

MINUTE of MEETING of DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT SCRUTINY PANEL of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, LIVINGSTON, on THURSDAY 12 FEBRUARY 2015

Present – Councillor Cathy Muldoon (Chair), Tony Boyle, Harry Cartmill, Martyn Day, Alex Davidson and Greg McCarra.

In Attendance – Robin Lever (Senior People's Forum Representative) and Jim McGregor (Voluntary Sector Gateway West Lothian Representative)

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Chair advised the Panel that as a result of the recent demise of West Lothian Association of Community Councils, the representative appointed to the Development and Transport Policy Development and Scrutiny Panel, Brian Johnstone, would no longer be attending meetings of the Panel.

Therefore the Chair suggested that a letter of thanks be sent to Brian thanking him for his attendance at recent meetings and his contributions at these meetings.

Decision

Agreed to write a letter of thanks to Brian Johnstone, the West Lothian Association of Community Council Representative for these contributions to past meetings of the Panel.

2. DECLARATIONS OF INTEREST

1. Agenda Items 5 (a), (b), (c) & 8 – Councillor T Boyle declared a non-financial interest in that he was a council appointed member of SEStran and SESPlan; and
2. Agenda Items 5 (a), (b), (c) & 8 – Councillor C Muldoon declared a non-financial interest in that she was a council appointed member of SEStran and SESPlan.

3. MINUTE

The committee confirmed the Minute of its meeting held on 15 January 2015. The Minute was thereafter signed by the Chair.

4. MINUTES :-

- a) The Panel noted the Minute of the meeting of SEStran held on 21 March 2014;
- b) The Panel noted the Minute of the meeting of SEStran held on 20 June 2014; and

- c) The Panel noted the Minute of the meeting of SEStran held on 26 September 2014.

5. UPDATE ON EUROPEAN STRUCTURAL FUNDING AND INVESTMENT FUNDS

The Panel considered a report (copies of which had been circulated) by the Head of Planning and Economic Development providing an update on the development of the European Regional Development Fund (ERDF) and the European Social Fund (ESF) programme activity in West Lothian.

The Panel were advised that European Investment and Structural Funds were generally co-ordinated and managed within Scotland by the Scottish Government under a set of Operational Programmes. The programming periods were aligned to the EU's seven year budget cycles with the new period covering 2014 to 2020. A key feature of the new Scottish ERDF and ESF programmes was a shift from competitive applications to a system of pre-selected strategic partners who would be responsible for commissioning and/or co-ordinating delivery.

In January 2014 Council Executive agreed a response to a consultation exercise on the development of Structural Fund programmes in Scotland. The key points raised focused on strategic interventions where local government should lead – notably the Business Accelerator programme which included council led Business Gateway actions and the CPP Employability and Skills pipeline.

Scottish Government had accepted that the proposed delivery model would enable individual local authorities to lead on delivery of these, whilst operating within a national “template” agreement covering funding, responsibilities and required outcomes.

With regards to the new delivery arrangements for the Business Accelerator the Head of Planning and Economic Development advised that the new funds would require a set of Lead Partners to be accountable for managing the delivery of the intervention and that COSLA and Scottish Government had agreed a framework for local authority lead partners to be identified to manage the intervention. It had also been agreed that instead of having 32 single lead partners the appropriate structure would be a partnership approach consistent with the management of the Business Gateway contracts.

The management arrangements for the new funds would also require a simplified cost methodology and therefore allocation proposals were being worked up based on the size of the current business base and scale of match funding available from each council. A further report would be presented to the Development and Transport Policy Development and Scrutiny Panel and Council Executive in due course once the outstanding issue in respect of the Business Accelerator had been resolved and the deadline for submission of proposals had been confirmed.

The Head of Planning and Economic Development continued to advise that alongside the Business Accelerator the council would have a lead role in the management of ESF project activity to promote employability and access to jobs particularly for young people. Scottish Government had indicated that it was anticipated a new ESF Skills Pipeline package would be in place in June 2014 but this had not been possible. However progress had been made in the design and development of the new Skills Pipeline packages and these would operate across the whole of Scotland subject to all councils agreeing to act as lead partners.

A total of £115m had been earmarked to support local authority-led CPP Skills Pipeline packages. In addition a further £28m had been allocated towards social inclusion and anti-poverty initiatives. West Lothian Council's allocation consisted of £2.84m for the skills pipeline and £0.91m for SF towards addressing poverty and social inclusion. The allocations were in line with expectations based on the allocation methodology.

The report continued to provide information on the next steps that would be taken to progress these issues noting that EU Funding continued to present challenges and opportunities.

It was recommended that the Panel :-

1. Note the update on development of the Scottish Structural and Investment Fund Programme 2014-2020;
2. Recommends that Council Executive agree the development of the new Skills Pipeline ESF package aimed at promoting skills and access to jobs and tackling poverty; and
3. Recommends that Council Executive agree to the council acting as lead partner for the Skills Pipeline strategic intervention.

Decision

1. Noted the contents of the report; and
2. Agreed that the report be forwarded to the next appropriate meeting of the Council Executive with the recommendation that it be approved.

6. HOUSE EXTENSION AND ALTERATION DESIGN GUIDE - SUPPLEMENTARY PLANNING GUIDANCE

The Panel considered a report (copies of which had been circulated) by the Head of Planning and Economic Development providing a final draft of the revised House Extension and Alteration Design Guide, a copy of which was attached to the report.

The Head of Planning and Economic Development explained that the council had produced guidance for householders intending to extend or alter their house back in 2003. Since then the regulation on permitted

development rights had changed, allowing householders to build larger extensions without the need for planning permission. The new guidance would be used in the assessment of planning applications as was the current guidance.

The guidance sought to promote high quality design which respected the rights and interests of neighbours to the house being extended and it encouraged “good neighbour” practices, such as approaching neighbours at an early stage.

In addition to advice on the design and materials of an extension, the document gave guidance on issues such as privacy, overlooking and overshadowing, building close to the boundary, useable garden ground, parking and sustainable design. The guide would be distributed primarily via the council’s website and would include links to further information on permitted development rights and how to apply for planning permission.

The report concluded that the council received more than 300 householder applications a year; the guidance would have the status of a material consideration when assessing new householder planning applications and would offer advice to householders who were considering an extension or alteration whether or not they needed planning permission.

A number of issues were raised by the Panel Members which related to parking, overshadowing and neighbour co-operation. Officers were then able to provide further information on these matters as outlined in the revised guidance.

It was also noted that to assist Panel Members it would have been helpful for the report to detail in the body of the report the changes proposed to the new SPG in comparison to the existing SPG.

It was recommended that the Panel :-

1. Note the terms of the report; and
2. Note the issues raised by Panel Members related to overshadowing, parking and neighbour co-operation;

Decision

1. Noted the contents of the report;
2. Noted the issues raised by Panel Members related to overshadowing, parking and neighbour co-operation;
3. Agreed that the report be forwarded to the next appropriate meeting of the Council Executive with the recommendation that it be approved;
4. Agreed that prior to finalising the report for Council Executive that the report detailed the changes that were being proposed in the new SPG for ease of reference; and

5. Recorded a note of thanks to Graduate Planning Officer, Lindsey Patterson who was involved in householder applications which as a result had made West Lothian Council the second best performing council in Scotland.

7. WEST LOTHIAN LOCAL DEVELOPMENT PLAN - DEVELOPMENT PLAN SCHEME NO.7

The Panel considered a report (copies of which had been circulated) by the Head of Planning and Economic Development advising members of an updated Development Plan Scheme No.7 (DPS No.7) for the West Lothian Local Development Plan (LDP).

The Head of Planning and Economic Development advised that Section 20B of the Planning, etc (Scotland) Act required planning authorities to prepare a development plan scheme at least annually for the strategic development plan and the local development plan. The purpose of a development plan scheme was to set out the programme for preparing, reviewing, consulting on the strategic development plan or the local development plan. The development plan scheme was to be in place by March each year.

A draft development plan scheme (DPS No.7) had been prepared and was attached at Appendix 1. DPS No.7 would replace and update the timetable for the preparation of the West Lothian LDP as set out in DPS No.6. The Panel was being asked to note that the timescales for the LDP were changed from DPS No.6 largely as a consequence of the Main Issues Report (MIR) public engagement evaluation exercise taking longer to complete than previously anticipated.

The DPS would be kept under review and published annually or more frequently as major issues arose in the process, as required by legislation.

As previously all Community Councils would be advised on the publication of DPS No.7, with copies being sent to all local libraries and CIS Offices. Two copies would also be sent to the Scottish Government. In addition the relevant development plan web pages would be updated and subscribers to the council's LDP newsletter would also be advised alongside a press release.

The Panel were asked to :-

1. Note and endorse the draft DPS No.7 for the West Lothian LDP; and
2. Agree to forward the report to the Council Executive for approval.

Decision

1. Noted the contents of the report; and
2. Agreed that the report be forwarded to the next appropriate

meeting of the Council Executive with the recommendation that it be approved.

8. QUARTERLY PERFORMANCE REPORT

The Panel considered a report (copies of which had been circulated) by the Head of Planning and Economic Development providing an overview of performance for the first quarter of 2014-15.

The report advised that the council's performance management system, Covalent had two basic functions. Covalent used a simple traffic light system to show if progress was on target, in danger of falling behind target or below target. Covalent also measured progress on actions or initiatives with a definite start and finish.

Appendix 1 to the report showed all actions and initiatives that supported the responsibilities of the D&T PDSP which provided the most up-to-date officers' notes on progress against all actions and initiatives.

Appendix 2 showed all performance indications that supported the responsibilities of D&T PDSP which provided the most up-to-date officers' notes on progress against all performance indicators.

Appendix 3 was an exception report which provided the most up-to-date officers' notes on progress.

The Head of Planning and Economic Development continued to advise the Panel Members that for this quarter all indicators were showing green and therefore there were no exceptions to report. It was also noted that the Head of Planning and Economic Development was continuing to adjust future performance reports to remove old performance data, as previously requested by the Panel.

Decision

1. Noted the contents of the report;
2. Noted that for this quarter there were no exceptions to report; and
3. Recorded a note of thanks to the Head of Planning and Economic Development and his team for all their efforts with performance issues.

9. WORKPLAN

The Panel considered a list of items that would form the basis of the Panel's work over the coming months.

Decision

Noted the contents of the Workplan.

