG on Education. Developer contribution to school improvements. St. Nicholas denominational primary school extension.	Developer/ Scottish Water WLC Developer WLC	X X X		X	Development commenced

DECHMONT & BANGOUR								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-DE 1	Bangour Village Hospital	Planning application at appeal. (0607/P/15)	A conservation and management plan shall be prepared for the listed buildings on the site.	Developer	X			
			Potential for pedestrian/cycle links to Dechmont.	Developer	X			
			Community woodland and An off-road pedestrian / cycleway route between Drumcross Road and Black Law ridge road, subject to negotiation with	Developer	X			

			landowners, is proposed to link the Livingston Greenways network with the Bathgate Hills Quiet Roads Initiative					
			Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water	X			
			Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education infrastructure improvements.	Developer	X			
			Delivery of new Winchburgh non-denominational secondary school.	Developer / WLC		X		
			St. Nicholas denominational primary school extension.	Developer / WLC	X			St. Nicholas primary school extension completed August 2016
			New non-denominational primary school	WLC / Developer		X		
H-DE 2	Main Street	Planning appeal with Scottish Ministers	Limited capacity at Newbridge waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water	X			
			St. Nicholas denominational primary school extension.	WLC	X			St. Nicholas primary school extension completed August 2016

			Preparation of SG on Education.	WLC	X			
			Delivery of the new Winchburgh non-denominational secondary school.	Developer/ WLC		X		
			Developer contributions required towards education infrastructure improvements.	Developer		X		
			New non-denominational primary school	WLC		X		

EAST CALDER								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-EC 1	Millbank Depot	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer / Scottish Water		X		East Calder non-denominational primary school extension completed December 2016
			Developer contributions required to enhance local facilities at Queens Terrace.	Developer		X		
			Preparation of SG on Education.	WLC	X			
			Delivery of East Calder Non-denominational primary. East Calder nursery expansion freeing space in school for extension to full 2 stream 462 capacity.	Developer/ WLC	X			
			Delivery of extension to St. Paul's denominational primary school.	WLC		X		
H-EC 2	Camps cottage	Planning permission granted 02/06/06 & 03/10/07 (0841/P/04, 0680/ARM/04 & 0700/ARM/08)						Development commenced

H-EC 3	Broompark Farm	No permission	Preparation of SG on Education.	WLC	X			East Calder non-denominational primary school extension completed December 2016
			Developers contribution required towards education infrastructure improvements.	Developer	X			
			East Calder Non-denominational primary. East Calder nursery expansion freeing space in school for extension to full 2 stream 462 capacity.	Developer/ WLC			X	
			Delivery of extension to St. Paul's denominational primary school.	WLC		X		
H-EC 4*	Raw Holding West (Seven Wells)	Planning permission granted 10/05/2013 & 21/08/2015 (0081/FUL/12 & 0483/FUL/15)	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education infrastructure improvements.	Developer	X			
			Land for non-denominational secondary school.	Developer	X			
			Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder.	Developer	X			
			Three single stream	WLC		X		

			primary schools (or equivalent).					
			Delivery of extension to St Paul's RC Primary School, East Calder (land and improved vehicular and pedestrian access also required).	WLC / Developer		X		
			Preparation of SG on transport infrastructure improvements	WLC	X			
			Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings.	Developer	X			
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station.	Developer		X		
			Network of distributor roads linking B7015 with A71 (with bus priority);	WLC		X		
			Upgrading of B7031 from A71 to Kirknewton Railway Station.	WLC				
			North relief road for Wilkieston linking A71 with B7030.	Developer		X		
			Park improvements at	WLC		X		

			'The Muddies' (P-26).					
H-EC 5*	Raw Holdings West (remainder)	<p>Permission granted in principle subject to S75 15/03/2013.</p> <p>Two Full planning applications undetermined (0198/FUL/15 & 0609/FUL/15)</p>	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards education infrastructure improvements.</p> <p>East Calder Non-denominational primary. East Calder nursery expansion freeing space in school for extension to full 2 stream 462 capacity.</p> <p>Land for non-denominational secondary school.</p> <p>Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder.</p> <p>Delivery of extension to St Paul's RC Primary School, East Calder (land and improved vehicular and pedestrian access also required).</p> <p>Preparation of SG on transport infrastructure improvements</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>Developer</p> <p>Developer</p> <p>WLC</p> <p>WLC</p>	<p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		

			Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings.	Developer	X	X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station.	Developer		X		
			Network of distributor roads linking B7015 with A71 (with bus priority); - upgrading of B7031 from A71 to Kirknewton Railway Station.	WLC		X		
			North relief road for Wilkieston linking A71 with B7030.	Developer		X		
			Park improvements at 'The Muddies' (P-26).	WLC		X		
H-EC 6*	Almondell Phase 1, Sites MWc, MWd, MWf, MWe, LKa & LKb	Permission granted 15/02/2016 (0527/MS/15)	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education infrastructure improvements.	Developer	X			
			Land for non-denominational secondary school. Land for non-	Developer		X		

			denominational secondary school.					
			Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder.	Developer	X			
			Three single stream primary schools (or equivalent).	WLC		X		
			Delivery of extension to St Paul's RC Primary School, East Calder (land and improved vehicular and pedestrian access also required).	WLC		X		
			Preparation of SG on transport infrastructure improvements	WLC	X			
			Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings	Developer	X			
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station.	Developer	X		X	
			Network of distributor					

			roads linking B7015 with A71 (with bus priority); - upgrading of B7031 from A71 to Kirknewton Railway Station.	WLC		X		
			North relief road for Wilkieston linking A71 with B7030.	Developer		X		
			Park improvements at 'The Muddies' (P-26).	WLC				
H-EC 7*	Almondell Phase 1, Sites LKa/LKc	Planning permission granted 29/07/2013 (0221/MS/13)	Preparation of SG on Education.	WLC	X			
			Developer contributions required towards education infrastructure improvements.	Developer	X			
			Land for non-denominational secondary school.	Developer	X			
			Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder.	Developer	X			
			Three single stream primary schools (or equivalent).	WLC		X		
			Delivery of extension to St Paul's RC Primary School, East Calder (land and improved vehicular and pedestrian access	WLC		X		

			also required).					
			Preparation of SG on transport infrastructure improvements	WLC	X			
			Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings.	Developer	X			
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station.	Developer		X		
			Network of distributor roads linking B7015 with A71 (with bus priority); - upgrading of B7031 from A71 to Kirknewton Railway Station.	WLC		X		
			North relief road for Wilkieston linking A71 with B7030.	WLC		X		
			Park improvements at 'The Muddies' (P-26).	WLC		X		
H-EC 8*	Almondell Phase 1, Sites MWf/LKb	Site complete	Preparation of SG on Education. Developer contributions required towards education infrastructure					Development Completed

			<p>improvements.</p> <p>Land for non-denominational secondary school;</p> <p>Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder.</p> <p>Three single stream primary schools (or equivalent).</p> <p>Delivery of extension to St Paul's RC Primary School, East Calder (land and improved vehicular and pedestrian access also required).</p> <p>Preparation of SG on transport infrastructure improvements</p> <p>Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings.</p> <p>Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway</p>						
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			<p>Station.</p> <p>Network of distributor roads linking B7015 with A71 (with bus priority); - upgrading of B7031 from A71 to Kirknewton Railway Station.</p> <p>North relief road for Wilkieston linking A71 with B7030.</p> <p>Park improvements at 'The Muddies' (P-26).</p>					
H-EC 9*	Almondell (Remainder)	Planning permission granted 12/03/2009 (0524/P/09)	<p>Preparation of SG on Education.</p> <p>Developer contributions required towards education infrastructure improvements.</p> <p>Land for non-denominational secondary school.</p> <p>Joint funding (with West Livingston/Mossend developers) of new non-denominational secondary school to be located at Raw Holdings, East Calder;</p> <p>Three single stream primary schools (or equivalent).</p> <p>Delivery of extension to St Paul's RC Primary</p>	<p>WLC</p> <p>Developer</p> <p>Developer</p> <p>Developer</p> <p>WLC</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p></p> <p></p>			

			<p>School, East Calder (land and improved vehicular and pedestrian access also required).</p> <p>Preparation of SG on transport infrastructure improvements</p> <p>Improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings.</p> <p>Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station.</p> <p>Network of distributor roads linking B7015 with A71 (with bus priority); - upgrading of B7031 from A71 to Kirknewton Railway Station.</p> <p>North relief road for Wilkieston linking A71 with B7030.</p> <p>Park improvements at 'The Muddies' (P-26).</p>	<p>WLC</p> <p>Developer</p> <p>Developer</p> <p>WLC</p> <p>WLC</p> <p>WLC</p>	<p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>		
H-EC 10	Langton Road	No permission	Potential capacity issues at East Calder waste water treatment works	Developer / Scottish Water	X			

			and early discussion with Scottish Water required.					
			Preparation of SG on Education.	WLC	X			
			Delivery of East Calder Non-denominational primary. East Calder nursery expansion freeing space in school for extension to full 2 stream 462 capacity.	WLC		X		
			New East Calder Non-denominational Secondary School.	WLC		X		
			Preparation of SG on transport infrastructure improvements	WLC	X			
			Developer contributions towards transportation improvements	Developer		X		

FAULDHOUSE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-FA 1	Eastwood Park (East)	Planning granted 19/03/2013 (0053/P/06)	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
H-FA 2	Meadow Crescent	No permission						

H-FA 3	Park View (West)	No permission	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required. Developer contributions required to enhance local park provision.	Developer/ Scottish Water Developer	X	X		
H-FA 4	Shotts Road	No permission	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required. Developer contributions required to secure improvements to Caledonian Road facilities and onsite works to improve access.	Developer/ Scottish Water	X	X		
H-FA 5	Breich Water Place	Permission granted 31/10/2007 & 02/12/2013 (0306/FUL/07 & 0638/FUL/16) Development commenced but has not been completed.						Development has stalled and requires to be re-commenced in accordance with approved planning permission
H-FA 6	Sheephousehill (North)		Limited capacity at Fauldhouse waste water treatment works and early discussion with	Developer/ Scottish Water	X			

			Scottish Water required. Financial contributions to be used to facilitate improvements within the adjacent park.			X		
H-FA 7	Langrigg Road 3	No permission	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
H-FA 8	Eldrick Avenue	No permission	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
H-FA 9	Main Street (former cinema)	No permission	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
H-FA 10	Eastfield recreation ground	Permission granted 15/06/2015 (0214/FUL/15)	Limited capacity at Fauldhouse waste water treatment works and early discussion with Scottish Water required. Developer contributions required to enhance local facilities at Eastfield Park.	Developer/ Scottish Water	X			
H-FA 11	Former Victoria Park colliery	No permission						

KIRKNEWTON								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-KN 1	Braekirk Gardens	Planning permission granted. Partially developed.						
H-KN 2	Station Road (East)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/Scottish Water	X			
			Developer contributions required to enhance local facilities on neighbouring housing site to the south (former MOD site).	Developer	X			
			Preparation of SG on Education.	WLC	X			
			Delivery of Kirknewton non-denominational primary school extension.	Developer/WLC	X			
H-KN 3	Camps Junction (East)	Planning Permission in Principle granted (0578/P/15)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/Scottish Water	X			
H-KN 4	Station Road (South) extension	Planning permission in	Limited capacity at East Calder waste water	Developer/Scottish Water	X			

		principle granted (0691/P/14)	treatment works and early discussion with Scottish Water required.					
			Developer contributions required to enhance local facilities at Kirknewton Park and also to secure safe pedestrian access.	Developer	X			
			Preparation of SG on Education.	WLC	X			
			Delivery of Kirknewton non-denominational primary school extension to 231 capacity.	WLC		X		

LANDWARD AREA								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-LW 1	Gavieside (by Polbeth)	Permission granted 29/05/2017 (0365/MS/15)	Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to the denominational primary school (St Mary's Polbeth).	Developer/ WLC		X	X	
H-LW 2	Craigengall Farm (Lowland Crofts) by West Calder	Permission granted 19/01/2005 (0447/P/98)						
H-LW 3	Site of former Breich Inn (by Breich)	Permission granted 23/01/2014 (0766/FUL/13)						
H-LW 4	West Mains Farm (Lowland Crofts) by West Calder	Permission granted 01/04/2008 (1424/P/04)						
H-LW 5	Longford Farm (Lowland crofts) by West Calder	Permission granted 10/10/2008 (0188/P/05)						
H-LW 6	Former Freeport	Permission						

	retail village, Westwood by West Calder	granted 29/08/2013 (0488/P/09)						
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LINLITHGOW & LINLITHGOW BRIDGE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-LL 1	81 – 87 High Street (former bus depot)	08/05/2013 0249/FUL/11						Development completed
H-LL 2	Westerlea Court, Friarsbrae	01/09/2016 0023/FUL/16						Development completed
H-LL 3	Boghall East	No permission	<p>Site drainage is a particularly sensitive issue in this part of Linlithgow and early engagement with SEPA, Scottish Water and the Council's Flood Manager will be required to secure a co-ordinated and comprehensive scheme of measures.</p> <p>A feasibility study to identify a location and funding programme for a new health centre in Linlithgow shall be undertaken and developer contributions will be required for all proposed housing sites in Linlithgow should it</p>	<p>Developer / Scottish Water / SEPA / WLC</p> <p>WLC / NHS Lothian / Developer</p>	X			
					X	X		

			<p>be concluded that such provision is necessary.</p> <p>SG to be prepared on Developer Obligations for General Infrastructure for site delivery.</p> <p>Developer contributions towards new health centre for Linlithgow</p> <p>Delivery of M9 (Junction 3) westbound slips at Burghmuir.</p> <p>SG to be prepared on Developer obligations for transportation infrastructure.</p> <p>Developer obligations towards Transportation Infrastructure.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions towards education improvements</p> <p>Delivery of new non-denominational secondary school in Winchburgh.</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>WLC</p> <p>WLC</p> <p>WLC</p> <p>Developer</p> <p>WLC</p>	<p>X</p> <p>X</p>	<p>X</p>	<p>X</p>	
H-LL 4	Land East of Manse Road	No permission	Linlithgow is a priority area for surface water management due to significant flood risk,	Developer / WLC / SEPA	X			

			will be required for all proposed housing sites in Linlithgow should it be concluded that such provision is necessary.					
			SG to be prepared on Developer Obligations for General Infrastructure for site delivery.	WLC	X			
			Developer contributions towards new health centre for Linlithgow	Developer	X			
			Delivery of M9 (Junction 3) westbound slips at Burghmuir.	WLC		X	X	
			SG to be prepared on Developer obligations for transportation infrastructure.	WLC	X			
			Developer obligations towards Transportation Infrastructure.	WLC		X		
			Preparation of SG on Education.	WLC	X			
			Developer contributions towards education improvements	Developer		X		
			Delivery of new non-denominational secondary school in Winchburgh.	WLC		X	X	

H-LL 5	Falkirk Road (land at BSW Timber)	No permission	SG to be prepared on Developer obligations for transportation infrastructure.	WLC	X			
			Developer contributions towards Transportation Infrastructure.	Developer		X		
			Preparation of SG on Education.	WLC	X			
			Developer contributions towards education improvements	Developer		X		
			Delivery of M9 (Junction 3) westbound slips at Burghmuir.	WLC		X	X	
			Delivery of new non-denominational secondary school in Winchburgh.	WLC		X	X	
			Capacity issues at non-denominational Primary will require to be resolved through a catchment review	WLC		X		
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow shall be undertaken and developer contributions will be required for all proposed housing sites in Linlithgow should it be concluded that such	WLC / NHS Lothian / Developer	X	X		

			provision is necessary.					
H-LL 6	Mill Road, Linlithgow Bridge							Development completed
H-LL 7	Clarendon House, 30 Manse Road	Minded to grant (LIVE/0426/FUL/17)	<p>Preparation of SG on Education.</p> <p>Developer contributions towards education improvements</p> <p>Linlithgow is a priority area for surface water management due to significant flood risk, exacerbated by steep topography, limited capacity in the drainage system and water quality in Linlithgow Loch. Developers will be expected to invest to take account of these inter-related issues to better the situation and such investment may include off site activities.</p> <p>Developers may require to invest in additional engineering and to pick up surface water from existing developments off site in order to provide capacity in the combined drainage system.</p> <p>Early engagement with SEPA, Scottish Water</p>	<p>WLC</p> <p>Developer</p> <p>Developer / WLC / SEPA / Scottish Water</p> <p>Developer / WLC / SEPA / Scottish Water</p> <p>Developer / WLC / SEPA /</p>	<p>X</p> <p>X</p> <p>X</p>	X		

			and the Council's Flood Manager will be required to secure a coordinated and comprehensive scheme of measures	Scottish Water				
H-LL 11	Wilcoxholm Farm / Pilgrim's Hill	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions towards education improvements</p> <p>Junction improvements required.</p> <p>Canal bridge crossing onto Edinburgh Road.</p> <p>Provision of pedestrian access from the canal to the railway station required.</p> <p>Site drainage is a particularly sensitive issue in this part of Linlithgow and early engagement with SEPA, Scottish Water and the Council's Flood Manager will be required to secure a coordinated and comprehensive scheme of measures.</p> <p>The existing houses fronting onto Edinburgh Road are not currently connected to mains drainage and the opportunity should be</p>	<p>WLC</p> <p>Developer</p> <p>Developer</p> <p>Developer</p> <p>Developer</p> <p>Developer / SEPA / Scottish Water / WLC</p> <p>Developer</p>	X	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		

			taken to address this in the wider interests of improving water quality.					
			Requirement to consider the relationship with the Union Canal so as to integrate new development with it whilst allowing for canal related improvements such as moorings and access improvements and respecting its setting as a scheduled monument and maintaining any buffer that may be required in relation to the potential for flood risk.	Developer / Scottish Canals / SEPA	X			
			Access to / from the Union canal (P-102).	Developer / Scottish Canals		X		
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow.	WLC / NHS Lothian	X			
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow shall be undertaken and developer contributions will be required for all proposed housing sites in Linlithgow should it be concluded that such provision is	WLC / NHS Lothian / Developer	X	X		

			<p>necessary.</p> <p>SG to be prepared on Developer Obligations for General Infrastructure for site delivery</p> <p>Developer contribution towards new health centre</p> <p>Delivery of M9 (Junction 3) westbound slips at Burghmuir.</p> <p>SG to be prepared on Developer obligations for transportation infrastructure.</p> <p>Developer obligations towards Transportation Infrastructure.</p> <p>Delivery of new non-denominational secondary school in Winchburgh.</p> <p>Capacity issues at non-denominational Primary will require to be resolved through a catchment review</p>	<p>WLC</p> <p>Developer</p> <p>WLC</p> <p>WLC</p> <p>Developer</p> <p>WLC</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		
H-LL 12	Preston Farm	No permission	<p>Preparation of SG on Education.</p> <p>Developer contributions towards education improvements</p>	<p>WLC</p> <p>Developer</p>	<p>X</p> <p>X</p>			

			<p>Linlithgow is a priority area for surface water management due to significant flood risk, exacerbated by steep topography, limited capacity in the drainage system and water quality in Linlithgow Loch. Developers will be expected to invest to take account of these inter-related issues to better the situation and such investment may include off site activities.</p>	Developer / WLC / SEPA / Scottish Water	X			
			<p>Developers may require to invest in additional engineering and to pick up surface water from existing developments off site in order to provide capacity in the combined drainage system. Early engagement with SEPA, Scottish Water and the Council's Flood Manager will be required to secure a co-ordinated and comprehensive scheme of measures.</p>	Developer / WLC / Scottish Water / SEPA	X			
			<p>Requirement to consider the relationship with the Union Canal so as to integrate new development with it whilst allowing for canal related improvements such as moorings and access improvements and respecting its setting as a</p>	Developer / Scottish canals	X			

			scheduled monument and maintaining any buffer that may be required in relation to the potential for flood risk.					
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow	WLC / NHS Lothian	X			
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow shall be undertaken and developer contributions will be required for all proposed housing sites in Linlithgow should it be concluded that such provision is necessary.	WLC /NHS Lothian / Developer	X	X		
			SG to be prepared on Developer Obligations for General Infrastructure for site delivery	WLC	X			
			M9 (Junction 3) westbound slips at Burghmuir	WLC		X	X	
			SG to be prepared on developer obligations for transportation infrastructure	WLC	X			
			Developer obligations towards Transportation Infrastructure	Developer		X		

			Delivery of new non-denominational secondary school in Winchburgh.	WLC		X	X	
			Capacity issues at non-denominational Primary will require to be resolved through a catchment review	WLC		X		
H-LL 13	Kettlestoun Mains	No permission	Preparation of SG on Education.	WLC	X			
			Developer contributions towards education improvements	Developer		X		
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow.	WLC / NHS Lothian	X			
			A feasibility study to identify a location and funding programme for a new health centre in Linlithgow shall be undertaken and developer contributions will be required for all proposed housing sites in Linlithgow should it be concluded that such provision is necessary.	WLC / NHS Lothian / Developer	X	X		
			SG to be prepared on Developer Obligations for General Infrastructure for	WLC	X			

			site delivery.					
			Delivery of M9 (Junction 3) westbound slips at Burghmuir.	WLC		X	X	
			SG to be prepared on Developer obligations for transportation infrastructure.	WLC	X			
			Developer contributions towards Transportation Infrastructure.	Developer		X		
			Delivery of new non-denominational secondary school in Winchburgh.	WLC		X	X	
			Capacity issues at non-denominational Primary will require to be resolved through a catchment review	WLC		X		

LIVINGSTON								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-LV 1	Ballantyne Place (South)	No permission Planning brief has been prepared for the development of this site.	New road access required to link existing network at Ballantyne Place. Developer contributions required towards the enhancement of Peel Park. Implementation of enhancement works to local park facilities.	Developer Developer WLC		X X	X	Site forms part of WLC's capital receipts programme and as such it will be brought to the market for disposal. There is land adjacent to this site which has the potential to be included to achieve a more comprehensive development.
H-LV 2	Murieston South (6A) Murieston Gait	Planning permission granted 06/08/13 (0780/FUL/12)						Development completed
H-LV 3	Murieston South(8), Tarbert Drive	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
H-LV 4	Calder Road, Bellsquarry	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		Site forms part of WLC's capital receipts programme and as such it will be brought to the market for disposal.

H-LV 5	Ettrick Drive, Craigshill	No permission Planning brief has been prepared for the development of this site.	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		Site forms part of WLC's capital receipts programme and as such it will be brought to the market for disposal.
H-LV 6	Forth Drive, Craigshill	Planning permission granted 29/07/2009 (0532/FUL/08)	Developer contributions required towards the enhancement of Letham Park and improved access. Implementation of enhancement works to local park facilities.	Developer WLC		X X	X	WLC owns a parcel of land immediately adjacent to the west boundary of this site which has the potential to be included to achieve a more comprehensive development.
H-LV 7	Dedridge (East)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		Designated access via Quentin Court is not adopted but is under the control of WLC.
H-LV 9	Kirkton North (10B)	No permission Planning application undetermined (0049/FUL/16) Planning brief has been prepared for the development of this site.	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Developer contributions required to facilitate improvements to the Almond Greenway. Implementation of improvement works to the Almond Greenway.	Developer/ Scottish Water Developer WLC	X X	X X	X	Site forms part of WLC's capital receipts programme and as such it will be brought to the market for disposal.

			<p>A speed table shall be provided on Cousland Road where the footway crosses to the north side near Toll House.</p> <p>A road Redetermination Order will be required for the shortening and resurfacing of the cycleway on Cousland Road.</p>	<p>Developer/ WLC</p> <p>Developer/ WLC</p>		X	X	
H-LV 10	Deans (West) Hardie Road	No permission	<p>Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.</p> <p>Developer contributions required to facilitate improvements to pedestrian linkages to adjacent play facilities.</p> <p>Implementation improvements to pedestrian linkages to adjacent play facilities.</p>	<p>Developer/ Scottish Water</p> <p>Developer/ SEPA</p> <p>WLC</p>		X	X	
H-LV 11	Brucefield Industrial (Limefields)	Planning permission granted 0725/MSC/FUL (07/05/2017)	<p>Developer contributions required towards extending St Mary's (Polbeth) denominational primary school.</p> <p>Delivery of extension at St Mary's (Polbeth)</p> <p>Preparation of SG on Education.</p>	<p>Developer</p> <p>Developer/ WLC</p> <p>WLC</p>	<p>X</p> <p></p> <p>X</p>	X	X	

H-LV 12	Land north of Almondvale Stadium	Planning permission granted 23/06/2016 (0544/FUL/15) Planning guidelines have been prepared for the development of this site.						This site is owned by WLC and is held on the Housing Revenue Account. It is being developed for social housing.
H-LV 13*	Gavieside Farm	No permission	<p>Significant road widening and footway provision from the site access to the C26 outwith the application site required.</p> <p>Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.</p> <p>Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.</p> <p>Provision of bus priority</p>	<p>Developer</p> <p>Developer</p> <p>Developer/ Network Rail</p> <p>Developer</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>WLC owns various small pockets of land around the main development site which have the potential to be included to facilitate access and achieve a more comprehensive development.</p>

			measures along Charlesfield Road with provision of a park and ride site requiring further assessment.					
			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X	X	
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X	X	
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X	X	
			Public car park for new village centre at Gavieside.	Developer		X	X	
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Bristonhill Moss area and the existing woodland areas.	Developer		X	X	
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north	Developer		X	X	

			side of River Almond.					
			Enhancement of river corridors within master plan area.	Developer		X	X	
			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X	X	
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer		X	X	
			Developer contributions required towards the new non-denominational secondary school in East Calder in accordance with SG.	Developer		X	X	
			Developer contributions required towards extending St Mary's (Polbeth) denominational primary school in accordance with SG.	Developer	X	X	X	
			Developer contributions required to fund a new non-denominational primary school at Gavieside in accordance with SG.	Developer		X	X	
			Delivery of new non-denominational secondary school in East Calder.	Developer/ WLC		X	X	

			Delivery of extension to St Mary's primary school, Polbeth.	Developer/ WLC		X	X	
			Delivery of new non-denominational primary school at Gavieside.	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC				
H-LV 14	Appleton Parkway South East (Eliburn Park)	Planning permission granted 23/06/2014 & 01/04/2016 (0158/MS/14 & 0078/FUL/16)						Development completed
H-LV 15	Kirkton Business Centre	Undetermined planning application (0255/P/13)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			100% developer contribution required towards the costs associated with extending the hall at Livingston Village primary school.		X	X	X	
H-LV 17	Almond Link Road, Civic Centre Junction	Planning permission granted 13/06/2015 (0196/FUL/15) Planning guidelines have been prepared						Development completed

		for the development of this site.						
H-LV 18	Dedridge East Road (site of former Lammermuir House)	Planning permission granted 18/06/15 (0239/FUL/15) Planning brief has been prepared for the development of this site.	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			This site is owned by WLC and is held on the Housing Revenue Account. It is being developed for social housing and is at an advanced stage.
H-LV 20	Glen Road/ Broomyknowe Drive, Deans	Planning permission granted 03/08/12 0479/FUL/11						Development completed
H-LV 21	Glen Road (rear of New Deans House)	No permission Planning guidelines have been prepared for the development of this site.	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. The location of a surface water pipe traversing the site requires investigation and accommodation. Developer contributions required to enhance Central Recreation Area Local Park and facilitate safe pedestrian access to park.	Developer/ Scottish Water Developer/ Scottish Water Developer		X X X	X	Site forms part of WLC's capital receipts programme and as such it will be brought to the market for disposal.

			Implementation of works to enhance Central Recreation Area Local Park and facilitate safe pedestrian access to park.	WLC		X	X	
H-LV 22	Kirkton North Road (site of former Buchanan House)	Planning permission granted 26/02/2016 (0926/MS/15 & 0927/MS/15)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		Development at an advanced stage by Barratt Homes.
H-LV 23	Houston Road (North)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. The location of a water pipe traversing the site requires investigation and accommodation.	Developer/ Scottish Water Developer/ Scottish Water		X X		
H-LV 24	Eagle Brae Depot	No permission	There are capacity issues relative to Harrysmuir primary school which will require a catchment review.	WLC		X		This site is owned by WLC and is held on the Housing Revenue Account with a view to being developed for social housing.
H-LV 25	Deans South, Phase 1	Planning permission granted 15/10/2015 & 09/08/16 (0625/MS/15 & 0371/FUL/15 & 0413/FUL/16)	There is existing water and waste water infrastructure on site that requires investigation and taken account of.	Developer/ Scottish Water	X			This site is owned by WLC and is held on the Housing Revenue Account with a view to being developed for social housing.

		Planning guidelines have been prepared for the development of this site.						
H-LV 26	Deans South, Phase 2	Planning permission in principle granted 10/03/2016 (0053/P/16 & 0076/P/16) Planning guidelines have been prepared for the development of this site.	There is existing water and waste water infrastructure on site that requires investigation and taken account of.	Developer/ Scottish Water	X			This site is owned by WLC and is held on the Housing Revenue Account with a view to being developed for social housing.
H-LV 27	Deans South (Remainder)	Planning permission in principle granted 23/01/2015 & 16/05/2016 (0834/P/14 & 0053/P/16)	There is existing water and waste water infrastructure on site that requires investigation and taken account of.	Developer/ Scottish Water	X			This site is owned by WLC and is held on the Housing Revenue Account with a view to being developed for social housing.
H-LV 28	Deans Road South	No permission	New mini roundabout at the junction with Elie Avenue required.	Developer		X		This site forms part of WLC's capital receipts programme and will be brought to the market for disposal in due course.
H-LV 29	Howden South Road (Former Trim Track)	No permission Planning brief has been prepared for the development of				X		This site forms part of WLC's capital receipts programme and will be brought to the market for disposal during the 2020-24 timeframe.

		this site.						
H-LV 30	Land south of Almondvale Stadium	Planning permission granted 20/06/2016 (0553/FUL/15)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			This site is owned by WLC and is held on the Housing Revenue Account. It is being developed for social housing.
H-LV 31	Murieston Valley Road	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		This site forms part of WLC's capital receipts programme and is currently being marketed.
H-LV 32	Eucal Business Centre, Craigshill Road	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
H-LV 33	Brotherton Farm	Planning permission in principle granted 28/10/2016 (0648/P/14)	<p>Provision of an acoustic barrier on the southern boundary of the site and parallel to the A71.</p> <p>Provision of pedestrian access to the existing bus stops on the A71.</p> <p>Provision of bus shelters on the A71 for both directions.</p> <p>Extension of the footway on the north-west side of the A71 Wilderness roundabout into the development site to tie in</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p> <p>Developer</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>			

			with the west footway on the access road. Provision of improved pedestrian crossing facilities for the A71.	Developer	X			
H-LV 34	Appleton Parkway north east	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
H-LV 35	Wellhead Farm	Planning permission granted 14/02/2018 (0918/P/15)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Provision of traffic islands on Murieston Road, including carriageway widening. Provision of a two metre wide footway and a bus stop and shelter on the frontage of the development site on the south side of Murieston Road. Lane widening at the A71 New Park roundabout.	Developer/ Scottish Water Developer Developer Developer	X X X X			

LONGRIDGE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-LR 1	Curling Pond Lane	Planning permission granted 7/11/2007 (0815/FUL/06) Development commenced but has not been completed.						Development has stalled and requires to be re-commenced in accordance with approved planning permission.
H-LR 2	Fauldhouse Road (North)	Planning permission granted 10/05/2006 (0493/P/02)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Preparation of SG on Education.	Developer/ Scottish Water WLC	 X			
H-LR 3	Land at Back O Moss/Main Street	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required. Preparation of SG on Education.	Developer/ Scottish Water WLC	 X	X		
H-LR 4	Longridge Park	No permission	Preparation of SG on Education.	WLC	X			

MID CALDER								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-MC 1	New Calder paper Mill	Planning permission granted 13/06/2016 (0811/FUL/14)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			Development commenced and at an advanced stage
			Play facilities to be provided on site as part of development.	Developer	X			
			Developer contributions required towards the non-denominational secondary school at East Calder in accordance with SG.	Developer		X	X	
			Delivery of new non-denominational secondary school at East Calder.	Developer/ WLC		X	X	
			Developer contributions required towards the extension of the denominational primary school (St Paul's) in accordance with SG.	Developer	X	X		
			Delivery of extension to St Paul's primary school.	Developer/ WLC	X	X		
			Preparation of SG on Education.	WLC	X			

PHILPSTOUN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-PH 1	Philpstoun Bowling Club	Planning Permission granted 16/11/15 (0443/FUL/15)						Development completed

POLBETH								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-PB 1	West Calder High School, Limefield	Planning Permission granted 30/05/16 (0083/FUL/16)						Development completed

PUMPHERSTON								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-PU 1	Drumshoreland/ Kirkforthar Brickworks	Planning permission granted (31/05/2017) 0418/MS/17	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X			
		Planning guidelines have	Developer contributions required towards the	Developer	X	X	X	

		been prepared for the development of this site.	enhancement of Marrfield park.					
		&	Implementation of enhancement works to Marrfield park.	Developer		X	X	
		Planning Permission granted 08/01/2016 (0708/FUL/15)	Developer contributions required towards the new non-denominational secondary school in Winchburgh in accordance with SG.	Developer	X	X	X	
			Delivery of new non-denominational secondary school in Winchburgh.	Developer/ WLC		X		
			Developer contributions required towards the extension of the denominational primary school (St Paul's) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to St Paul's primary school.	Developer/ WLC		X	X	
			Developer contributions required towards the extension of the denominational primary school (St Nicholas's) in accordance with SG.	Developer/ WLC	X	X	X	Extension at St Nicholas's primary school completed August 2016
			Developer contributions required towards Pumpherston and Uphall Station Community primary school.	Developer/ WLC	X	X	X	
			Preparation of SG on					

			Education.	WLC	X			
H-PU 2	Drumshoreland Road Frontage	Planning permission granted 04/07/18 (0161/P/16)	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			Play facilities to be provided on site as part of development.	Developer		X		
			Developer contributions required towards Pumpherston and Uphall Station Community primary school.	Developer	X	X	X	
			Developer contributions required towards the extension of the denominational primary school (St Paul's) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to St Paul's primary school.			X	X	
			Preparation of SG on Education.	WLC	X			
H-PU 3	Uphall Station Road (former Pumpherston Primary School & Institute)	Planning permission granted (0541/FUL/14)						Development completed

H-PU 4	Beechwood Grove Park	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		Extension at St Nicholas's primary school completed August 2016
			Developer contributions required towards Pumpherston and Uphall Station Community primary school.	Developer	X	X	X	
			Developer contributions required towards the extension of the denominational primary school (St Nicholas's) in accordance with SG.	Developer	X	X	X	
			Preparation of SG on Education.	WLC	X			

SEAFIELD								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-SF 1	Old Rows	Planning permission granted 26/05/15 (0460/FUL/10)	Developer contributions required for only 4 of the 10 houses towards the new denominational secondary school as other 6 units benefit from a previous approval and are exempt.	Developer	X			Development commenced
			Delivery of the new denominational	WLC		X		

			secondary school. Preparation of SG on Education.	WLC	X			
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STONEYBURN/BENTS								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-SB 1	Stoneyburn Farm (East)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			Developer contributions required towards the enhancement of local park.	Developer		X	X	
			Implementation of enhancement works to local park.	WLC		X		
			Provision of a pedestrian crossing refuge.	Developer		X		
			Preparation of SG on Education.	WLC	X			
H-SB 2	Stoneyburn Farm (West)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.			X		
			Developer contributions			X	X	

			<p>required towards the enhancement of local park.</p> <p>Implementation of enhancement works to local park.</p> <p>Provision of a pedestrian crossing refuge.</p> <p>Preparation of SG on Education.</p>			<p>X</p> <p>X</p>		
H-SB 3	Stoneyburn Workshops, Foulshiels Road	Planning permission granted 01/02/2017 (0109/FUL/16)	<p>Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.</p> <p>Developer contributions required towards the enhancement of local park.</p> <p>Implementation of enhancement works to local park.</p> <p>Preparation of SG on Education.</p>	<p>Developer/ Scottish Water</p> <p>Developer</p> <p>WLC</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>			
H-SB 4	Burnlea Place & Meadow Place	No permission	<p>The location of existing water and waste water pipes traversing the site requires investigation and accommodation.</p> <p>Preparation of SG on Education.</p>	<p>Developer/ Scottish Water</p> <p>WLC</p>	<p>X</p> <p>X</p>			

H-SB 5	Foulshiels Road (Site A)	No permission	Developer contributions required towards the enhancement of local park.	Developer		X		
			Implementation of enhancement works to local park.	Developer		X		
			Preparation of SG on Education.	WLC	X			
H-SB 6	Meadow Road/Church Gardens	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			The location of existing water mains and sewer pipes traversing the site requires investigation and accommodation.	Developer/ Scottish Water		X		
			Links to wider informal path network including east-west links between Meadow Road and burnbrae Road as well as links to the south across the Breich Water to be retained/enhanced.	Developer				
			Preparation of SG on Education.	WLC	X			

H-SB 7	Foulshiels Road (Site B)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			Developer contributions required towards the enhancement of local park.	Developer		X	X	
			Implementation of enhancement works to local park.	WLC		X	X	
			Preparation of SG on Education.	WLC	X			

WEST CALDER & HARBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-WC 1*	Cleugh Brae	No permission	Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus	Developer/ Network Rail		X		

			turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.					
			Provision of bus priority measures along Charlesfield Road with provision of a park and ride site requiring further assessment.	Developer		X		
			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of	Developer		X		

			connecting paths to Bristonhill Moss area and the existing woodland areas.					
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond.	Developer		X		
			Enhancement of river corridors within master plan area.	Developer		X		
			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer		X		
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the	Developer	X	X	X	

			denominational primary school (St Mary's Polbeth) in accordance with SG.					
			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC]		X	X	
			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to the denominational primary school (St Mary's Polbeth).	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
H-WC 2*	Mossend, Phase1 (Site A)	Planning permission granted 22/10/2014 (0349/FUL/11)	Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the	Developer/ Network Rail		X		

			existing substandard access onto Limefield Road.					
			Provision of bus priority measures along Charlesfield Road with provision of a park and ride site requiring further assessment.	Developer		X		
			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Bristonhill Moss area and the existing woodland areas.	Developer		X		

			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond.	Developer		X		
			Enhancement of river corridors within master plan area.	Developer		X		
			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer		X		
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the denominational primary school (St Mary's Polbeth) in accordance with SG.	Developer	X	X	X	

			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC		X	X	
			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to the denominational primary school (St Mary's Polbeth).	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
H-WC 3*	Mossend, Phase 1 (Site B)	Planning permission granted 22/10/2014 (0337/P/13)	Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.	Developer/ Network Rail		X		
			Provision of bus priority	Developer		X		

			measures along Charlesfield Road with provision of a park and ride site requiring further assessment.					
			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Briestonhill Moss area and the existing woodland areas.	Developer		X		
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north	Developer		X		

			side of River Almond.					
			Enhancement of river corridors within master plan area.	Developer		X		
			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer		X		
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the denominational primary school (St Mary's Polbeth) in accordance with SG.	Developer	X	X	X	
			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC		X	X	

			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to the denominational primary school (St Mary's Polbeth).	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
H-WC 4*	Mossend (Remainder)	Planning permission granted 7/10/2016 (0876/P/14) & 6/10.2016 (0875/FUL/14)	Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.	Developer/ Network Rail		X		
			Provision of bus priority measures along Charlesfield Road with provision of a park and ride site requiring further assessment.	Developer		X		

			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Briestonhill Moss area and the existing woodland areas.	Developer		X		
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond.	Developer		X		
			Enhancement of river corridors within master plan area.	Developer		X		

			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer		X		
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the denominational primary school (St Mary's Polbeth) in accordance with SG.	Developer	X	X	X	
			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC		X	X	
			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to	Developer/		X	X	

			the denominational primary school (St Mary's Polbeth).	WLC				
			Preparation of SG on Education.	WLC	X			
H-WC 5*	Burngrange (west of West Calder centremery)	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer /Scottish Water		X		
			Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.	Developer/ Network Rail		X		
			Provision of bus priority measures along Charlesfield Road with provision of a park and ride site requiring further assessment.	Developer		X		

			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Briestonhill Moss area and the existing woodland areas.	Developer		X		
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond.	Developer		X		
			Enhancement of river corridors within master plan area.	Developer		X		

			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer	X	X	X	
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the denominational primary school (St Mary's Polbeth) in accordance with SG.	Developer		X	X	
			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC		X		
			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	
			Delivery of extension to	Developer/		X	X	

			the denominational primary school (St Mary's Polbeth).	WLC				
			Preparation of SG on Education.	WLC	X			
H-WC 6*	Hartwood Road West	No permission	Limited capacity at East Calder waste water treatment works and early discussion with Scottish Water required.	Developer /Scottish Water		X		
			Offsite road widening and footway provision from the site access to the C26 is required.	Developer		X		
			Network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw.	Developer		X		
			Improvements at West Calder railway station including provision of park and ride, bus turning facility, cycle parking at the north side of the station and the partial closure of the existing substandard access onto Limefield Road.	Developer/ Network Rail		X		
			Provision of bus priority measures along Charlesfield Road with provision of a park and ride site requiring further assessment.	Developer		X		

			New distributor road network with bridges across the River Almond and West Calder Burn linking Toll Roundabout with Alba Campus.	Developer		X		
			New distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm.	Developer		X		
			Improvements to A705 and footways between Toll Roundabout and Seafield.	Developer		X		
			Public car park for new village centre at Gavieside.	Developer		X		
			The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Briestonhill Moss area and the existing woodland areas.	Developer		X		
			Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond.	Developer		X		
			Enhancement of river corridors within master plan area.	Developer		X		

			Extension of existing greenway associated with River Almond (between Kirkton and Easter Breich)	Developer		X		
			New greenways associated with West Calder Burn, Harwood Water and Breich Water.	Developer	X	X	X	
			Developer contributions required towards the new non-denominational secondary school (East Calder) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (Parkhead) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the denominational primary school (St Mary's Polbeth) in accordance with SG.	Developer		X	X	
			Delivery of new non-denominational East Calder secondary school.	Developer/ WLC		X		
			Delivery of extension to the non-denominational primary school (Parkhead).	Developer/ WLC		X	X	

			Delivery of extension to the denominational primary school (St Mary's Polbeth).	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			

WESTFIELD								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-WF 1	North Logie Brae & South Logie Brae	Planning permission granted 21/11/02 (1041/2000)	Developer contributions required towards extension to the non-denominational primary school (Westfield) in accordance with SG.	Developer	X	X	X	No substantive development has taken place due, it is understood, to funding constraints.
		Planning permission has been validated by minimal engineering works having been implemented.	Delivery of extension to the non- denominational primary school (Westfield).	Developer/ WLC	X	X	X	St Anthony's primary school extension completed August 2016
			Developer contributions required towards the extension of the denominational St Anthony's primary school, Armadale in accordance with SG.		X	X	X	

WHITBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-WH 1	Polkemmet, Heartlands (1)	Planning Permission Granted 12/05/11 (0191/MS/11)						Development completed
H-WH 2	Polkemmet, Heartlands, Areas A, B and C	Planning Permission Granted 10/12/13 (0890/MS/10)						Development completed
H-WH 3	Polkemmet, Remainder	Planning permission granted 10/05/06 0493/P/02	<p>Developer contributions required towards the non-denominational secondary school capacity if more than 900 units are proposed.</p> <p>Preparation of SG on Education.</p> <p>Scottish Water has carried out a strategic drainage impact assessment within the White Burn catchment and it has been identified that mitigation is required. Early discussion with Scottish Water is encouraged.</p>	<p>Developer</p> <p>WLC</p> <p>Developer/ Scottish Water</p>	<p>X</p> <p>X</p> <p>X</p>	X	X	

H-WH 4	Whitdale, East Main Street	Planning Permission granted 31/10/12 (0158/FUL/12)						Development completed
H-WH 5	Dixon Terrace	Planning Permission granted 14/03/18 31/10/12 (0110/FUL/17)	<p>Limited capacity at Pateshill waste water treatment works and early discussion with Scottish Water required.</p> <p>Limited capacity at Whitburn waste water treatment works and early discussion with Scottish Water required.</p> <p>Documented drainage issues at Longridge Road require early discussion and resolution with Scottish Water.</p> <p>Preparation of SG on Education.</p>	<p>Developer/ Scottish Water</p> <p>Developer/ Scottish Water</p> <p>Developer/ Scottish Water</p> <p>WLC</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>			
H-WH 6	Polkemmet Business Centre, Dixon Terrace	No permission	<p>Limited capacity at Pateshill waste water treatment works and early discussion with Scottish Water required.</p> <p>Limited capacity at Whitburn waste water treatment works and early discussion with Scottish Water required.</p> <p>Scottish Water has</p>	<p>Developer/ Scottish Water</p> <p>Developer/ Scottish Water</p> <p>Developer/</p>		<p>X</p> <p>X</p>		

			<p>carried out a strategic drainage impact assessment within the White Burn catchment and it has been identified that mitigation is required. Early discussion with Scottish Water is encouraged.</p> <p>Documented drainage issues at Longridge Road require early discussion and resolution with Scottish Water.</p> <p>Preparation of SG on Education.</p>	<p>Scottish Water</p> <p>Developer/ Scottish Water</p> <p>WLC</p>	<p>X</p> <p>X</p>	X		
H-WH 7	Murraysgate, West Main Street	No permission	<p>The location of existing water mains, sewers and culverts traversing the site requires investigation and accommodation.</p> <p>Developer contributions required towards the enhancement of King George V Neighbourhood Park / access routes / signage etc between development site and King George V Park.</p> <p>Implementation of enhancement works to. King George V Neighbourhood Park / access routes / signage etc between</p>	<p>Developer/ Scottish Water</p> <p>Developer</p> <p>Developer/ Scottish Water</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p>		

			development site and King George V Park.					
			Preparation of SG on Education	WLC		X		

WILKIESTON								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-WI 1	Linburn	No permission	Provision to be made on site for a public park with equipped play area.	Developer		X	X	East Calder primary school extension completed August 2016
			Developer contributions required towards extension to the denominational primary school (St Paul's) in accordance with SG.	Developer	X	X	X	
			Developer contributions required towards extension to the non-denominational primary school (East Calder) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to the denominational primary school (St Paul's).	Developer/ WLC	X	X		
			Preparation of SG on Education.	WLC	X	X		

H-WI 2	East Coxydene Farm	Planning application undetermined (0731/P/16)	Limited capacity at Linburn waste water treatment works and early discussion with Scottish Water required	Developer/ Scottish Water		X		Current undetermined application
			Developer contributions required towards extension to the denominational primary school (St Paul's) in accordance with SG.	Developer	X	X	X	
			Delivery of extension to the denominational primary school (St Paul's).	Developer/ WLC	X	X		
			Preparation of SG on Education.	WLC	X			

WINCHBURGH								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
H-WB 1	Castle Road	No permission	Developer contributions required to facilitate improvements to local Play facilities.	Developer		X	X	
			Delivery of improvements to local play facilities.	Developer		X		
			Developer contributions required towards the new non-denominational secondary school in	Developer		X	X	

			Winchburgh. Delivery of new non-denominational secondary school in Winchburgh in accordance with SG. Developer contributions required towards the extension of Holy Family denominational primary school. TBC Preparation of SG on Education.	Developer/ WLC Developer X		X X	X X	
H-WB 2	Dunn Place (Winchburgh Primary School)	No permission	Developer contributions required to facilitate improvements to local play facilities. Delivery of improvements to local play facilities. Developer contributions required towards the new non-denominational secondary school in Winchburgh. Delivery of new non-denominational secondary school in Winchburgh in accordance with SG. Preparation of SG on Education. Developer contributions required towards the	Developer WLC Developer Developer/ WLC WLC Developer		X X X	X X X	

			extension of Holy Family denominational primary school. TBC					
H-WB 3*	Niddry Mains (North)	Planning permission in principle granted 17/04/12 1012/P/05	Delivery of new parks and open space and enhancement of existing parks at Timmeryets/Millgate and Craigton Place and Community Centre Park	Developer	X	X	X	
			Delivery of a new railway station in Winchburgh including provision of new park and ride facility.	Developer/ Network Rail		X		
			Delivery of new motorway junction on M9 with associated park and ride.	Developer/ Transport Scotland		X		
			Developer contributions to fund Newbridge Roundabout improvements.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn.	Developer/ WLC		X		
			Provision of town centre public car park	Developer		X		
			Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new	Developer/ WLC		X		

			housing at East Broxburn.					
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-scheduled parts of Greendykes Bing.	Developer		X		

			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.	Developer		X		
			Joint funding (with East Broxburn CDA developers and delivery of new non-denominational	Developer/ WLC		X	X	

			<p>secondary school in Winchburgh in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the extension of Holy Family denominational primary school. TBC</p>	<p>WLC</p> <p>Developer</p>	<p>X</p> <p>X</p>	<p></p> <p>X</p>	<p></p> <p>X</p>	
H-WB 4*	Claypit	<p>Planning permission in principle granted 17/04/12 1012/P/05</p>	<p>Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required.</p> <p>A growth project is to be carried out at Winchburgh Waste Water Treatment Works to accommodate proposals.</p> <p>Developer contributions required to facilitate provision of new parks and open space and enhancement of existing parks at Timmeryets/Millgate and Craigton Place and Community Centre Park.</p> <p>Delivery of new parks and open space and enhancement of existing parks at Timmeryets/Millgate and Craigton Place and Community Centre Park</p>	<p>Developer/ Scottish Water</p> <p>Developer / Scottish Water</p> <p>Developer</p> <p>Developer</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p></p> <p></p> <p>X</p> <p>X</p>	<p></p> <p></p> <p>X</p> <p>X</p>	

			Delivery of a new railway station in Winchburgh including provision of new park and ride facility.	Developer/ Transport Scotland		X		
			Delivery of new motorway junction on M9 with associated park and ride.	Developer		X		
			Developer contributions to fund Newbridge Roundabout improvements.	Developer/ WLC		X		
			Improvements to B8020 between Winchburgh and Broxburn.	Developer		X		
			Provision of town centre public car park	Developer / WLC		X		
			Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn.			X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved	Developer		X		

			recreational access and management plan for Claypit and surrounding area.					
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of Greendykes Bing.	Developer		X		
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to	Developer		X		

			<p>the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)</p> <p>The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.</p> <p>Joint funding (with East Broxburn CDA developers and delivery of new non-denominational secondary school in Winchburgh in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the extension of Holy Family denominational primary school. TBC</p>	<p>Developer</p> <p>Developer/ WLC</p> <p>WLC</p> <p>Developer</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p>		<p></p> <p>X</p> <p></p> <p>X</p>	
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H-WB 5*	Myreside Block AA, (Seton Park)	Planning permission granted 23/08/2013 (0426/MS/13)						Development completed
H-WB 6*	Myreside Remainder	Planning permission in principle granted 17/4/2012 (1012/P/05)	Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water	X	X		
			A growth project is to be carried out at Winchburgh Waste Water Treatment Works to accommodate proposals.	Developer/ Scottish Water				
			Delivery of new railway station in Winchburgh including provision of new park and ride facility.	Developer/ Network Rail		X		
			Delivery of new motorway junction on M9 with associated park and ride.	Developer/ Transport Scotland		X		
			Developer contributions to fund Newbridge Roundabout improvements.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn	Developer/ WLC		X		
			Provision of town centre public car park.	Developer		X		
			Joint funding (with East	Developer/		X		

			Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn.	WLC				
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the	Developer		X	X	

			plan.					
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of Greendykes Bing.	Developer		X		
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan;	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals)	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015	Developer		X		

			<p>WL Open Space Strategy.</p> <p>Joint funding (with East Broxburn CDA developers and delivery of new non-denominational secondary school in Winchburgh in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the extension of Holy Family denominational primary school. TBC</p>	<p>Developer/ WLC</p> <p>WLC</p> <p>Developer</p>		X	X	
H-WB 7*	Glendevon (South) Block K, Site A, (Churchill Brae)	Planning permission granted 03/08/2012 (0328/MS/12)						Development completed
H-WB 8*	Glendevon (South) Block K, Site B, (Glendevon Gait)	Planning permission granted 30/07/12 (0364/MS/12)						Development completed
H-WB 9*	Glendevon (South) (Glendevon Steadings)	Planning permission granted 29/10/13 (0035/FUL/13)						Development completed

H-WB 10*	Glendevon (South) Remainder	Planning permission in principle granted 17/4/2012 (1012/P/05)	Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required.	Developer/ Scottish Water		X		
			A growth project is to be carried out at Winchburgh Waste Water Treatment Works to accommodate proposals.	Developer/ Scottish Water	X			
			Delivery of new railway station in Winchburgh including provision of new park and ride facility.	Developer/ Network Rail		X		
			Delivery of new motorway junction on M9 with associated park and ride.	Developer/ Transport Scotland		X		
			Developer contributions to fund Newbridge Roundabout improvements.	Developer		X		
			Improvements to B8020 between Winchburgh and Broxburn	Developer/ WLC		X		
			Provision of town centre public car park.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing	Developer/ WLC		X	X	

			at East Broxburn.					
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of	Developer		X	X	

			Greendykes Bing.					
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals).	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.	Developer		X		
			Joint funding (with East Broxburn CDA developers and delivery of new non-	Developer/ WLC		X	X	

			denominational secondary school in Winchburgh in accordance with SG. Preparation of SG on Education. Developer contributions required towards the extension of Holy Family denominational primary school. TBC	WLC Developer	X X	 X	 X	
H-WB 11*	Glendevon (North), Block M, (Winchburgh Village)	Planning permission granted 26/08/2012 (0432/MS/13)						Development completed
H-WB 12*	Glendevon (North) Remainder	Planning permission in principle granted 17/04/2012 (1012/P/05) Planning permission granted 24/07/2015 (0372/MS/15) and 10/09/2015 (0386/MS/15)	Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required. A growth project is to be carried out at Winchburgh Waste Water Treatment Works to accommodate proposals. Delivery of new railway station in Winchburgh including provision of new park and ride facility. Delivery of new motorway junction on M9 with associated park and ride.	Developer/ Scottish Water Developer/ Scottish Water Developer/ Network Rail Developer/ Transport Scotland	 X X	 X X		

			Developer contributions to fund Newbridge Roundabout improvements.	Developer				
			Improvements to B8020 between Winchburgh and Broxburn	Developer/ WLC		X		
			Provision of town centre public car park.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn.	Developer/ WLC		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled	Developer		X		

			ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.					
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X	X	
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of Greendykes Bing.	Developer		X		
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals).	Developer		X		
			The proposed "Heritage	Developer		X		

			<p>Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.</p> <p>Joint funding (with East Broxburn CDA developers and delivery of new non-denominational secondary school in Winchburgh in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the extension of Holy Family denominational primary school. TBC</p>	<p>Developer/ WLC</p> <p>WLC</p> <p>Developer</p>			X	X	
H-WB 13*	Niddry Mains (South)	Planning permission in principle granted 17/04/2012 (1012/P/05)	<p>Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required.</p> <p>A growth project is to be carried out at</p>	<p>Developer/ Scottish Water</p> <p>Developer/ Scottish</p>			X	X	

			Winchburgh Waste Water Treatment Works to accommodate proposals. Delivery of new railway station in Winchburgh including provision of new park and ride facility. Delivery of new motorway junction on M9 with associated park and ride. Developer contributions to fund Newbridge Roundabout improvements. Improvements to B8020 between Winchburgh and Broxburn Provision of town centre public car park. Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn. Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding	Water Developer/ Network Rail Developer/ Transport Scotland Developer Developer/ WLC Developer Developer/ WLC Developer		X X X X X X		
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			countryside.					
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		
			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of Greendykes Bing.	Developer		X		
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing	Developer		X		

		river corridors within master plan area.						
		Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals).	Developer			X		
		The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.	Developer			X		
		Joint funding (with East Broxburn CDA developers and delivery of new non-denominational secondary school in Winchburgh in accordance with SG.	Developer/ WLC			X	X	
		Preparation of SG on Education.	WLC	X				
		Developer contributions required towards the	Developer	X	X		X	

			extension of Holy Family denominational primary school. TBC					
H-WB 14	Main Street (former School and Winchburgh Day Centre)	No permission Planning brief has been prepared for the development of this site.	Developer contributions required towards the new non-denominational secondary school in Winchburgh in accordance with SG. Delivery of new non-denominational secondary school in Winchburgh. Preparation of SG on Education. Developer contributions required towards the extension of Holy Family denominational primary school. TBC	Developer Developer/ WLC WLC Developer		X X X	X X X	
H-WB 15	Glendevon (regeneration site)	No permission	The location of existing water mains and sewers within the site requires investigation and accommodation. Developer contributions required towards the new non-denominational secondary school in Winchburgh in accordance with SG. Delivery of new non-denominational	Developer/ Scottish Water Developer Developer/ WLC		X X X	X X X	

			Provision of town centre public car park.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn.	Developer/ WLC		X		
			Network of pedestrian and cycleway links including cycleway connections to Union Canal towpath/core path and links to the paths in the surrounding countryside.	Developer		X		
			Additional landscaping and improved recreational access and management plan for Claypit and surrounding area.	Developer		X		
			Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.	Developer		X		

			Preparation of a strategy to restore Niddry Bing and funds to allow implementation of the plan.	Developer		X		
			Joint funding (with East Broxburn CDA developers) of works to rehabilitate the non-schedule parts of Greendykes Bing.	Developer		X		
			Preparation of a strategy for restoration of Auldcathie landfill site and funds to allow implementation of the plan.	Developer		X		
			Enhancement of existing river corridors within master plan area.	Developer		X		
			Land for canal related facilities having regard to the Edinburgh – West Lothian Union Canal moorings study previously prepared by British Waterways (now Scottish Canals).	Developer		X		
			The proposed “Heritage Park” around the scheduled monuments of Greendykes & Faucheldean Bings is in the sensitive countryside gap between the	Developer		X		

			<p>expanded settlements. This concept could address the provision of a district and neighbourhood park acquired from the 2015 WL Open Space Strategy.</p> <p>Joint funding (with East Broxburn CDA developers and delivery of new non-denominational secondary school in Winchburgh in accordance with SG.</p> <p>Preparation of SG on Education.</p> <p>Developer contributions required towards the extension of Holy Family denominational primary school. TBC</p>	<p>Developer/ WLC</p> <p>WLC</p> <p>Developer</p>		X	X	
H-WB 18	Site adjoining Niddry Mains House	No permission	<p>Shared paths to be provided to form links between area of CDA to east and the existing and new town centre to west.</p> <p>Limited capacity at Winchburgh waste water treatment works and early discussion with Scottish Water required.</p> <p>A growth project is to be carried out at</p>	<p>Developer</p> <p>Developer/ Scottish Water</p> <p>Developer/ Scottish</p>		X	X	
					X	X	X	

			Winchburgh Waste Water Treatment Works to accommodate proposals.	Water				
			Developer contributions required towards the new non-denominational secondary school in Winchburgh in accordance with SG.	Developer	X	X	X	
			Delivery of new non-denominational secondary school in Winchburgh.	Developer/ WLC		X	X	
			Preparation of SG on Education.	WLC	X			
			Developer contributions required towards the extension of Holy Family denominational primary school. TBC	Developer	X	X	X	

■ Schedule 3 – Key Infrastructure Actions allied with Employment Land Allocations

This section of the Action Programme sets out the infrastructure requirements for each employment allocation in the LDP.

Site access, servicing and screening from other uses are the generic requirements for developing new employment land allocations.

Appendix 1 of the LDP provides further information on use classes, categorisation of employment sites and specialist categories, as well as, a schedule of all employment land allocations including further details of site areas, ownership, use classes, categories of employment land.

ADDIEWELL								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
E-AD 1	Addiewell West	Planning Permission granted on part of site	None – access already established and structural woodland shelter belt planted	Private Developer				Bonded Warehouses Partly built out.

BATHGATE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
E-BA 1	Easter Inch	Planning Permission in Principle granted on part of site	None	Scottish Enterprise				Two sites remaining in Estate.
E-BA 2	Inch Wood South	Planning Permission granted	None	Scottish Enterprise / Private				Built out.
E-BA 3	Wester Inch	Planning Permission in Principle granted	Serviced	Private Developer				Marketed – no interest

BLACKBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-BB 1	Riddochhill - Inch Muir Road 1	Planning Permission for site rehabilitation	Required land stabilisation, servicing and access but remediation and reclamation have been completed.	Waystone Ltd				Development platform completed and site being marketed.
E-BB 2	Inch Muir Road 2	LDP Allocation	Requires access and servicing	Private Developer				Last remaining site in Estate
E-BB 3	Pottishaw Place	LDP Allocation	Requires access and servicing	Private				In use as demolition yard and materials storage
E-BB 4	Inchmuir Road 3	Planning Permission granted	None	West Lothian Council				In use as new Council service depot: Spring 2018
E-BB 5 Sites: a,b,c,d	Pottishaw (J4 –M8)	Planning Permission in Principle granted	None	Private Developer - Strawson Holdings				Site 5c granted planning permission for depot extension
E-BB 6	West Main Street Blackburn	LDP Allocation	Requires access and servicing	Private Developer				Has been marketed

BLACKRIDGE								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-BL 1 & Site 2	Sibbald Training Centre Blackridge	Planning Permission granted	None	Private Developer				Both sites in use
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BRIDGEND								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-BD 1	Bridgend Bing	LDP Allocation	B9080 access & junction requires improvement. Contaminated Land Assessment	Private Developer				Potential ground stability issue
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BROXBURN – East Mains Industrial Estate								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-BU 1	Youngs Road South	Planning Permission granted	None	Private Developer				Site in use
E-BU 2	Clifton View 1	Planning Permission granted	None	WLC/ Private Developer				Site in use WLC own the access strip N to Son west side of site i.e. land that forms shelterbelt land through which power cables run.
E-BU 3	Clifton View 2	Planning Permission granted	Requires access and servicing	WLC / Private Developer				Planning Permission granted on part of the site. Land is subject to rights of vehicular access in favour of land owner to the north of the canal.
E-BU 4	Youngs Road North	LDP Allocation	Requires access and servicing	Private Developer				Site partially developed Enterprise Area Status
E-BU 5	East Mains CDA allocation, north of	LDP Allocation	Requires access and servicing	Private Developer				Enterprise Area Status

	A89							
E-BU 6	Greendykes House, Greendykes Road	LDP Allocation	Requires access and servicing	Private Developer				Site cleared

UPHALL								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-UH 1	Stankards South	LDP Allocation Planning Permission granted on part of site	Redevelopment	Private Developer				Buildings demolished
E-UH 2	Uphall Industrial Estate North	LDP Allocation	Requires servicing from main access road	Private Developer				In use as rental yards
E-UH 3	Uphall Industrial Estate South	LDP Allocation	Partly in use	Private Developer				Partly in use

EAST CALDER								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-EC 1	Site south of Camps Industrial Estate	LDP Allocation Planning Permission in Principle granted	Requires access, servicing and structural planting	Private Developer				Part of CDA Masterplan
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EAST WHITBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-EW 1	Whitrigg North East	LDP Allocation	Requires servicing from main access road	Private Developer/WLC				Development occurred without planning permission. Enforcement underway
E-EW 2	Whitrigg South West	LDP Allocation Planning Permission granted	Requires servicing from main access road	Private Developer/WLC				

LANDWARD

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LW 1	Newton North ,by Newton	LDP Allocation Planning Permission granted	Landscaping due to location in cSLA	Private Developer				Part of site in use
E-LW 2	Drum Farm, by Whitburn	LDP Allocation	Landscaping due to location	Private Developer				
E-LW 3	Five Sisters Business Park – (East) by West Calder	LDP Allocation Planning Permission in Principle granted	Requires access and servicing	Private Developer				Masterplan prepared
E-LW 4	Five Sisters Business Park – (West) by West Calder	LDP Allocation Planning Permission in Principle granted	None	Private Developer				Masterplan prepared
E-LW 5	Balgornie Farm, north Whitburn	LDP Allocation	Requires access and servicing	Private Developer				Long term safeguard

LINLITHGOW

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LL 1	Mill Road (Plot a) Linlithgow	LDP Allocation Planning Permission in Principle granted	Landscaping due to location	Private Developer				Last remaining plots in the Estate
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E-LL 2	Land at Burghmuir north of Blackness Road	LDP Allocation	Requires access, servicing and structural planting	Private Developer				Strategic employment opportunity only
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LIVINGSTON – Brucefield Industry Park

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 1	Brucefield Park - west	LDP Allocation	None	Private Developer				
E-LV 2	Brucefield Park - east	LDP Allocation	None	Private Developer				
E-LV 3	Brucefield Park - north	LDP Allocation	None	Private Developer				

LIVINGSTON – Deans Industrial Estate

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 4	Nairn Road – north east	LDP Allocation	None	Private Developer				
E-LV 5	Dunlop Square-west 1	LDP Allocation	Requirement to continue adopted road beside railway. Mine shafts on site.	WLC/ Private Developer				Steep slope to site on north. Protected tree belt to west.
E-LV 6	Dunlop Square-west 2	LDP Allocation	None	WLC / Private Developer				Steep slope to site, difficult to take access.
E-LV 7	Caputhall Road east	LDP Allocation. Detailed Planning permission granted on part of site	None	Private Developer				
E-LV 8	Caputhall Road central	LDP Allocation	None	Private Developer				Developed

E-LV 9	Caputhall Road – west 1	LDP Allocation	None	Private Developer				Developed
E-LV 10	Caputhall Road – west 2	LDP Allocation	None	Private Developer				Developed
E-LV 10	Caputhall Road – west 2	LDP Allocation	None	Private Developer				Developed
E-LV 11	Caputhall Road	LDP Allocation. Planning permission granted for waste management facility	Contaminated Land investigation / mine shaft and mine workings below	WLC				

LIVINGSTON – Eliburn Campus

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
E-LV 12	Appleton Parkway - west	LDP Allocation	None	Private Developer				Long term safeguard
E-LV 15	Appleton Parkway - east	LDP Allocation – Enterprise Status	None	Scottish Enterprise				
E-LV 16	Appleton Parkway - south	LDP Allocation	None	Scottish Enterprise				Use classes widened from Classes 4&5 to include Class 6
E-LV 17	Appleton Parkway – south west	LDP Allocation	None	Scottish Enterprise				
E-LV 18	Appleton Parkway	LDP Allocation	None	Private Developer				Developed
E-LV19	Appleton Parkway – south east	LDP Allocation	None	Private Developer				Partly developed – east side

LIVINGSTON – Houstoun Industrial Estate								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 21	Firth Road South	LDP Allocation	None	Private Developer				
E-LV 22	Nettlehill Road east	LDP Allocation	None	Private Developer				

LIVINGSTON – Kirkton & Alba Campus								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 23	Former Rosebank nursery	LDP Allocation	None	WLC				
E-LV 24	Former Rosebank nursery	LDP Allocation	None	WLC				
E-LV 25	Former Rosebank nursery	LDP Allocation	None	WLC				
E-LV 26	Alba Campus	LDP Allocation	None	Private Developer				
E-LV 27	Alba Campus	LDP Allocation	None	Private Developer/ WLC				
E-LV 28	Alba Campus	LDP Allocation	None	Private Developer				
E-LV29a	Alba Campus	LDP Allocation	None	Private Developer				

E-LV29b	Alba Campus	LDP Allocation	None	Private Developer				
E-LV29c	Alba Campus	LDP Allocation	None	Private Developer				
E-LV29d	Alba Campus	LDP Allocation	None	Private Developer				
E-LV 30	Macintosh Road	LDP Allocation	None	Private Developer				
E-LV 31	Macintosh Road west	LDP Allocation Planning permission granted	None	Private Developer				
E-LV 32	Kirkton Road South	LDP Allocation	None	Private Developer				
E-LV 33	Gregory Road east	LDP Allocation	None	Private Developer				
E-LV 34	Kirkton South Road	LDP Allocation	None	Private Developer				
E-LV 35	Gregory Road west	LDP Allocation	None	Private Developer				Pre-Application Notice for residential use submitted Spring 2018
E-LV 36	Gregory Road	LDP Allocation	None	Private Developer				

LIVINGSTON – Oakbank Industrial Estate								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 37	Williamston North 1	LDP Allocation	None	Scottish Enterprise / Private Developer				
E-LV 38	Williamston North 2	LDP Allocation	None	Scottish Enterprise / Private Developer				Developed

E-LV 39	Williamston South	LDP Allocation	None	WLC				Planning permission granted for access and site sub-division
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LIVINGSTON – Houstoun Interchange

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 40	Houstoun Interchange (north west)	LDP Allocation	Requires access, servicing and structural planting	WLC				In the process of being sold by WLC
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LIVINGSTON – Starlaw Park

LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 41	Starlaw Park west	LDP Allocation	None	Scottish Enterprise / Private Developer				
E-LV 42	Starlaw Park central	LDP Allocation	None	Scottish Enterprise / Private Developer				
E-LV 43	Starlaw Park east	LDP Allocation	None	Scottish Enterprise / Private Developer				

LIVINGSTON – Other estates								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 44	Deer Park	LDP Allocation	None	Private Developer				
E-LV 45	Beugh Burn	LDP Allocation	Major ground works, burn re-alignment, access from Dechmont Roundabout	Private Developer				
E-LV 46	Linhouse	LDP Allocation	Powerline removal, secondary access	WLC				

WEST LIVINGSTON CORE DEVELOPMENT AREA								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-LV 47	Almond North	LDP Allocation	Requires access, servicing and structural planting	Private Developer / WLC				Site bisected by N–S ethylene pipeline with stand off.
E-LV 48	Almond South, Gavieside	LDP Allocation	Requires access, servicing and structural planting	Private Developer				
E-LV 49	Cousland Wood	LDP Allocation	Requires access, servicing and structural planting	Private Developer				

WHITBURN								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	

E-WH 1	Cowhill, Heartlands Business Park	LDP Allocation	Structural planting	Private Developer				Site largely serviced
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WINCHBURGH								
LDP Ref	Site	Planning Status	Infrastructure Requirements	Responsibility	Delivery Period			Update/Comments
					2014 - 2019	2020 - 2024	2025 - 2029	
E-WB 1	Myreside East	LDP Allocation	Requires access, servicing and structural planting	Private Developer				
E-WB 2	Myreside West	LDP Allocation	Requires access, servicing and structural planting	Private Developer				

'Track Changed' version showing revisions made in response to the consultation exercise.

■ Schedule 4 – Policy Actions

This section of the Action Programme identifies the relevant policy actions required to support the delivery of the LDP. It is important that all services within the council and those organisations and bodies outside the council with a role to play in the implementation of the LDP have a clear understanding of the requirements and expectations upon them which arise from the LDP.

The actions largely relate to processes and activities which are the responsibility of the council as service provider. However, they also include reference to Key Agencies, organisations and other bodies where relevant. The actions also include reference to Supplementary Guidance and Planning Guidance which the council intends to prepare and/or update in support of the LDP.

Over the period of LDP plan period circumstances can change and new policy requirements may emerge which can affect the pace of delivery which in turn may require some of the actions to be modified and/or new actions identified. In addition, further Planning Guidance may be required or amendments made to Supplementary Guidance.

The principal policy actions are set out below.

■ Community

■ Education

■ Countryside/Open Space/ Green Network

■ Transport

■ Mixed infrastructure

Economic Development and Growth					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
DES 1	Design Principles	Sets out design principles developers will be required to adhere to.	Supplementary Guidance (Residential Development Guide) has been approved by the Council Executive and awaits adoption of the LDP before it being submitted to Scottish Ministers for approval.	West Lothian Council, developers.	Autumn 2018
EMP 1	Safeguarding and developing existing employment Land	Protection of employment land and premises from other uses.	Employment land audit to be progressed to inform take up of employment land.	West Lothian Council - Planning Services, Economic Development/Business Gateway, Scottish Enterprise, developers, landowners, Chamber of Commerce, business organisations.	Annual
EMP 2	Employment development within settlement boundaries	Sets out criteria against which proposals for employment development within settlements will be assessed.	Employment land audit to be progressed to inform take up of employment land.	West Lothian Council – Planning Services, Economic Development/Business Gateway, business organisations.	Annual
EMP 3	Employment development outwith settlement boundaries	Sets out criteria in support of employment development outwith settlement boundaries and re-use/conversion of farm and industrial buildings.	Monitor planning applications and liaise with Development Management as required.	West Lothian Council – Planning Services, Economic Development/Business Gateway, Scottish Enterprise, developers, landowners, Chamber of Commerce, business organisations.	Ongoing
EMP 4	Masterplan requirements for employment sites	Identifies employment sites for which developers will be required to submit a master plan.	Prepare master plans for those sites set out in policy EMP4.	West Lothian Council, Scottish Enterprise, developers, landowners	Ongoing

EMP 5	Office Development	Sets out criteria in support of office development.	Monitor planning applications and liaise with Development Management as required.	West Lothian Council, Scottish Enterprise, developers, landowners.	Ongoing
EMP 6	Enterprise Area	Sets out criteria against which proposals for employment development within enterprise areas will be assessed.	Monitor planning applications and liaise with Development Management and Economic Development as required.	West Lothian Council, Scottish Enterprise, Scottish Government, developers, landowners.	Ongoing
EMP 7	Tourism	Sets out criteria in support of tourism related development.	Monitor planning applications and liaise with Development Management as required.	West Lothian Council, Tourism Scotland, developers, landowners, local businesses.	Ongoing

Housing Growth, Delivery and Sustainable Locations					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
HOU 1	Allocated Housing Sites	To identify housing sites to meet housing land requirements of the LDP.	Supplementary Guidance (Residential Development Guide) has been approved by the Council Executive and awaits adoption of the LDP before it being submitted to Scottish Ministers for approval.	West Lothian Council, developers, landowners.	2014-2024
HOU 2	Maintaining an Effective Housing Land Supply	Sets out criteria against which proposals to maintain the 5 year effective housing land supply will be assessed.	Monitor the housing land supply through the housing land audit.	West Lothian Council, developers, landowners.	Annual

HOU 3	Infill/Windfall Housing Development within Settlements	To support sites which may come forward over the plan period & which provide additional flexibility in the housing land supply.	Monitor the housing land supply through the housing land audit.	West Lothian Council, developers, landowners.	Annual
HOU 4	Affordable Housing	Indicates requirement for affordable housing and how this is expected to be delivered.	Supplementary Guidance on Affordable Housing has been drafted and public consultation undertaken. To be reported to the Council Executive and agreed before being submitted to Scottish Ministers for approval.	West Lothian Council, developers, landowners.	Autumn 2018
HOU 5	Sites for Gypsies, Travellers and Travelling Show People	Sets out the criteria against which new proposals for new sites for Gypsies, Travellers and Travelling Show People will be assessed.	Monitor planning applications and liaise with Development Management and Housing colleagues as required.	West Lothian Council, landowners, Scottish Government, gypsy traveller community representatives and bodies, Equality and Human Rights Commission, Police Scotland.	2014-2024
HOU 6	Residential Care and Supported Accommodation	Sets out the criteria against which proposals for residential care and supported accommodation will be assessed.	Monitor planning applications and liaise with Development Management and health providers as required.	West Lothian Council, healthcare partnership, NHS Lothian, developers.	2014-2024
HOU 7	Healthcare and Community Facilities in New Housing Development	Provides support for healthcare and community facilities to meet identified need.	Supplementary and/or Planning Guidance to be prepared.	West Lothian Council, healthcare partnership, NHS Lothian, developers, local community, community councils.	2014-2024
CDA 1	Development in Previously identified Core Development Areas (CDAs)	Provides support for housing and mixed use development within core development areas.	Supplementary and/or Planning Guidance to be prepared.	West Lothian Council, developers/landowners, local community, community councils, planning consultants and agents.	2014-2024

Infrastructure Requirements, Delivery and Transport					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
INF 1	Infrastructure Provision and Developer Obligations	Identifies the essential infrastructure required to support the delivery of the development strategy in tandem with IMP1.	Supplementary Guidance to be prepared on developer contributions to support delivery of the LDP strategy.	West Lothian Council, developers/landowners, local community, community councils, planning consultants and agents.	Autumn 2019
INF 2	Telecommunications	Sets out criteria against which telecommunications proposals will be assessed.	Monitor planning applications and liaise with Development Management.	West Lothian Council – Planning Services, Economic Development/Business Gateway, business organisations.	Ongoing
TRAN 1	Transport Infrastructure	Provides support for active travel, outlines requirements for transport assessment and parking requirements.	Supplementary Guidance to be prepared on developer contributions towards transport infrastructure.	West Lothian Council, developers/landowners, local community, community councils, planning consultants and agents.	Autumn 2019
TRAN 2	Transportation contributions and associated works	Advises of developer contributions towards transportation and travel improvements.	Supplementary Guidance to be prepared on developer contributions towards transport infrastructure.	West Lothian Council, developers/landowners, local community, community councils, planning consultants and agents.	Autumn 2019
TRAN 3	Core Paths and Active Travel	Encourages promotion of active travel.	Refresh the Active Travel Plan " <i>Making Active Connections</i> " as Planning Guidance.	West Lothian Council, developers/landowners, local community, community councils.	Autumn 2019
TRAN 4	Advertisements within Key Transport Corridors	Restricts the siting of adverts along main transport corridors.	Monitor planning applications & liaise with Development Management and Transportation.	West Lothian Council – Planning Services, Economic Development, Transportation.	Ongoing

Town Centres and Retailing					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
TCR 1	Town Centres	Provides support for town centre uses and residential use of upper floors of commercial premises in town centres.	Monitor planning applications & liaise with Development Management and Economic Development.	West Lothian Council – Planning Services, Economic Development.	Ongoing
TCR 2	Town Centres First Sequential Approach	Sets out the sequential approach to development appropriate to town centres and to support the role of town centres by promoting development which increases viability of town centres.	Prepare Planning Guidance as required, monitor implementation of design guides, undertake retail survey.	West Lothian Council – Planning Services, Economic Development, local community, community councils.	Ongoing
TCR 3	Commercial Entertainment and Hot Food Premises	Sets out matters to be taken into account in considering proposals for commercial entertainment and hot food premises.	Monitor planning applications & liaise with case officers to ensure appropriate conditions/controls applied.	West Lothian Council – Planning Services, Environmental Health.	Ongoing

The Natural and Historic Environment					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
ENV 1	Landscape character & special landscape areas	Defines requirements for developments in Special Landscape Areas.	Local landscape designation review and associated landscape character classification to be carried forward as background documents to the LDP.	West Lothian Council, Scottish Natural Heritage.	2014 - 2024

ENV 2	Housing development in the countryside	Sets out criteria against which proposals for housing in the countryside will be assessed.	Supplementary Guidance on Development in the Countryside has been drafted and public consultation undertaken. To be reported to the Council Executive and agreed before being submitted to Scottish Ministers for approval.	West Lothian Council, developers, landowners.	Autumn 2018
ENV 3	Other development in the countryside	Sets out criteria against which proposals for other developments in the countryside will be assessed.	Supplementary Guidance on Development in the Countryside has been drafted and public consultation undertaken. To be reported to the Council Executive and agreed before being submitted to Scottish Ministers for approval.	West Lothian Council, developers, landowners.	Autumn 2018
ENV 4	Loss of prime agricultural land	Protects against the loss of prime agricultural land.	Supplementary Guidance on Development in the Countryside has been drafted and public consultation undertaken.	West Lothian Council, developers, landowners.	Autumn 2019
ENV 5	Soil Sustainability Plans	Sets out requirements for soil sustainability plans.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, developers, landowners.	Ongoing

ENV 6	Peatlands and carbon rich soils	Seeks to protect peatlands and carbon rich soils from development & minimise release of CO2 emissions from development.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, developers, landowners.	Ongoing
ENV 7	Countryside Belts and settlement setting	Defines the purpose of countryside belts and criteria against which development proposals will be assessed.	Supplementary Guidance on Development in the Countryside has been drafted and public consultation undertaken. Monitor planning applications & liaise with DM to ensure appropriate conditions/controls are applied.	West Lothian Council, developers, landowners.	Autumn 2019
ENV 8	Green Network	Supports proposals which will help deliver the green network.	Supplementary Guidance on the Green Network has been drafted and public consultation undertaken.	West Lothian Council, developers, landowners.	Autumn 2018
ENV 9	Woodlands, forestry, trees and hedgerows	Establishes the principle of protecting established woodland, groups of trees and hedgerows from loss or damage from development.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls applied (refer to Scottish Government policy on woodland removal).	West Lothian Council, Forestry Commission Scotland, SNH , landowners and developers.	2014 - 2024

ENV 10	Protection of Urban Woodland	Establishes the principle of protecting urban woodland.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls applied (refer to Scottish Government policy on woodland removal).	West Lothian Council, Forestry Commission Scotland, landowners, developers.	2014 - 2024
ENV 11	Protection of the Water Environment/Coastline and Riparian Corridors	Sets out criteria against which development affecting the water environment etc will be assessed.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls applied.	West Lothian Council, Forestry Commission Scotland, landowners, developers.	2014 - 2024
ENV 12	The Union Canal	Promotes conservation, recreational and economic proposals associated with the canal and sets out criteria to be met.	Monitor planning applications & liaise with Development Management and Historic Environment Scotland (HES) where appropriate to ensure appropriate conditions/controls applied.	West Lothian Council, Scottish Canals, landowners, developers.	2014 - 2024
ENV 13	Pentland Hills Regional Park	To protect the Regional Park from proposals that do not accord with the stated aims of the Regional Park and/or current or future management plans for the park.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, Pentland Hills Regional Park Authority.	2014 - 2024

ENV 14	Pentland Hills Regional Park - Further Protection	To protect the Regional Park from proposals that do not accord with the stated aims of the Regional Park and/or current or future management plans for the park.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, Pentland Hills Regional Park Authority.	2014 - 2024
ENV 15	Community Growing and Allotments	Supports community growing areas subject to certain criteria.	Monitor and review of the West Lothian Allotment Strategy 2011.	West Lothian Council, Land Owners, community groups.	2014 - 2024
ENV 16	Temporary/Advance Greening of Development Sites	Supports community growing areas subject to certain criteria.	Monitor planning applications.	West Lothian Council, Land Owners, community groups.	2014 - 2024
ENV 17	Protection of International Nature Conservation Sites	Reinforces the presumption in favour of protecting designated nature sites of international importance.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, Scottish Government.	Ongoing
ENV 18	Protection of National Nature Conservation Sites	Reinforces the presumption in favour of protecting designated nature sites of international importance.	Monitor planning applications & liaise with Development Management to ensure appropriate conditions/controls are applied.	West Lothian Council, Scottish Government.	Ongoing
ENV 19	Protection of Local Biodiversity Sites and Geodiversity Sites	Presumes against development affecting such areas.	Planning Guidance – Planning for Nature: Development Management & Wildlife to be refreshed.	West Lothian Council, Scottish Natural Heritage, developers, landowners, local community, community councils.	2014 – 2019

ENV 20	Species Protection and Enhancement	Sets out criteria against which development affecting protected species will be assessed.	Planning Guidance – Planning for Nature: Development Management & Wildlife to be refreshed.	West Lothian Council, Scottish Natural Heritage, developers, landowners, local community, community councils.	2014 – 2019
ENV 21	Protection of Formal and Informal Open Space	Seeks to protect against the loss of open space.	Monitor and Review West Lothian Council Open Space Strategy.	West Lothian Council, Scottish Natural Heritage, Sport Scotland, developers and landowners.	2014 - 2024
ENV 22	Protection of Outdoor Sports Facilities	Seeks to protect against the loss of outdoor sports facilities.	Monitor and Review West Lothian Council Open Space Strategy.	West Lothian Council, Scottish Natural Heritage, Sport Scotland, developers and landowners.	2014 - 2024
ENV 23	Conservation Areas (designations)	Seeks to promote the designation of conservation areas and their protection.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland when/as appropriate to ensure appropriate conditions and controls are applied. Planning Guidance to be prepared.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner, local community, community councils.	Ongoing
ENV 24	Conservation Areas (demolitions)	Reinforces the presumption against development that would adversely impact on the character & appearance of the area. Sets out criteria where demolition may be acceptable.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland when/as appropriate to ensure appropriate conditions and controls are applied. Planning Guidance to be prepared.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner, local community, community councils.	Ongoing

ENV 25	Linlithgow Palace and Peel and High Street Rigs	Seeks to protect the area from any adverse effects arising from development.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland when/as appropriate to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing
ENV 26	Hopetoun Estate and Abercorn Village	Advises of intention to appraise the area for potential designation as a conservation area.	Commence conservation area appraisal, monitor planning applications & liaise with Development Management, Historic Environment Scotland when/as appropriate to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	2014 - 2024
ENV 27	Areas of Built Heritage and Townscape Value	Seeks to maintain architectural character and historic significance.	Review of planning guidance relating to " <i>Areas of Special Control</i> " to be undertaken.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	2014 - 2019
ENV 28	Listed Buildings	Reinforces the presumption against development that would adversely affect listed buildings and their setting. Sets out criteria for new development, enabling development, demolitions, extensions, alterations & changes of use.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.

ENV 29	Unoccupied and threatened listed buildings	Seeks to support the re-use of unoccupied or threatened listed buildings.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.
ENV 30	Historic Gardens and Designed Landscapes	Reinforces the presumption against development that would harm the appearance & setting of historic gardens and designed landscapes.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.
ENV 31	Historic Battlefields: Battle of Linlithgow Bridge (1526)	To protect, conserve and where appropriate enhance the landscape characteristics and special qualities of the site.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.
ENV 32	Archaeology	Sets out requirements for archaeological assessment and protection of sites from adverse effects of development.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.

ENV 33	Scheduled Monuments	Sets out the presumption against development which would have an adverse effect on scheduled monuments.	Monitor planning applications & liaise with Development Management, Historic Environment Scotland as required to ensure appropriate conditions and controls are applied.	West Lothian Council, Historic Environment Scotland, West of Scotland Archaeology Service, developer, landowner.	Ongoing/annual monitoring.
ENV 34	Art and development	Advise of developer contributions towards public art.	Supplementary Guidance to be reviewed.	West Lothian Council, developers.	Autumn 2019

Climate Change and Renewable Energy					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
NRG 1	Climate Change and Sustainability	Encourages sustainable development and design with a view to reduction of greenhouse gas emissions.	Planning Guidance to be prepared.	West Lothian Council, developers, private sector, local community, community councils.	2014 - 2024
NRG 2	Solar Roof Capacity Requirements	Sets capacity requirements for developments.	Planning Guidance to be prepared.	West Lothian Council, developers, private sector, local community, community councils, renewables industry bodies.	2014 - 2024
NRG 3	Wind Energy Development	To advise of requirements to set out in supplementary guidance on wind energy developments.	Draft Supplementary Guidance to be refreshed and updated.	West Lothian Council, developers, private sector, local community, community councils, renewables industry bodies and SEPA.	Autumn 2019
NRG 4	Other Renewable Energy Technologies	Provides support for other renewable technologies subject to criteria set out and compliance with other LDP policies.	Planning Guidance to be prepared.	West Lothian Council, developers, private sector, local community, community councils, renewables industry bodies.	2014 - 2024

NRG 5	Energy and Heat Networks	Promotes the use of community heating networks.	Planning Guidance to be prepared.	West Lothian Council, developers, private sector, local community, community councils, renewables industry bodies and SEPA .	2014 - 2024
EMG 1:	Water Environment Improvement	Supports opportunities to improve the water environment.	Supplementary Guidance Flooding & the Water Environment has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, SEPA, Scottish Water.	Autumn 2019
EMG 2	Flooding	To prevent development at risk of flooding or which increases the risk of flooding elsewhere and to support implementation of local flood risk management plans.	Supplementary Guidance on Flooding & the Water Environment has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, SEPA, Scottish Water.	Autumn 2019
EMG 3	Sustainable Drainage	Indicates the approach required to support the development strategy.	Supplementary Guidance on Flooding & the Water Environment has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, SEPA, Scottish Water.	Autumn 2019
EMG 4	Air Quality	Sets out requirements of developers with regard to air quality.	Supplementary Guidance on Air Quality has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, SEPA, Scottish Water.	Autumn 2018
EMG 5	Noise	To protect against noise sensitive developments being exposed to significant noise levels arising from development.	Supplementary Guidance on Noise has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector.	Autumn 2019

EMG 6	Vacant, derelict and contaminated land	Provides support for the redevelopment of vacant & derelict land.	Monitor planning applications & liaise with case officers, EH to ensure appropriate conditions/controls applied; DVL survey return to Scottish Government.	West Lothian Council.	Annual
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Waste and Minerals					
Policy	Topic/Title	Purpose	Action	Responsibility/Involvement	Timescale
MRW 1	Mineral Resources and Safeguarding	Defines criteria for mineral extraction.	Supplementary Guidance on Minerals has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, industry bodies, Coal Authority, SEPA, Scottish Water, community councils.	Autumn 2019
MRW 2	Supporting Principles for Mineral Extraction	Sets out principles for supporting mineral extraction.	Supplementary Guidance on Minerals has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, industry bodies, Coal Authority, SEPA, Scottish Water, community councils.	Autumn 2019
MRW 3	Impediments to Mineral Extraction	Sets out principles for supporting mineral extraction.	Supplementary Guidance on Minerals has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, industry bodies, Coal Authority, SEPA, Scottish Water, community councils.	Autumn 2019
MRW 4	Restoration of Mineral Extraction Sites	To require the restoration and aftercare of sites.	Supplementary Guidance on Minerals has been drafted and public consultation undertaken.	West Lothian Council, developers, private sector, industry bodies, Coal Authority, SEPA, Scottish Water, community councils.	Autumn 2019
MRW 5	Unconventional Gas Extraction including Hydraulic Fracturing (Fracking)	Sets out a policy framework for onshore oil and gas extraction.	Monitor planning applications & liaise with case officers to ensure appropriate advice given.	West Lothian Council, developers, private sector, industry bodies, Coal Authority, SEPA, Scottish Water, community councils.	2014 - 2024

MRW 6	Pipeline Consultation	Advise of requirements to consult with the Health & Safety Executive, Transco and BP as appropriate.	Monitor planning applications & liaise with case officers to ensure appropriate advice given.	West Lothian Council, Health and Safety Executive, Transco, BP.	2014 - 2024
MRW 7	Waste Management on Construction Sites	To advise of requirements for handling of waste arising from construction.	Monitor planning applications & liaise with case officers to ensure appropriate advice given.	West Lothian Council, developers.	2014 – 2024
MRW 8	Waste Management Facilities	Safeguards operational waste sites from inappropriate nearby development and criteria for assessing proposals for new waste management facilities.	Monitor planning applications & liaise with Development Management, Waste Services and SEPA to ensure appropriate advice is given.	West Lothian Council, developers, SEPA.	2014 – 2024
MRW 9	Landfill Sites	Presumes against new landfill sites and sets criteria to be considered for landfill proposals.	Monitor planning applications & liaise with case officers to ensure appropriate advice given.	West Lothian Council, developer, SEPA.	2014 – 2024

■ Schedule 5 – Supplementary Guidance (SG) and Planning Guidance (PG)

The council proposes to bring forward and/or update a suite of supplementary guidance and planning guidance to support the LDP. Statutory supplementary guidance is identified as (SG) and non-statutory planning guidance as (PG) in the list below.

The council's web-site will be used to provide details of new 'live' consultations on supplementary and planning guidance and all subsequently approved guidance will also be accessible from this location. <https://www.westlothian.gov.uk/planningconsultations>

Supplementary Guidance must be introduced through the development plan, published and subject to public consultation with due consideration given to any representations received as a result of the consultation process. Thereafter, it must be submitted to Scottish Ministers for approval.

The procedure for preparing non-statutory Planning Guidance is an expedited one and such guidance does not need referral to Scottish Ministers. It can be updated quickly as required or can be prepared in response to an issue arising during the lifetime of the LDP. It therefore has less weight than Supplementary Guidance but nonetheless is a material consideration in the determination of planning applications.

The current schedule for the preparation of supplementary and planning guidance is set out in the table below. A programme for the preparation, consultation and approval of SGs and PGs will be agreed over the course of the first year of the Action Programme and updated in the next annual edition of the Action Programme.

Economic Development & Growth		
Non-employment Uses within Employment Areas	PG	Within 12 months of adoption of the LDP
Housing Growth & Sustainable Locations		
Affordable Housing	SG	Within 12 months of adoption of the LDP
House Extension and Alteration Design Guide	SG	Within 12 months of adoption of the LDP
Residential Development Guide (RDG)	SG	Guidance approved in November 2017 for submission to Scottish Ministers upon LDP adoption
Single Plot and Small Scale Infill Residential Development in Urban Areas	-	No requirement to progress as separate guidance as this topic has been combined with the new RDG above

Infrastructure Requirements, Delivery & Transport		
Cemetery provision	SG	Within 12 months of adoption of the LDP. To be progressed as a single SG and not as suggested in Appendix 4 of the LDP as part of the SG for Developer Obligations for General Infrastructure for Site Delivery
Community Infrastructure	SG	Within 12 months of adoption of the LDP. To be progressed as a single SG and not as suggested in Appendix 4 of the LDP as part of the SG for Developer Obligations for General Infrastructure for Site Delivery
Developer Obligations for General Infrastructure for site delivery (not including Transportation)	SG	Within 12 months of adoption of the LDP
Developer Obligations for Transportation Infrastructure	SG	Within 12 months of adoption of the LDP
Education Strategy	SG	Within 12 months of adoption of the LDP
Paths - Core Path Pan	PG	Over the LDP plan period
Transport Improvements to A71 / A89 Corridor	SG	Within 12 months of adoption of the LDP To be incorporated within proposed SG Developer Obligations for Transportation Infrastructure
Transport - Active Travel Plan	PG	Approved March 2016 – refresh during 2019
Transport - Local Transport Strategy	PG	Within LDP timeframe

Town Centre & Retailing		
Urban Design & Public Realm	-	Current guidance to be reviewed and updated where appropriate

The Natural & Historic Environment		
Historic Environment	PG	Within 12 – 24 months of adoption of the LDP
Geo-diversity action plan	PG	Draft prepared and consulted upon
Green Networks	SG	Guidance drafted as West Lothian Place Based Green Networks and consulted upon
Landscape Character and Local Landscape Designations	-	To remain as technical background documents; no PG required
Development in the Countryside	SG	Guidance drafted and consulted upon
Public Art	SG	Current guidance to be refreshed
Wildlife, Habitat and Development - Planning for Nature	PG	Current guidance to be refreshed
Woodland, Trees and Hedgerows - Protection and Promotion	PG	Within 12 - 24months of adoption of the LDP

Woodland and Trees within Settlements - Protection of	-	To be incorporated as appropriate into PG Woodland, Trees and Hedgerows – Promotion and Protection
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Climate Change & Renewable Energy		
Contaminated Land	PG	Within 12 - 24 months of adoption of the LDP
Flooding and the Water Environment	PG	Draft prepared as SG and consulted upon
Energy - Heat Mapping and Heat Networks	PG	Within 12 - 24 months of adoption of the LDP
Noise	SG	Guidance approved in April 2017 for submission to Scottish Ministers upon LDP adoption
Renewables (not wind energy)	PG	Within 12 - 24 months of adoption of the LDP
Renewables (Solar Roof Capacity Requirement)	PG	Within 12 - 24 months of adoption of the LDP
Wind Energy Development	SG	Draft prepared and consulted upon
Air Quality	SG	Draft prepared as SG and consulted upon

Waste & Minerals		
Minerals	PG	Over the LDP plan period

Generic Policies across the LDP		
Miscellaneous and Implementation	PG	Within 12 – 24 months of adoption of the LDP
Health Impact Assessment	PG	Approved March 2017

For further information on the LDP Action Programme please contact:

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APPENDIX 2

WEST Lothian Local Development Plan

ACTION PROGRAMME – SUMMARY OF CONSULTATION REPRESENTATIONS WITH COUNCIL RESPONSES

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Andrew Bennie Planning Ltd	<p>Action Programme Introduction (page 3)</p> <p>Whilst it is noted that the document advises that the council has “drafted this Action Programme with input from a number of its own internal service providers, relevant key agencies to the LDP process (Scottish Water, the Scottish Environment Protection Agency, Scottish Natural Heritage, Transport Scotland, the Scottish Government) and other organisations / delivery bodies named in the document”, it is of some concern that the Council have not sought to engage with either the land owners of the various development sites detailed within the document or with those developers who are directly engaged in the actual delivery of these developments. As a consequence of this omission, it is clear that the document does not take into account important viability considerations which have a major impact upon the ability of sites to either fully provide for those Infrastructure Actions which are detailed within Schedule 2 of the document or to provide for these actions within the timescales indicated.</p> <p>In order to ensure that this document provides for realistic and achievable outcomes, it is considered necessary that the Council must engage fully and constructively with both landowners and developers before the document is presented to the Council's Executive for final approval.</p>	<p>A draft Action Programme was published alongside the LDP Proposed Plan, and whilst not part of the formal LDP Examination process, the opportunity was nevertheless available for any party to comment on the content of the Action Programme.</p> <p>The provisions of the Action Programme arise out of the LDP which has been fully and properly consulted on and which was adopted by the council in September 2018. Specific consultation on the Action Programme during November/December 2018 provided further opportunity to comment. Reporting the Action Programme to the Council Executive is a requirement of the LDP adoption process and there is held to be no justification for delaying this.</p> <p>No change to the Action Programme is proposed.</p>
	<p>Required</p> <p>Whilst it is acknowledged and accepted that the provision of a new distributor road linking the East Broxburn and Winchburgh sections of the overall CDA is provided for within the terms of the adopted LDP, it is considered that, in transportation terms, the case for this new section of road has never been fully made or justified. As these two areas are already linked by an existing public road (which itself will require to be upgraded in line with the provisions of the LDP) it is considered to be both unnecessary and unreasonable to require the provision of an additional new</p>	<p>Provision of the new distributor road is an explicit requirement of the adopted LDP. The LDP has been through Examination with the Reporter supporting the site allocation and associated developer requirements. The Development Management process would provide the opportunity to further review requirements and take into account viability</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>road in addition to the upgrading of the existing road as both effectively achieve the same end.</p> <p>It is further considered that the construction of this new road will encourage a greater number of car borne journeys, which would not be in the best interests of the promotion of sustainable modes of transport.</p> <p>The provision of this proposed new road also presents significant challenges from a constructional and civil engineering perspective, due to the prevailing topography and ground conditions, both of these considerations adding significantly to the potential costs associated with the provision of this road.</p> <p>As the delivery of both the Winchburgh and East Broxburn sections of the wider CDA already involve major abnormal development costs, the avoidance of costs associated with the provision of this new road would assist greatly in ensuring the long term viability of both of these developments.</p> <p>Consequently, at this stage, it is submitted that the requirement for the provision of this road is either deleted from the current Action Programme or alternatively, that the timescale for the provision of the same be pushed back to the period beyond 2024, at which point it will be possible to take an informed view as to whether this road is required.</p> <p>Furthermore, it is also clear that transport modes are now on the cusp of great change and that these changes must be properly factored into all new infrastructure proposals.</p>	<p>considerations.</p> <p>It is proposed to amend the Action Programme in relation to provision of the road to 'post 2024'. See page 16 of the Action Programme</p>
	<p><i>LDP Proposals Map Reference P-21 (New Primary School to support CDA development)</i></p> <p>It is noted that this new school provision does not require to be provided until sometime after 2024 and support is given for the provision of this new school within this general timeframe. The fact that the provision of this new school does not require to be provided until after 2024, provides suitable verification of the fact that at present, the relevant catchment schools have sufficient capacity to accommodate the pupil output from the proposed development of the East Broxburn section of the wider CDA.</p>	<p>At this time, costs can only be indicative but are based on similar schools at Calderwood and Winchburgh (Holy Family). Costs have also been informed by the Hub contract procurement process.</p> <p>No change to the Action Programme is proposed.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>Given that it is stated that the “education solution” associated with the provision of this school still requires to be identified, it is considered unreasonable at this stage to place any cost against the school or to set out any phasing requirements associated therewith as clearly both of these considerations will be informed and determined by the eventual outcome of the identified education solution. Consequently, it is submitted that all information detailed within the “Indicative Cost” box should be deleted at this stage.</p> <p>In addition to the above, as the possibility of a degree of public funding towards the capital cost of this school, secured through either the current City Deal or any future such arrangement, cannot be wholly discounted at this stage, a suitable caveat should be added to the “Funding Source” box.</p>	
	<p>Page 19 – LDP Proposals Map Reference & Key Infrastructure Action Required Other proposals linked to East Broxburn CDA see LDP Appendix 2 – Housing Land Site Delivery Requirements</p> <p>Given the wide ranging nature of these general requirements and the various considerations associated with the timing of the provision thereof, it is submitted that the information provided within the “Timescale” box should be amended to read “2020-2024 and beyond”.</p>	<p>Noted.</p> <p>It is proposed to amend the Action Programme to take account of this comment. See page 19 of the Action Programme</p>
	<p>Broxburn, LDP Site References H-BU 1, H-BU 4, H-BU 8 and H-BU 9 (running through pages 116 – 131)</p> <p>As there is a high degree of repetition between the Infrastructure Requirements relating to each of the above noted sites, the comments below should be taken as relating to each of the sites, with the comments being provided under the Infrastructure Requirement to which they are concerned.</p> <p>1: Developer contributions required towards St. Nicholas denominational primary school extension.</p> <p>Given that the required extension to St. Nicholas denominational primary school was completed in August 2016, and as such was not provided in order to accommodate any pupils arising from the development of the East Broxburn section</p>	<p>It has long been the council’s policy (enshrined in an SPG) that the cost of extending St Nicholas Primary School would be entirely funded and recovered through developer contributions. This was because all committed development at the time the SPG was conceived (in 2014) was capable of</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>of the CDA, it is questionable whether retrospective developer contributions towards the cost thereof can be reasonably justified.</p> <p>Consequently, this Infrastructure Requirement should be deleted.</p> <p>2: Developer contributions required to enhance local park provision at nearby park.</p> <p>In order to assess its reasonableness, greater clarity requires to be provided by way of detailed narrative as regards the nature and extent of the required enhancements.</p> <p>3: Developer contributions towards transportation infrastructure.</p> <p>In order to assess its reasonableness, greater clarity requires to be provided by way of detailed narrative as regards the nature and extent of any such infrastructure, with it being submitted that scope exists to review this matter within the next iteration of the Action Programme given that such infrastructure is not required until after 2020, at which point the emerging SG will be in place.</p>	<p>being accommodated within the existing capacity of the school. Further housing can only be supported and serviced by creating additional capacity.</p> <p>No change to the Action Programme is proposed.</p> <p>Detailed provision cannot be defined at this stage but will be informed via requirements arising from the review of the council's open space strategy and through discussion as part of the planning application process.</p> <p>No change to the Action Programme is proposed at this time.</p> <p>The council is committed to preparing supplementary guidance for developer contributions towards transport infrastructure. The nature and extent of transport infrastructure will also be informed through the submission of a master plan and planning application for development in the area. The council is required to review/update the Action Programme on an annual basis which will allow for updating of the Action Programme as more information regarding the nature and extent of infrastructure requirements becomes available.</p> <p>No change to the Action Programme is proposed at this time.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>4: New distributor road linking new housing at Winchburgh with new housing at East Broxburn</p> <p>As detailed above, it is submitted that the provision of this road cannot be reasonably justified and that accordingly, this requirement should be deleted.</p> <p>5: Park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn).</p> <p>As the land required to provide this facility lies outwith the control of those parties responsible for the delivery of the East Broxburn section of the wider CDA, and as said parties do not have control over any land upon which this facility could be provided, it is considered that it is wholly unreasonable to include this requirement as it is beyond the power of the developers to provide the same.</p> <p>Accordingly, this requirement should be deleted.</p> <p>6: Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the 'green corridor' between Winchburgh and East Broxburn and funds to allow implementation of the plan.</p> <p>As the promoters of these two sites have no control over the Scheduled Greendykes Bing, which is owned by the Council, it is considered wholly</p>	<p>Provision of the new distributor road is an explicit requirement of the adopted LDP. The LDP has been through Examination with the Reporter supporting the site allocation and associated developer requirements. The Development Management process would provide the opportunity to further review requirements and take into account viability considerations.</p> <p>It is proposed to amend the Action Programme in relation to provision of the road to 'post 2024'. See page 55 of the Action Programme</p> <p>Provision of the park and ride is a requirement of the LDP. The council is in discussion with City of Edinburgh Council as part of cross-boundary transport matters related to the A89/Newbridge area.</p> <p>No change to the Action Programme is proposed.</p> <p>Given the proximity of Greendykes and Faucheldean Bings to the East Broxburn/Winchburgh CDA it is entirely reasonable</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>unreasonable for them to be obliged or required to prepare any form of Management Plan in respect thereof.</p> <p>As owner of this Scheduled Monument, the responsibility for the preparation of such a Plan should rest entirely with the Council.</p> <p>On the matter of the Scheduled Faucheldean Bing, Ashdale Land & Property Company Limited have no ownership interest therein and as such should not be required to participate in any future Management Plan in respect thereof. The text of the Action Programme, of necessity, requires to be revised to reflect these considerations.</p> <p>7: Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non - scheduled parts of the Greendykes Bing.</p> <p>Any works required to rehabilitate the non-scheduled section of Greendykes Bing present a number of significant technical and practical challenges, which present major cost considerations.</p> <p>In view of the fact that the scheduled section of the bing will remain, it is considered that the rehabilitation of the non-scheduled section thereof cannot reasonably be justified as being required on general amenity grounds and furthermore, cannot be justified as being necessary to enable the delivery of the East Broxburn housing allocations.</p> <p>Given these considerations, it is submitted that this requirement be deleted from the Action Programme.</p> <p>8: Contribution to improvements at Stewartfield Park.</p> <p>In order to assess its reasonableness, greater clarity requires to be provided by way of detailed narrative as regards the nature and extent of the required improvements.</p>	<p>for the council to seek input to the preparation of the Management Plan and developer contributions to any subsequent improvement works and these requirements are explicitly identified in Appendix 2 of the adopted LDP.</p> <p>No change to the Action Programme is proposed.</p> <p>These requirements are explicitly identified in Appendix 2 of the adopted LDP.</p> <p>No change to the Action Programme is proposed.</p> <p>Requirements would be clarified through the planning application process and through discussion with the council's NETS, Land and Countryside Services who are currently reviewing the Open Space Strategy. A future iteration of the Action Programme should allow for more clarity on</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
		requirements to be provided. No change to the Action Programme is proposed at this time.
CALA Homes East Ltd.	<p>Schedule 1: Key infrastructure actions allied to proposals</p> <p><i>P-44: M9/J3 West Facing Slip Roads; P-45: Coach Park & Ride facility; and P-115: Traffic management measures in Linlithgow town centre</i></p> <p>An Air Quality Management Area in Linlithgow was declared in April 2016 due to exceedances of both Nitrogen dioxide (NO2) and fine particulates (PM10). Clearly, air quality issues in Linlithgow are a consequence of existing factors. This is confirmed in the Draft AQMA Action Plan (ref ED 62673 dated 1/11/2017).</p> <p>The Action Programme confirms that the purpose of the proposed Action P-44 is: <i>“Related to initiatives to improve the air quality and amenity of Linlithgow High Street by reducing through traffic levels and ultimately improving local road network infrastructure. Supplementary Guidance on developer contributions towards transport infrastructure is to be prepared.”</i></p> <p>Actions P-45 and P-115 are also related to measures to improve air quality in Linlithgow High Street, which is a known matter caused by existing conditions. Circular 3/2013 (paragraph 21) confirms that: <i>“Planning obligations should not be used to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives which are not strictly necessary to allow permission to be granted for the particular development. Situations may arise where an infrastructure problem exists prior to the submission of an application for planning permission. Where the need to improve, upgrade or replace that infrastructure does not arise directly from the proposed development then planning authorities should not seek to address this through a planning obligation.”</i> It is therefore surprising to note that the Action Programme determines that all of the above transport related Actions for Linlithgow are to be solely funded by developer contributions when it is known that air quality issues in Linlithgow are caused by existing factors. Circular 3/2013 (paragraph 13) confirms that: <i>“Where a planning obligation is considered essential, it must have a relevant planning</i></p>	<p>There are existing air quality issues in Linlithgow and these may be impacted by future development. As a consequence there is a legitimate requirement to consider and address them. Supplementary Guidance on Air Quality, approved by the Council Executive on 18 December 2018 sets out specific developer requirements. These requirements may be further informed by supplementary guidance on transport which is to be prepared in support of the LDP and would adhere to the terms of Circular 3/2013. The council has no funding in place for proposals P-44, P-45 and P-115.</p> <p>No change to the action Programme is proposed.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p><i>purpose and must always be related and proportionate in scale and kind to the development in question.</i>" Therefore, it is not reasonable, nor is it in accord with Circular 3/2012, for the entire cost of Actions P-44, P-45 and P-115 to be funded solely by developer contributions. These actions are a requirement of existing conditions and as such the Council should also be identified as a funding source for all of these actions.</p> <p>We therefore recommend that the "Funding Source" box be updated to include "WLC" for the actions identified under references P-44: M9/J3 West Facing Slip Roads; P-45: Coach Park & Ride facility; and P-115: Traffic management measures in Linlithgow town centre. Developer contributions towards these actions should be reasonable, related and proportionate in scale and kind to the developments in question.</p> <p>We also refer to the Supreme Court Judgment in the case of Aberdeen City and Shire Strategic Development Planning Authority (Appellant) v Elsick Development Company Limited (Respondent) (Scotland).</p> <p>Schedule 5:Supplementary and planning guidance</p> <p><i>Supplementary Guidance: Developer Obligations for Transportation Infrastructure</i></p> <p>We also note that Supplementary Guidance for Developer Contributions towards transport infrastructure is to be prepared in due course. This is to be completed within 12 months of adoption of the LDP (4th September 2019). The Guidance should ensure that the requirements of Circular 3/2012 and the Elsick Judgment are met.</p> <p>Schedule 2: Key infrastructure actions allied with housing land allocations</p> <p><i>H-LL 3 Boghall East – new health centre</i></p> <p>The site is subject to a current application for 54 homes (reference 1110/FUL/18). The actions specified in the Draft Action Programme generally reflect the details of the allocation in the Local Development Plan. We note that a feasibility study is proposed to identify a location and funding programme for a new health centre in</p>	<p>Noted.</p> <p>Noted.</p> <p>It is proposed to amend the Action Programme to reflect that contributions towards a new</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>Linlithgow. The Draft Action Programme includes a requirement for developer contributions towards a new health centre for Linlithgow as an Action for this site. It is premature to note this as a required Action at this stage when the outcome of the feasibility study is not known. We note that similar contributions are not identified under allocations H-LL 4; H-LL 5; and H-LL 13. We recommend that such a contribution is not identified as an Action in the Action Programme for any site in Linlithgow until the outcome of the feasibility study is known.</p> <p>H-LL 3 Boghall East – transport infrastructure</p> <p>With respect to developer contributions for transport infrastructure, a Transport Statement has been prepared for the site in support of current application 1110/FUL/18. The scope of the Statement was agreed in advance with the Council. The Statement does not identify any impacts on the safe operation of the road network, including nearby junctions, which requires any form of mitigation through planning obligations. It was also confirmed that because of the negligible impact of the development, an Air Quality Assessment was not deemed to be necessary for planning application 1110/FUL/18. Through the assessment of the site for the planning application, no link has been established between the impact of the development and the Linlithgow Transport Actions (P-44, P-44, P-115) specified in the Action Programme. Taking account of the requirements of Circular 3/2012 and the Elsieck Judgment (which requires more than a trivial link between development impact and planning obligation), we would therefore recommend that the Action requiring “Developer obligations towards Transportation Infrastructure” is deleted for this site.</p> <p>H-LL 12 Preston Farm</p> <p>The actions specified in the Draft Action Programme generally reflect the details of the allocation in the Local Development Plan. With respect to developer contributions for transport infrastructure, we recommend that the text is updated to read “Developer obligations towards Transportation Infrastructure, if required” as the impacts of the development of the site on transport infrastructure will only be known following detailed assessment yet to be undertaken.</p>	<p>health centre will be required from all proposed housing sites in Linlithgow should a feasibility study conclude such provision necessary. See pages 156, 157, 158, 159, 160, 161, 163, 164, 166 and 167 of the Action Programme.</p> <p>The Transport Statement is currently the subject of assessment by the council's Roads and Transportation Service. Given this, it would be premature at this time to alter the Action Programme. The Action Programme is to be reviewed and updated on an annual basis. Any changes arising from the council's consideration of the planning application for site H-LL 3 can be included in the next iteration of the Action Programme.</p> <p>No change to the Action Programme is proposed at this time.</p> <p>The Action Programme is to be reviewed and updated on an annual basis. Any changes arising from the council's consideration of a planning application for site H-LL 12 can be included in the next iteration of the Action Programme and reflect the requirements arising from the proposed supplementary guidance on transport.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>However, it is not likely that contributions from development at Preston Farm will be reasonably linked to the proposed M9 slip roads and the proposed coach park in particular, given the location of the site and likely flow of traffic from it. A Transport Statement carried out in support of representations in support of the site to the LDP confirmed that traffic impacts on the wider road network around the site would be trivial. It is therefore premature to include transport contributions as an Action at this stage.</p> <p>General Comment – Linlithgow Actions</p> <p>We note that the Action Programme highlights existing concerns related to drainage capacity and water quality at Linlithgow Loch. The Action Programme seeks resolution to this and states “<i>Developers will be expected to invest to take account of these inter-related issues to better the situation and such investment may include off site activities. Developers may require to invest in additional engineering and to pick up surface water from existing developments off site in order to provide capacity in the combined drainage system.</i>” Whilst we recognize the importance of ensuring adequate drainage capacity is available, we have concerns with any requirement to address existing deficiencies through planning obligations. We refer to paragraphs 13 and 21 of Circular 3/2012 (see above). Planning obligations should not be used to resolve existing deficiencies. Obligations should have a planning purpose and should be reasonable, related and proportionate in scale and kind to the developments in question. Therefore, the planning obligation should reflect only the proportionate effect of the development impact.</p> <p>We agree that early engagement with SEPA, Scottish Water and the Council’s Flood Manager should be undertaken, but we do not believe that the developer should be expected to contribute more than the proportionate share in accord with Circular 3/2012. As a general note in respect of emerging Supplementary Planning Guidance, the Elsieck Judgment confirms, “<i>the inclusion of a policy in the development plan, that the planning authority will seek such a planning obligation from developers, would not make relevant what otherwise would be irrelevant</i>”...meaning “...that if a planning obligation, which is otherwise irrelevant to the planning application, is sought as a policy in the development plan, the policy seeking to impose such an obligation is an irrelevant consideration when the planning authority considers the application for planning permission.”</p>	<p>No change to the Action Programme is proposed at this time.</p> <p>Noted.</p> <p>Supplementary Guidance on Flooding and the Water Environment (October, 2018) sets out issues associated with Linlithgow Loch and the role that the Union Canal could play in addressing issues with the sewerage network in Linlithgow. This would be used to inform discussion regarding developer contributions whilst also having full regard to the requirements of Circular 3/2013.</p> <p>No change to the Action Programme is proposed.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Clarendon Planning and Development (David Howel)	<p>The comments are made in relation to the Gavieside CDA and an imminent planning application that is intended to be submitted to the Council in December 2018. The application pack and associated masterplan and landscape strategy will provide a basis for taking forward the Gavieside development area and provide additional information to be considered in the finalisation of the LDP Action Programme.</p> <p>The specific changes requested are:</p> <p>Schedule 1: Key Proposals: P-58 New Primary School Associated with Gavieside CDA</p> <p>Gavieside CDA, Proposal P-58, page 42: the funding source should be amended to: "To be agreed as part of PPP application process".</p> <p>Schedule 2: Key Housing Allocations</p> <p>Site H-LV13 Gavieside Farm, Site Requirements, Pages 170-173:</p> <p>2nd point (New distributor road...) on Page 171 to be amended with additional line at end: "if justified by a Transport Assessment".</p> <p>4th point on Page 171 (Improvements to A705...) also to have additional line added: "if required in relation to the agreed distributor road network."</p> <p>6th point on Page 171 (The provision in the northern part of the Polbeth area...). This area is outwith the LDP allocation area and should be removed.</p>	<p>Planning applications for sites indicated in the Action Programme will be assessed on their individual merit and in relation to the prevailing policy framework. The details from the planning application, once submitted and assessed by the council, would then be used to inform a future iteration of the Action Programme.</p> <p>No change to the Action Programme is proposed at this time.</p> <p>The Action Programme text for page 171 - 6th point states that: <i>The provision in the northern part of the Polbeth area of high quality structure planting with a network of connecting paths to Bristonhill Moss area and the existing woodland areas. A small corridor of land which is designated Countryside Belt in the LDP separates the village of Polbeth from large Core Development Area allocations at Gavieside /West Livingston as Mossend/ Cleugh</i></p>

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	<p>7th point on Page 171 (Safeguard land for extension of Almond Valley Heritage Centre...). This area is outwith the LDP allocation area and should be removed.</p>	<p>Brae well as other encroachments at Brotherton Farm site (H-LV 33) and Brieston Moss (H-LW 1). To maintain and reinforce settlement identity and separation new woodland planting is sought on the area between the Gavieside site and Polbeth. A path connection is needed between the Gavieside CDA site and Polbeth but due to the need to bridge the West Calder Burn it is likely to be more feasible to achieve this through the Limefield Glen Walkway path project (P-120).</p> <p>No change to the Action Programme is proposed.</p> <p>The Action Programme text for pages 171/2 - 7th point states that '<i>Safeguard land for extension of Almond Valley Heritage Centre light rail route on north side of River Almond</i>'. AVHC has confirmed that this dated proposal related to the former Freeport Centre, West Calder is no longer viable and that they only seek a small turnaround for their children's railway within their own grounds.</p> <p>It is proposed to amend the Action Programme by deleting the reference to this specific requirement. <i>See pages 173 and 174 of the Action Programme.</i></p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
PPCA for Hopetoun Estates (Peter Allan)	<p>The Estates' interests are best represented by reference to Schedules 1 and 2 of the programme which deal with 'Key Infrastructure Actions allied to Proposals', and 'Key Infrastructure Actions allied with Housing Land Allocations'.</p> <p>In the Estates' opinion, the Schedules, when read with the grant of planning permission in principle for the Winchburgh CDA, including the s.75 Agreement, provide an adequate reference source for what is currently expected from both the developers and the council. They also aid an understanding of the proposed timetable for the provision of key infrastructure.</p> <p>In relation to the wider Winchburgh CDA, it is important to note the wording in the revised LDP Policy CDA 1 which offers an opportunity to increase the land supply for new housing and mixed uses, as follows: <i>The council will continue to support housing and mixed used development within those parts of West Lothian previously designated Core Development Areas, subject to the preparation of master plans to be approved by the council.</i></p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
PPCA for Winchburgh Developments (Robin Matthew)	<p>Schedule 1: Key infrastructure actions allied to proposals</p> <p>P-17 Distributor Road in association with Winchburgh CDA</p> <p>Update Status box to confirm that phasing update granted consent in October 2018.</p> <p>P-89 Alternative site for golf course as restoration / after use for Auldcathie landfill site</p> <p>Update to reflect detailed planning application lodged with Council for District Park as after use for former Auldcathie landfill site in November 2018.</p>	<p>Noted.</p> <p>Action Programme to be updated accordingly. See page 17 of the Action Programme.</p> <p>Noted.</p> <p>Action Programme to be updated accordingly. See page 54 of the Action Programme.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p><i>P-96 Three new neighbourhood centres</i></p> <p>Add reference to beyond 2024 in Timescale column to reflect revised agreed masterplan timescale.</p> <p><i>P-97(a) and (b) – joint secondary school campus (denominational and non-denominational)</i></p> <p>Update to reflect latest tri-partite funding arrangements and timescale for delivery of phase 1 by August 2022.</p> <p>Include reference to delivery of first new primary school as per latest agreed position.</p> <p><i>P-100 School extension (Holy Family Winchburgh Primary School)</i></p> <p>Update to reflect phased extension completed. First new primary school provision expected on Block L schools' campus opening August 2022.</p> <p><i>Schedule 2: Key infrastructure actions allied with housing land allocations</i></p> <p><i>Delivery of new non-denominational secondary school in Winchburgh and developer contributions to that. Various references. Certain references show this,</i></p>	<p>Noted.</p> <p>Action Programme to be updated accordingly. See page 57 of the Action Programme.</p> <p>Noted.</p> <p>The Action Programme reflects the confirmed position on timescales for delivery and funding arrangements.</p> <p>No change is proposed to the Action Programme at this time.</p> <p>There are two separate proposals; phased extension completed refers to P-99 and is shown in completed education projects above; P-100 is still to be completed; the date & location outlined by Winchburgh Developments have not yet been approved by the council.</p> <p>No change is proposed to the Action Programme at this time.</p> <p>Noted.</p> <p>References in the Action Programme will be</p>

	<p>correctly, going beyond 2024 in terms of completion whilst others do not. Consistent approach required across references.</p> <p><i>“Joint preparation (with Winchburgh CDA developers) Management Plan for the scheduled ancient Greendykes and Faucheldean Bings and for the ‘green corridor’ between Winchburgh and East Broxburn and funds to allow implementation of the plan. Joint funding (with Winchburgh CDA developers) of works to rehabilitate the non-scheduled parts of the Greendykes Bing.” Various references.</i></p> <p>Remove references to Winchburgh CDA developers and joint preparation and funding. There is no requirement to undertake the works specified in the draft Action Programme in either the planning permission in principle or the Section 75 legal agreement associated with the strategic expansion of Winchburgh (planning permission 1012/P/05).</p> <p><i>Holy Family Winchburgh Primary School future expansion.</i></p> <p><i>Various references.</i></p> <p>Noted as TBC but now updated by provision of first new primary school as part of Block L schools’ campus to be opened August 2022.</p>	<p>reviewed and amended for consistency. See pages, 214, 217, 221, 223, 225, 228, 232, 235, 236, 240 and 241 of the Action Programme.</p> <p>Given the proximity of Greendykes and Faucheldean Bings to the East Broxburn/Winchburgh CDA it is entirely reasonable for the council to seek input to the preparation of the Management Plan and developer contributions to any subsequent improvement works and these requirements are explicitly identified in Appendix 2 of the adopted LDP.</p> <p>No change to the Action Programme is proposed.</p> <p>The Action Programme reflects the council’s current agreed position on timescales for delivery and funding arrangements. See comment at P-100 above.</p> <p>No change is proposed to the Action Programme at this time.</p>
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RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Transport Planning Limited (Alex Sneddon)	<p>P-44 – westbound slip roads at M9 Junction 3</p> <p>It is noted that this scheme is at the ‘proposal stage’ although it is unclear what this means. The junction lies within three roads authorities (WLC, Falkirk and the trunk road authority) and the funding for the west facing ramps is identified as being allocated to ‘developer contributions’, suggesting no funding is available from the three authorities. The cost of the scheme is not identified but it is unlikely that development in the area that would create impact on any west facing ramps could possibly afford the cost of the intervention, even if it were justified. It is fairly clear that this intervention would accommodate some existing traffic demand (so not all demand would arise from development) but it is completely unclear what the actual benefit of this scheme would be. The text notes the scheme is <i>“Related to initiatives to improve the air quality and amenity of Linlithgow High Street by reducing through traffic levels and ultimately improving local road network infrastructure. Supplementary Guidance on developer contributions towards transport infrastructure is to be prepared.”</i> but it remains opaque how building additional road capacity to encourage more road traffic or road traffic based diversions will achieve this. Our view is that this should be removed.</p>	<p>There are existing air quality issues in Linlithgow and these may be impacted by future development. As a consequence there is a legitimate requirement to consider and address them. Supplementary Guidance on Air Quality, approved by the Council Executive on 18 December 2018 sets out specific developer requirements. These requirements may be further informed by supplementary guidance on transport which is to be prepared in support of the LDP and would adhere to the terms of Circular 3/2013. The council has no funding in place for proposal P-44.</p> <p>Provision of the slip roads is an explicit requirement of the adopted LDP. The LDP has been through Examination with the Reporter supporting the site allocation and associated developer requirements. The Development Management process would provide the opportunity to further review requirements and take into account viability considerations.</p> <p>The additional slip roads at M9-J3 are also referenced in the Strategic Development Plan (SDP1) and the Falkirk LDP 1. Reference to the slip roads has also been rolled forward into the Falkirk LDP 2 Proposed Plan. The West Lothian LDP is required to be consistent with the terms of SDP1.</p> <p>No change to the Action Programme is proposed.</p>

	<p>P-45 - Coach Park & Ride facility</p> <p>It is noted that this scheme is at the 'proposal stage' although it is unclear what this means. Locating a coach based park and ride facility at M9 Junction 3 is, as far as we are aware, unsupported by any assessment of likely usage and it would serve to undermine other LDP objectives related to travel in the area, most notably other park and ride interventions at Winchburgh. The text notes the scheme is <i>"Related to initiatives to improve the air quality and amenity of Linlithgow High Street by reducing through traffic levels and improving management of commuter traffic."</i> It is unclear how locating a coach based park and ride facility at the east end of Linlithgow would reduce through traffic which, if arising anywhere to the east of the centre of town would need to drive via Linlithgow (and back again) to and from any facility, plus additional coach traffic (if such a scheme were justified) and its associated diesel pollutants would impact on the High Street. Developer contributions are again earmarked to fund this scheme and the link between development demand and existing suppressed demand for coach usage is also unclear – there are service buses available in Linlithgow which could be used or supplemented and any demand (if any exists) for coach based park and ride could well arise from existing potential users and therefore be unrelated to new development. Our view is that this should be removed.</p>	<p>There are existing air quality issues in Linlithgow and these may be impacted by future development. As a consequence there is a legitimate requirement to consider and address them. Supplementary Guidance on Air Quality, approved by the Council Executive on 18 December 2018 sets out specific developer requirements. These requirements may be further informed by supplementary guidance on transport which is to be prepared in support of the LDP and would adhere to the terms of Circular 3/2013</p> <p>Provision of the coach park and ride facility is an explicit requirement of the adopted LDP. The LDP has been through Examination with the Reporter supporting the site allocation and associated developer requirements.</p> <p>No change to the Action Programme is proposed.</p>
	<p>P-115 - Traffic management measures in Linlithgow town centre</p> <p>It is noted that this scheme is at the 'proposal stage' although it is unclear what this means. The scheme is identified thus <i>"The traffic management measures to be taken forward to mitigate traffic flow issues in Linlithgow primarily relate to improvements at existing junctions highlighted in the Systra traffic modelling study. They are also related to initiatives to improve the air quality of Linlithgow High Street."</i> Impacts arising from development at individual locations could be identified in individual Transport Assessments. Mitigation measures could also take other forms than 'traffic management measures' as the direct implication of this intervention is based around junction 'improvements' aimed at easing traffic flow thereby making it easier (and more attractive) to use the private car. Any linkage between development, its impact and existing issues is occluded as this is clearly an existing issue.</p>	<p>Provision of traffic management measures in Linlithgow is an explicit requirement of the adopted LDP. The LDP has been through Examination with the Reporter supporting the site allocation and associated developer requirements.</p> <p>Traffic management measures would be further informed by supplementary guidance on transport which is to be prepared in support of the LDP and would adhere to the terms of Circular 3/2013.</p> <p>No change to the Action Programme is proposed.</p>

	<p>General</p> <p>Between pages 11 – 60 of the draft, there are 21 pink shaded transport interventions listed. None of them are costed. In the event this guidance is published it will serve no purpose as there are no costings and therefore – even if development impacts COULD be attributed - costs cannot be apportioned. The practical impact of this is that an Action Programme that is aimed at enabling development will instead halt it, as no agreement will be able to be reached on contribution levels.</p> <p>It is also noted that a word search of the document for ‘electric’, ‘vehicle’ and ‘charging’ yields zero results. For a document that is focussed (at least in Linlithgow) on air quality impacts, it is surprising that the document does not deal with EV charging as a means of tackling air quality issues; which air quality should be projected to improve given the current Government Policy on the sale of electric vehicles.</p> <p>It is suggested the document needs to be withdrawn and transport interventions:-</p> <ol style="list-style-type: none"> Reconsidered with regard to their link with development proposals; Costed; and Brought up to date to be in line with the national hierarchy of travel modes rather than being focused on motorised transport. 	<p>The council is committed to preparing supplementary guidance for developer contributions towards transport infrastructure. The nature and extent of transport infrastructure will also be informed through the submission of a master plan and planning application for development in the area. These actions will assist in identifying costs for the transport interventions set out in the Action Programme. The council is required to review/update the Action Programme on an annual basis which will allow for updating of the Action Programme as more information regarding the nature and extent of infrastructure requirements becomes available.</p> <p>Supplementary Guidance (SG) on Air Quality was approved by the Council Executive on 18 December 2018. The SG includes reference to requirements for electric vehicle charging points.</p> <p>No change to the Action Programme is proposed.</p>
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RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Historic Environment Scotland (HES) (William Kidd)	<p>Suggest that HES should be included among the key agencies on page 3 of the Action Programme</p> <p>Schedule 1: P-102(b) Access to / from and along the Union Canal</p> <p>Advise that HES should be included under the responsibility / involvement column due to the canal's status as a scheduled monument.</p> <p>Schedules 2 & 3</p> <p>Notes that under the responsibility/involvement column that it is limited to lead officers and does not indicate HES involvement even where there might be a legitimate historic environment interest and advises of the importance of early consultation and engagement with HES where masterplans and complex issues involved.</p> <p>Schedule 4</p> <p>Welcome involvement recognised in delivery of policies ENV 23 - 33, and, suggest that HES should be identified for a role in policy ENV 12 The Union Canal</p>	<p>Noted.</p> <p>Action Programme to be amended accordingly. <i>See page 3 of the Action Programme.</i></p> <p>Noted.</p> <p>Action Programme to be amended accordingly. <i>See page 29 of the Action Programme.</i></p> <p>While recognising that HES may have a legitimate interest in some of the allocated sites referenced in Schedules 2 (Housing) & 3 (Employment) this does not of course preclude HES from engaging in the planning application process and it should also be noted that the council also intends to prepare Planning Guidance on the Historic Environment in due course.</p> <p>No change is proposed to the Action Programme at this time.</p> <p>Noted.</p> <p>Action Programme to be amended accordingly. <i>See page 262 of the Action Programme.</i></p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Network Rail (Nicola Slaven)	<p>Schedule 1: P-1(a) Addiewell Railway Station – path upgrade</p> <p>Detailed comments advising of various constraints related to ownership, lighting, drainage</p>	<p>Noted.</p> <p>Comments have however been forwarded to Roads and Transportation for information and action.</p> <p>No change to the Action Programme is proposed.</p>
	<p>Schedule 1: P-1(b) Addiewell Railway Station – access improvements to parking and bus interchange</p> <p>Detailed comments advising of various constraints related to ownership, parking and access issues</p>	<p>Noted.</p> <p>Comments have however been forwarded to Roads and Transportation for information and action.</p> <p>No change to the Action Programme is proposed.</p>
	<p>Schedule 1: P-75 West Calder Railway Station- bus interchange and parking</p> <p>Detailed comments advising of various constraints related to ownership, parking and access issues regarding siting of improved facilities and potential conflicts with new accesses to West Calder High School, and possibly with new road to connect with housing sites at Mossend, Cleugh Brae and Gavieside CDA.</p>	<p>Noted.</p> <p>Comments have however been forwarded to Roads and Transportation for information and action.</p> <p>No change to the Action Programme is proposed.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
Scottish Water (SW) (Sophie Day)	<p>Scottish Water (SW) advises that their network impact assessment team are carrying out several strategic water and waste water studies in the West Lothian area and that as these studies progress, they will provide further updates to the action programme.</p> <p>Schedule 2: Housing Land Allocations</p> <p><i>East Calder catchment</i></p> <p>As identified in the Action Programme (under site specific requirements), Scottish Water encourage early engagement by Developers to discuss their proposals. Additionally Scottish Water has carried out a strategic drainage impact assessment for the East Calder catchment and mitigation on our existing sewerage network is required. Developer's advised to contact Scottish Water to discuss.</p> <p><i>Newbridge Waste Water Treatment Works</i></p> <p>Scottish Water advises that there is sufficient capacity in Newbridge waste water treatment works. Scottish Water advise that Newbridge waste water treatment works serves Broxburn and Dechmont/Bangour. Request that the Action Programme be amended accordingly.</p> <p><i>Pateshill Water Treatment Works</i></p> <p>Water treatment works has sufficient capacity. On Page 208 in the Action Programme it states 'Pateshill waste water treatment works requires early discussion with Scottish Water' – request to be amended to advise that there is sufficient capacity in Pateshill Water Treatment Works.</p>	<p>Noted.</p> <p>No change to the Action Programme is proposed.</p> <p>Noted.</p> <p>The Action Programme currently records that there may be capacity issues in the East Calder catchment area and therefore encourages early engagement with Scottish Water.</p> <p>No change to the Action Programme is proposed.</p> <p>Noted.</p> <p>Action Programme to be updated accordingly. <i>See pages 116, 117, 118, 121, 124, 125, 128, 129, 132, 135, 136 and 137.</i></p> <p>Noted.</p> <p>Action Programme to be updated accordingly. <i>See page 210 of the Action Programme.</i></p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p><i>White Burn Catchment, Whitburn area</i></p> <p>Scottish Water has carried out a strategic drainage impact assessment within the White Burn catchment and it has been identified that mitigation is required on our existing sewerage network for the following sites; <i>Whitburn Polkemet Business Centre and Heartlands Phase 5</i>. The Developer should contact Scottish Water to discuss exact requirements. The remainder of developments in the catchment have no detrimental effect on the existing Scottish Water network.</p> <p><i>Winchburgh</i></p> <p>Scottish Water have been working closely with the Winchburgh Developer and a growth project will be carried out at Winchburgh Waste Water Treatment Works to accommodate the proposals. A water impact assessment has been completed for this development and mitigation identified that the Developer is responsible to carry out. Scottish Water is currently carrying out a strategic drainage impact assessment and is in close contact with the Developer regarding the study.</p>	<p>Noted.</p> <p>Action Programme to be updated accordingly. See pages 210 and 211 of the Action Programme.</p> <p>Noted.</p> <p>Action Programme to be updated accordingly. See pages 218, 222, 226, 229, 232, 233, 237 and 240 of the Action Programme.</p>
<p>Scottish Environment Protection Agency (SEPA) (Alasdair Milne)</p>	<p>Recommends that the Action Programme be a live working document rather than be annually updated.</p> <p>Note that SEPA has previously provided detailed and site specific comments as part of the LDP process, and, welcome reference to drainage issue in the Linlithgow area and that SEPA is listed as a partner.</p> <p>Request the removal of SEPA's listing as a partner from H-LV 10 because it relates to a play area.</p>	<p>It is a requirement of Scottish Ministers that the Action Programme be revised and published on an annual basis over the life-time of the LDP.</p> <p>Support noted.</p> <p>It is referenced in in Appendix Two of the LDP that site H-LV 10 Deans (West)/Hardie Road has potential flood risk and drainage issues although it does not specifically indicate SEPA's involvement. The LDP is itself a settled document and not part of this consultation.</p> <p>No change to the Action Programme is</p>

		proposed.
RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
	<p>Schedule 4: Policy Actions</p> <p>Seek to be included as a partner for further guidance associated with policies NRG 3 <i>Wind Energy Development</i> and NRG 5 <i>Heat Networks</i>. (Action Programme, page 264)</p> <p>Schedule 5: Supplementary Guidance and Planning Guidance</p> <p>SEPA welcome the opportunity to comment on these documents at an early stage in their production.</p>	<p>Noted.</p> <p>Action Programme to be updated accordingly. See pages 267 and 268 of Action Programme.</p> <p>Noted.</p> <p>SEPA is identified as a Key Agency in Scottish Government Planning Circular 6/2013 <i>Development Planning</i>, in paragraphs 151-155, therefore the council will consult the agency as appropriate as part of the development of relevant further policy guidance.</p> <p>No change to the Action Programme is proposed.</p>
<p>SEStran (South East of Scotland Transport Partnership) (Peter Jackson)</p>	<p>SEStran advise that they aim to lead the development of a transportation system for South East Scotland that will enable business to function effectively and provide everyone living in the region with improved access to healthcare, education, public services and employment opportunities.</p> <p>Schedule 1: Key Proposals</p> <p>SEStran request that the following additional requirements are considered to the specific actions listed below for a number of considerations at the six sites listed:</p> <ul style="list-style-type: none"> - Where consideration is given to land allocation for new roads that this is complemented by provision for those wishing to walk, cycle, and access public 	<p>Noted.</p> <p>Noted.</p> <p>Action Programme to be updated accordingly. See pages 13, 16, 17, 23, 45 and 55 of the Action Programme.</p>

	<p>transport;</p> <ul style="list-style-type: none"> - Where improvements are being made to access stations / transport interchanges, that this is complemented by provision for those wishing to walk or cycle. <p>P-119 Colinshiel link road to A89 (Armadale, Heatherfield West) P-16 Broxburn Distributor Road P-17 Distributor Road in association with Winchburgh CDA P-92 Distributor road in association with Broxburn CDA. P-31 Park & Ride and bus interchange (Kirknewton) P-33 Land reservation for Park & Ride in support of Broxburn CDA P-37 P-101 Distributor Road (South Murieston – access to sites H-LV 35 and E-LV 46)</p>	<p>These are matters which will also be addressed through the development management process when applications are received</p>
<p>Scottish Natural Heritage (SNH) (Vivienne Gray)</p>	<p>No comments</p>	<p>Noted.</p>

RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
City of Edinburgh Council (CEC) (Ben Wilson)	<p>It is not clear from the tables set out in the Action Programme who is responsible and who is involved in each action. It would be helpful if this was made clear. We note that costings are not always provided, and assume that these may appear in later editions of the Action Programme.</p> <p>The City of Edinburgh Council is named within the draft Action Programme as “responsible / involved” in the following actions:</p> <p><i>P-33 Land reservation for park and ride to support Broxburn CDA</i></p> <p>P-33 is included within the Edinburgh LDP Action Programme January 2018. The action and the cost attributable to Edinburgh is also contained within the finalised Edinburgh Developer Contributions and Infrastructure Delivery Supplementary Guidance August 2018, which sets out the actions and costs within the West Edinburgh transport contribution zone. The timescale set out in the West Lothian Action Programme are in accordance with those in the Edinburgh Action Programme.</p>	<p>It is acknowledged that this first iteration of the LDP Action Programme is at a relatively high level. However, it is expected that the annual updates will present opportunities to include more detail on specific actions / projects and their costings.</p> <p>Noted.</p> <p>No change to the Action Programme is proposed.</p> <p>Noted.</p> <p>No change to the Action Programme is proposed.</p>
	<p><i>P-109 Cycle route at A904 Newton to City of Edinburgh Boundary</i></p> <p>The Edinburgh LDP Action Programme January 2018 includes an action to change the nature of the A904 / Builyeon Road; this includes new footway and cycle path.</p> <p><i>P-110 Strategic Cycle route parallel to A71 from Lizzie Brice’s roundabout to Wilkieston</i></p> <p>The City of Edinburgh Council has been involved in the feasibility of a cycle route parallel to the A71. The Edinburgh LDP identifies the route from the West Lothian Boundary along the A71 into Edinburgh as an active travel proposal on the</p>	<p>Noted.</p> <p>No change to the Action Programme is proposed.</p> <p>Noted.</p> <p>No change to the Action Programme is</p>

	<p>proposals map.</p> <p><i>P-37 Sustainable transport options for the A8 / A89 / A899 corridor</i></p> <p>In addition to those actions above, Action P-37 relates to land within the Edinburgh boundary. It states “Sustainable transport options for travel route along A8/A89/A899 corridor between Livingston town centre, the West Lothian/City of Edinburgh boundary, Newbridge and to Maybury junction: land to be safeguarded adjacent routes.” The City of Edinburgh Council should be included in the table of actions as a responsible/involved body or the text of the action amended to relate only to those elements within West Lothian. The Edinburgh LDP Action Programme includes active travel actions along the A8 corridor.</p> <p>Once the outcome of the current Strategic Development Plan work is known, it is anticipated that there may be further issues, particularly relating to transport and green networks, for both the Edinburgh and West Lothian action programmes which would benefit from future co-operation.</p>	<p>proposed.</p> <p>Noted.</p> <p>Action Programme to be updated accordingly. See page 27 of the Action Programme.</p> <p>It is also the case that the Action Programme is to be updated on an annual basis. The outcome of the work associated with the current Strategic Development Plan would be included in the next iteration of the Action Programme.</p>
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RESPONDENT	SUMMARY OF COMMENTS RECEIVED	PROPOSED COUNCIL RESPONSE
<p>Falkirk Council (Alistair Shaw)</p>	<p><i>P-34 A801 Avon Gorge Crossing</i></p> <p>Falkirk Council advises that they are progressing the A801 Avon Gorge Crossing in partnership with West Lothian Council and the Scottish Government. In the comments section, the Action Programme notes ‘consent anticipated’. Falkirk Council has all the necessary consents in place on its side of the boundary, and had understood that West Lothian Council likewise had consents in place, so that the scheme was ‘shovel ready’ once funding was confirmed. Clarification is sought on this matter.</p> <p><i>P-44 M9-J3 Westbound slip roads</i></p> <p>In relation to the construction of the west bound slips at M9 Junction 3, it should be noted that one of the slip roads is in the Falkirk Council area and we will be responsible for processing the necessary planning consents for this element of the scheme (the existing consent having lapsed). We note that Supplementary</p>	<p>It is confirmed that planning consents are in place in respect of these works.</p> <p>Action Programme to be updated accordingly. See page 25 of the Action Programme.</p> <p>The additional slip roads at M9-J3 will also benefit the parts of Bo’ness/Falkirk area closest to the improved junction. The Falkirk LDP 1 appears to have most of its allocated sites in the eastern part of Bo’ness close to the A904 leading to J3. There is</p>

	<p>Guidance is to be prepared setting out the basis for contributions towards transport infrastructure (including, we assume, this scheme). At present, land is safeguarded on the Falkirk Council side in our LDP, and an indication provided that it will be developer funded. However, we have no plans for equivalent guidance within Falkirk Council, nor is there any substantial development allocated which we would expect to contribute to the slips. We would therefore assume that the northern slip on our side of the boundary would be funded from contributions generated from developments in West Lothian. It may be useful to discuss this internally including consideration of what opportunities may arise from the infrastructure levy in due course.</p>	<p>consequently a strong argument for contributions from developments in the Falkirk Council area to also fund P-44. These housing & mixed use sites have been rolled forward to the Falkirk LDP 2 Proposed Plan. WLC is in the process of preparing supplementary guidance on transport matters and propose to engage and consult with Falkirk Council accordingly.</p> <p>Action Programme to be updated accordingly <i>See page 38 of the Action Programme.</i></p>
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COUNCIL EXECUTIVE

ANNUAL PROCUREMENT REPORT

REPORT BY THE HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To present the Annual Procurement Report for the period 1 January 2017 to 31 March 2018, attached at Appendix 1.

B. RECOMMENDATION

It is recommended that the Committee notes the Annual Procurement Report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	Procurement Reform (Scotland) Act 2014 reporting requirements.
V	Relevance to Single Outcome Agreement	Our economy is diverse and dynamic and West Lothian is an attractive place for doing business.
VI	Resources - (Financial, Staffing and Property)	None
VII	Consideration at PDSP	None
VIII	Other consultations	None

D. TERMS OF REPORT

The Procurement Reform (Scotland) Act 2014 requires that all Contracting Authorities, who are eligible to prepare and publish a procurement strategy, must publish an annual procurement report which reports on:

- actual and planned regulated procurement activities;
- achievement of community benefits;
- activity with supported businesses; and
- any regulated procurement, i.e. above £50,000 for goods and services and £2,000,000 for works contracts, that did not comply with the procurement strategy.

This is a new requirement and the first time that the Council has prepared such a report. This first report covers the period 1 January 2017 to 31 March 2018, however, future reports shall cover a specific financial year.

The report sets out the number and value of the Council's regulated procurements over the period and reinforces the council's commitment to achieving superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders.

The report confirms that all regulated procurement activity across the Council is undertaken in accordance with Contract Standing Orders for the Regulation of Contracts, the Corporate Procurement Procedures and relevant legislation, ensuring that all regulated procurements are compliant with the Corporate Procurement Strategy.

The report must be published on the Council's internet page. On publication, the Council must also notify the Scottish Government.

E. CONCLUSION

It is recommended that the Council notes the content of the Annual Procurement Report.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: One

- Appendix 1 – Annual Procurement Report for 1 January 2017 to 31 March 2018.

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Julie Whitelaw

Head of Corporate Services

5 February 2019

WEST LOTHIAN COUNCIL

ANNUAL PROCUREMENT REPORT

1ST JANUARY 2017 – 31ST MARCH 2018

1. Introduction

The Procurement Reform (Scotland) Act 2014 (the Reform Act) requires contracting authorities to produce a Procurement Strategy where it expects to have significant procurement expenditure in the next financial year¹, and subsequently an Annual Procurement Report on its regulated procurement activities.

West Lothian Council is pleased to publish its first Annual Procurement Report (the Report), covering the period 1st January 2017 – 31st March 2018. The purpose of this Report is to comply with Section 18 of the Reform Act, which places a legal obligation on contracting authorities to prepare an annual report that summarises its regulated procurement activities and details how regulated procurements have supported the Council Priorities and Strategy Outcomes outlined in West Lothian Council's Corporate Procurement Strategy and the Council's Corporate Plan.

West Lothian Council's Corporate Procurement Strategy (the Strategy) ensures that procurement contributes to the outcomes identified within the Council's Corporate Plan. The priorities set in the Corporate Plan represent all the vital activities that the Council will undertake in order to achieve better outcomes for West Lothian.

In support of the Council's priorities, the Corporate Procurement Unit works with the Service Areas to develop the Procurement Workplan, managing changing demands and priorities in line with the Contract Standing Orders for the Regulation of Contracts, the Strategy, best practice and legislative requirements.

The priorities within the Strategy have been developed based on best practice guidance for procurement within the public sector whilst also acknowledging the role of procurement in supporting service delivery and realising council priorities. Progress on the Strategy is regularly reviewed by the Procurement Board, which provides strategic direction, leadership and support to the procurement function within the Council.

The Strategy was reviewed following the publication of the Reform Act, and provides a clear and consistent framework to ensure that procurement activity supports all services to meet the Council's priorities. The Strategy includes four key priorities, which are:

- Maximising efficiency and collaboration
- Delivering and demonstrating real cash savings across the public sector
- Improving access to public sector contracts, particularly for small and medium enterprises and the voluntary sector, third sector bodies and supported businesses
- Embedding sustainable procurement

¹ An authority has significant procurement expenditure in a year if the sum of the estimated values of the contracts to which its regulated procurements in that year relate is equal to or greater than £5,000,000.
Section 15(4) of the Procurement Reform (Scotland) Act 2014

West Lothian Council is committed to developing and improving its procurement practices to ensure that procurement activities are as effective and efficient as possible. The council has been assessed as part of the national Procurement and Commercial Improvement Programme (PCIP) during the period covered by this report, achieving a score of 63% (Band F3) in line with the national average for the Local Authority sector.

2. Summary of Regulated Procurement

As required by Section 18(2)(a) of the Procurement Reform (Scotland) Act 2014, a summary of the regulated procurements completed by West Lothian Council during the period covered by this report has been provided at Appendix 1.

Regulated procurement refers to any procurement activity above £50,000 for goods and services and £2,000,000 for works contracts. A regulated procurement is completed when the award notice is published or where the procurement process otherwise comes to an end. Regulated procurements can refer to new contracts and framework agreements but also to any mini-competition or call-off from any existing framework.

West Lothian Council publishes a contract register on its external website, at <http://contractinfo.westlothian.gov.uk/>. This contract register contains information on current contracts and is regularly updated to include new awards. Between January 2017 and March 2018, West Lothian Council completed 196 procurements for goods, services and works with a total value of £119,045,170.94, comprising awards under local and national frameworks as well as OJEU and regulated procurement activity. These include new requirements, extensions and re-tenders, and include collaborations with other public bodies.

There were instances during the reporting period where alternative methods of procurement were used in line with the regulations, the Corporate Procurement Procedures and the Council Standing Orders for the Regulation of Contracts.

3. Review of Regulated Procurement Compliance

Section 18(2)(b) of the Procurement Reform (Scotland) Act 2014 places a requirement on West Lothian Council to consider the regulated procurements that have been completed in the period covered by this report and to review their compliance with the Council's Procurement Strategy. To the extent which any regulated procurements did not comply, the Council are required to provide a statement on how it will ensure that any future regulated procurements do comply (Section 18(2)(c) of the Reform Act).

All regulated procurement activity across the Council is undertaken in accordance with the Contract Standing Orders for the Regulation of Contracts, the Corporate Procurement Procedures and relevant legislation, ensuring that all regulated procurements are compliant with the Corporate Procurement Strategy. Where appropriate, West Lothian Council has made use of collaborative contracts to deliver improved contract terms, sustainable procurement outcomes (including through the use of community benefits) and to achieve value for money using a combination of cost and quality criteria.

The Corporate Procurement Strategy clearly sets out how procurement activity would be undertaken in compliance with the legislation and by committing to the following national and Council objectives:

- a) Delivering procurement activities that achieve best value and support the Corporate Priorities. The council has committed to eight priorities that continue to support improvement in the quality of life for everyone living, working and learning in West Lothian.
- b) The Single Outcome Agreement – priorities for West Lothian have been identified that link to National Outcomes. These will be considered as part of the procurement process to deliver contracts that meet both Council and Government priorities.
- c) Participating in the Procurement and Commercial Improvement Programme and working to improve performance year on year.
- d) Following national procurement legislation, policy and guidance to ensure compliance in all our procurement activities.
- e) Delivering Better Outcomes - The overarching aim of this project is to drive more efficient and effective use of the Council's assets and resources. Nine workstreams, including Procurement, have been identified as part of this project where redesign, standardisation and sharing, will lead to improvements in efficiency and/or quality.

In carrying out regulated procurement activity, care has been taken to ensure that West Lothian Council awards its contracts to suppliers who are capable, reliable and demonstrate that they meet the selection and quality criteria set. In the period covered by this report, the Council has conducted all its regulated procurements in compliance with EU Treaty Principles of equal treatment, non-discrimination, transparency, proportionality and mutual recognition.

West Lothian Council will ensure that all future regulated procurements comply with the Corporate Procurement Strategy by continuing to develop and refine internal procedures to make compliance

more straight-forward. This includes improving visibility of information via digitalisation of certain processes to facilitate better data analysis and reporting, and developing internal training programmes and tools for all staff involved in or affected by the procurement process. Contract strategies are revised on an ongoing basis to ensure all procurements meet legislative requirements and the duties laid out in the Reform Act.

4. Community Benefits Summary

In Section 18(2)(d) of the Procurement Reform (Scotland) Act 2014, West Lothian Council is required to summarise what community benefits were delivered via regulated procurements during the period covered by the report.

The council's vision for procurement is "to achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders" and consequently the Corporate Procurement Strategy 2013-19 has a strong focus on community benefits and sustainable development, with these comprising two of the key outcomes of the strategy.

In line with the Corporate Procurement Strategy 2013-19, Community Benefit clauses are considered at strategy stage for all relevant and appropriate procurements over £50,000 and their delivery and local impact are monitored for the lifespan of the contract. West Lothian Council engages with the voluntary sector to identify the best use of community benefits secured by contract. Details of the types of benefits secured during the period covered by this Report are provided at Appendix 2 and include 57 work placements and significant contribution to several community projects. A brief case study of one example of the supply chain's involvement with community projects is outlined below.

Polbeth & West Calder Community Garden

An opportunity with Polbeth & West Calder Community Garden (PWCCG) was identified as a suitable project for community engagement where West Lothian Council suppliers could be directly involved. The Corporate Procurement Unit engaged with the supply chain, PWCCG, Education and Social Inclusion services.

PWCCG had a vision to create an intergenerational garden for young and old to enjoy as part of the community. The project involves four gardens which cater for all ages as well as dementia sufferers and their families, and help to protect wildlife. Local school children were invited to design the garden, while PWCCG donated wild flower seeds and plant pots to allow the schools to grow flowers for the garden, encouraging the children to take ownership by being involved from creation to fruition. Supply chain involvement included:

- Timber being donated to the Social Inclusion Team for manufacturing the garden furniture and bird and bat boxes designed as part of the competition.
- Supply chain recruiting their partners to design and install drainage, allowing the garden to be accessed during all seasons.
- Provision of manual labour working with education services, the local community, and PWCCG volunteers.
- Updating electrical supplies, providing security lighting, installing or repairing fences and securing car parking facilities.

As well as the community garden, PWCCG benefited in a number of additional ways, such as the offer to replace the portaloos used in the garden with plumbed toilets and basins, and delivery of free compost to PWCCG and other voluntary organisations as needed.

5. Supported Businesses Summary

Section 18(2)(e) of the Procurement Reform (Scotland) Act 2014 requires the Council to summarise any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year covered by this report.

West Lothian Council is committed to supporting and improving access to procurement opportunities for micro, small and medium enterprises (SMEs), voluntary organisations, third sector bodies, supported businesses and social enterprises, as outlined in the Corporate Procurement Strategy. The Corporate Procurement Unit endeavours to support Service Areas to consider and engage with these organisations as a matter of course, while the council's Procurement Strategy and Corporate Procurement Procedures supports a commitment to maximising the benefits delivered from sustainable procurement.

Although there were no regulated procurement procedures awarded to supported businesses during the period of this report, West Lothian Council has engaged with these organisations in the past and in the current financial year (2018-19) awarded a contract relating to disposal of confidential waste to a Scottish Supported Business.

6. Future Regulated Procurements Summary

As required by Section 18(2)(f) of the Procurement Reform (Scotland) Act 2014, a summary of the regulated procurements that West Lothian Council expects to commence in the next two financial years has been provided at Appendix 3.

Information such as timescales, route to market and anticipated values may change as contract strategies and requirements develop over time, however the summary in this appendix is derived from future workplans based on consultation with Service Areas, and current contracts which are known to require to be retendered or extended in that period.

APPENDIX 1 – SUMMARY OF REGULATED PROCUREMENTS COMPLETED BETWEEN 1ST JAN 2017 – 31ST MARCH 2018

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
1	CC7967	Architect Services for Whitburn Partnership Centre	01/01/2017	01/12/2019	£54,475.56	£158,800.00	Smith Scott Mullan
2	CC8083	Malware Solution	01/01/2017	31/03/2020	£50,388.48	£163,590.00	Insight Direct (UK) Ltd
3	CC8223	Postal Services - Royal Mail	01/01/2017	30/09/2020	£79,418.45	£297,656.00	Royal Mail
4	CC8269	Supply and Delivery of Glass and Glazing	01/01/2017	31/12/2021	£40,000.00	£200,000.00	Strathclyde Insulating Glass
5	CC8276	Maintenance and Cleaning of Interceptors for Non-housing properties	01/01/2017	31/12/2018	£80,109.74	£160,000.00	EEG Utilities Ltd
6	CC7388	Clerk of Works	04/01/2017	03/01/2019	£321,039.78	£641,200.00	Clerk of Works Inspection Service
7	CC8697	Postal Services - Whistl	04/01/2017	16/02/2020	£102,234.96	£318,749.00	Whistl UK Ltd
8	CC8084	Blackridge, Park Rd Flats - External Works	13/01/2017	30/06/2017	£100,262.00	£100,262.00	ISS FS Ltd landscaping
9	CC7522	Interactive Panels	20/02/2017	31/03/2017	£250,000.00	£250,000.00	AVM Impact Ltd
10	CC8150	Meridio Data Migration	01/03/2017	31/12/2017	£98,250.00	£98,250.00	Objective Corporation UK Ltd
11	CC8558	Materials - Plumbing/Central Heating/Gas Spares	01/03/2017	28/02/2022	£2,077,917.20	£10,389,586.00	William Wilson
12	CC6999	Bathville Cross, Armadale - Phases 1,2 & 5 Attic Asbestos Removal, Remediation & Disposal	06/03/2017	02/07/2017	£75,120.00	£75,120.00	Chamic Industrial Services
13	CC8238	Emissions Detecting Reporting System Pilot Scheme	15/03/2017	30/06/2017	£69,000.00	£69,000.00	Hager Environmental & Atmospheric
14	CC8382	Winchburgh Land Transfer	21/03/2017	21/03/2017	£87,947.11	£87,947.11	Winchburgh Developments Ltd
15	CC8268	Fostering	25/03/2017	24/03/2021	£116,788.00	£467,152.00	St Andrews Children's Society
16	CC8470	Fostering Services	25/03/2017	24/03/2021	£1,554,788.00	£6,219,152.00	TACT
17	CC8298	Egress Renewal	26/03/2017	26/03/2020	£61,610.40	£185,000.00	Sapphire

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
18	CC7340	Children and Young People Affected by Parental Substance Misuse	01/04/2017	31/03/2020	£110,000.00	£330,000.00	Circle
19	CC7489	Audit of Financial Statements	01/04/2017	31/03/2022	£320,000.00	£1,600,000.00	Audit Scotland
20	CC7607	Stage and Theatre Lighting PAT Testing	01/04/2017	31/03/2022	£17,386.00	£86,930.00	Black Light
21	CC7977	UPVC Windows	01/04/2017	31/03/2018	£125,000.00	£125,000.00	Sovereign Group Ltd
22	CC8093	Treatment and Disposal of Residual Waste	01/04/2017	31/03/2024	£3,982,983.10	£27,891,794.00	Levenseat Ltd
23	CC8094	Treatment of Organic Food Waste	01/04/2017	31/03/2018	£229,549.50	£229,549.50	Levenseat Ltd
24	CC8098	Treatment and Disposal of Residual Waste Skip Material	01/04/2017	31/08/2017	£200,000.00	£200,000.00	Levenseat Ltd
25	CC8108	Assertive Outreach and Criminal Justice Services	01/04/2017	31/03/2020	£222,000.00	£666,000.00	Lifeline Project Ltd
26	CC8147	Roofing	01/04/2017	01/01/1900	£100,000.00	£100,000.00	MKM Building Supplies
27	CC8211	Secure Care	01/04/2017	31/03/2020	£230,424.33	£691,273.00	Rossie School
28	CC8194	Electrical TMC Contract Building Services	03/04/2017	03/04/2020	£711,281.36	£2,135,792.79	RB Grant
29	CC8273	Bat Ecology Surveys	03/04/2017	03/04/2021	£28,293.12	£113,250.00	Echoes Ecology Ltd
30	CC7906	Scaffolding - Empire St, Whitburn	10/04/2017	30/09/2017	£68,705.00	£68,705.00	Clyde Scaffolding Limited
31	CC8089	Scaffolding - Mayfield	10/04/2017	31/10/2017	£96,286.86	£96,286.86	KC Scaffolding Ltd
32	CC8158	Scaffolding - Lanrigg, Fauldhouse	10/04/2017	30/09/2017	£70,590.00	£70,590.00	Park Grove Scaffolding S Ltd
33	CC5859	Ladder Harness Kits and Training	17/04/2017	17/04/2021	£49,965.78	£200,000.00	Applus RTD UK Ltd
34	CC8187	Roofing - BREICH	17/04/2017	31/07/2017	£78,173.56	£78,173.56	Procast Building Contractors
35	CC8088	Render materials - Ladeside Place, Blackburn & Meadowhead Avenue	01/05/2017	31/03/2018	£107,160.98	£107,160.98	Jewson Ltd
36	CC8159	Scaffolding - Roof and Render Works	01/05/2017	01/01/1900	£54,810.00	£54,810.00	Park Grove Scaffolding S Ltd
37	CC8161	Scaffolding - Townhead Gardens	01/05/2017	31/08/2017	£54,810.00	£54,810.00	Park Grove Scaffolding S Ltd
38	CC8628	Cash Collection Service	01/05/2017	30/04/2021	£36,250.00	£145,000.00	Security Plus Ltd
39	CC8134	Gritter Vehicles x 5	09/05/2017	09/05/2017	£105,126.00	£105,126.00	Lothian Daf

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
40	CC8346	Education and Office Furniture - Lot 9 Office Meeting Room and Reception Furniture	09/05/2017	28/02/2021	£24,122.54	£91,930.00	Sharp Business Systems UK PLC
41	CC8493	Education and Office Furniture - Lot 4 Educational Dining Furniture	09/05/2017	28/02/2021	£43,929.63	£167,414.00	Yorkshire Purchasing Organisation
42	CC8541	Education and Office Furniture - Lot 8 Office tables/desks	09/05/2017	28/02/2021	£20,102.03	£76,608.00	Wagstaff Bros., Limited
43	CC8599	Education and Office Furniture - Lot 11 Full office furniture kit-out	09/05/2017	28/02/2021	£24,122.54	£91,930.00	Sharp Business Systems UK PLC
44	CC8606	Education and Office Furniture - Lot 1 Educational Seating	09/05/2017	28/02/2021	£53,090.05	£202,324.00	Sharp Business Systems UK PLC
45	CC8733	Education and Office Furniture - Lot 6 Pre-5 Furniture	09/05/2017	28/02/2021	£46,090.76	£175,650.00	Yorkshire Purchasing Organisation
46	CC8762	Education and Office Furniture - Lot 10 Office Storage	09/05/2017	28/02/2021	£16,225.31	£61,834.00	Yorkshire Purchasing Organisation
47	CC8809	Education and Office Furniture - Lot 2 Educational Tables and Desks	09/05/2017	28/02/2021	£39,765.58	£151,545.00	Yorkshire Purchasing Organisation
48	CC8810	Education and Office Furniture - Lot 3 Educational Storage Furniture	09/05/2017	28/02/2021	£51,425.12	£195,979.00	Yorkshire Purchasing Organisation
49	CC8152	Open Space Landscape Works	19/05/2017	16/10/2017	£215,509.00	£215,509.00	P1 Solutions Ltd
50	CC7862	Domestic Furniture and Furnishings including White Goods	22/05/2017	21/05/2021	£1,000,000.00	£4,000,000.00	First Furnishings Ltd
51	CC8181	Transport - SCH 314 382 383	23/05/2017	18/06/2020	£45,706.33	£140,500.00	Prentice Westwood Ltd
52	CC8085	Cement Board - Laeside Place	01/06/2017	31/03/2019	£81,961.08	£150,000.00	Jewson Ltd
53	CC6547	Supplementary Skip Hire & Waste Recycling Services	17/06/2017	16/06/2018	£120,000.00	£120,000.00	Buchan Skip Hire Ltd
54	CC8137	Gritter Vehicles x 2	28/06/2017	28/06/2017	£222,000.00	£222,000.00	Lothian Daf
55	CC8141	Refrigeration for Non-Housing	01/07/2017	30/06/2018	£137,845.26	£137,845.26	Lovat's Catering Engineering S
56	CC7966	Blackburn Partnership Centre	03/07/2017	30/11/2017	£57,713.00	£57,713.00	Sharp Business Systems UK PLC

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
57	CC8207	B792 Blackburn Road Junction Improvements	03/07/2017	03/09/2017	£485,669.00	£485,669.00	RJ Mcleod
58	CC8271	Livingston Village Underpass and Tern Brae Underpass - Refurbishment	03/07/2017	14/08/2017	£145,816.00	£145,816.00	Diack and Macaulay Ltd
59	CC8142	Installation of Platform Lift and Convert Store to Accessible Change and fully DDA compliant WC	10/07/2017	30/09/2017	£79,096.00	£79,096.00	Marshall Construction Ltd
60	CC7492	Schmidt Sweep	12/07/2017	12/07/2017	£137,760.00	£137,760.00	AEBI Schmidt UK Ltd
61	CC8797	Taxi & Minibus School Transport Services	13/07/2017	12/07/2021	£97,222.00	£388,888.00	WS Hamilton Mini Bus Hire
62	CC8476	Tractors	19/07/2017	19/07/2017	£91,734.00	£91,734.00	Thomas Sherriff and Co Ltd
63	CC7755	BT FeatureNet Telephony Services	01/08/2017	31/07/2018	£142,961.80	£142,961.80	BT Featurenet Payment Centre
64	CC8766	Education Materials - Lot 3 Board Card and Drawing Paper	01/08/2017	31/07/2021	£20,000.00	£80,000.00	Yorkshire Purchasing Organisation
65	CC8770	Education Materials - Lot 4 Exercise Books	01/08/2017	31/07/2021	£44,000.00	£176,000.00	Yorkshire Purchasing Organisation
66	CC8783	Education Materials - Lot 1 General Education Materials	01/08/2017	31/12/2021	£123,099.81	£544,000.00	Yorkshire Purchasing Organisation
67	CC8794	Education Materials - Lot 2 Arts and Craft Materials	01/08/2017	31/07/2021	£44,000.00	£176,000.00	Yorkshire Purchasing Organisation
68	CC8221	Project 3 / Saturday Strings	09/08/2017	08/08/2021	£20,000.00	£80,000.00	Royal Conservatoire of Scot
69	CC8694	Frozen Foods	11/08/2017	10/08/2021	£821,750.00	£3,287,000.00	Brakes Bros Ltd
70	CC3244	Transport - MED165	22/08/2017	29/06/2019	£29,027.22	£53,760.00	Apple Cars
71	CC5247	Transport - ASN096 Pinewood School	22/08/2017	21/08/2021	£14,400.00	£57,600.00	Apples Cars
72	CC5248	Transport - ASN031 Deans Annex	22/08/2017	21/08/2021	£12,768.00	£51,072.00	Apple Cars
73	CC6162	Transport - ASN029 Deans Annex	22/08/2017	21/08/2021	£13,440.00	£53,760.00	Allthefours Inc
74	CC6998	Transport - ASN090 James Young AU	22/08/2017	21/08/2021	£14,208.00	£56,832.00	Carson Developments
75	CC7177	Transport - ASN005	22/08/2017	30/06/2020	£85,681.70	£244,838.40	A2B WL LTD
76	CC7207	Transport - ASN056 Pinewood	22/08/2017	21/08/2021	£14,688.00	£58,752.00	Apple Cars

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
77	CC7212	Transport - ASN036 Dedridge AU	22/08/2017	21/08/2021	£15,744.00	£62,976.00	Allthefours Inc
78	CC7428	Transport - ASN098	22/08/2017	30/06/2020	£32,853.61	£93,880.32	A2B WL LTD
79	CC7498	Transport - ASN010 Beatlie	22/08/2017	21/08/2021	£17,664.00	£70,656.00	Allthefours Inc
80	CC7509	Transport - ASN032 Deans Annex	22/08/2017	21/08/2021	£21,811.20	£87,244.80	AJs Taxis
81	CC7554	Transport - ASN002 Balbardie AU	22/08/2017	21/08/2021	£13,824.00	£55,296.00	Allthefours Inc
82	CC7557	Transport - ASN146	22/08/2017	21/08/2021	£12,672.00	£50,688.00	Allthefours
83	CC7571	Transport - ASN053 Pinewood	22/08/2017	21/08/2021	£15,360.00	£61,440.00	Allthefours Inc
84	CC7638	Transport - ASN011 Beatlie	22/08/2017	21/08/2021	£26,400.00	£105,600.00	H&M Ferguson
85	CC7673	Transport - ASN025 Cedarbank	22/08/2017	21/08/2021	£12,672.00	£50,688.00	Allthefours Inc
86	CC7704	Transport - ASN055 Pinewood	22/08/2017	21/08/2021	£18,048.00	£72,192.00	Carson Development and Lets
87	CC7754	Transport - ASN008 Beatlie PS	22/08/2017	21/08/2021	£16,896.00	£67,584.00	Browns Taxis
88	CC7766	Transport - ASN076 Linlithgow AU	22/08/2017	21/08/2021	£14,208.00	£56,832.00	Allthefours Inc
89	CC7812	Transport - ASN078 James Young AU	22/08/2017	21/08/2021	£14,688.00	£58,752.00	Apple Cars
90	CC7835	Transport - ASN084 Pinewood Blackburn	22/08/2017	21/08/2021	£38,016.00	£152,064.00	Andrew Mullen
91	CC7842	Transport - PAR064	22/08/2017	30/06/2019	£28,984.34	£53,760.00	Fair Deal Cabs
92	CC7853	Transport - PAR036 St Joseph's Primary school Linlithgow	22/08/2017	21/08/2021	£14,208.00	£56,832.00	Tayforth Travel
93	CC7854	Transport - PAR065	22/08/2017	30/06/2019	£37,265.58	£69,120.00	Fair Deal Cabs
94	CC7957	Transport - ASN097	22/08/2017	30/06/2020	£21,501.05	£61,440.00	Fair Deal Cabs
95	CC7959	Transport - ASN058 Pinewood	22/08/2017	21/08/2021	£16,320.00	£65,280.00	Fullerton of Bathgate
96	CC8030	Transport - PAR023 Linlithgow Academy	22/08/2017	21/08/2021	£13,440.00	£53,760.00	Fourways
97	CC8049	Transport - ASN043 Ogilvie	22/08/2017	21/08/2021	£23,040.00	£92,160.00	Fairdeal Cabs
98	CC8050	Transport - ASN012 Beatlie	22/08/2017	21/08/2021	£16,800.00	£67,200.00	H&M Ferguson
99	CC8110	Transport - ASN041 Ogilvie	22/08/2017	30/06/2020	£26,876.32	£76,800.00	Livingston Radio Cars
100	CC8112	Transport - ASN021 Blackburn AU	22/08/2017	21/08/2021	£18,048.00	£72,192.00	Livingston Taxis
101	CC8114	Transport - ASN072 St Marys AU	22/08/2017	21/08/2021	£17,280.00	£69,120.00	Livingston Taxis
102	CC8115	Transport - ASN033 Armadale Annex	22/08/2017	21/08/2021	£14,131.20	£56,524.80	Livingston Taxis and PH Ltd

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
103	CC8116	Transport - ASN034 Armadale Annex	22/08/2017	21/08/2021	£13,132.80	£52,531.20	Livingston Taxis and PH Ltd
104	CC8117	Transport - ASN070 Pinewood Blackburn Annex	22/08/2017	21/08/2021	£19,200.00	£76,800.00	Livingston Taxis and PH Ltd
105	CC8118	Transport - PAR012 East Calder Primary School	22/08/2017	21/08/2021	£13,440.00	£53,760.00	Livingston Taxis and PH Ltd
106	CC8119	Transport - ASN087 St Marys AU	22/08/2017	22/08/2021	£20,529.94	£82,176.00	Livingston Taxis and PH Ltd
107	CC8120	Transport - Med159 Whitburn Academy	22/08/2017	21/08/2021	£14,206.08	£56,824.32	Lothian Contracts Ltd
108	CC8123	Transport - ASN001 Balbardie AU	22/08/2017	21/08/2021	£13,822.08	£55,288.32	Lothian Contracts Ltd
109	CC8124	Transport - ASN006 Beattie	22/08/2017	21/08/2021	£12,672.00	£50,688.00	Lothian Contracts Ltd
110	CC8125	Transport - ASN042 Ogilvie	22/08/2017	21/08/2021	£20,870.40	£83,481.60	Lothian Contracts Ltd
111	CC8126	Transport - ASN057 Pinewood	22/08/2017	21/08/2021	£16,126.08	£64,504.32	Lothian Contracts Ltd
112	CC8127	Transport - ASN060 Pinewood	22/08/2017	21/08/2021	£14,206.08	£56,824.32	Lothian Contracts Ltd
113	CC8128	Transport - ASN061 Pinewood	22/08/2017	21/08/2021	£16,126.08	£64,504.32	Lothian Contracts Ltd
114	CC8131	Transport - ASN071 St Mary AU	22/08/2017	21/08/2021	£14,206.08	£56,824.32	Lothian Contracts Ltd
115	CC8133	Transport - ASN074 St Kents AU	22/08/2017	21/08/2021	£14,206.08	£56,824.32	Lothian Contracts Ltd
116	CC8139	Transport - ASN091 Ladywell	22/08/2017	21/08/2021	£16,126.08	£64,504.32	Lothian Taxi Contracts
117	CC8140	Transport - ASN094 Pinewood Blackburn	22/08/2017	21/08/2021	£14,206.08	£56,824.32	Lothian Taxi Contracts
118	CC8145	Transport - ASN037 Murrayfield LC	22/08/2017	02/02/2018	£50,649.60	£50,649.60	Meadowpark Minibus Hire
119	CC8146	Transport - ASN068 Pinewood	22/08/2017	21/08/2021	£15,254.40	£61,017.60	Meadowpark Minibus Hire
120	CC8149	Transport - ASN048 Connolly House	22/08/2017	21/08/2021	£16,149.12	£64,596.48	Murieston Private Hire
121	CC8226	Transport - ASN040 Ogilvie	22/08/2017	30/06/2020	£43,002.11	£122,880.00	Salmonds Mini Coach Hire
122	CC8235	Transport - ASN020 Blackburn AU	22/08/2017	21/08/2021	£14,052.00	£56,208.00	H&M Ferguson
123	CC8236	Transport - ASN063 Pinewood	22/08/2017	21/08/2021	£14,304.00	£57,216.00	H&M Ferguson
124	CC8237	Transport - PAR040 St Kentigners Academy	22/08/2017	21/08/2021	£13,104.00	£52,416.00	H&M Ferguson
125	CC8274	Transport - ASN095 Cedarbank Ladywell	22/08/2017	21/08/2021	£17,932.80	£71,731.20	Edinburgh City Private Hire
126	CC8275	Transport - ASN102	22/08/2017	30/06/2020	£25,973.27	£74,219.52	Edinburgh City Private Hire

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
127	CC8291	Transport - PAR010 Broxburn Academy and Broxburn Primary School	22/08/2017	21/08/2021	£23,040.00	£92,160.00	Hardhill Minibus Hire Ltd
128	CC8292	Transport - ASN064 Pinewood	22/08/2017	21/08/2021	£26,688.00	£106,752.00	Salmonds Mini Coach Hire
129	CC8293	Transport - ASN065 Pinewood	22/08/2017	21/08/2021	£24,192.00	£96,768.00	Salmonds Mini Coach Hire
130	CC8294	Transport - ASN007	22/08/2017	30/06/2020	£39,776.95	£113,664.00	Salmonds Mini Coach Hire
131	CC8332	Transport - ASN016 Beatlie	22/08/2017	21/08/2021	£12,672.00	£50,688.00	Scott McMillan
132	CC8334	Transport - ASN035 Dedridge AU	22/08/2017	21/08/2021	£13,824.00	£55,296.00	Scott McMillan
133	CC8335	Transport - ASN004 Ogilvie	22/08/2017	21/08/2021	£15,360.00	£61,440.00	Scott McMillan
134	CC8344	Transport - PAR050 Torphichen Primary School	22/08/2017	21/08/2021	£13,248.00	£52,992.00	Tayforth Travel
135	CC8349	Transport - PAR025 Linlithgow Academy	22/08/2017	21/08/2021	£15,168.00	£60,672.00	Tayforth Travel
136	CC8420	Transport - ASN145	22/08/2017	30/06/2020	£22,576.11	£64,512.00	West Lothian Private Hire
137	CC8463	Transport - PAR055 Whitburn Academy	22/08/2017	21/08/2021	£14,976.00	£59,904.00	The Best Fare Taxi Ltd
138	CC8496	Transport - ASN045 Ogilvie	22/08/2017	20/08/2021	£14,602.00	£58,368.00	Scott McMillan
139	CC8506	Transport - ASN027 Deans Annex	22/08/2017	21/08/2021	£12,864.00	£51,456.00	West Lothian Taxis
140	CC8600	Transport - ASN050 Connolly House	22/08/2017	21/08/2021	£13,440.00	£53,760.00	Scott McMillan
141	CC8601	Transport - ASN054 Pinewood	22/08/2017	21/08/2021	£19,200.00	£76,800.00	Scott McMillan
142	CC8617	Transport - ASN066 Pinewood	22/08/2017	21/08/2021	£14,592.00	£58,368.00	Scott McMillan
143	CC8621	Transport - PAR016 Kirknewton Primary School	22/08/2017	21/08/2021	£13,440.00	£53,760.00	Scott McMillan
144	CC8622	Transport - ASN101	22/08/2017	30/06/2020	£20,426.00	£58,368.00	Scott McMillan
145	CC8623	Transport - ASN144	22/08/2017	30/06/2020	£19,350.95	£55,296.00	Scott McMillan
146	CC8625	Transport - ASN051 Connolly House	22/08/2017	21/08/2021	£19,200.00	£76,800.00	SD Travel
147	CC8626	Transport - PAR052 West Calder High School	22/08/2017	21/08/2021	£23,040.00	£92,160.00	SD Travel
148	CC8674	Transport - ASN062 Pinewood	22/08/2017	21/08/2021	£15,744.00	£62,976.00	West Lothian TOA
149	CC7894	Transport - PAR070	24/08/2017	30/06/2019	£29,070.22	£53,760.00	Fair Deal Cabs

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
150	CC7849	Transport - PAR063	28/08/2017	30/06/2019	£29,243.52	£53,760.00	Fair Deal Cabs
151	CC9225	LED Replacement Phase 4 Supply	30/08/2017	31/03/2018	£66,694.00	£66,694.00	Urbis Schreder
152	CC5798	Education Materials - Lot 9 Sports Equipment	01/09/2017	31/07/2021	£20,433.87	£80,000.00	Yorkshire Purchasing Organisation
153	CC8102	Residual Waste from Bulky Collection Including Skip Material Sorting	01/09/2017	31/08/2024	£648,349.96	£4,540,226.00	Levenseat Ltd
154	CC8104	Residual Waste from Street Sweepings	01/09/2017	31/08/2024	£69,892.64	£489,440.00	Levenseat Ltd
155	CC8144	Domestic Removals with Delivery to Storage	01/09/2017	31/08/2020	£166,666.67	£500,000.00	Matt Purdie and Sons
156	CC8529	Education Materials - Lot 8 Science Equipment	01/09/2017	31/07/2021	£32,694.19	£128,000.00	Yorkshire Purchasing Organisation
157	CC8801	Education Materials - Lot 5 Early Learning Materials, Handwriting Products	01/09/2017	31/08/2021	£15,000.00	£60,000.00	Yorkshire Purchasing Organisation
158	CC8155	Interim Accountant	20/09/2017	20/03/2019	£44,588.83	£66,700.00	Parity Professionals Ltd
159	CC8196	Energy Performance Certificates and Condition Survey Reporting	01/10/2017	31/03/2018	£73,800.00	£73,800.00	Richard Irvine Energy Solution
160	CC8279	West Lothian Council 2017/18 Home Energy Efficiency Programmes for Scotland / Area based scheme	01/10/2017	29/11/2019	£693,916.35	£1,500,000.00	Everwarm
161	CC8789	Mental Health Flexible Outreach	01/10/2017	30/09/2021	£112,500.00	£450,000.00	With YOU
162	CC8272	Transport - SCH375	24/10/2017	19/07/2021	£24,661.58	£92,160.00	E&M Horsburgh
163	CC8339	Transport - PAR015	24/10/2017	30/06/2021	£18,757.47	£69,120.00	Hardhill Minibus Hire Ltd
164	CC7831	Waste Haulage Ejector Trailers	01/11/2017	04/02/2018	£502,520.00	£502,520.00	BMI Group
165	CC7447	Children's Rights and Advocacy Services	02/11/2017	01/11/2019	£50,068.59	£100,000.00	Who Cares Scotland
166	CC7271	EDRM Replacement	06/11/2017	31/10/2022	£312,456.04	£1,558,000.00	Bramble Hub Ltd
167	CC7864	Bottled Gas	06/11/2017	31/08/2021	£78,550.93	£300,000.00	Flogas UK Ltd
168	CC8781	Severe Weather Support Services	20/11/2017	19/11/2021	£400,000.00	£1,600,000.00	Wilsweep Ltd
169	CC8052	Security Provision WHSC	27/11/2017	30/11/2018	£53,238.00	£53,238.00	GTS Solutions

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
170	CC8681	Transport - ASN061	27/11/2017	30/06/2021	£27,155.33	£97,536.00	West Lothian TOA
171	CC8053	Assisted Decoration Scheme	01/01/2018	01/01/2020	£25,000.00	£50,000.00	Valtti Limited
172	CC8092	New West Calder High School - Education Furniture Requirements	01/01/2018	31/05/2018	£186,415.50	£186,415.50	Langstane Press Ltd
173	CC8138	Gritter Vehicle x 1	01/01/2018	01/09/2018	£147,207.00	£147,207.00	Lothian Daf
174	CC8277	PIV Works	01/01/2018	31/03/2020	£89,024.39	£200,000.00	Envirovent UK
175	CC8494	Housing Void Properties Works	01/01/2018	31/03/2019	£160,792.95	£200,000.00	VPS UK
176	CC7488	Telescopic Handler and Driver	03/01/2018	22/12/2018	£55,760.00	£55,760.00	Arvill Plant and Tool Hire
177	CC6312	Transport - ASN104	09/01/2018	30/06/2018	£137,760.00	£137,760.00	Allthefours
178	CC8297	Transport - ASN029	09/01/2018	30/06/2021	£28,518.36	£99,072.00	Salmonds Mini Coach Hire
179	CC8624	Transport - ASN150	17/01/2018	30/06/2021	£15,573.33	£53,760.00	Scott McMillan
180	CC6331	Trade Contractors Framework	01/02/2018	31/01/2022	£6,250,000.00	£25,000,000.00	Various
181	CC7553	Library Books, Educational Textbooks and Multimedia Supplies - Lot 2 -Children's Fiction and Children's Nonfiction	01/02/2018	31/01/2022	£84,420.75	£337,683.00	Browns Books for Students
182	CC7839	Library Books, Educational Textbooks and Multimedia Supplies - Lot 7 - General Books	01/02/2018	31/01/2022	£57,547.50	£230,190.00	Waterstones Booksellers
183	CC8017	Library Books, Educational Textbooks and Multimedia Supplies - Lot 11	01/02/2018	31/01/2022	£23,174.25	£92,697.00	Waterstones Booksellers
184	CC8245	Library Books, Educational Textbooks and Multimedia Supplies - Lot 15	01/02/2018	31/01/2022	£33,644.25	£134,577.00	Waterstones Booksellers
185	CC8379	Library Books, Educational Textbooks and Multimedia Supplies - Lot 16	01/02/2018	31/01/2022	£55,680.00	£222,720.00	Waterstones Booksellers
186	CC8627	Security Guarding - Mill Centre, Blackburn	01/02/2018	01/02/2020	£52,372.43	£104,744.86	SecuriGroup Services
187	CC9391	Library Books, Educational Textbooks and Multimedia Supplies - Lot 4 - DVDs	01/02/2018	31/01/2022	£25,420.50	£101,682.00	Trans UK Supplies

Ref	Code	Title	Start	End Including Extensions	Annual Value	Contract Value	Supplier
188	CC7970	Pool Cars Supply	02/02/2018	01/12/2021	£254,592.97	£975,125.96	Toyota GB PLC
189	CC7608	Transport - ASN037	05/02/2018	30/06/2021	£27,105.88	£92,160.00	Brown's Taxi
190	CC8229	Transport - MED158	26/02/2018	30/06/2021	£22,862.16	£76,416.00	Bodyshop Edinburgh TA Self Drive
191	CC8270	Business Server Refresh Project Renewal of VmWare License Estate	01/03/2018	30/06/2021	£111,569.43	£372,000.00	Comparex UK limited
192	CC8154	Advanced Technical Specialist	02/03/2018	29/03/2019	£126,620.00	£649,000.00	Parity Professionals
193	CC7431	Transport - SCH332	05/03/2018	30/06/2018	£113,280.00	£113,280.00	Festival Travel
194	CC8183	Transport - SCH336 FP	05/03/2018	30/06/2021	£28,511.53	£94,752.00	Prentice Westwood Ltd
195	CC8148	Supply and Delivery of Milk	19/03/2018	18/03/2022	£559,210.59	£2,236,842.36	Muller Wiseman Dairies
196	CC7317	Simpson PS 2 x 4 Class Pavilions	31/03/2018	31/03/2018	£2,068,000.00	£2,068,000.00	Hub South East Scotland Ltd
					Total annual values £32,435,065.46	Total contract values £119,045,170.94	

A detailed list of all Council contracts is available at <http://contractinfo.westlothian.gov.uk/>

APPENDIX 2 – COMMUNITY BENEFITS

Area	Type of Benefit Secured	Number
Community	Gardens - Labour Provided	3
	Playground / Garden Works	3
	Posters - Alzheimers	2
	Projects	5
	Sponsorships - Financial	11
	Vacancies Focus - Advertising Work	5
Education	Education/Curriculum Support Activities	112
Employment	Apprentice Starts	1
	Existing Apprentices	7
	Jobs	3
Environment	Environmental Efficiencies	5
Skills/Training	Health & Safety Training	4
	Management Training	1
	N/SVQ Completed	9
	N/SVQ Starts	3
	Subcontractor Training	52
	Workshops - Bespoke To Needs	21
Voluntary Organisations	Voluntary Organisation Support - IT Expertise	10
	Voluntary Organisation Support - Open Door	10
Work Placements	People With Additional Barriers	5
	School 14 - 16 Years	17
	Unemployed 16 - 19 Years	35

APPENDIX 3 – FUTURE REGULATED PROCUREMENT

1. Retenders

Ref	Contract Name	Estimated Contract Value	Anticipated Start
1	VM Ware Licensing	£137,048.90	01/04/2018
2	Children and Young People Affected by Parental Substance Misuse	£330,000.00	01/04/2018
3	Children's Residential Care and Education Services	£14,000,000.00	01/05/2018
4	Youth Music Initiative Vocal Projects	£234,900.00	01/07/2018
5	Facilities Management for Civic Centre Torridon House and Arrochar House	£1,750,000.00	01/08/2018
6	Lagan CRM Support & Maintenance	£119,223.78	01/08/2018
7	Waste Compaction Equipment	£300,000.00	01/08/2018
8	Pre-School Education	£643,000.00	01/08/2018
9	IT Service Management system	£113,056.80	30/08/2018
10	Fire Fighting Equipment supply	£241,458.00	01/09/2018
11	Care and Repair Service	£508,500.00	01/09/2018
12	Sheriff Officers	£250,000.00	01/10/2018
13	Asbestos awareness training	£300,000.00	01/10/2018
14	Revenues and Benefits Application Software	£18,000,000.00	01/10/2018
15	Butchermeat and Fish	£2,400,000.00	01/10/2018
16	Housing Support for Young People Kharis Court	£384,711.33	01/10/2018
17	Secure Care	£691,273.00	01/10/2018
18	Mental Health Substance Abuse Supported Accommodation	£2,726,568.00	01/10/2018
19	Fire Engineer	£77,472.00	13/10/2018
20	Building Surveyor	£249,472.00	13/10/2018
21	Quantity Surveyor	£359,772.00	13/10/2018
22	M&E Engineer	£453,752.00	13/10/2018
23	Topographical	£832,796.00	13/10/2018
24	Clerk Of Works	£900,000.00	13/10/2018
25	Civil/Structural Engineer	£984,576.00	13/10/2018
26	Liquid Fuels Diesel Unleaded Petrol Gas Oil	£11,796,000.00	14/10/2018
27	Geographical Information System	£60,280.00	01/11/2018
28	Asbestos Surveying, Removals and Analytical	£1,799,000.00	01/11/2018
29	IT Hardware - Mobile (Laptop) Devices	£2,172,000.00	16/11/2018
30	Occupational Health Service	£876,315.60	01/12/2018
31	Dementia Cafe Support Service	£75,000.00	01/12/2018
32	IT Hardware - Desktop Devices	£2,546,000.00	01/01/2019
33	The Supply of Telecare and Telehealth Technologies Framework	£197,516.00	01/01/2019
34	Care at Home Services	£40,592,000.00	01/01/2019

Ref	Contract Name	Estimated Contract Value	Anticipated Start
35	Local Area Network and Support	£215,992.00	30/01/2019
36	Vehicle Telematics System	£2,250,000.00	20/02/2019
37	Water and Waste Billing Services	£3,359,055.00	01/03/2019
38	First Aid and Personal Care	£90,000.00	09/03/2019
39	Fostering	£467,152.00	25/03/2019
40	Fostering Services	£6,219,152.00	25/03/2019
41	Corporate Payment and Income Management System	£69,710.00	01/04/2019
42	Non Half Hourly Electricity	£4,800,000.00	01/04/2019
43	Energy Half Hourly Electricity	£5,100,000.00	01/04/2019
44	Energy Unmetered Electricity	£6,000,000.00	01/04/2019
45	Environmental Services Software Application	£186,752.72	01/04/2019
46	Public Transport MI System	£232,522.00	01/04/2019
47	Postal Services Whistl	£318,749.00	01/04/2019
48	Fire & Composite Doors	£1,168,441.60	01/04/2019
49	Assertive Outreach and Criminal Justice Services	£666,000.00	01/04/2019
50	Day Support Services for Older People	£2,831,250.00	01/04/2019
51	Adoption Services	£507,588.00	01/04/2019
52	Day Support Services	£1,181,710.00	01/04/2019
53	Treatment of Organic Waste	£243,495.00	13/04/2019
54	West Lothian Bulletin Distribution	£140,960.00	01/05/2019
55	Cash Collection Service	£145,000.00	01/05/2019
56	Supply and Distribution of Janitorial Products	£1,600,000.00	01/05/2019
57	Mobile Voice and Data Services	£654,460.00	09/05/2019
58	Domestic Furniture and Furnishing including White Goods	£4,000,000.00	22/05/2019
59	Residual Waste from Street Sweepings	£489,440.00	26/05/2019
60	Sports Pitch Drainage & Maintenance	£1,384,000.00	26/05/2019
61	Severe Weather Support Services	£1,600,000.00	26/05/2019
62	Care Homes for Adults with Learning Difficulties	£4,400,000.00	01/06/2019
63	IT Hardware - Tablet Devices	£1,041,028.00	20/06/2019
64	Building/Timber Materials	£1,525,120.00	30/06/2019
65	Salt for Winter Maintenance	£2,500,000.00	30/06/2019
66	Telecare Maintenance and Associated Works	£845,232.00	30/06/2019
67	Washroom Solutions	£216,000.00	01/07/2019
68	Lone Worker Services	£337,820.00	01/07/2019
69	Security Services and Equipment	£450,000.00	01/07/2019
70	Stationery and Office Paper	£1,505,222.88	01/07/2019
71	Remote Scheduling System	£105,488.00	01/07/2019
72	Presentation and Audio Visual Equipment	£660,000.00	01/07/2019
73	Rental of Laundry Equipment Whitdale Care Home	£88,000.00	01/07/2019

Ref	Contract Name	Estimated Contract Value	Anticipated Start
74	Shelter And Support For Victims of Domestic Abuse	£817,900.00	01/07/2019
75	Housing Support to Young People who are Homeless and at Risk of Homelessness or Previous Homeless	£873,288.00	01/07/2019
76	Funeral Services	£60,000.00	28/07/2019
77	Domestic Removals with Delivery to Storage	£500,000.00	28/07/2019
78	Comingled Dry Recyclate Service	£939,136.00	30/07/2019
79	Central Banking Services	£397,050.00	01/08/2019
80	Education Materials	£1,024,000.00	01/08/2019
81	Hire of Welfare Cabins and Lockable Storage Containers	£800,000.00	22/08/2019
82	Vehicle Wash and Valeting Services	£90,000.00	01/09/2019
83	Signage Materials	£288,000.00	01/09/2019
84	Legionella Monitoring and Management	£2,816,440.40	01/09/2019
85	Frozen Foods	£3,287,000.00	11/09/2019
86	IT Peripherals	£192,000.00	01/10/2019
87	Water Cooler Solutions	£216,000.00	01/10/2019
88	Postal Services Royal Mail	£297,656.00	01/10/2019
89	Specialist Information Advice and Support Service	£100,000.00	01/10/2019
90	Community Respite for Adults and Older People	£792,000.00	05/11/2019
91	Supply and Delivery of Glass and Glazing	£200,000.00	01/01/2020
92	Local Bus Network 2016	£11,400,000.00	07/01/2020
93	Specialist Drainage	£210,000.00	19/01/2020
94	Small Land Drainage & Soft Landscaping Contract 2017 to 2020	£1,600,000.00	19/01/2020
95	Survey, Repair & Replacement of Chimneys & Lightning Protection Systems	£400,000.00	01/02/2020
96	Letham Court Care Home Care Provision	£1,776,000.00	02/02/2020
97	Residual Waste from Bulky Collection Including Skip Material Sorting	£4,540,226.00	04/02/2020
98	Air Conditioning TMC	£482,536.10	15/02/2020
99	Hybrid Mail Off-site Solution	£450,000.00	17/02/2020
100	Plumbing /Central Heating/ Gas Spares Materials	£10,389,586.00	29/02/2020
101	Education and Office Furniture	£892,000.00	01/03/2020
102	Provision of Enterprise version of Antivirus Software	£105,579.00	20/03/2020
103	Heavy Plant Machinery	£100,000.00	27/03/2020
	Total Estimated contract values	£212,733,429.11	

2. New Requirements anticipated to start between 2018-2020

Ref	Contract Name	Estimated Contract Value
1	A/C Upgrade & Replacement Programme	£120,000.00
2	A706 - Roadhouse Roundabout	£85,000.00
3	A801 - Roundabout M8 J4	£376,000.00
4	Ability Centre – Partnership Centre Livingston	£950,000.00
5	Accessibility Works – corporate budget	£250,000.00
6	Air Quality	£125,000.00
7	Almond Barriers	£374,000.00
8	Almond East Bridge	£70,000.00
9	Almondvale South Road	£97,000.00
10	Antivirus/Malware	£215,000.00
11	Asbestos Management	£2,500,000.00
12	ASN Strategy - Beattie Primary School	£10,000,000.00
13	ASN Strategy - New Cedarbank School	£6,000,000.00
14	ASN Strategy - Ogilvie School	£3,500,000.00
15	ASN Strategy - Pinewood School	£4,000,000.00
16	ASN Strategy - Skills Centre (Burnhouse Campus)	£900,000.00
17	Asset Management Software	£165,000.00
18	B8020 - Beattie Road	£134,000.00
19	B8028 - Strathloanhead	£65,000.00
20	Bathgate Branch Railway Bridge	£810,000.00
21	Bathgate Watercourse Restoration	£100,000.00
22	Blackburn Partnership Centre - WLC costs	£200,000.00
23	Blackridge Primary School - sports pitch & access	£180,000.00
24	Bridge Deck Surfacing Repairs	£50,000.00
25	Bridgecastle/Baird Road, Armadale/Bridgecastle	£65,000.00
26	Broxburn Flood Prevention Scheme	£100,000.00
27	C28 - Between A71 to Baadsmill	£65,000.00
28	C7 - Gowanbank	£60,000.00
29	C8 - Heights Road to Gowanbank	£79,000.00
30	Carmondean Centre Road, Deans	£75,000.00
31	Cauld Burn Bridge	£80,000.00
32	Cemeteries	£62,000.00
33	Central Firewall Refresh	£74,000.00
34	Central Server Refresh	£110,000.00
35	Central Storage Refresh	£325,000.00
36	Cladding Replacement - Stoneyburn Primary School	£95,000.00
37	Country Parks - Internal Pathways/Roadways	£82,000.00
38	Cross Bridge	£80,000.00

Ref	Contract Name	Estimated Contract Value
39	Cycling, Walking & Safer Streets/Active Sustainable Travel	£542,000.00
40	Desktop Refresh	£600,000.00
41	Digital Transformation	£115,000.00
42	Doors, Roller Shutters & Moveable Partitions - repair & replacement	£85,000.00
43	East Calder 3G Pitch	£586,000.00
44	East Calder Park	£98,000.00
45	Easter Inch Bridge Parapets	£130,000.00
46	Edinburgh Road, Bathgate - Station to Guildiehaugh	£211,000.00
47	Education Estate Suitability and Feasibility - general	£100,000.00
48	ELC - Blackridge ELC - New Build	£1,100,000.00
49	ELC Blackburn PS Extension	£950,000.00
50	ELC Early Years Expansion Kitchen Upgrade & Equipment	£460,000.00
51	ELC Early years ICT	£150,000.00
52	ELC Early years minor works	£450,000.00
53	ELC Early Years Play Equipment/ Furniture	£773,000.00
54	ELC Kirkhill PS Extension + Refurb	£450,000.00
55	ELC Riverside PS Extension	£450,000.00
56	ELC Parkhead PS Extension	£680,000.00
57	ELC Stoneyburn PS Extension	£320,000.00
58	ELC Polkemmet PS Refurb	£275,000.00
59	ELC St Josephs PS Whitburn indoor/outdoor	£75,000.00
60	ELC St Columba PS - Outdoor	£75,000.00
61	ELC St Marys RC PS - New Build	£1,100,000.00
62	ELC St Nicolas PS - Outdoor	£75,000.00
63	Email Filtering/Encryption	£463,000.00
64	Fauldhouse Partnership Centre - Roof and external surface works	£215,000.00
65	Fauldhouse Road Bond	£430,000.00
66	Footpath Alderstone Path Rear	£74,000.00
67	Guildiehaugh Railway Bridge, Bathgate	£256,000.00
68	Holy Family Primary School - New School	£1,300,000.00
69	Howden East Road - Toronto Avenue to the A899	£211,000.00
70	Installation of LED Lighting in Primary Schools	£170,000.00
71	Intruder Alarm Upgrades	£50,000.00
72	Inveralmond Community High School, Livingston - pre heat upgrades	£70,000.00
73	IT Server Room Upgrades	£50,000.00
74	Kenilworth Rise & Mowbray Rise, Dedridge	£314,000.00
75	Kirkhill Primary School, Broxburn	£900,000.00
76	Kirknewton Primary School - phase 2 externals, rainwater goods	£100,000.00
77	Ladywell East Road, Livingston	£90,000.00

Ref	Contract Name	Estimated Contract Value
78	Library Books, Educational Textbooks and Multimedia Supplies	£4,824,890.00
79	Linlithgow Academy - electrical upgrade	£250,000.00
80	Linlithgow Academy - science labs upgrade	£324,000.00
81	Linlithgow High Street	£173,000.00
82	Linlithgow Loch Park	£80,000.00
83	Livingston Blue/Green Network	£50,000.00
84	Local Area Network Refresh	£211,000.00
85	Maintenance of Non-Adopted Roads	£50,000.00
86	Management & Regeneration of Woodlands	£67,000.00
87	Millfield/Burnfield, Livingston Village	£115,000.00
88	Minor Works	£56,000.00
89	New Howden Footbridge	£70,000.00
90	New Non-Denom PS (Single Stream/Pre-School) - Calderwood	£14,000,000.00
91	New Secondary in Winchburgh – denominational	£25,700,000.00
92	New Secondary in Winchburgh - non-denominational	£25,400,000.00
93	North Bridge Mid Calder	£100,000.00
94	Our Lady of Lourdes Primary School, Blackburn - electrical upgrade	£175,000.00
95	Peel Primary School, Livingston - windows	£140,000.00
96	Potential Schools for the Future Bids – Deans Primary School	£3,500,000.00
97	Potential Schools for the Future Bids – East Calder Primary School	£3,450,000.00
98	Potential Schools for the Future Bids – Eastertoun Primary School	£1,450,000.00
99	Potential Schools for the Future Bids - St Joseph's Primary School, Whitburn	£3,500,000.00
100	Public Art Programme - Externally Funded	£66,000.00
101	Remote Access/Swivel	£70,000.00
102	Render and Roof Replacement - Greenrigg Primary School	£220,000.00
103	Road Casualty Reduction Scheme	£200,000.00
104	Road Traffic Signs – Lit and Unlit	£90,000.00
105	Roof - Fallahill Primary School, Fauldhouse	£90,000.00
106	Roof Replacement - Addiewell Primary School	£280,000.00
107	Roof Replacement - St Kentigern's Academy, Blackburn	£90,000.00
108	Roof Replacement - St Ninian's Primary School, Livingston	£350,000.00
109	Roof Replacement - Toronto Primary School, Livingston	£180,000.00
110	Single Person Homeless Accommodation (Emergency Homeless Assessment Centre)	£3,500,000.00
111	Skollieburn Bridge	£1,876,000.00
112	St Anthony's Primary School - Cladding.	£90,000.00
113	St Margaret's Academy toilet improvements	£20,000.00
114	Station Road, Addiewell	£181,000.00
115	Staunton Rise, Dedridge	£190,000.00

Ref	Contract Name	Estimated Contract Value
116	Surplus Property Demolitions	£100,000.00
117	Talisman Rise/Templar Rise, Dedridge	£260,000.00
118	Tenanted Non-Residential Property - Demolitions & Compliance	£250,000.00
119	Traffic Signal Improvements – Junctions	£180,000.00
120	Traffic Signal Upgrade – Pedestrian/Cycle Crossings	£100,000.00
121	Underpass Refurbishments	£220,000.00
122	Underpass Revetment Repairs	£100,000.00
123	Waste Containers - Cyclical Replacement	£236,000.00
124	Watson Park , Armadale - Bowling	£50,000.00
125	Watson Park Armadale - Pavilion	£910,000.00
126	West Calder - Skatepark	£60,000.00
127	West Lothian Learning Disability Housing with Integrated Support	£2,600,000.00
128	Whitburn Partnership Centre	£3,245,000.00
129	Whitdale Care Home - minor works, staff accommodation & toilets	£100,000.00
130	Whitehill Industrial Estate, Bathgate	£153,000.00
131	Winchburgh PS - Roof Replacement	£180,000.00
132	Window Replacement - Our Lady's Primary School, Stoneyburn	£95,000.00
133	Wyndford Avenue, Uphall	£55,000.00
	Total Estimated Contract Values	£147,233,890