

MINUTE of MEETING of the DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 11 FEBRUARY 2020.

Present – Councillors Cathy Muldoon (Chair), David Dodds, Tom Conn, Robert De Bold, Chris Horne, Tom Kerr and Dom McGuire

In Attendance – Malcolm Hill (Joint Forum of Community Councils Representative)

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. ORDER OF BUSINESS

The Panel agreed to hear two deputations in relation to Agenda Item 5 (Petition – LBS 5 Bathgate Town Bus Service). These were from Mr Iain Pringle, on behalf of the Mental Health Advocacy and Mrs Curtis, a local resident in Bathgate. It was to be noted that both Mr Pringle and Mrs Curtis had separately submitted petitions to the council in relation to bus service number 5.

3. MINUTE

The Panel approved the Minute of its meeting held on 5 November 2019. The Minute was thereafter signed by the Chair.

4. LBS 5 BATHGATE TOWN SERVICE :-

Deputation from Mrs Curtis

The Panel heard from Mrs Curtis who resided in Bathgate and who had recently submitted a petition to the council regarding the reduction in the service of Bathgate Town Bus Service number 5. Mrs Curtis expressed her disappointment in the reduction to the bus service and that for a bus service to stop at 12 noon on Saturdays was not acceptable to local residents for accessing shops and facilities.

Deputation from Mr Iain Pringle

The Panel heard from Mr Iain Pringle, who had submitted a petition on behalf of the Mental Health Advocacy Project. Mr Pringle expressed his concern in that the reduction to the hours that bus service number 5 operated seriously affected those needing to attend the centre late afternoon/early evening and that the project was providing essential services to some of the more vulnerable members of the community.

Report by Head of Operational Services

The Panel considered a report (copies of which had been circulated) by

the Head of Operational Services advising of the contents of the two petitions submitted by the Mental Health Advocacy Project and residents of Belvedere and Easton areas of Bathgate. Both petitions concerned the reduction in evening journeys of the LBS 5 Bathgate Town Service.

Taking into consideration the requests made in the two petitions it was recommended that the Panel :-

1. Note the submission of the petitions;
2. Note that the public transport budget was fully committed within the current financial year;
3. Note the requirement to complete a passenger engagement exercise; and
4. Note that the outcome of the engagement exercise would be reported to Council Executive for consideration.

Decision

1. To note the comments and concerns of Mrs Curtis and Mr Iain Pringle;
2. To thank Mrs Curtis and Mr Iain Pringle for their contributions;
3. To note the content of the report; and
4. To note that officers would undertake a passenger exercise that would be reported to Council Executive for consideration.

5. SESPLAN MINUTES :-

1. The Panel noted the minute of the SESPlan meeting held on 24 June 2019.
2. The Panel noted the minute of the SESPlan meeting held on 30 September 2019.

6. 2019/20 FINANCIAL PERFORMANCE - MONTH 6 MONITORING REPORT

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the financial performance of the Development and Transport portfolio at month 6.

It was recommended that the Panel :-

1. Notes the financial performance of the Development and Transport portfolio as at month 6;
2. Notes that the Development and Transport portfolio position at

month 6 was part of the overall council budget position reported to Council Executive on 12 November 2019; and

3. Notes any action required to be taken by Heads of Service and budget holders to manage spend within available resources.

Decision

To note the contents of the report

7. PROPOSED RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON PLANNING PERFORMANCE AND FEES

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of a Scottish Government consultation on a proposed revised fee structure for planning applications and related processes. A copy of the proposed response was attached to the report at Appendix 2.

It was recommended that the Panel notes and considers the following recommendations which were intended to be submitted to Council Executive for approval :-

1. Notes the Scottish Government's proposals on measuring the performance of the planning system and planning authorities;
2. Notes the proposed changes to the fee structure for planning and other applications;
3. Notes the proposal by the Scottish Government to employ a planning improvement co-ordinator;
4. Notes the proposed introduction of additional services which can be charged for;
5. Notes the suggestion concerning the ability to waive or reduce planning fees in certain circumstances; and
6. Agrees the proposed response to the consultation as set out in Appendix 2, attached to the report.

Decision

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

8. SESPLAN BUDGET UPDATE 2019/20 AND RATIFICATION OF OPERATIONAL BUDGET 2020/21

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

providing an update on the SESPlan Operating Budget for 2019/20 and to set out the SESPlan Operating Budget for 2020/21 following its approval by the SESPlan Joint Committee on 25 November 2019.

It was recommended that the Panel notes and considers the following recommendations which were intended to be submitted by the Council Executive for approval :-

1. Notes the decision by the SESPlan Joint Committee on 25 November 2019 to agree the updated forecast expenditure against the approved Operating Budget for SESPlan over the financial year 2019/20;
2. Approves the rebate of £5,000 per each of the six constituent councils within the current 2019/20 financial year;
3. Ratifies the updated Operating Budget for the financial year 2020/21 as agreed by the SESPlan Joint Committee on 25 November 2019;
4. Notes that member authority contributions for financial year 2020/21 were nil; and
5. Notes that an Operating Budget for 2021/22 will be brought to a meeting of the SESPlan Joint Committee in late 2020.

Decision

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

9. SESPLAN HOUSING LAND POSITION STATEMENT UPDATE AND UPDATE ON THE LAND SUPPLY POSITION IN WEST LoTHIAN

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of a Housing Land Supply Position Statement approved by the SESPlan Joint Committee on 30 September 2019 and to provide an overview of the current land supply position in West Lothian.

It was recommended that the Panel notes the contents of the report and the SESPlan Housing Land Supply Position Statement attached to the report at Appendix 1.

The panel, by a majority, expressed concerns that to date the Scottish Government had not produced a methodology for calculating the five year effective housing land supply. Therefore, the Chair and Executive Councillor for Development and Transport suggested that she write to Scottish Ministers on this matter to urge them to resolve the situation at the earliest opportunity.

Decision

1. To note the content of the report;
2. To note the Panel, by a majority, were disappointed that to date the Scottish Government had failed to provide guidance to local authorities on the methodology for calculating the five year effective housing land supply; and
3. To agree that the Chair and Executive Councillor for Development and Transport write to Scottish Ministers on this matter to urge them to resolve the situation at the earliest opportunity.

10. WEST LOTHIAN LOCAL DEVELOPMENT PLAN (LDP): DEVELOPMENT PLAN SCHEME NO.12

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the proposed Development Plan Scheme (DPS No.12) for the West Lothian Local Development Plan (LDP2).

It was recommended that the Panel notes and considers the following recommendation which was intended to be submitted to Council Executive for approval :-

“Approves the content of Development Plan Scheme No.12 (Appendix 1)”.

Decision

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

11. DRAFT PLANNING GUIDANCE: NON-EMPLOYMENT USES WITHIN EMPLOYMENT AREAS

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of draft Planning Guidance on Non-Employment Areas prepared in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance.

It was recommended that the Panel notes and considers the following recommendations which were intended to be submitted to Council Executive for approval :-

1. Approves the content of the Planning Guidance: Non-Employment uses within Employment Areas (Appendix 1);
2. Approves the responses to any comments received during

consultation on draft Planning Guidance (to be provided as an appendix 2 to the report to Council Executive); and

3. Delegates to the Head of Planning, Economic Development and Regeneration to agree and conclude a “screening determination” as to whether a SEA was required, having taken into account the views offered by the Consultation Authorities.

Decision

1. To note the contents of the report;
2. To agree that following consultation the report be forwarded to a future meeting of Council Executive for approval.

12. DRAFT PLANNING GUIDANCE: HOUSE EXTENSION AND ALTERATION DESIGN GUIDE

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the preparation of draft Planning Guidance: House Extension and Alteration Design Guide prepared in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance.

It was recommended that the Panel notes and considers the following recommendations which were intended to be submitted to Council Executive for approval after a consultation exercise had been undertaken:-

1. Approves the content of the Planning Guidance: House Extension and Alteration Design Guide;
2. Approves the responses to any comments received during consultation on the draft Planning Guidance (to be provided as an appendix to the report to Council Executive); and
3. Delegates to the Head of Planning, Economic Development and Regeneration to agree and conclude a “screening determination” as to whether a SEA was required, having taken into account the views offered by the Consultation Authorities.

Decision

1. To note the content of the report;
2. To agree that following consultation the report be forwarded to a future meeting of Council Executive for approval.

13. DRAFT SUPPLEMENTARY GUIDANCE: WIND ENERGY DEVELOPMENT

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of preparation of Draft Supplementary Guidance for Wind Energy Development and to set out the next steps towards finalisation and approval of the guidance.

It was recommended that the Panel notes and considers the following recommendations which were intended to be submitted to Council Executive for approval after a consultation exercise had been undertaken.

1. Approves the content of the Supplementary Guidance on Wind Energy Development (Appendix 1)
2. Approves the response to the comments received during consultation on the draft Supplementary Guidance;
3. Notes that following consideration by Council Executive the Supplementary Guidance would require to be submitted to Scottish Ministers for adoption as statutory supplementary guidance in support of the West Lothian Local Development Plan; and
4. Delegates to the Head of Planning, Economic Development and Regeneration to agree and conclude a “screening determination” as to whether a SEA was required, having taken into account the views offered by the Consultation Authorities and to prepare the SEA.

Decision

1. To note the content of the report; and
2. To agree that following consultation the report be forwarded to a future meeting of Council Executive for approval.

14. WORKPLAN

A workplan had been circulated.

Decision

To note the contents of the workplan