



Development and Transport Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

31 October 2019

A meeting of the **Development and Transport Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Tuesday 5 November 2019** at **9:30am**.

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 Development and Transport Policy Development and Scrutiny Panel held on Tuesday 03 September 2019 (herewith).
5. Revenue Budget Strategy 2020/21 to 2022/23 - Potential Additional Saving Measures - Report by Head of Planning, Economic Development and Regeneration (herewith)
6. Kirknewton Conservation Area Boundary Appraisal - Report by Head of Planning, Economic Development and Regeneration (herewith)
7. Draft Planning Guidance : Controlling Obtrusive Lighting (Light Pollution) and Reducing Lighting Energy Consumption - Report by Head of Planning, Economic Development and Regeneration (herewith)

8. Supplementary Guidance : Developer Contributions towards Transport Infrastructure - Report by Head of Planning, Economic Development and Regeneration (herewith)
9. Transient Visitor Levy : Proposed Consultation Response - Report by Head of Planning, Economic Development and Regeneration (herewith)
10. Petition - Local Bus Provision, Broxburn Town Centre - Report by Head of Operational Services (herewith)
11. Petition - Local Bus Provision, Ladywell West - Report by Report by Head of Operational Services (herewith)
12. Petition - Wester Inch School Bus to Bathgate Academy - Report by Head of Operational Services (herewith)
13. Workplan (herewith)

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

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621, committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 3 SEPTEMBER 2019.

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

Apologies – Councillor Tom Conn

In Attendance – Councillors Stuart Borrowman, Lawrence Fitzpatrick and Charles Kennedy

1. DECLARATIONS OF INTEREST

Agenda Item 7 (Draft National Transport Strategy) – Councillor Chris Horne declared an interest in that he was a council appointed member to SESTran;

Agenda Item 7 (Draft National Transport Strategy) – Councillor Cathy Muldoon declared an interest in that she was a council appointed member to SESTran, a council appointed member to Lothian Buses Regional Sub-Committee and was an employee of a train operator;

Agenda Item 8 (SDP2) – Councillor Cathy Muldoon declared an interest in that she was a council appointed member to SESPlan; and

Agenda Item 8 (SDP2) – Councillor Dom McGuire declared an interest in that he was a council appointed member to SESPlan

2. ORDER OF BUSINESS

The Chair advised the Panel that members of the Development Management Committee had been invited to the meeting to participate in Agenda Item 5 (Summary of Planning (Scotland) Act 2019).

The Chair then welcomed Councillors Stuart Borrowman, Lawrence Fitzpatrick and Charles Kennedy to the meeting.

3. MINUTE

The Panel approved the Minute of the meeting held on 20 June 2019. The Minute was thereafter signed by the Chair.

4. SUMMARY OF THE PLANNING (SCOTLAND) ACT 2019

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 main changes to the planning system as a result of the Planning (Scotland) Act 2019.

The Planning (Scotland) Act 2019 was passed by Scottish Ministers on 20 June 2019 and received Royal Assent on 29 July 2019, becoming the Planning (Scotland) Act 2019.

The principle changes promoted in the Act were Development Planning; Development Management and Enforcement; and Masterplan Consent Areas. The Head of Planning, Economic Development and Regeneration proceeded to provide an overview of each of these areas. With regards to Development Management and Enforcement a number of significant provisions were being made in the Act; these were as follows :-

- All Section 75 legal agreements to be made publicly available and an annual report produced for the number of legal agreements entered into in a financial year;
- Local Review Bodies would assess appeals against certificates of lawfulness;
- A requirement to assess health effects of major and national developments
- A requirement for disabled toilets in certain developments
- The ability of the planning authority to decline to determine repeat applications for 5 years following their refusal and dismissal at appeal

The Head of Planning, Economic Development and Regeneration proceeded to explain other issues contained in the Act and included matters such as mandatory training for members sitting on planning committees, annual performance reports to the Scottish Government on a statutory basis, introduction of the ability of Scottish Ministers to charge for their services at a national level; and a regulation to allow Scottish Ministers or Planning Authorities to waive or reduce fees under certain circumstances.

The Head of Planning, Economic Development and Regeneration then proceeded to answer questions from the Panel and invited members. The questions centred around a number of themes; these being the need for the council to update its Scheme of Delegation in response to the Act, financial implications for the council and therefore the need to raise fees, the LDP process moving from a five year to a ten year cycle, the replacement of Strategic Development Plans (SDP) with Regional Spatial Strategies.

The Head of Planning, Economic Development and Regeneration proceeded to explain that it was hoped that further clarity on the Act would be provided in secondary legislation which was still to be produced. The Head of Planning, Economic Development and Regeneration then gave an undertaking that as the secondary legislation developed he would endeavour to keep the Panel and other elected members closely involved as the legislation was implemented.

The Panel was asked to note and consider the terms of the report and the significant changes to the operation of the planning system set out in the Planning (Scotland) Act 2019.

Decision

1. To note the contents of the report; and
2. To note the commitment by the Head of Planning, Economic Development and Regeneration to keep elected members appraised as the Planning (Scotland) Act 2019 developed and was implemented.

5. 2018/19 FINANCIAL PERFORMANCE - 12 MONTH MONITORING REPORT

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Service providing an update on the financial performance of the Development and Transport portfolio for the General Fund Revenue Budget.

The Head of Finance and Property Services explained that the budget monitoring process was undertaken in line with the council's budgetary control framework and procedures, which placed particular focus on a risk based and pro-active approach to budget monitoring.

A table contained within the report provided the overall revenue position in relation to service expenditure for the portfolio area. It was noted that there was an underspend of £532,000.

The Head of Finance and Property Services then proceeded to provide an update in relation to Public Transport; Planning Services; and Economic Development and Regeneration.

For the Development and Transport portfolio, savings of £294,000 in 2018/19 had been delivered in full. Various savings to be delivered for the portfolio area in both 2019/20 and 2020/21 required further development and implementation at officer level, including staffing restructures in Planning Services and Economic Development and Regeneration.

The Head of Finance and Property Services concluded with a summary of future budget issues and risks noting that the overall position reflected the very challenging financial position the council was now facing after many years of funding constraints and requirements to make significant savings as demand for services continued to grow. There were considerable risks and uncertainties around various aspects of council spending, including the costs of demand led services especially in social care, the level of inflationary increases in budgeted expenditure and the waste recycling market.

It was recommended that the Panel :-

1. Notes the financial performance of the Development and Transport portfolio for 2018/19;
2. Notes that the Development and Transport portfolio position for the year formed part of the outturn reported to Council Executive on 25 June 2018; and
3. Notes any actions required to be taken by Head of Service and budget holders to manage spend within available resources.

Decision

To note the contents of the report

6. DRAFT NATIONAL TRANSPORT STRATEGY 2 (NTS2) - WEST LOTHIAN COUNCIL'S CONSULTATION RESPONSE

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services advising of the Scottish Government's draft National Transport Strategy 2 (NTS2) for Scotland and to recommend a formal response to Council Executive.

The Head of Operational Services advised that the Scottish Government published its National Transport Strategy 2 (NTS2) draft for consultation 20 August 2019. The consultation was seeking answers to a set of 14 questions, over 6 chapters with a closing date of 23 October 2019.

The Head of Operational Services then proceeded to provide a summary for each of the chapters and included matters such as A Vision for Transport in Scotland; Current and Emerging Challenges; Meeting the Challenges; Transport Governance; and What we will do.

Attached to the report at Appendix 1 was a proposed response to the National Transport Strategy and it was recommended that the Panel notes the content of the report and recommends the council's draft response be forwarded to a meeting of Council Executive for approval for onward submission to the Scottish Government.

Decision

1. To note the content of the report and the proposed council response;
2. To agree that the report and the proposed council response be forwarded to an appropriate meeting of the Council Executive for approval; and
3. That prior to submission to Council Executive the Head of Operational Services was to include in the response to Q2, Q3 and Q7 reference to the fact that much of West Lothian was of a rural nature.

7. STRATEGIC DEVELOPMENT PLAN (SDP2) - DECISION LETTER

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the Minister's decision to reject the second Strategic Development Plan (SDP2) and the implications arising from that decision.

The Panel were advised that in accordance with Section 4(1) of the Planning, etc (Scotland) Act 2006, Strategic Development Planning Authorities were required to prepare and review strategic development plans and submit these to Scottish Ministers within four years of the approval of the existing plan; the existing plan was adopted in June 2013. On 26 June 2017 the Proposed Plan for the second Strategic Development Plan (SDP2) was submitted to the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA) for Examination.

The Examination of SDP2 commenced in August 2017 and the report of Examination was published on 20 July 2018. Following consideration of the report, the Minister issued his decision letter on SDP2 on 16 May 2019. The Minister rejected SDP2. The decision letter was attached to the report at Appendix 1.

The decision letter set out three reasons for rejection of the Plan; these being :-

1. Scottish Ministers were not satisfied that the plan had been informed by an adequate and timely transport appraisal;
2. The plan did not take sufficient account of the relationship between land use and transport; and
3. Scottish Ministers did not support the use of supplementary guidance to resolve this issue.

On 24 June 2019 the SESPlan Joint Committee met to discuss the implications of the Minister's decision to reject SDP2 and any actions SESPlan could pursue, including Judicial Review of the Minister's Decision. The Joint Committee determined that Judicial Review should not be pursued and that a proposal for the preparation of a Regional Spatial Framework (RSF) be progressed and reported to the Joint Committee at a future date.

In the absence of an up-to-date SDP, SESPlan had been informed that background material used to inform SDP2 could be used to inform a RSF and could be treated as a material consideration in the determination of planning applications. However the weight given to this information may, however, be subject to challenge at appeal and the weight Reporters would give these documents in considering appeals was uncertain.

The report also provided information on the position surrounding the council's 5 year housing land supply and implications arising from the Planning (Scotland) Act 2019, which had been subject to an earlier report

to the Panel and which removed the requirement to prepare SDP's and introduced a requirement to prepare Regional Spatial Strategies.

It was recommended that the Panel notes :-

1. That the rejection of SDP2 by the Minister placed all SESPlan member authorities at risk in terms of a lack of an up-to-date strategic development plan for the SESPlan area; and
2. This would impact on preparation of the next round of local development plans (LDP's) across the SESPlan area.

Decision

To note the contents of the report

8. DRAFT PLANNING GUIDANCE: PLANNING FOR NATURE: DEVELOPMENT MANAGEMENT AND WILDLIFE

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 Planning Guidance (PG) on Planning for Nature in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance. A copy of the PG was attached to the report at Appendix 1.

The Head of Planning, Economic Development and Regeneration explained that with the adoption of the Local Development Plan in September 2018 the suite of Supplementary Planning Guidance that had supported the previous plan was diminished, particularly in relation to the determination of planning applications.

The purpose of Supplementary Guidance and Planning Guidance was to expand upon existing policies and proposals and was used to support the content of the LDP. As a general rule statutory Supplementary Guidance was the preferred format for guidance which required developers to make a financial contribution. All other guidance was usually prepared as non-statutory including Planning Guidance, the main difference being it did not form part of the development plan and did not require to be approved by Scottish Ministers before being adopted by the council.

The report recalled that the councils existing supplementary planning guidance relating to natural heritage had been adopted in May 2015. This had recently been reviewed and refreshed and it had been concluded that no fundamental or significant changes were required to the document. The new Planning Guidance (PG) set out how the biodiversity and geodiversity of the West Lothian area were taken into account when considering all development proposals and provided a checklist for interested parties on matters to be considered and addressed when submitting development proposals.

It was proposed that public consultation on the PG would commence in September 2019 and would run for a period of six weeks. It would also be

published on the council's website and invitations to comment would be issued to Scottish Natural Heritage, other external agencies, developers and agents who were active in West Lothian and to all community councils. Comments would be reported to the Council Executive together with the council's draft responses at a later date and should further revisions be identified following consultation these would also be considered by Council Executive.

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 "Planning for Nature: Development Management and Wildlife";
2. Approves the responses to any comments received during consultation on 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 contents of the report;
2. To note that a six week consultation period would be undertaken on the Planning Guidance "Planning for Nature: Development Management and Wildlife; and
3. To agree that once the consultation had concluded the report would be forwarded to a future meeting of the Council Executive seeking approval of the recommendations contained in the report.

9. SUPPLEMENTARY GUIDANCE: DEVELOPER CONTRIBUTIONS FOR GENERAL INFRASTRUCTURE FOR SITE DELIVERY (EXCLUDING TRANSPORT AND EDUCATION INFRASTRUCTURE, CEMETERY AND PUBLIC ART PROVISION)

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic and Regeneration advising of the preparation of Supplementary Guidance (SG) on Developer Obligations for General Infrastructure for Site Delivery in support of the West Lothian Local Development Plan. It was noted that the SG did not embrace transport, education infrastructure, cemetery or public art as these were being addressed in separate guidance. A copy of the SG was attached to the report at Appendix 1.

The report recalled that West Lothian Local Development Plan was adopted on 4 September 2018 and embraced a development strategy that

supported sustainable planned growth up to 2024 and beyond, including the development of over 24,000 houses.

In order to deliver the planned growth set out in the LDP, improvements to infrastructure must be delivered alongside developments and the council was entitled to require developers to mitigate the impact of their development and to pay for, or contribute towards, improvements to infrastructure that came about as a direct consequence of the development.

Supplementary Guidance expanded upon existing policies and proposals and was used to support the content of the LDP. SG was also helpful in establishing the requirement for infrastructure and services that were attributable to a development early in the planning process.

The SG on Developer Obligations for General Infrastructure for Site Delivery was also required to be compliant with Scottish Planning Policy (SOO2014) and Circular 3/2012: Planning Obligations and Good Neighbour Agreements which established that Planning Obligations could be used to address the potentially negative impacts of development or infrastructure providing they met all of the following five tests :-

- Necessary to make the proposed development acceptable in planning terms;
- Serve a planning purpose and, where it was possible to identify infrastructure provision requirements in advance, should relate to development plans;
- Relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area;
- Fairly and reasonably relate in scale and kind to the proposed development; and
- Were reasonable in all other aspects.

The SG would continue to support the previously established CDA allocations at three strategic locations; these being:- Armadale; East Broxburn/Winchburgh; and Livingston and the Almond Valley together with the strategic development allocations at Polkemmet, Heartlands and Bangour to create sustainable and well designed and integrated places for new residents and the existing community.

It was proposed that public consultation on the SG would commence in the coming weeks and would run for a period of six weeks. It would also be published on the council's website and invitations to comment would be issued to developers and agents who were active in West Lothian and to all community councils. The outcome of the consultation would be reported to a future meeting of Council Executive and because the SG was intended as "statutory" and in support of the West Lothian LDP, it would be submitted to Scottish Ministers prior to it being adopted.

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

1. Agrees the content of the SG Developer Obligations for General Infrastructure for Site Delivery (Appendix 1);
2. Agrees the responses to the consultation comments (to be provided as an appendix to the report to Council Executive);
3. Notes that following consideration by the Council Executive the Supplementary Guidance would require to be submitted to the Scottish Ministers for consideration prior to being adopted as statutory supplementary guidance in support of the West Lothian Local Development Plan; and
4. Delegates the Head of Planning, Economic Development and Regeneration to agree and conclude a “screening determination” as to whether a SEA is was required, having taken into account of the views offered by the Consultation Authorities.

Decision

1. To note the contents of the report;
2. To note that a six week consultation period would be undertaken on the Supplementary Guidance: Developer Contributions for General Infrastructure for Site Delivery; and
3. To agree that once the consultation had concluded the report would be forwarded to a future meeting of the Council Executive seeking approval of the recommendations contained in the report.

10. SUPPLEMENTARY GUIDANCE: DEVELOPER CONTRIBUTIONS TOWARDS TRANSPORT INFRASTRUCTURE

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of preparation of Supplementary Guidance (SG) on Developer Contributions towards Transport Infrastructure. The SG was required in support of the LDP, a copy of which was attached to the report at Appendix 1.

The Head of Planning, Economic Development and Regeneration explained that Supplementary Guidance (SG) provided further information or detail in respect of policies or proposals set out in the West Lothian Local Development Plan (LDP). The SG complemented other SG and Planning Guidance (PG) prepared in support of the LDP, namely PG on Air Quality and SG on Developer Contributions towards Other Infrastructure.

The SG related to key transport infrastructure projects and set out

developer contribution requirements. The SG had been informed by Transport Modelling as well as transport appraisals submitted as part of the planning applications for the Core Development Areas.

In some instances transport infrastructure projects were being provided at developer expense and had already been or were being delivered through planning approval and associated legal agreements; for example the Brotherton Farm site, Livingston.

Key transport projects identified in the SG included the A71, A89/A8 corridor, A801, Blackridge Railway Station, M9 slip roads at Linlithgow and requirements associated with the Core Development Area (CDA's). Details of these various projects were summarised in the report.

It was proposed that public consultation on the SG would commence in the coming weeks and would run for a period of six weeks. It would also be published on the council's website and invitations to comment would be issued to developers and agents who were active in West Lothian and to all community councils. The outcome of the consultation would be reported to a future meeting of Council Executive and because the SG was intended as "statutory" and in support of the West Lothian LDP, it would be submitted to Scottish Ministers prior to it being adopted.

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

1. Agrees the content of the SG Developer Contributions Towards Transport Infrastructure (Appendix 1);
2. Agrees the responses to the consultation comments (Appendix 2); (to be provided as an appendix to the report to Council Executive);
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; and
4. Delegates to the Head of Planning, Economic Development and Regeneration, in consultation with the Executive Councillor for Development and Transport to agree and conclude the council's response to any direction issued by Scottish Government in relation to the SG.

Decision

1. To note the contents of the report;
2. To note that a six week consultation period would be undertaken on the Supplementary Guidance: Developer Contributions towards Transport Infrastructure; and
3. To agree that once the consultation had concluded the report would be forwarded to a future meeting of the Council Executive

seeking approval of the recommendations contained in the report.

11. QUARTERLY PERFORMANCE REPORT - QUARTER 1 OF 2019/20

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 2019/20.

The report examined performance for all indicators that supported the council's Corporate Plan and fell under the responsibility of the Development and Transport Policy Development and Scrutiny Panel.

Appendix 1 to the report showed a summary position of the status of the 17 performance indicators in the Development and Transport PDSP scorecard. The scorecard showed that a significant proportion of performance indicators were achieving targeted levels of performance; where performance was not at the expected level, the scorecard advised of the corrective actions being taken by services to improve performance.

It was recommended that the panel note the performance information and determine if further action or enquiry was necessary for any of the performance indicators in the report.

Decision

To note the contents of the report.

12. SESPLAN MINUTE, 25 MARCH 2019

The Panel noted the Minute of the meeting of SESPlan held on 25 March 2019.

13. WORKPLAN

A copy of the workplan had been circulated for information.

Decision

To note the workplan.



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL

REVENUE BUDGET STRATEGY 2020/21 TO 2022/23 – POTENTIAL ADDITIONAL SAVING MEASURES

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

This report provides the Panel with a summary of the potential additional saving measures within the remit of the Panel for their scrutiny.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes the revised estimated budget gap of £6.730 million as the latest planning assumption for the three years 2020/21 to 2022/23;
2. Notes and considers the potential additional saving option identified by officers within the Development and Transport portfolio, as set out in Appendix 1, noting that this are provided for information at this stage and could potentially be utilised to address any remaining budget gap;
3. Notes and considers the Integrated Relevance Assessments undertaken on the potential options as included in Appendix 1.
4. Notes that, where a full Integrated Impact Assessment (IIA) is assessed as being required, that this will be completed in advance of any of these measures being presented to the budget setting meeting and will be included in the budget report;
5. Notes that, in relation to revenue budget reduction measures, decisions by members which substantially change or delete decisions made by Council at the annual budget setting meeting each year must be made at full Council;
6. Notes that the Head of Finance and Property Services will continue to review and refine the budget model assumptions and present a three year detailed revenue budget for 2020/21 to 2022/23 to Council in February 2020 for consideration and approval.

C. SUMMARY OF IMPLICATIONS

I Council Values

Being honest, open and accountable, making the best use of resources, focusing on our customers' needs and working in partnership.

**II Policy and Legal
(including Strategic
Environmental
Assessment, Equality
Issues, Health or Risk
Assessment)**

The council is required to approve a balanced revenue budget for each financial year. Audit Scotland, Accounts Commission and Chartered Institute of Public Finance and Accountancy (CIPFA) best practice guidance recommends medium term financial plans are prepared for at least five years, and detailed budgets are prepared for at least three years.

The initial equality impact of the options has been assessed in compliance with public sector duty

requirements as set out in the Equality Act 2010, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and Fairer Scotland Duty, Part 1 of the Equality Act 2010.

III	Implications for Scheme of Delegations to Officers	No implications at this stage.
IV	Impact on performance and performance Indicators	Ongoing restraint in relation to government grant funding inevitably has implications for the council's budget and performance.
V	Relevance to Single Outcome Agreement	The revenue budget provides resources necessary to help deliver the Single Outcome Agreement, Corporate Plan priorities and council activities. Effective prioritisation of resources is essential to achieving key outcomes.
VI	Resources - (Financial, Staffing and Property)	Scottish Government revenue grant funding is not sufficient to meet the increasing costs and demand for services. Based on updated budget assumptions, the council faces an estimated budget gap of £6.730 million for 2020/21 to 2022/23.
VII	Consideration at PDSP	<p>The Partnership and Resources PDSP considered the proposed approach to reviewing the ideas from the Transforming Your Council (TYC) consultation on 1 June 2018. An update on the results of the review was presented to the panel on 5 October 2018.</p> <p>Three reports on the revenue budget position, covering the updated budget gap, potential additional saving measures, potential council tax scenarios and the review of the loans, insurance and modernisation funds, were considered by the Partnership and Resources PDSP on 12 September 2019. The Panel noted that the potential savings options would be reported in more detail to relevant PDSPs.</p>
VIII	Other consultations	Depute Chief Executives and Heads of Service

D. TERMS OF REPORT

D.1 Background

On 19 February 2019, West Lothian Council agreed an updated financial plan for four years and detailed revenue budgets for the two years 2019/20 and 2020/21. This complies with best practice which states that public bodies should focus on their medium to long term sustainability.

D.2 Summary of Relevant Committee and Elected Member Decisions

In June 2018, Council Executive considered a review of councillor involvement in financial planning. A number of planning principles and recommendations were agreed:

- The council should continue to have a five year revenue strategy, aligned with political administrations, and detailed three year budgets.

- Potential budget saving measures required to address the remaining budget gap to 2022/23 should be considered by the relevant PDSP before presentation to Council or Council Executive.
- Where timescales permit, all potential additional future savings measures should be considered by PDSP before approval by Council or Council Executive, with the only exceptions relating to factors out with the council's control such as late amendments to the local government finance settlement.

As noted above, the updated medium term financial plan for 2019/20 to 2022/23 was presented to Council in February 2019. When approving the updated plan Council:

- Noted that agreement of the budget reduction measures in the report left a balance of savings to be identified of £4.4 million for 2020/21 to 2022/23.
- Agreed that officers should consider options to address the remaining budget gap, including potential additional efficiency measures and use of the new council tax flexibility, whilst minimising any adverse impact on service delivery, and that options will be brought back to elected members for consideration in 2019/20.

Council agreed on 19 March 2019 that future decisions by members which substantially change or delete budget reduction measures agreed when setting the revenue budget, should be made by Council.

D.3 Estimated Budget Gap for 2020/21 to 2022/23

The Partnership and Resources PDSP considered a budget update and potential additional saving measures report on 12 September 2019. This report included information on current assumptions regarding the council's estimated budget gap for the period 2020/21 to 2022/23.

Taking account of the anticipated changes, the revised budget gap is £6.730 million. The updated budget model gap, compared to the revised saving measures and the revised financial value for eligibility and contributions agreed savings is as follows:

Table 1: Updated Budget Gap

	2020/21 £'000	2021/22 £'000	2022/23 £'000	Total £'000
Updated Budget Gap	13,687	11,668	12,504	37,859
Revised Savings	(11,105)	(9,112)	(10,315)	(30,532)
Updated Eligibility & Contributions Savings	(300)	(58)	(239)	(597)
Estimated Remaining Budget Gap	2,282	2,498	1,950	6,730

At this stage, the updated gap is for budget planning assumptions only. It is not proposed, at this time, that agreement is sought by Council to agree and implement the changes outlined above. In line with the requirement to report items that substantially change or delete approved savings to full Council, it is proposed that the changes will be incorporated into the updated three year detailed budget to be reported to Council in February 2020. In addition, reflecting established practice, officers will continue to review the budget model in advance of the annual budget setting process in early 2020 to take account of changes in circumstances and updated forecasts.

D.4 Potential Options to Address the Remaining Budget Gap

As noted in section D.2, officers were asked to develop potential options to address the remaining budget gap whilst minimising any adverse impact on service delivery. In addressing the remaining gap the council has a number of potential options available for consideration, including:

- A real terms increase in council tax;
- Additional budget saving measures;
- Utilisation of one off resources which, after providing additional resources for the modernisation fund, could be used over the medium to long term to support development and implementation of a sustainable financial plan.

Reports on each of these options were considered by the Partnership and Resources PDSP on 12 September 2019. This report provides further information on additional budget saving measures for the Development and Transport PDSP.

After scrutiny of options by PDSPs, taking account of the approval by Council on 24 September 2019 of the outcome of the loans fund review, and following the publication of the local government finance settlement in December 2019, officers will work to develop a balanced budget position to present to members for consideration. This will likely include a combination of potential options, reflecting elected member feedback and scrutiny, to ensure that the council meets its statutory requirement to balance the budget.

D.4.1 Potential Additional Budget Saving Measures

Following the initial consideration of measures by the Partnership and Resources PDSP on 12 September 2019, and in line with the Council Executive decision that relevant PDSPs should consider potential savings measures within their remit, this report provides the Development and Transport PDSP with further information on potential additional budget saving measures.

Appendix 1 expands on the initial information included in the report to the Partnership and Resources PDSP. For the Development and Transport PDSP, one additional saving measure has been identified by officers for consideration – cessation of the concessionary rail scheme (£206,000).

An Integrated Relevance Assessment has been undertaken for all potential additional budget saving measures. A copy of each assessment is included along with information on the options in Appendix 1. Where it has been identified that a full IIA is required, officers would undertake the assessment in advance of the budget setting meeting, with the full IIAs being included as an appendix to the budget report, if they are being proposed to balance the council's budget.

D.5 Next Steps and Key Timescales

To facilitate the provision of detailed three year revenue budgets to Council in early 2020, the following key dates should be noted:

Table 2: Key Dates and Actions

Action	Date
Scottish spending review and budget	Mid December 2019
2020/21 local government finance settlement	Mid December 2019
Report to Council Executive on Scottish budget and local government finance settlement	21 January 2020
Updated three year budget to West Lothian Council, including updated fees and charges for 2020/21 to 2022/23	February 2020

At this stage, it is unlikely that the council will receive a three year settlement. Developments in this area will be kept under review and reported to elected members.

E. CONCLUSION

This report provides the Panel with a summary update on the development of the council's revenue financial plan for the remaining three years 2020/21 to 2022/23. As noted at the Partnership and Resources PDSP on 12 September 2019, further information on the potential additional saving measures within the remit of the Panel is provided for scrutiny and consideration. Following scrutiny by PDSPs and the local government finance settlement announcement in December 2019, the options will be considered when preparing an updated three year revenue budget to be considered by Council in February 2020.

F. BACKGROUND REFERENCES

Review of Elected Member Involvement in Financial Planning – Report by Head of Finance and Property Services to Council Executive on 12 June 2018

Revenue Budget 2019/20 to 2022/23 – Report by Head of Finance and Property Services to West Lothian Council on 19 February 2019

Budgetary Decisions and Loans Fund Legislation Motions at West Lothian Council on 19 March 2019

Revenue Budget Strategy 2020/21 to 2022/23 – Budget Update and Potential Additional Saving Measures – Report by Head of Finance and Property Services to Partnership and Resources PDSP on 12 September 2019

Appendices/Attachments:

Appendix 1 – Potential Additional Saving Measures for Information

Contact Person: Lynda Ferguson, Group Accountant
Email: lynda.ferguson@westlothian.gov.uk, Tel: 01506 281293

Craig McCorriston
Head of Planning, Economic Development and Regeneration
5 November 2019

Appendix 1 – Potential Additional Saving Measures for Information

Service	Operational Services
Saving Measure	Cease concessionary rail scheme
Prioritisation or Efficiency	Prioritisation
Value	£206,000
FTE Reduction	Nil
Lead in Time	6 months

Description of Measure

Withdrawal of the concessionary rail scheme, supporting current users to use alternative options (e.g. the local bus network or Network Rail concessions). Option reflects that a concessionary rail scheme is not a statutory requirement and that most other local authorities do not offer such a scheme. The current contract will cease in March 2020.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

Could impact on improving the quality of life for older people, however alternatives such as free bus travel and national concessions are available for older people. Potential increases in car travel could have an impact on the natural environment.

Potential Impact on Performance

Diversion to the bus network will have a positive impact on local bus performance indicators.

Potential Impact on Public/Users

Current users of the scheme would either have to use alternative transport options or obtain national concessions. The vast majority of journeys affected by withdrawal of the scheme would be those out with West Lothian to Edinburgh and Glasgow. Access to essential services within West Lothian can be maintained through free bus travel.

Risks and Uncertainties

- Cessation of the scheme would require consultation with Abellio Scotrail.

Mitigating Factors

Effective media and communications strategy to emphasise alternative options and provide information on how to secure other concessions. Responses from the Transforming Your Council (TYC) consultation demonstrated increasing support for removal of this scheme.

Actions Required to Deliver Measure

- Revision of council passenger transport strategy.
- Negotiation of cessation of scheme with Abellio.
- Development of a media and communications strategy.
- Consultation and engagement with users.

Integrated Relevance Assessment Form

1. Details of option			
Policy Title	Cease concessionary rail scheme		
Service Area	Operational Services		
Lead Officer	Jim Jack		
Other Officers/Partners Involved	None		
Date relevance assessed	12 September 2019		

2. Does the council have control over how this policy will be implemented?			
YES	X	NO	

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	X
Disability – people with disabilities/long standing conditions	X
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	
Marriage or civil partnership – people who are married or in a civil partnership	
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	
Religion or belief – people with different religions and beliefs including those with no beliefs	
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	X
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jim Jack
Designation	Head of Operational Services
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	



DEVELOPMENT & TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL

KIRKNEWTON CONSERVATION AREA BOUNDARY APPRAISAL

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the panel on the proposed variation of the conservation area boundary in Kirknewton as a result of a Conservation Area Appraisal (CAA) which was carried out in compliance with the Scottish Government's Planning Advice Note (PAN) 71: Conservation Area Management (2004).

B. RECOMMENDATION

It is recommended that the panel notes and considers the following recommendations which are intended to be submitted to the Council Executive for approval following public consultation:

1. notes the content and conclusions of the conservation area appraisal of the Kirknewton Conservation Area;
2. notes the comments received during public consultation on the proposed changes to the conservation area and approves the proposed responses to the comments received (Appendix 1); and
3. agrees the proposed changes to the existing Kirknewton conservation area boundary (Appendix 2) which will be advertised and referred to Scottish Ministers for their approval.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; developing employees; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The preparation of the CAA is in compliance with the Planning (Listed buildings and conservation areas) (Scotland) Act 1997, Scottish Planning Policy (SPP) 2014 and other supporting documents such as PAN 71.</p> <p>The proposal does not require an SEA and does not raise any equality or health risk issues.</p>

III	Implications for scheme of delegation	None.
IV	Impact on performance and performance indicators	Meets Planning Services Performance Indicator of undertaking conservation area appraisals.
V	Relevance to Local Outcomes Improvement Plan	Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	None. However, with preparation of a conservation area appraisal, the council, in partnership with Historic Environment Scotland (HES), property owners and potentially the Heritage Lottery Fund, can consider applying for grant funding to carry out identified built heritage improvements.
VII	Consultations at PDSP	There have been no previous reports on this matter to the panel.
VIII	Other consultations	Consultation will be carried out with stakeholders including Kirknewton Community Council, local residents and HES prior to reporting the matter to Council Executive.

D. TERMS OF REPORT

D1 Background and History

Kirknewton is one of nine conservation areas in West Lothian. It was designated in the mid 1970's and focused on the historical character of the old village centre.

A Conservation Area Appraisal is a management tool which helps identify the special interest and changing needs of an area. An appraisal provides the initial information to develop an action plan in relation to protecting and managing the factors (e.g. historic relevance, archaeology, built and natural environment), which have led to an area being designated a conservation area. It assists the council in fulfilling its statutory duties.

Within a conservation area, some permitted development rights are removed for example, planning permission is necessary for dormer extensions, painting facades, replacement windows and doors, lopping trees and installing illuminated signage.

D2 Conservation Area - Proposed Boundary Alteration

The existing conservation area boundary in Kirknewton has been in place for approximately 45 years. Since the designation there have been areas of development that should now be considered for removal from the designation as they do not contribute to the conservation area, nor contain elements worthy of the additional planning controls which apply in conservation areas.

Proposed area to be excluded from the Conservation Area boundary are “The Green Room” development on north side of Main Street. Also the open space and woodland south of Whitemoss Road is proposed for removal as it does not carry enough historic value, nor the Estate, to be protected.

There are proposed boundary extensions in Meadowbank View and Hillhouse Terrace with rare examples of 1940s timber framed houses, and individual property in West Main Street, which are areas with historic value and contribute greatly to the conservation area.

The proposed boundary alteration would remove one property from the previous conservation area boundary and add 24 new properties. This would change the conservation area from 81 properties to 104 properties.

A map of the existing conservation area and proposed boundary alteration are attached as Appendix One.

D3 Conservation Area Appraisal

A Conservation Area Appraisal has been undertaken, to inform and provide evidence as to why the conservation area boundary should be altered.

It is the responsibility of the council to consult with the public on the existing conservation area and its merits and proposed changes to the boundary. It is proposed that consultation will be undertaken by a public exhibition in the Kirknewton Green Room or Village Hall, in spring 2020, as well as a leaflet and survey of the properties affected by withdrawal from the conservation area and the wider village.

The results of the exercise will be reported to the Council Executive in due course. The proposed Public Engagement Survey Form is attached as Appendix Two; the proposed Boundary Alteration Public Engagement Leaflet is attached as Appendix Three.

E. CONCLUSION

The Planning (Listed buildings and Conservation Areas) (Scotland) Act 1997, states that it is the responsibility of the local authority to *‘determine which parts of their district are areas of special historic interest...the character of which it is desirable to preserve or enhance.’* (Section 61). In compliance with the Act and also SPP and PAN 71, the existing conservation area boundary has been reviewed and alterations are suggested. Sections that have not been removed or are added to the conservation area are integral parts of the history and character of Kirknewton.

Once the conservation area appraisal has been carried out, it is the council's responsibility to consult the public. The council, in partnership with Historic Environment Scotland and property owners and potentially with the Heritage Lottery Fund can also apply for funding to address issues identified through this project.

F. BACKGROUND REFERENCES

The Planning (Listed buildings and Conservation Areas) (Scotland) Act 1997
Scottish Planning Policy 2014
Planning Advice Note (PAN) 71: Conservation Area Management (2004)

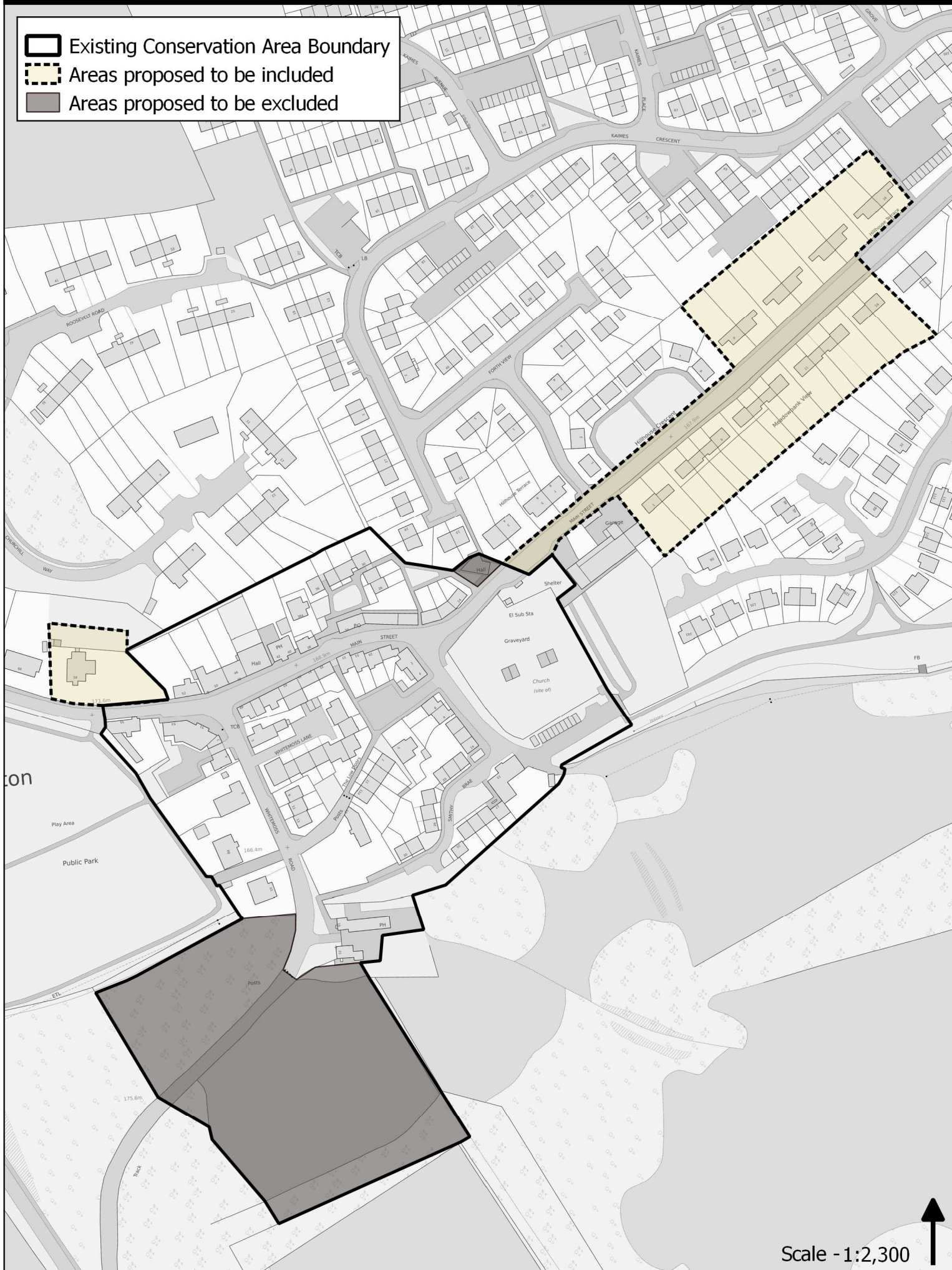
Appendix One: Map of Kirknewton Conservation Area (CA) and proposed boundary alteration.
Appendix Two: Public Engagement Survey Form on proposed CA boundary alteration.
Appendix Three: Public Engagement Leaflet.

Contact Person: Chris Alcorn, Principal Planner, 01506-282428, Email:
chris.alcorn@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development and Regeneration

5 November 2019

Appendix 1 : Kirknewton Conservation Area - Existing & Proposed Conservation Area Boundaries



Kirknewton Conservation Area

Spring 2020



A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Kirknewton conservation area was designated in the 1970s and is centred on the historic core of Main Street. West Lothian Council are proposing to change the boundary of the conservation area to focus on historic buildings within the village. It is important that the council gauges the views of Kirknewton residents before any decision is made. Your view is important to this process; therefore we would like to extend our thanks for your participation in this survey. Thank You.

CONSERVATION AREA

1. Were you aware that you live within a conservation area? Yes ☐ No ☐
2. Are you aware of how living within a conservation area affects you? Yes ☐ No ☐ Not sure ☐
3. If you answered No to the previous two questions, do you think more should have been done to inform you about the conservation area and how it relates to you? Yes ☐ No ☐ Not sure ☐
4. How effective do you feel the conservation area designation has been in protecting the historic environment and heritage of Kirknewton?

The Kirknewton Conservation Area boundary has been in place for 40 years and is now outdated. It covers areas that no longer meet the criteria set out in the Scottish Historic Environment Policy (2009). The proposed changes to the Conservation Area boundary will include new areas with historic value (see Accompanying Map and Address List).

5. Is your property one of those being included / excluded within the conservation boundary?

(Refer to accompanying Map and Address List)

Yes ☐ No ☐ Not sure ☐

6. Do you have any views about your property being in / out of the conservation area?

7. Is there any specific reason you do not agree with the proposed changes to Kirknewton Conservation Area boundary?

8. Are there any specific areas of Kirknewton you would like to include within / exclude from the conservation area boundary?

--

If you cannot fit all your information into boxes provided or you have any additional comments, please use the blank side of this sheet - thank you.

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Please leave in "Post-box" accompanying exhibition or send to:

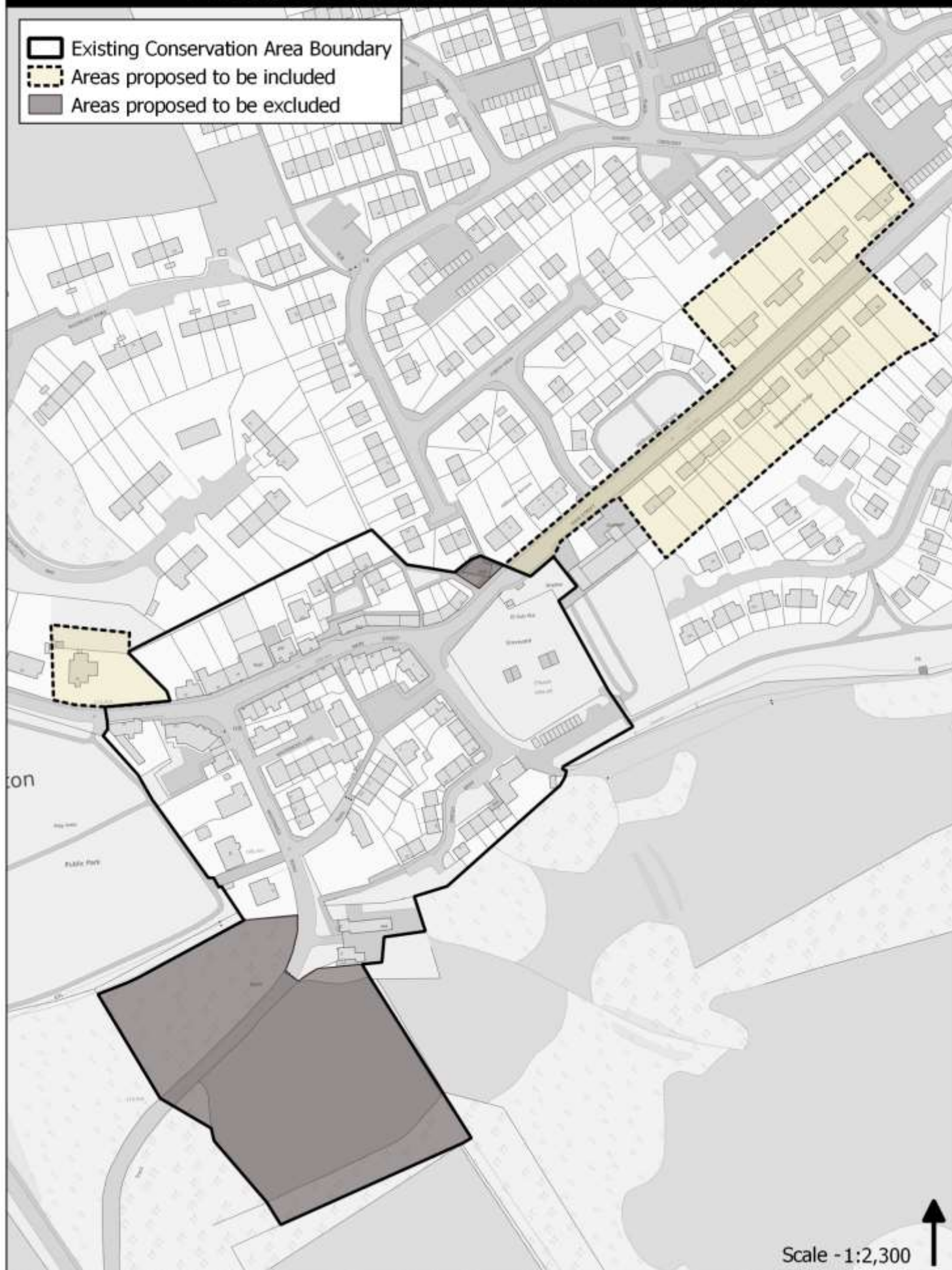
Planning Services, Development Planning and Environment, Civic Centre, Howden South Road, Livingston EH54 6FF.

You can also e-mail / scan to: DPgeneral@westlothian.gov.uk

The Council values your opinion and all responses and comments will be anonymised and then reported to a forthcoming Council Executive Committee meeting. The report will be available to view online at <https://www.westlothian.gov.uk/meetings>

Kirknewton Conservation Area - Existing & Proposed Conservation Area Boundaries

- Existing Conservation Area Boundary
- Areas proposed to be included
- Areas proposed to be excluded



Scale - 1:2,300

Addresses to be removed from Kirknewton Conservation Area if proposed conservation area boundary was adopted:

Street	Numbers	Postcode
MAIN STREET	12	EH27 8AH

Addresses to be included to the Kirknewton Conservation Area if proposed conservation area boundary was adopted:

Street	Numbers	Postcode
HILLHOUSE TERRACE	9 - 16	EH27 8AL
MAIN STREET	58	EH27 8AA
MEADOWBANK VIEW	1 - 16	EH27 8AP

Kirknewton Conservation Area

What is a Conservation Area?

“An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance” Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Why is Kirknewton a Conservation Area?

Kirknewton is one of nine conservation areas in West Lothian. It was designated in the mid-1970s and the purpose of the conservation area is to retain and enhance the historical character of the old village core that grew around the earlier farming community.

Kirknewton has a strong historic townscape prominence and many buildings within Kirknewton have historical interest and value. This can be seen especially in Main Street and within individual buildings spread around the village. In addition, some of the buildings have the date they were constructed engraved onto the building's façade.



The most prominent feature in Kirknewton is Main Street which is a clear centre and forms the historic core of Kirknewton village. Also the streets leading to housing areas on the south and east sides of the core centre have retained the historic character that is worthy of protection and present opportunities for enhancement.

Other historically important areas within the conservation area are lodges in Whitemoss Road and listed burial enclosures in the Kirk yard.



Historical Background of Kirknewton and Listed Buildings

Kirknewton grew primarily as an agricultural settlement around its Church. During and after the second world war, Kirknewton Airfield to the south of the village was constructed and used, which increased the population of Kirknewton with MoD housing at Roosevelt Road and Churchill Way.

Many buildings in the Kirknewton Conservation Area are listed buildings, which means they are protected due to their importance. These are:

- *Maconochies of Meadowbank and Dr. Cullen Burial Enclosures*, dating from 17th and 18th century, are located on the Kirk yard of the Old Parish Church.
- *‘Sawmill House’* is the only remains from the Sawmill that was located south side of the Main Street in the 1860s.
- *Lodges in 19 & 21 Whitemoss Road* were built to serve the Kirknewton House Estate which was established in the 1700s.
- *14, 16, 18, 20, 22 & 24 Main Street and 1, 4 Smithy Brae* are one and two storey buildings in the centre of the village, dating mainly from the 18th century.



The existing conservation area boundary in Kirknewton has been in place for approximately 40 years.

Since the designation there are some small areas of development or open space that could now be considered for removal from the designation as they do not contribute to the conservation area, nor do they contain architectural or historic elements worthy of the additional planning controls which apply in conservation areas.

There are also areas which are seen to contribute to the historic village and are proposed to be included to the conservation area.

Addresses proposed to be removed from Kirknewton Conservation Area

Street	Numbers	Postcode
Main Street	12	EH27 8AH

Addresses proposed to be included to Kirknewton Conservation Area

Street	Numbers	Postcode
Hillhouse Terrace	9-16	EH27 8AL
Main Street	58	EH27 8AA
Meadowbank View	1-16	EH27 8AP

Only small changes are suggested to the conservation area boundary. In summary, the suggested recommendations for the area are as follows:

- Alter the conservation area boundary to follow logical natural and man-made features, especially south from Whitemoss Road, where green space is proposed to be excluded due to the lack of specific architectural and historic features that need protection. Previously this area had been included inside the boundary as it was on the main route into Kirknewton, but this road has been closed.
- Change the conservation area boundary to exclude The Green Room in 12 Main Street. The proximity of modern building at north side of Main Street does not meet the criteria set out.
- Extend the conservation area boundary to include following areas; 9-16 Hillhouse Terrace, 1-16 Meadowbank View and individual building at 58 Main Street, as they contribute to the conservation area and have local historic and architectural importance. Timber terraced houses in Meadowbank View and Hillhouse Terrace were built in the 1940s for the families working at Kirknewton airfield.



The potential to include the historic area at the west end of Kirknewton (e.g. Kirknewton Parish Church, The Old School House and Highfield House), near the Station, in the conservation area was discounted as these buildings in Station Road are too far from the village centre and as the conservation area should be contiguous. The same consideration was in place for Hillhouse, located at the east end of the village.

These buildings mentioned are still protected under the Historic Environment Listed buildings designation.



What is permitted within Conservation Areas?

Designating a conservation area does not mean a prohibition on development. It does mean carefully managing change to ensure that the character and appearance of these areas are safeguarded and enhanced for the enjoyment and benefit of future generations.

The character of Conservation Areas can be compromised over time by numerous small alterations leading to a loss of historic and architectural character. Understanding the features which make an area characterful, is important to achieving sympathetic maintenance and restoration.

Alterations to the exterior or structure of a building, even non-listed buildings, requires planning permission.

Examples of situations where planning permission is needed in a Conservation Area

- Alterations to a roof
- Replacing windows and doors
- Stone cleaning
- Painting the exterior of a building
- Installing a dormer window
- Erection of a satellite dish (which is visible from the road)
- Illuminated signage

Tree Felling and Lopping

To obtain permission to lop or fell trees within a conservation area, a 'tree works' application needs to be submitted to West Lothian Council, six weeks prior to the work commencing.

Further Advice

If you are unsure what planning permission you require within a conservation area, or you would like advice on maintaining built heritage, please, contact West Lothian Council at:



Planning Services: Development Management
Civic Centre
Howden South Road
Livingston
EH54 6FF

Email: Planning@westlothian.gov.uk
Phone: 01506 280000



Kirknewton Conservation Area Boundary Consultation

Consultation is held between **date-date** 2020. West Lothian Council would like to hear from the residents of Kirknewton who are affected by the proposed changes as well as the wider community, giving people the opportunity to put their ideas forward, if they think certain areas should, or should not, be included in the conservation area and why.

A drop-in session has been organised at **location** from **time – time** on **date XXXX**.

Please take the time to fill out the short survey which can also be found online from councils website or by following the address below:

<https://www.esurveycrator.co.uk/XXXX> (to be updated)

The responses and comments will not be shared with any other external parties and results will be summarised and remain anonymous when reported to the relevant Council committee.

Autumn 2019



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT & SCRUTINY PANEL

DRAFT PLANNING GUIDANCE: CONTROLLING OBTRUSIVE LIGHTING (LIGHT POLLUTION) AND REDUCING LIGHTING ENERGY CONSUMPTION

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the panel of the preparation of Planning Guidance (PG) on controlling obtrusive lighting (light pollution), reducing lighting energy consumption in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance.

B. RECOMMENDATION

It is recommended that the panel notes and considers the following recommendations which are intended to be submitted to Council Executive for approval after a consultation exercise has been undertaken:

1. approves the content of the Planning Guidance 'Controlling Obtrusive Lighting (Light Pollution) and Reducing Lighting Energy Consumption' (Appendix One);
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 the 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 is required, having taken into account the views offered by the Consultation Authorities.

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>New statutory Supplementary Guidance (SG) and non-statutory Planning Guidance (PG) will, over the course of the coming year, replace Supplementary Planning Guidance (SPG) which had previously supported the superseded West Lothian Local Plan. Going forward, new SG and PG are intended to support the Local Development Plan and the development management process.</p> <p>It should however be noted that the Scottish Parliament passed the Planning (Scotland)</p>

Bill on 20 June 2019 with one of the consequences being the repeal of Section 22 of the Town and Country Planning (Scotland) Act 1997 which enables a local planning authority to adopt and issue supplementary guidance (SG) in connection with a local development plan.

The draft PG supports policies DES 1 and NRG 1 of the adopted LDP. The first seeks to ensure that new development should have no adverse impact on landscape character, built heritage, habitats or protected species and the latter promotes sustainable design and development.

It has previously been determined that the new guidance is in itself unlikely to have significant environmental effects and it is not anticipated that there will be a requirement to make it the subject of separate Strategic Environmental Assessment (SEA). The required 'screening' procedures will however be undertaken.

There are no equality, health or risk assessment issues associated with the PG and there are no risk assessment issues.

III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	<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)	This draft PG has no direct financial implications for the council.
VII	Consultations at PDSP	This is the first time that the PDSP has considered the terms of this draft PG on Controlling Obtrusive Lighting (light pollution) and Reducing Lighting Energy Consumption.
VIII	Other consultations	This draft PG has been the subject of informal consultation with Environmental Health and Roads and Transportation.

D. TERMS OF REPORT

D1 Background

The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018 and embraces a development strategy that supports sustainable planned growth up to 2024 and beyond.

An extensive suite of 'Supplementary Planning Guidance' (SPG) had supported the previous West Lothian Local Plan (WLLP) but when that plan was replaced in September 2018 by the LDP this guidance ceased to have formal status. The consequence is that the ongoing materiality of SPGs is diminished, particularly in relation to the determination of planning applications and when relied upon to support the council's position at planning appeals.

The council intimated it's intention (in Appendix 4 of the LDP) that it would bring forward a raft of new statutory Supplementary Guidance (SG) and non-statutory Planning Guidance (PG) to replace SPGs and to support the policies of the LDP which would at the same time be compliant with Planning Circular 6/2013: *Development Planning*, current national planning policies and the policies of the Strategic Development Plan (SDP 1).

D2 Purpose and effect of Planning Guidance

SG and PG expand upon existing policies and proposals and are used to support the content of the LDP. This allows the LDP to focus on the overall spatial strategy and the key policies and proposals. Together, SG and PG provide additional detail on specific subject areas within development plans and in many instances explain how planning policies will be implemented.

As a general rule, statutory SG is the preferred format for guidance which requires developers to make a financial contribution. All other guidance is usually prepared as non-statutory Planning Guidance (PG), the main differences being that PG does not become part of the development plan and does not require to be approved by Scottish Ministers before being adopted by the council. PG is however still subject to the same robust consultation process and is regarded as a 'material consideration' when determining planning applications.

D3 Draft Planning Guidance – Controlling Obtrusive Lighting (light pollution) and Reducing Lighting Energy Consumption

In 2009 the council produced and adopted an SPG in support of the West Lothian Local Plan entitled 'Controlling Light Pollution and Reducing Lighting Energy Consumption'.

This SPG has now been reviewed and, having appraised its relevance and effectiveness, it has been concluded that no fundamental or significant changes are required to the document. Indeed, had it not been for the fact that the West Lothian Local Plan (WLLP) has been replaced by the LDP, the guidance would otherwise still be very much considered "fit for purpose".

Under these circumstances a 'refresh and re-badging' is essentially all that has been required with the opportunity being taken to update and replace references to new LDP policies (DES 1 and NRG 1), superseded legislation and websites and to correct any previous errors and omissions.

The new PG is intended to help protect the physical and natural environment by encouraging developers, architects, and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of artificial outdoor lighting, irrespective of whether such works fall within the category of 'permitted development' or require planning permission in their own right. In the case of the latter the guidance explains how the council will deal with planning applications and it will assist officers and members when determining them. The PG is attached as Appendix 1.

D4 Consultation arrangements

It is proposed that public consultation on the PG will be commenced in November 2019 and will run for a period of not less than six weeks. The guidance will be published on the council's web site and invitations to comment will be issued to external agencies, developers and agents who are active in West Lothian and also to all community councils. Comments will be reported to the Council Executive together with the council's draft responses at a later date and should further revisions be identified following consultation these will be similarly considered by the Council Executive.

E. CONCLUSION

The council has had guidance on the subject of light pollution and energy consumption in place since 2009. This has now been refreshed and repackaged and is consistent with current Scottish Government policy, SDP 1 and the policies of the LDP. It has been produced with the intent of being adopted as non-statutory Planning Guidance (PG) in support of the West Lothian Local Development Plan.

F. BACKGROUND REFERENCES

- SPG 'Controlling Light Pollution and Reducing Energy Consumption (2009)
- Adopted West Lothian Local Development Plan (2018)

Appendices/Attachments: One

Appendix 1: Draft Planning Guidance (PG) Controlling Obtrusive Lighting (Light Pollution) and Reducing Energy Consumption (2019)

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5 November 2019



CONTROLLING OBTRUSIVE LIGHTING (*Light Pollution*) AND REDUCING LIGHTING ENERGY CONSUMPTION

Consultation Draft - November 2019

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- 1.1 This non-statutory Planning Guidance (PG) is one of a series which supplements and supports the policies and proposals of the West Lothian Local Development Plan 2018 (LDP).
- 1.2 The LDP was adopted by the council on 4 September 2018 and is framed within the context of [Scottish Planning Policy \(2014\)](#); [Circular 3/2012: Planning Obligations and Good Neighbour Agreements](#); and [Circular 4/1998: The Use of Planning Conditions in Planning Permissions](#).
- 1.3 This particular guidance addresses two important environmental factors, nuisance light and energy usage with the main purposes being:
 - To help prospective developers better appreciate and understand the impacts of their external lighting proposals at the design stage and prevent it from being a nuisance;
 - To protect the physical and natural environment by encouraging developers, architects, and lighting designers to provide non-obtrusive and energy efficient lighting designs when preparing proposals for any development which incorporates an element of artificial outdoors lighting;
 - To provide detailed guidance about the manner in which the council will deal with those planning applications in which the developments proposed require exterior lighting which may have a harmful effect on the night-time character and ecology of the site and its surroundings; and
 - To provide guidance to assist officers and members in determining planning applications which include elements of exterior lighting.
- 1.4 This guidance relates to all exterior lighting situations regardless of the location of the lighting project or whether it is a stand alone project or part of an overall development. Potential developments and lighting situations include, but are not limited to:

<ul style="list-style-type: none"> ▪ Industrial/commercial developments ▪ Retail developments ▪ Housing developments ▪ Transport interchanges ▪ Roads and footpaths (either stand alone or as part of an overall development) 	<ul style="list-style-type: none"> ▪ Exterior sports grounds and arenas ▪ Feature lighting for civic enhancement ▪ Illuminated advertisements ▪ Replacement of existing installations
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- 1.5 While this PG is not part of the adopted West Lothian Local Development Plan it has been the subject of both a formal council resolution and a consultation process. It can therefore be treated as a *material planning consideration* when the council, Scottish Ministers and Reporters determine planning applications and appeals.

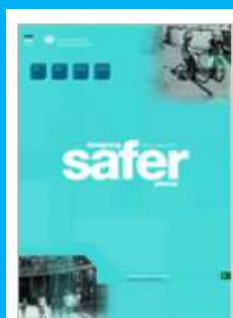
- 1.6 The council aims to balance the need for any lighting proposal against the negative effect it may have on the environment due to obtrusive light. It will always seek to prevent statutory nuisances where lighting forms part of a proposal submitted for planning permission and may seek to regulate lighting as part of planning conditions and obligations where appropriate to do so.
- 1.7 Applicants are encouraged to refer to this guidance at the earliest opportunity and can also make use of the council's pre-application enquiry service in order to clarify the issues to be addressed and to identify the information that will be needed to support any application for planning permission, which can in turn help minimise delays later in the planning process. Details of this service can be accessed on the [council's website](#). *Please note however that this is a chargeable service.*
- 1.8 For the avoidance of doubt, all previous guidance (known as Supplementary Planning Guidance or 'SPG') and specifically relating to the control of light pollution and reducing lighting energy consumption is superseded by this PG from the date it is approved by the council.

- 2.1 Until relatively recently there were no specific legislative controls on light nuisance in Scotland, but the Scottish Government has added artificial light nuisance to the list of Statutory Nuisances under [Part III of the Environmental Protection Act 1990](#), as introduced by the [Public Health etc. \(Scotland\) Act 2008](#) and it has become the primary regulatory control of the nuisance element of obtrusive light in Scotland. Breaching an *Abatement Notice* is a criminal offence, enabling local authorities (principally through its environmental health function) to initiate proceedings against offenders and, where appropriate, to carry out works in default of the Notice.
- 2.2 It is against this background that this PG has been prepared and one of the key objectives has been to address the external lighting component of development proposals wherever practicable at the pre-planning application stage. This is widely recognised as being the ideal time to influence the design or installation of lighting schemes and can serve to pre-empt instances of light pollution or nuisance arising, potentially reducing the council's involvement in dispute resolution and enforcement at a later date.

2.3 Planning Advice Note PAN 51: [Planning, Environmental Protection and Regulation](#) (last revised in 2006) supports the existing policy on the role of the planning system in relation to the environmental protection regimes and makes it clear that it is the responsibility of planning authorities and environmental protection bodies to collaborate in the task of protecting the environment and to apply controls so that duplication is minimised and overlap is avoided whenever possible.



2.4 In 2007 the Scottish Government published a Planning Guidance Note [Controlling Light Pollution & Reducing Lighting Energy Consumption](#). This provides guidance on the factors that require to be considered and the actions to be undertaken to ensure that non obtrusive and energy efficient exterior lighting installations are provided and operated throughout Scotland.



2.5 Planning Advice Note PAN 77: [Designing Safer Places](#) provides advice on how planning can help to create attractive well-managed environments which help to discourage antisocial and criminal behaviour. It addresses the contribution that lighting makes to creating safer places and reducing crime but at the same time recognises that it is important to ensure that lighting does not dazzle or create pockets of darkness.

2.6 *Scottish Planning Policy SPP* (2014) requires that the planning system supports resource efficient development and helps prevent future resource depletion. It should help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to, amongst other things, energy efficiency.



2.7 The *Strategic Development Plan for South East Scotland* (2013) provides for the development needs of Edinburgh and south east Scotland in accordance with the principle of sustainable development and Policy 1b identifies the need for energy efficient development.

2.8 Although the adopted *West Lothian Local Development Plan* (2018) does not include an explicit policy regarding external lighting, Policy DES 1 (Design Principles) requires that new development should have no adverse impact on landscape character, built heritage, habitats or protected species as a result of light, and at the same time Policy NRG 1 promotes sustainable design and development.



- 2.9 It is important to be aware that when not an integral component of a development proposal, planning permission may not be required for lighting installations in many commercial/industrial situations where they do not materially affect the external appearance of a building or structure.
- 2.10 The installation of external lighting on a domestic property is by and large *permitted development*, i.e., exempt from formal planning control, with the notable exception of properties where an Article 4 Direction Order is in force and restricts permitted development in terms of Class 1 of the *Town and Country Planning (General Permitted Development) (Scotland) Order 1992*. Where there is any doubt as to whether planning permission is required for the installation of a lighting scheme, it is important that advice is sought from the council's Development Management team.
- 2.11 In the case of listed buildings however, consent is almost always required for external lighting. Unsympathetic light fittings can detract from the appearance of the listed building, both at night-time and during the day. While sensitive lighting and the appropriate choice of luminaires can also benefit the historic environment, it is important that the principle of external lighting and the detailed design receives careful scrutiny. Once again, the council's Development Management team should be contacted for advice.

- 2.12 By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The council as Planning Authority is empowered to attach conditions to planning permissions for new developments that include the design and operation of lighting systems (for example, requiring energy-efficient design) and prevent light pollution and a 'model condition' which embraces such requirements is set out in Annex D for information and as an example of what developers may expect.
- 2.13 Even where planning permission is not required for external lighting installations this does not dispense with the need for developers and individuals to approach the subject with thoughtfulness and sensitivity for the environment together with an overarching ambition to minimise energy consumption. Lighting and the power it uses is a significant contributor to the carbon emissions we create and lighting schemes which have been thoughtfully designed with regard to this guidance will not only prevent/minimise light pollution but could also reduce energy wastage, offering significant cost savings to businesses and individuals. The Scottish Government encourages reduction of energy use and promotes more energy efficient lighting to reduce overall carbon emissions.
- 2.14 Whilst this guidance is primarily aimed at providing guidance for developers and those submitting planning applications for new developments there are a number of small but significant steps that can be taken by residents and public bodies to reduce obtrusive lighting at existing properties including;
- *considering the installation of low-wattage bulbs but with sufficient light intensity which is measured in lumens;*
 - *considering the installation of motion detectors on external lighting;*
 - *considering shielding or down-tilting external lights and using asymmetrical or double asymmetrical lights; and*
 - *switching off lights when not needed and installing timer switches and dimmers*
- 2.15 These measures can be implemented as part of routine maintenance when repairing or replacing light fittings and bulbs and should therefore not be unduly costly. In due course they will reduce energy wastage, save money (payback) and lead to a reduction in the incidences of obtrusive light.
- 2.16 Building Standards guidance on the efficiency of fixed external lighting is given in the Non-domestic [Building Services Compliance Guide for Scotland](#). It applies to new systems and replacement, in whole or in part, of existing systems. It also addresses improvement [work](#) to existing systems as a consequence of replacing components.

three

Light pollution and saving energy

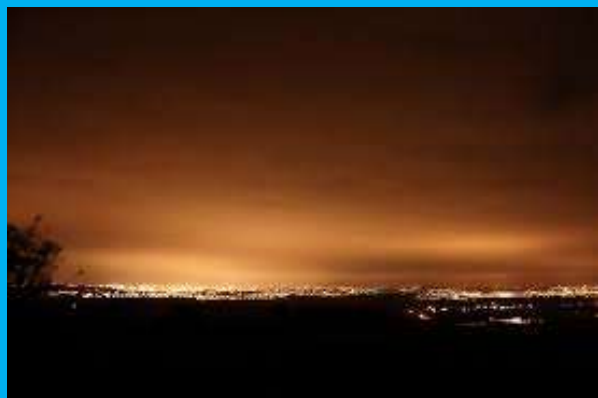
- 3.1 Artificial light is essential in our modern society and we all use it for many different things including lighting our streets and roads and helping to prevent road accidents, as a security measure to protect homes and businesses, to promote access to sport and recreation facilities outwith daylight hours, for enhancing and enlivening the night-time environment generally and for enhancing historic and architecturally important buildings. It has become an accepted and feature of day to day living and is clearly something that can be beneficial.
- 3.2 Obtrusive light (or light pollution) can however also have a profound negative impact, changing the character of a locality and significantly altering wildlife habitats and ecological patterns. On the widest scale, dark skies and unimpeded views of the stars are now becoming a thing of the past except in the most remote of rural areas.
- 3.3 Light is a type of radiation and forms part of the electromagnetic spectrum visible to the eye. It is measured in lumens (lm). A modern electric light takes in power in watts, and its efficiency can be measured in lumens per watt (lm/w). The amount of light falling on a surface is known as the illuminance and is measured in lumens per square metre or lux. This is straightforward to calculate and measure and is therefore widely used.
- 3.4 Light in itself is not a pollutant. It is only when it is obtrusive, finds its way into areas not intended to be lit and starts to have an adverse and unreasonable impact on peoples' environment and activities that it becomes problematic. If not properly designed, installed and controlled, external lighting can constitute an environmental, visual and health nuisance.

Types of light pollution

- 3.5 Light pollution is the term used to describe the unnecessary brightening of the night sky as a result of upwardly directed light which is then reflected off dust and water droplets in the sky and it is a legitimate material planning consideration. Light pollution is largely caused through a combination of poorly designed development schemes and inappropriate lighting equipment.
- 3.6 Light pollution can have many different characteristics with the most common being:

Sky glow

This is the visible pink or orange glow, mainly seen around urban areas, which occurs when stray or poorly directed light reflects off particles of water and dust in the atmosphere back toward the ground. The glow is not always localised and can be seen from many miles around, often spreading into dark rural areas and is one of the most difficult forms of light pollution to deal with. Lighting energy directed into the sky like this impedes astronomy and also wastes energy.



Glare

This is perhaps the most serious form of obtrusive light. It is the result of excessive contrast between bright and dark areas in the field of view and reduces visibility and can seriously impair human vision. It can however be avoided by the use of properly controlled and directed lighting of an appropriate brightness.



Light trespass

This is where light, direct or reflected, spills beyond the boundary of the intended illuminated subject area into neighbouring areas where it is not desired or required and becomes a nuisance. At the same time, it wastes energy and ultimately results in the unnecessary emissions of greenhouse gases.



- 3.7 While light pollution can be a problem in both urban and rural areas, residential amenity is most likely to be affected in an urban setting whilst sky glow may be the most significant consequence in a rural area and can lead to a suburban feel, losing the sense of distinctiveness associated with the countryside.
- 3.8 Lighting also need not be static to be obtrusive. The flickering of light, often used for advertising, can prove to be a distracting feature, and like glare, it can be a source of irritation and can in extreme situations be detrimental to the health of some individuals.

Common sources of light pollution

- 3.9 Problems associated with external lighting can arise from many different artificial light sources:
- inefficient street lighting which throws light upwards into the sky rather than downwards onto the road or pavement it is supposed to illuminate;
 - proliferation of road lighting, extending further out from towns and villages into the countryside;
 - all night (and sometimes daytime) floodlighting of buildings;
 - illuminated shop windows and advertising signs which are switched on overnight;
 - domestic security lighting which is inappropriately positioned and which intrudes on neighbouring properties and which can at the same time accentuate the darkness of surrounding areas;
 - temporary lighting associated with construction and engineering projects; and
 - floodlit sports facilities, such as golf driving ranges, or football pitches which bathe neighbouring land in unwelcome brightness.

Consequences of light pollution

3.10 The consequences of light pollution are extensive:

- in terms of sustainability, a significant amount of energy is wasted as a consequence of inappropriate lighting and it is therefore also a waste of money;
- the production of electricity using fossil fuels causes continued pollution of the atmosphere and is at odds with the Scottish Government's climate change policy of reducing the country's overall energy usage;
- when artificial lighting is used during the hours of darkness it is potentially damaging to human health in so far as it can infiltrate houses and disturb natural sleep patterns which in turn can lead to stress. Indirectly, glare can also contribute to road accidents;
- it can interfere with the way in which adjacent occupiers choose to use their property, diminishing their residential amenity;
- it is potentially disruptive to ecology and wildlife (e.g. some birds, bats, insects), affecting their established migration, feeding and breeding patterns; and
- it brightens the night sky to the extent that observation of the stars becomes difficult.



Control of light pollution

3.11 There is now widespread awareness of light pollution as a phenomenon and of the negative consequences associated with it. Light pollution can however be dramatically reduced by developers exercising forethought and by making informed choices about the hardware employed. At the same time significant advances can be made in tackling climate change by saving finite energy resources and ultimately helping to reduce carbon emissions.

3.12 Where an external lighting component within a development site is proposed, applicants will be required to submit supplementary information with their planning application which comprehensively details the lighting scheme and satisfactorily demonstrates that the proposed scheme is appropriate in terms of its purpose and in its particular setting.

3.13 This should include:

- a statement setting out why the lighting scheme is required;
- a report prepared by a lighting engineer which provides details of the luminaires and columns, including their type, height and location;
- a technical specification of the luminaires, including an explanation of what design attributes have been chosen to minimise light pollution; and
- a plan illustrating illuminance levels across the site and at the boundary of the property. Illuminance levels beyond the boundary of the site, together with the *downward light output ratio* of the lights may also be required.



3.14 In some cases the statement may be required to consider how the lighting scheme will be viewed against the wide landscape, both urban and rural and the potential role of landscaping in minimizing the day and night-time visual impact of the installation.

3.15 An *operational statement* should also be provided, the purpose of which is to ensure that the developer and the lighting designer have considered operational regimes that can provide energy savings.

3.16 The submission of lighting proposals will also be required in relation to temporary lighting installations, as commonly associated with construction works and site compounds.

3.17 Where the council decides to grant planning permission, it may decide to impose conditions covering such matters as:

- Hours of illumination
- No distraction to the highway
- Light levels
- Levels of impact on nearby dwellings
- Column heights
- Use of demountable columns
- Specification and colour treatment for lamps and luminaires
- The need for full horizontal cut-off
- Retention of screening vegetation
- Use of planting and bunding to contain lighting effects

3.18 The council may in some circumstances seek the erection of temporary lighting or require a review of the lighting impact following completion of the scheme.

3.19 It is recommended that applicants have regard to and make use of the lighting design process detailed in **Annex A** and it is required that all lighting proposals should be submitted with a completed Lighting Design Check List as provided in **Annex B** to this PG.

Climate change and carbon reduction

3.20 Internationally, climate change has been recognised as the greatest long-term environmental threat, posing far reaching impacts upon our lives, health and well-being, our economy and natural environment.

The *Climate Change (Scotland) Act 2009* sets out national targets for the reduction of greenhouse gas emissions of 42% by 2020 and 80% by 2050. These are the most ambitious greenhouse gas reduction targets in the world to date, meaning Scotland is a world leader in this field. Scottish Local Authorities, therefore, have a duty to put measures in place to achieve these targets.

four

Detailed design considerations

General principles for new and existing lighting schemes

- 4.1 The lighting of roads, footpaths, domestic and commercial property should be an integral element of all development proposals at the outset and not, as has sometimes been the case in the past, addressed as an afterthought.
- 4.2 There is clearly a need to balance the provision of lighting to enhance safety, help in preventing crime and the perceived risk of crime, and to allow activities like sport and recreation to take place, whilst also respecting the amenity of neighbouring land uses, protecting the natural environment, areas of biodiversity and geodiversity importance and areas whose open and landscape character qualities could be adversely affected.

4.3 When formulating proposals for an external lighting scheme or where external lighting is integral to a development proposal, the designer of the lighting scheme should have regard to the following key principles:

- Consideration of what lighting is necessary to a development should be undertaken at an early stage in the design process.
- The purpose of the artificial lighting should always be clearly defined and must be provided for a specific purpose, e.g., to illuminate a given area, to mark out pathways, to highlight obstacles or objects of interest within an area. Clearly, the effectiveness of the installation can only be measured after the purpose is defined, and this should be the starting point of any design.
- The object or area to be lit should not be viewed in isolation but should be seen as part of a larger area with its own individual lighting environment. The relative brightness, lighting style and prominence of surrounding lit elements should be taken into consideration as context for the proposal.





- The power consumption and output of a lighting scheme should be an integral part of the design process and must relate to the ambient night time levels surrounding the site to be illuminated. The lighting scheme must not exceed that which is required for the satisfactory undertaking of the task involved. This will help to ensure there is not a sharp contrast between illuminated subjects.

- Illumination should always be appropriate to the surroundings and character of the area as a whole. Five 'environmental zones' are internationally recognised, see Table 1 below, and the design will require to show that control of overspill light is limited to the level required by the particular environmental setting. The corresponding *obtrusive light limitation values* are produced as Annex C.

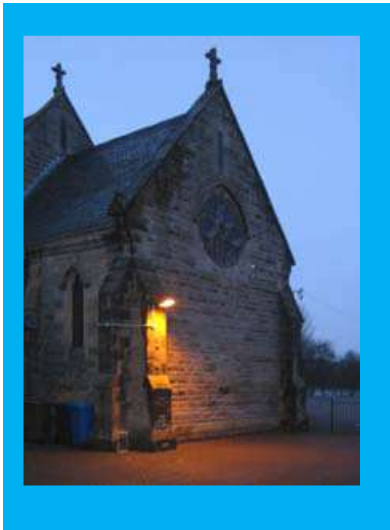
Table 1: Typical Environmental Zones in the UK

Environmental Zone	Surrounding	Night Environment	Typical Examples
E0	Protected	Dark	'Dark Sky' Parks and typically uninhabited areas e.g. National Nature Reserves
E1	Natural	Intrinsically dark	National parks, Areas of Outstanding Natural Beauty
E2	Rural	Low district brightness	Rural, small villages or relatively dark outer urban locations (industrial and residential)
E3	Suburban	Medium district brightness	Small town centres or urban locations
E4	Urban	High district brightness	Town/city centres/commercial area with high levels of night time activity

Lighting schemes for specific situations

Lighting for security

- 4.4 Domestic and commercial security lighting is usually installed with the best of intentions but often fails to meet its basic objective of providing or enhancing security. It is often assumed that a generous use of artificial lighting, whether it is street lighting or domestic security lighting, reduces the risk of crime. However, it has been shown that whilst lighting can reduce the fear of crime, poorly positioned, misdirected lights or over bright lighting can deter or hamper observation and can actually assist would-be burglars to find easy access points and can create deeply shadowed areas for concealment. In addition the type of lighting installed often consumes excessive amounts of electrical energy, causes glare and contributes to light pollution.



- 4.5 It is therefore particularly important that care is taken to ensure that the intensity and focus of security lighting, whether domestic or commercial, respects the amenity of others. At the same time, the most efficient available lamps should be employed for street lighting, to help reduce maintenance and energy costs. For most small scale domestic security lighting a 150W (2000 lumen) tungsten halogen lamp operated by a passive infra-red detector is adequate. High power lamps (300/500W) create too much glare and darker shadows, reducing security. A compact fluorescent porch light of 9W (600 lumen) is adequate for all-night lighting in most domestic situations.

- 4.6 Commercial premises are more likely than domestic premises to use lighting which makes a material change to the external appearance of the building and is therefore more likely to require planning permission, particularly when introduced post construction.

Floodlighting for sports pitches

- 4.7 In an attempt to increase the viability of facilities, to enable more people to participate and give more choice and flexibility of playing time, it is increasingly common for sports clubs and schools to want to install external floodlighting. Although the apparatus associated with floodlighting is often more readily assimilated in urban areas, and the wider impact of the light generated less intrusive, particular problems can occur in respect of residential amenity. The proximity of housing and the way in which the floodlighting and use of the site impacts on the amenities enjoyed by the occupiers will be an



important factor in determining the acceptability of proposals.



- 4.8 Applicants may therefore be required to commission the preparation of light scatter diagrams that will accurately predict the performance of the scheme, both inside and outside the pitch areas.
- 4.9 Generally speaking, the taller the mast the greater the scope for directing the light downwards, thereby controlling *light spillage*. The main beam angle of lights should not exceed 70° from the vertical. Light shields should be fitted to avoid both upward glare and the direct illumination of areas beyond a distance of 10 m from the pitch. The power of each lamp should normally be limited to 1kw with internal louvres fitted and asymmetric beams utilised that permit the front glazing of the unit to be kept at or near parallel to the surface being lit.
- 4.10 Strong floodlighting used for sport pitches can create a genuine disturbance to neighbours and therefore it will generally be the case that floodlights will not be used between the hours of 10.00 p.m. and 9.00 a.m.

Street lighting

- 4.11 Street lighting forms a highly visible and vital part of the urban street scene. It is principally provided to enable the safe use of roads and is one of the measures used to reduce night-time traffic collisions. It can allow pedestrians to see hazards, orientate themselves, recognise other pedestrians and feel more secure. It also has a wider social role, with the potential of helping to reduce crime and the fear of crime, and can contribute to commercial and social use at night of town centres by improving both the daytime and night-time appearance.
- 4.12 There are however environmental downsides, most notably the substantive contribution that street lighting makes towards light pollution, especially the phenomenon of ‘sky glow’, and the fact that street lighting can consume a great deal of energy and increases carbon emissions.
- 4.13 Legacy street lighting is largely a mixture of High Pressure Sodium (SOM) and Metal Halide lamps which are expensive to operate and not particularly energy efficient. Street lighting is therefore high on the agenda of many local authorities as a potential area for change and making efficiency savings and as part of the Climate Change (Scotland) Act 2009 there is also a legal obligation to reduce carbon emissions from all of the council’s activities. The council’s approved [Climate Change Strategy and Carbon Management Plan](#) identifies a target of achieving a 20% reduction in CO₂ emissions by 2020.
- 4.14 The council has already embarked upon an ambitious capital funded phased programme to upgrade and replace legacy street lighting with the key objectives being to reducing unmetered energy charges and mitigate against future cost pressures, reduce energy consumption, reduce CO₂ emissions, reduce maintenance costs over life of installation and provide efficient and effective lighting for life of installation.
- 4.15 The council began installing energy efficient LED street lighting in 2014 and, subject to budget approval, is scheduled to complete the programme by 2027. It has been facilitated by advances in modern lamp technology and electronic programmable control gear, together with the lower and variable lighting levels permissible by revised British Standards (BS 5489) and EN 13201.

- 4.16 In the case of new residential and commercial development in West Lothian street lighting is provided by the developer and is usually adopted by the council under the terms of Section 21 of the Roads (Scotland) Act 1984
- 4.17 Street lighting requirements of new development are assessed against the criteria set out in [SCOTS National Roads Development Guide](#) together with West Lothian Council Local Variations and advice is provided to the developer on the lighting classes required in order to ensure consistent outcomes. Post adoption, the council becomes responsible for all street lighting repairs, maintenance and operational energy costs, so it is particularly important that the street lighting hardware is initially specified to a standard which achieves maximum energy efficiency and durability.
- 4.18 The use of lanterns with good optical control help maximise the spacing needed for a lighting scheme, reducing the number installed and minimising energy consumed. A reduction in the number of units installed will also help to reduce light intrusion in to neighbouring properties and light pollution. Generally, the requirements are that lighting is installed to comply with statutory and other regulations, Codes of Practice, Department of Transport and British Standards, including [British Standard BS5489 – Code of Practice for the Design of Road Lighting](#), [British Standard EN13201 – Road Lighting](#) and [BS7671 Requirements for Electrical Installations](#).

Illuminated advertisements

- 4.19 Most illuminated signs require express consent under the [Town and Country Planning \(Control of Advertisements\) \(Scotland\) Regulations 1984 \(as amended.\)](#) and the two forms of advertisement that have the potential to cause problems in lighting terms are large scale outdoor illuminated hoarding and poster advertisements and internally or externally illuminated shop fascias.
- 4.20 As a general rule traditional hoarding/poster type advertisements, where illuminated, should be lit from the top down (not up-lit) using a lighting system that ensures no light spill beyond the extent of the advertisement. Integrated lighting and the use of slim LED technology is also recommended.
- 4.21 Technological innovation has heralded the introduction of large digital media screens and facades. The brightness of such signs is dependent on the luminance, its size, contrast and the observer. Overly bright signage will be resisted if it is deemed to harm amenity (light spill, light pollution, glare) or safety). Advice may be sought from the council's Roads and Transportation Service on a case by case basis in respect of proposals for large electronic signs. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m². Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output and ensure that it is within acceptable limits.
- 4.22 Shop fascia signage should not be significantly brighter than those of neighbouring shops. Shopfront and fascia lighting should not contribute to light pollution and sharp contrasts caused by overbright shopfronts should be avoided. Halo lighting can often be used to effectively reduce the extent of illumination by limiting it to the lettering or logo rather than the whole sign. Care must be taken to ensure that they are not positioned where they may affect the clarity of traffic signs or disturb those living close by. In commercial areas generally, advertisements and lighting should not be used simply or primarily to create a *presence* at night.

- 4.23 As the requirements for obtaining planning permission and/or advertisement consent for illuminated advertisements are not straightforward it is strongly suggested that developers obtain written confirmation from the council before such signs are commissioned.

Common lighting design problems

- 4.24 A light fitting will deliver light where it is needed, but will potentially also give four areas of unwanted, and wasted, light.
- Spill light - falls outside the area where it is needed, it can be avoided by pointing the light in the right direction.
 - Upward light - this is wasted light shining above a light fitting, it is entirely avoidable by the use of the correct light fitting. Direct the light downwards wherever possible (this can also reduce glare).
 - Upward reflected light - this is unavoidable and dependant on the reflectances of the surfaces below the light fitting, (dry tarmac will commonly reflect 7%, grass about 20-25%). This is another source of **sky glow**. Remedies are to use only as much light on the surface as is really needed, and to try to select a surface which minimises reflectance.
 - Direct glare – this is the result of seeing the bright filament of an unshielded light, troublesome and dangerous unshielded bright lighting. Direct glare is more wasted light and can be a major problem.

Careful design and planning

- 4.25 It is possible to reduce many of the negative effects of lighting through careful design and planning, using lighting only where and when necessary, using an appropriate strength of light and adjusting light fittings to direct the light to where it is required. Illumination should be appropriate to the surroundings and character of the area as a whole. Avoid *over lighting* and use shields, reflectors and baffles to help reduce light spill to a minimum. Use specifically designed equipment that, once installed, minimises the spread of light above the horizontal. (Figure 1)

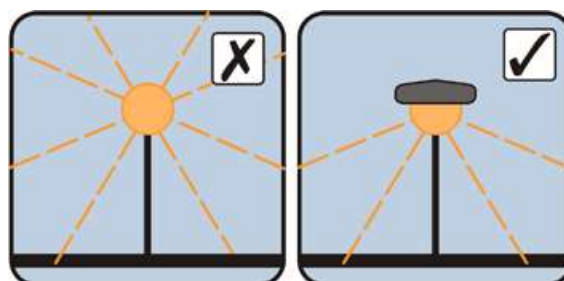


Figure 1:

Direction of light

- 4.26 Direct light downwards wherever possible to illuminate its target, not upwards. Many floodlit buildings are lit from the ground with the beams pointing into the sky. This often leads to columns of stray light pointing up into the sky creating vast amounts of light pollution and wasting energy. Provide lighting that does not glare on approach and which places light onto the ground and not into the sky where it is wasted. In other cases, simply lowering the angle of the beam will stop light from overshooting the building into the sky. (Figure 2)

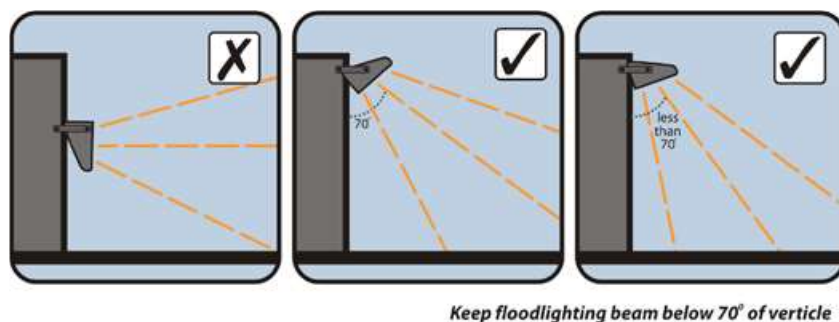
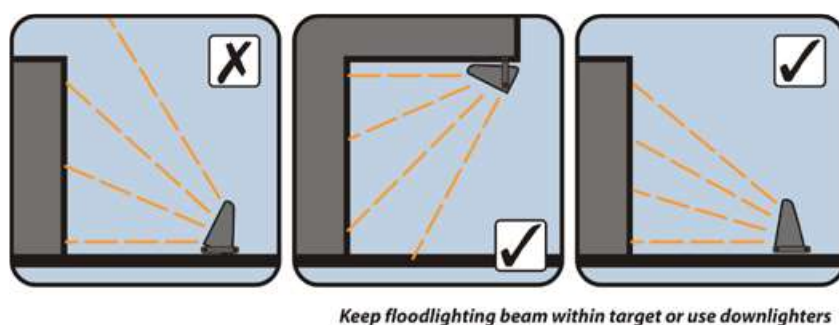
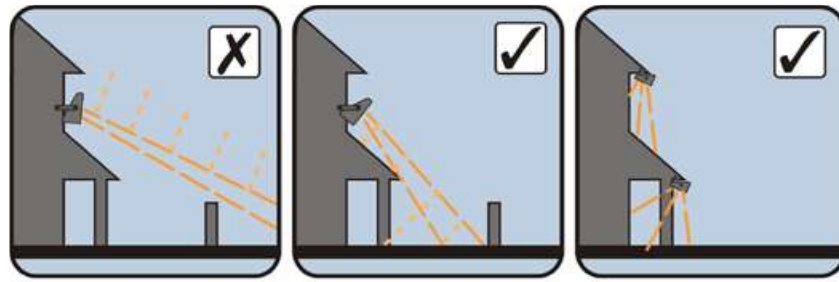


Figure 2:

- 4.27 To keep glare to a minimum, ensure that the main beam of all lights directed towards any potential observer is kept below 70°. It should be noted that the higher the mounting height, the lower the main beam angle can be. In places with low ambient light, glare can be very obtrusive and extra care should be taken in positioning and aiming. Wherever possible use floodlights with asymmetric beams that permit the front glazing to be kept at or near parallel to the surface being lit. (Figure 3)
- 4.28 If up-lighting absolutely has to be used, hoods or shields above the light should be employed, to reduce the amount of wasted upward light. Do not install equipment that spreads light above the horizontal.





Use sensor controlled lights (PIR) with the beam directed close to the property, or a low porch light

Figure 3:

Amount of light

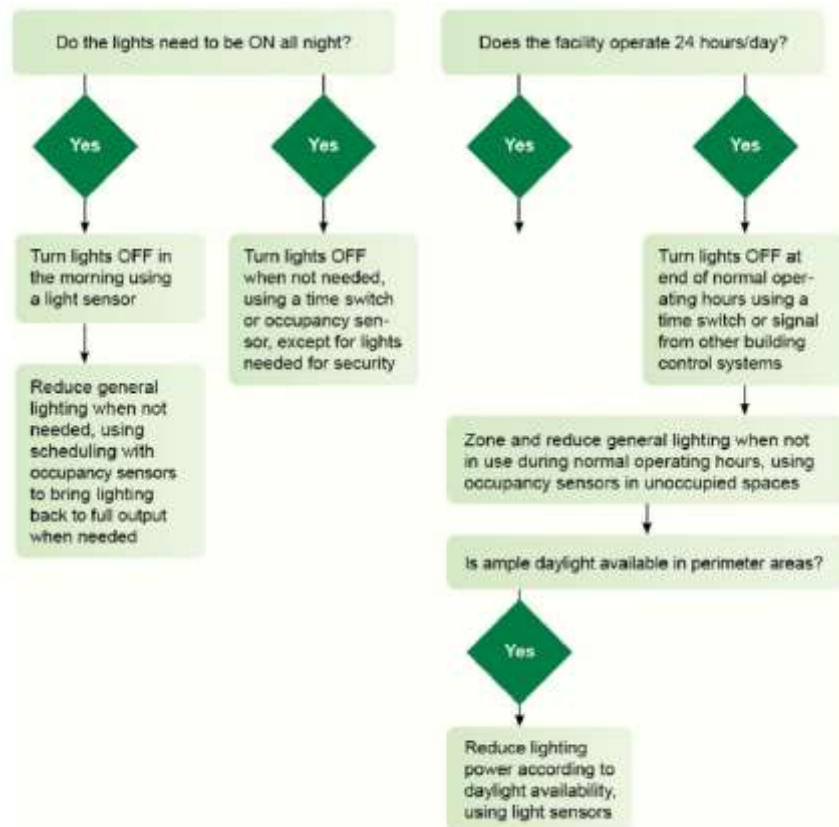
- 4.29 Rural lighting should be kept to a minimum necessary for safety. The council will be encouraged to apply this principle if building new roads in the countryside or upgrading existing installations with the use of low energy, light efficient fittings. Care should be taken where and when they are lit.

Wasted energy

- 4.30 Much energy is consumed and vast amounts of greenhouse gases are produced due to the wastefulness of all night shop advertising and display lighting, building illumination, upward floodlighting and permanent domestic and industrial security lights. Consideration should be given to the energy efficiency of fittings and a strong management policy to reduce running costs and promote sustainability.

Lighting controls (timers and motion/photo sensors)









- 4.31 Lighting controls are input/output devices/systems. The input may be manual or automatic (daylight, time, or motion), and the output may be shutoff (switching) or reduction (dimming). Lighting controls ensure that light is used only when it is needed and in the quantity needed, generating energy cost savings. For domestic and small scale security lighting the use of *Passive-Infrared sensors* (PIR) or all-night lighting at low brightness should be utilized. Generally it is good practice for exterior lighting to be capable of being turned off or for power to be reduced during times of night when it is not being used. Dimming lighting can also significantly extend the useful life of light-emitting diode (LED) lighting and thereby achieving additional financial savings. The following decisions will help minimise energy consumption by turning off or turning down lighting when it is not needed



Light bulbs and energy efficiency

- 4.32 The light bulb industry has changed radically in recent years with the gradual phasing out of incandescent filament bulbs and a range of halogen light bulbs, driven by legislation and a drive for greater energy efficiency. The older style of bulbs are being replaced by new technologies such as Light Emitting Diodes (LEDs) that require significantly less energy to produce the same brightness as the incandescent bulbs. LEDs are better value for money than incandescent and halogen light bulbs and can be used in the majority of existing fittings. LEDs use about 75% less energy than halogen light bulbs and last 5-10 times longer, greatly reducing replacement costs and the number of light bulbs ending up in landfill. The up-front cost of LEDs generally has a payback time of less than 1 year.
- 4.33 Light bulbs have traditionally been rated by their wattage however this is a measure of power rather than light intensity, more recently however manufacturers are rating bulbs in lumens. This is a measure of the total amount of “visible light” to the human eye from a light source. The higher the lumen rating the “brighter” the light will appear. The Table below demonstrates the comparison of the output in lumens contrasted with the varying wattages of the different bulb technologies. For example a 10 watt LED produces an equivalent brightness as a 60 watt incandescent bulb.

Table 2: Comparison of light bulb outputs

		 DIMMER  BRIGHTER			
LUMENS		450	800	1100	1600
MOST EFFICIENT   LEAST EFFICIENT	Standard Incandescents 	40W	60W	75W	100W
	New Halogen Incandescents  Save up to 28%*	29W	43W	53W	72W
	CFLs  Save up to 75%*	9W	14W	19W	23W
	LEDs  Save up to 77%*	8W	13W	17W	N/A

*Percentage of energy saved by replacing a standard incandescent light bulb; based on usage of approximately 796 hours annually and average residential electricity rate of \$0.15/kWh

Useful contacts

WLC Development Management

(Applications for planning permission and advertisement consent)

t: 01506 280000

e: planning@westlothian.gov.uk

WLC Development Planning

(Planning policy / development plans)

t: 01506 280000

e: dpgeneral@westlothian.gov.uk

WLC Building Standards

t: 01506 280000

e: buildingstandards@westlothian.gov.uk

WLC Environmental Health & Trading Standards

t: 01506 282500

e: environmentalhealth@westlothian.gov.uk

WLC Operational Services

(Street Lighting)

t: 01506 284815

e: neil.wilson@westlothian.gov.uk

Further technical guidance

The Institute of Lighting Professionals

e: info@theilp.org.uk

Lighting Industry Association

w: www.thelia.org.uk

The Chartered Institute of Building Services Engineers

w: <https://www.cibse.org/about-cibse/what-we-do>

Commission for Dark Skies (CfDS)

w: https://www.britastro.org/dark-skies/cfds_issues.php?topic=about

The Energy Saving Trust

w: www.energysavingtrust.org.uk

Electrical Contractors' Association

w: www.eca.co.uk

SELECT (Scotland's Trade association for the electrical industry)

w: www.select.org.uk

Annex A

Lighting design process

1	Statement of client needs/operational statement
2	Site survey
3	Critical viewpoints
4	Existing lighting conditions
5	Baseline conditions
6	Task analysis
7	Establishment environmental setting
8	Lighting design objectives
9	Lighting design methodology
10	Calculated predictions
11	Obtrusive light calculation
12	Comparing design with baseline values
13	Designers critique
14	Viewpoint visualisation
15	Virtual walkthrough
16	Surface colour schedule
17	Luminaire schedule
18	Energy usage
19	Schedule of luminaire profiles
20	Layout plan

Annex B

Lighting design checklist

General considerations

Why is external lighting required? Is it necessary at this location, could the development proceed without it and are there alternative measures which may be less intrusive?

Consider what may be affected by night time lighting e.g. neighbouring properties, sites of ecological importance or protected species etc.

Lighting design stages

Survey of surrounding night environment

Identification of critical viewpoints

Establishment and calculation of existing lighting conditions

Summary of baseline measurements and/or calculations

Analysis of task lighting level recommendations

Establishment of environmental light control limits

Statement of new lighting design quality objectives

Outline of iterative lighting design methodology

Calculated measurement of task working area(s)

Overspill area(s)

Obtrusive light calculation of property pollution	
Viewed source intensities	
Nominal glare assessment	
Direct upward light ratio	
Building luminance	
Combined upward illuminance grid	
Compare design achievement with baseline values	
Designer's critique of final design constraints	
Viewpoint visualisation	
Virtual walkthrough of illuminated site	
Schedule of model reflection factors	
Schedule of luminaire types, mounting height and aiming angles	
Schedule of energy usage and distribution	
Schedule of luminaire profiles	
Layout plan with beam orientation indication	

Regardless of location in designing a lighting scheme within a new development the council expects all applicants to clearly show the location of lights, type of lamps used, their lumen output and periods of night time use. New lighting should be shown on plans and additional information provided on attached schedules. The level of detail required with a planning application will depend on its scale and location.

Annex C

Obtrusive light limitation values

Environmental Zone	Sky Glow ULR (max%)(¹)	Light trespass (into windows) E _v (Lux)(²)		Source intensity I(kcd)(³)		Building Luminance Pre-curfew(⁴)
		Pre - curfew	Post - curfew	Pre - curfew	Post - curfew	
E0	0	0	0	0	0	0
E1	0	2.0	1.0**	2,500	0	0
E2	2.5	5.0	1.0	7,500	500	5.0
E3	5.0	10	2.0	10,000	1,000	10
E4	15	25	5	25,000	2,500	25

Key to Table

ULR	Upward light ratio of the installation is the maximum permitted percentage of luminaire flux for the total installation that goes directly into the sky.
E_v	Vertical illuminance in Lux and is measured flat on the glazing at the centre of the window.
I	Light intensity in Candelas (cd)
L	Luminance in Candelas per square metre (cd/m ²)
Curfew	The time after which stricter requirements (for the control of obtrusive light) will apply; often a condition of use of lighting applied by the council as planning authority. If not otherwise stated 23.00 hrs should be adopted.
**	Permitted only from public road lighting installations.
(1)	Upward light ration: some lighting schemes will require the deliberate and careful use of upward light - e.g. ground recessed luminaires, ground mounted floodlights, festive lighting - to which these limits cannot apply. However, care should always be taken to minimise any upward waste light by the proper application of suitably directional luminaires and light controlling attachments.
(2)	Light trespass (into windows): these values are suggested maxima and need to take account of existing light trespass at the point of measurement. In the case of road lighting on public highways where building facades are adjacent to the lit highway, these levels may not be obtainable. In such cases where a specific complaint has been received, the council as Roads Authority should endeavour to reduce the light trespass into the window down to the after curfew value by fitting a shield, replacing the luminaire, or by varying the lighting level.
(3)	Source intensity: this applies to each source in the potentially obtrusive direction, outside of the area being lit. The figures given are for general guidance only and for some sports lighting applications with limited mounting heights, may be difficult to achieve.
(4)	Building luminance: this should be limited to avoid over lighting, and related to the general district brightness. In this reference building luminance is applicable to buildings directly illuminated as a night-time feature as against the illumination of a building caused by spill light from adjacent luminaires or luminaires fixed to the building but not used to light an adjacent area.

NB: These notes are intended as guidance only and the application of the values given in the table should be given due consideration along with all other factors in the lighting design. Lighting is a complex subject with both objective and subjective criteria to be considered. The notes are therefore no substitute for professionally assessed and designed lighting, where the various and maybe conflicting visual requirements need to be balanced.

Annex D

Model planning condition - external lighting

Prior to the start of development on the site, an external lighting scheme shall be submitted for the consideration and written approval of West Lothian Council as planning authority. The scheme shall take into account all of the lighting needs associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the sky and to avoid dazzle or distract drivers on nearby roads.

The scheme shall include:

- (a) A statement setting out and justifying why the lighting scheme is required;
- (b) A report, prepared by a professional lighting engineer, setting out the technical details of the luminaires and columns, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution;
- (c) A plan illustrating illuminance levels across the development site and at the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole. Four environmental zones are internationally recognised, and the design will require to show that control of overspill light is limited to the level required by the particular environmental setting. The *obtrusive light limitation values* are produced as Annex C of West Lothian Council's Planning Guidance *Controlling obtrusive lighting (light pollution) and reducing lighting energy consumption* (2019);
- (d) A plan illustrating illuminance levels beyond the boundary of the site, together with the downward light output ratio of the lights;
- (e) A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimizing the day and night-time visual impact of the installation;
- (f) An *operational statement*, the purpose of which is to ensure that the developer and the lighting designer have considered operational regimes that can provide energy savings; and
- (g) Details of the proposed hours of operation. (Unless explicitly agreed in writing, all external lighting luminaries shall be turned off during daylight hours and when not actively required.

Applicants should have regard to and make use of the lighting design process detailed in **Annex A** of West Lothian Council Planning Guidance (PG) *Controlling obtrusive lighting (light pollution) and reducing light energy consumption*. It is further required that all lighting proposals should be submitted with a completed *lighting design check list* as provided in **Annex B** to the aforementioned PG.

Once approved in writing, the lighting scheme shall be implemented **[APPROPRIATE TIME TO BE INSERTED]** and thereafter operated in accordance with the approved details. The council reserves the right to require periodic testing to be conducted on the lighting installations and if it is confirmed that approved levels are being exceeded the operator of the lighting scheme will be required to implement the necessary works to bring it into compliance within **[APPROPRIATE TIME TO BE INSERTED]**

Reason for condition

To ensure that the council retains control over these matters, to ensure the proper implementation of the lighting proposals in the interests of the amenity of the site and the area as a whole, to prevent light pollution and to maximise energy efficiency.

PG Controlling obtrusive lighting (light pollution) and reducing lighting energy consumption

Approved by West Lothian Council Executive
Subsequently adopted as Planning Guidance (PG)

DATE TO BE INSERTED
DATE TO BE INSERTED

West Lothian Council, Development Planning, Civic Centre, Howden South Road, Livingston, EH54 6FF
Tel: 01506 28 00 00 Email: dpgeneral@westlothian.gov.uk





DEVELOPMENT & TRANSPORT POLICY DEVELOPMENT & SCRUTINY PANEL

SUPPLEMENTARY GUIDANCE: DEVELOPER CONTRIBUTIONS TOWARDS TRANSPORT INFRASTRUCTURE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the panel of a proposed revision to draft Supplementary Guidance (SG) on Developer Contributions Towards Transport Infrastructure, prior to issuing the SG for public consultation. Revisions are required in relation to proposed developer contribution rates relating to Linlithgow. The SG is required to support the West Lothian Local Development Plan (LDP).

B. RECOMMENDATION

It is recommended that the panel notes and considers the following recommendations which are intended to be submitted to the Council Executive for approval following public consultation:

1. agrees the content of the SG Developer Contributions Towards Transport Infrastructure (Appendix One);
2. agrees the responses to the consultation comments (Appendix Two); (to be provided as an appendix to the report to the Council Executive)
3. delegates the Head of Planning, Economic Development & Regeneration, to agree and conclude a 'screening determination' as to whether a SEA is required, having taken into account of the views offered by the Consultation Authorities; and
4. delegates to the Head of Planning, Economic Development & Regeneration, in consultation with the Executive Councillor for Development and Transport to agree and conclude the council's response to any direction issued by Scottish Government in relation to the SG.

C. SUMMARY OF IMPLICATIONS

I Council Values

- Focusing on our customers' needs;
- being honest, open and accountable;
- making best use of our resources; and
- working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Following the adoption of the West Lothian Local Development Plan in September 2018, new statutory Supplementary Guidance (SG) and non-statutory Planning Guidance (PG) will over the course of the coming year replace a raft of previous Supplementary Planning Guidance (SPG) which had been prepared in support of the now superseded West Lothian Local Plan.
	It should however be noted that the Scottish Parliament passed the Planning (Scotland) Bill on 20 June 2019 with one of the consequences being the repeal of Section 22 of the Town and Country Planning (Scotland) Act 1997 which enables a local planning authority to adopt and issue supplementary guidance (SG) in connection with a local development plan.
	There are no equality, health or risk assessment issues associated with the SG.
	There are no risk assessment issues.
III Implications for scheme of delegation	None.
IV Impact on performance and performance indicators	None.
V Relevance to Single Outcome Agreement	Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	None.
VII Consultations at PDSP	Roads and Transportation Service, Legal Services, Property and Finance.
VIII Other consultations	None.

D. TERMS OF REPORT

D1 Background

Supplementary Guidance (SG) provides further information or detail in respect of policies or proposals set out in the West Lothian Local Development Plan (LDP). The SG complements other SG and Planning Guidance (PG) prepared in support of the LDP, namely PG on Air Quality and SG on Developer Contributions towards Other Infrastructure. It covers requirements for developer contributions towards transport infrastructure required in support of the LDP and sets out proposed contribution rates.

An earlier draft of the SG was considered by the panel on 3 September 2019. It has since come to light that revisions are required to the SG in respect of the proposed developer contribution rates towards transport infrastructure in Linlithgow. The proposed revised SG is attached as Appendix 1. No other amendments to the SG are proposed at this time.

D2 Linlithgow

New transport modelling was commissioned specifically to inform developer contribution requirements towards transport infrastructure to support proposed development in Linlithgow. The transport modelling report is attached as Appendix 2.

A previous version of the draft SG which was reported to the panel omitted reference to requirements for transport management measures within Linlithgow town centre, namely at the High Street/Blackness Road/High Port junction and the St Ninian's Road/High Street junction. These are required in addition to the provision of the new west facing slip roads at junction 3 of the M9.

The proposed transport management measures in the town centre would be to replace the roundabout at the High Street/Blackness Road/High Port junction with a signalised junction to allow for better balancing of the capacity for various approaches, better pedestrian facilities and more reliable journey times. The estimated cost for this is £330,000.

In addition, proposed junction improvements at the St Ninian's Road/High Street junction would see the replacement of the current junction with a mini roundabout to mitigate queuing at this junction and would enable priority to be given to right-turning traffic from St Ninian's and taken from the High Street westbound. The estimated cost for this is £143,000.

Taking these projects into account (total cost £473,000) and adding this to the cost of the new slip roads on junction 3 of the M9 (estimated at £6.5 million to £10.5 million) brings a total infrastructure cost of £8,973,000. This increases the proposed developer contribution rate to £15,938 as a result. Sites anticipated to contribute are set out in section 5 of the draft SG, however it should be noted that in some instances development sites identified have been built out and in such circumstances no contributions can be sought. Any windfall sites would also be required to make developer contributions.

In preparing the SG, Falkirk Council has been alerted to the council's intention to seek developer contributions towards transport management measures in Linlithgow and the west facing new slips at M9 junction 3 given cross-boundary issues. Falkirk LDP1 and LDP2 Proposed Plan include reference to land reservation to accommodate the slip roads, part of which lie within the Falkirk Council area. There is also reference in these documents to requirements for developer contributions towards junction 3 of the M9.

D4 Consultation

It is proposed that public consultation on the proposed SG will be carried out over a six-week period commencing in the coming weeks. This would include consultation with relevant parties as well as developers, their agents and community councils.

The proposed SG will also be published on the council's website. The outcome of the consultation will be reported to the Council Executive at a future date, and because the SG is intended as 'statutory' and in support of the West Lothian LDP, it will then be submitted to Scottish Ministers for adoption.

E. CONCLUSION

The SG sets out the level of developer contributions which will be required to assist in delivery of the development strategy set out in the adopted West Lothian LDP. It replaces a number of SPGs relating to transport proposals in West Lothian and consolidates these into a single SG on transport and reflects requirements set out in the LDP development. It is consistent with the latest Scottish Government policy guidance and once approved, will form part of the statutory supplementary guidance supporting the West Lothian Local Development Plan.

F. BACKGROUND REFERENCES

West Lothian Local Development Plan (September 2018)

Appendices/Attachments – Two

Appendix 1: Supplementary Guidance: Developer Contributions Towards Transport Infrastructure

Appendix 2: Linlithgow Transport Modelling Report

Contact Person: Fiona McBrierty, Development Planning and Environment Manager, 01506 282428.

Email: fiona.mcbrierty@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development & Regeneration

5 November 2019

DATA LABEL: PUBLIC

SUPPLEMENTARY GUIDANCE ON DEVELOPER CONTRIBUTIONS TOWARDS TRANSPORT INFRASTRUCTURE

1.0 Introduction

1.1 The West Lothian Local Development Plan (LDP) was adopted by the council on 4 September 2018. The LDP sets the pattern of development for West Lothian over the period 2014 – 2024 but also provides for longer term growth beyond this period. Developer contributions towards transport infrastructure will be required to support delivery of development set out in the LDP.

1.2 This Supplementary Guidance (SG) supersedes all previous Supplementary Planning Guidance (SPG) relating to developer contributions towards transport infrastructure and covers requirements for developer contributions towards transport infrastructure set out in the West Lothian Local Development Plan (LDP). The SG should be read in conjunction with SG on *Air Quality* and SG *General Infrastructure*.

1.3 The council will work with developers and interested parties to deliver the development strategy set out in the West Lothian LDP and provide guidance on the levels of contributions required for a development proposal through the pre-application process.

1.4 This SG will not be applied retrospectively to sites which already have planning permission in principle or to applications for the approval of matters specified by condition without any requirement to contribute to general infrastructure, provided that the permission remains capable of being implemented. New planning applications, for similar developments on these sites (including applications for renewal of planning permissions), will however be required to comply with the terms of this SG and to policies set out in the LDP.

2.0 LEGISLATIVE BACKGROUND

2.1 The Planning etc (Scotland) Act 2006 amends the Town and Country Planning (Scotland) Act 1997 by replacing the existing section 75 with a revised section 75 adding new sections 75A – 75G. Sections 75, 75A, 75B and 75C deal with planning obligations (previously known as planning agreements or section 75 agreements). A landowner may, in respect of land, either by agreement with the council or unilaterally, enter into an obligation (hereinafter referred to in this guidance as a “planning obligation or obligations”) restricting or regulating the development or use of the land. Sections 75D – 75G deal with good neighbour agreements. The new provisions and associated regulations came into operation on 1 February 2011. For the avoidance of doubt the regulations apply to all agreements made or in preparation prior to, and after this date.

2.2 Legal agreements can also be made under other legislation including the Local Government (Scotland) Act 1973, the Countryside (Scotland) Act 1967, Sewerage (Scotland) Act 1986 and the Roads (Scotland) Act 1984 and provide a possible alternative mechanism to secure developer contributions. They are useful where the nature of the contribution is relatively straightforward, involves a one-off payment and/or does not require to be secured through successors in title. For this reason they can help speed up the development process. The council has used, and will continue to use, alternative agreements where appropriate and where they are considered to speed up the development process.

2.3 Scottish Planning Policy (SPP) and planning circulars state that Planning Obligations can be used to address the potentially negative impact of developments on infrastructure. Scottish

Government Circular 3/2012: *Planning Obligations and Good Neighbour Agreements* sets out the basis for planning obligations which will be required to be met as a consequence of new development proposals.

2.4 Circular 3/2012 sets out a number of policy tests for planning obligations, these are:

- necessary to make the proposed development acceptable in planning terms (paragraph 15)
- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans
- relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19)
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23)
- be reasonable in all other respects (paragraphs 24-25)

2.5 This SG is consistent with the requirements of Circular 3/2012.

2.6 SPP and Planning Advice Note: PAN 75 – Planning for Transport identify the requirements to secure development which is sustainable, provides high quality public transport access to encourage modal shift and also facilitates movement by public transport including interchange facilities. The West Lothian LDP has been prepared within this context.

3.0 DEVELOPMENT PLAN CONTEXT

Strategic Development Plan

3.1 The Strategic Development Plan (SDP1) for Edinburgh and South East Scotland sets the strategic policy context for the securing of developer contributions towards infrastructure. Paragraph 123 states:

“Developer contributions are important and will be required to assist in delivery and to address any shortfalls in infrastructure that arise as a direct result of new developments. LDPs will set out the broad principles for planning obligations including the items for which contributions will be sought and the occasions on which they will be sought. Mechanisms for calculating levels of contributions should be included in supplementary guidance with standard charges and formulae set out in a way that assists landowners and developers.”

3.2 Policy 9 provides the strategic policy support for the delivery of infrastructure as follows:

Policy 9 Infrastructure

The Strategic Development Plan identifies in Figure 2 and through its Action Programme infrastructure, including transportation infrastructure, required to deliver the development of the Strategy. Local Development Plans will:

- a. Safeguard land to accommodate the necessary infrastructure required to deliver the Strategic Development Plan as set out on Figure 2 and in the accompanying Action Programme;*
- b. Provide policy guidance that will require sufficient infrastructure to be available, or its provision to be committed, before development can proceed. Particular emphasis is to be*

placed on delivery of the strategic infrastructure requirements that are set out in Figure 2 and in the Action Programme; and

c. Pursue the delivery of infrastructure through developer contributions, funding from infrastructure providers or other appropriate means, including the promotion of alternative delivery mechanisms.

Particular emphasis is to be placed on delivery of the strategic infrastructure requirements that are set out in Figure 2 and in the Action Programme.

3.3 Strategic transport improvements within the West Lothian Council area include:

Edinburgh – Glasgow Rail Improvements
Edinburgh –Glasgow via Shotts rail line electrification
A801 improvements
Winchburgh rail station
Winchburgh M9 junction
M9 junction 3 upgrade
A71 improvements
A89 improvements
Park & ride proposals

West Lothian Local Development Plan (LDP)

3.4 The West Lothian Local Development Plan (LDP) was prepared within the context of Strategic Development Plan 1 (SDP1). Developer contributions towards infrastructure are referenced within policy INF1 of the LDP. This SG provides further detail around policy INF1 and describes when planning obligations will be sought, where exemptions may apply, and the methodologies through which planning obligations have been calculated. The LDP provides for 24,597 houses, employment land and other development to meet community needs over the period 2014 – 2024 and beyond.

3.5 The following LDP policies provide the context within which this SG has been prepared.

Policy INF 1 Infrastructure Provision and Developer Obligations

The council will seek developer obligations in accordance with Scottish Government Circular 3/2012 ('Planning Obligations and Good Neighbour Agreements'), as interpreted by emerging case law and amended by subsequent amendments and legislation, to mitigate the development's individual or cumulative impacts upon infrastructure, including cross-boundary impacts. Any such obligations will be concluded prior to the issue of planning permission.

Where appropriate developer obligations have been secured, planning permission will normally be granted. In all cases, the council will consider the economic viability of proposals alongside options of phasing or staging payments from developers.

Development will not be permitted to commence unless:

a. funding (including any contributions from developer obligations) for necessary infrastructure is fully committed and that infrastructure is capable of being delivered; or

b. phasing to manage demand on infrastructure has been agreed; or

c. in advance of all necessary infrastructure requirements being fully addressed, sufficient infrastructure is available in the interim to accommodate the development.

Only where infrastructure constraints, identified by the council in conjunction with relevant authorities, cannot be overcome, will there be a presumption against development.

Infrastructure requirements are identified in Appendix Two and further details will be provided in subsequent supplementary guidance and the Action Programme. Any related planning obligations will require to meet the policy and legal tests set out above. Proposed sites for new infrastructure are listed in Chapter 6.

Note: Supplementary Guidance explaining how developer obligations will be implemented will be developed during the Plan period.

3.6 The LDP also includes specific policies relating to transport infrastructure. This SG is produced to support these policies and to give assistance to developers.

Policy TRAN 1 Transport Infrastructure

The council will co-operate with other agencies in preparing investment programmes to enhance the environment by active travel infrastructure, public transport facilities, traffic and parking management in its towns and villages.

Development will only be permitted where transport impacts are acceptable.

This will be established where appropriate, through a Transport Assessment which covers all modes of transport and has been approved by the council.

Parking levels for development shall conform to the council's current adopted standards.

Further guidance is found in the council's draft Active Travel Plan (2015) which will be taken forward as Supplementary Guidance alongside the council's draft Local Transport Strategy (refresh) (2016).

Strategic transport infrastructure requirements are set out in Chapter 6 of the LDP.

Policy TRAN 2 Transportation contributions and associated works

Developers will be required to provide or contribute towards, the provision of travel improvements including traffic and environmental management measures, measures to promote trips by sustainable modes including walking, cycling, public transport, car sharing, and road improvements where these would be justified as a result of new development or redevelopment.

Travel plans and an associated monitoring framework will be required to support major new developments such as the previously identified Core Development Areas, strategic housing allocations and inward investment proposals.

3.7 A number of transport proposals are identified in the LDP and these are set out in Table 1, those proposals highlighted in green are identified in the LDP Action Programme to be delivered in whole or part through developer funding.

Table 1: West Lothian Local Development Plan Transport Proposals

REF	LOCATION	PROPOSAL
P-1	Addiewell rail station	Bus interchange, parking and path upgrade between Addiewell and railway station
P-119	Heatherfield (West)	Colinshiel link road
P-16	Clarkson Road /Greendykes Road	Safeguarded road line - Broxburn Distributor Road
P-17	East Broxburn CDA	Distributor road in association with Winchburgh CDA west of Fauldeldean to Glendevon at Winchburgh
P-31	Milrig Holdings/Kirknewton railway station	Park & ride and bus interchange
P-33	Kilpunt	Land reservation for park and ride in support of Broxburn CDA
P-34	A801 Avon Gorge Crossing	Land reservation for new road crossing
P-35	Land east of Winchburgh	Land reservation for Dalmeny Chord (associated with the Edinburgh Glasgow Improvement Programme (EGIP))
P-36	Land between boundary with Edinburgh and Broxburn/Livingston	An extension of the Edinburgh Tramline to Broxburn, Uphall and Livingston is identified in SDP1 and account requires be taken of this when considering proposals for development in the north western part of West Lothian.
P-37	A8/A89/A899 corridor	A study to identify the specific initiatives to enhance sustainable transport options for travelling along the A8/A89/A899 corridor between Livingston Town Centre, the West Lothian/City of Edinburgh boundary, Newbridge and to Maybury Junction. Land will be safeguarded adjacent to the route for these initiatives and confirmed in detail upon completion of the study.
P-102	Linlithgow, Broxburn, Philpstoun and Winchburgh	Access to/from and along the Union Canal
P-103	Blackridge/ Kirknewton and Blackness/ Sth Queensferry	Links from the National Cycle Network (NCR) 75 (across central West Lothian) and NCN 76 ("Round the Forth" route)
P-107	Armada/ Whitburn	Cycle route at B8084 from Whitdale Roundabout to Armadale Railway Station
P-108	Linlithgow/ Blackness	Cycle route at A803 from Linlithgow to the B903
P-109	Newton/ Sth Queensferry	Cycle route at A904 Newton to City of Edinburgh boundary
P-110	Livingston/ Wilkieston	Cycle route at A71 from Lizzie Brice's roundabout to Wilkieston
P-111	Ecclesmachan/ Threemiletown	Cycle route at B8046 Ecclesmachan to Threemiletown
P-112	West Calder/ Harburn	Cycle route at B7008 West Calder (Turniemoon crossroads) to Harburn
P-114	Bangour/ Dechmont	Off road pedestrian/cycle route at Drumcross/Blacklaw Ridge Road/Bathgate Quiet Hills Initiative
P-117	Bathgate / Harthill	New pedestrian / cycle route from Inchcross Roundabout, Bathgate along the A706 and B7066 at Whitburn towards Greenrigg / Harthill
P-44	M9 (Junction 3) westbound slips	Westbound slip roads on M9 at Burghmuir
P-45	M9 (Junction 3)	Coach park and ride facility
P-46	Kettilstoun Mains Park	Provision of cycle track west of existing leisure centre
P-115	Linlithgow	Traffic management measures in town centre
P-101	South Murieston /Linhouse	Distributor Road
P-70	Houstoun Road / Drumshoreland Road link	Houstoun Road / Drumshoreland Road distributor road link
P-75	West Calder railway station	Bus interchange and parking at West Calder rail station (associated with Mossend/Cleugh Brae CDA)
P-76	Road reservation	Road corridor linked to Mossend/Cleugh Brae/Gavieside CDA requirements north from A71 to A705
P-83	Cowhill	Express coach service, with associated park & ride
P-84	A706 – B7066 link, Polkemmet	Land safeguarded for road corridor
P-88	North of Wilkieston A71 bypass;	Relief road north of Wilkieston
P-90	M9 at Duntarvie	Land reservation for new motorway junction on the M9
P-91	Winchburgh CDA	Land reservation for rail station and associated park and ride

P-92	Winchburgh CDA	Distributor road in association with Broxburn CDA (south of Glendevon /west of Faucheldean)
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3.8 In addition, development proposals set out in the LDP are likely to impact on the transport network and may require developer contributions to assist in site delivery. This specifically applies to the Core Development Areas (CDAs), Linlithgow, and Heartlands at Whitburn. Details of these, together with contributing sites are set out in Table 2. Other sites identified in the LDP for development but outwith the areas listed in Table 2 may require transport interventions to assist in delivery, for example new junctions or junction improvements. Where this is the case, costs associated with these would be determined on submission of planning applications and the interventions would require to be delivered at developer expense. Windfall sites, that is sites which are not allocated for development in the LDP, will also be required to contribute to transport infrastructure.

Table 2: West Lothian Local Development Plan Transport Infrastructure Requirements and Contributing Sites

Area/Settlement	Transport Infrastructure Requirements
Almond Valley and Livingston Core Development Area	A71/A89 corridor
Livingston – H-LV13, E-LV48	P-110 cycle route at A71 from Lizzie Brice's roundabout to Wilkieston
West Calder – H-WC 1, H-WC2, H-WC3, H-WC4	P-76 Road corridor linked to Mossend/Cleugh Brae/ Gavieside CDA requirements north from A71 to A705
East Calder (Calderwood and Raw Holdings) – H-EC 1, H-EC2, H-EC3, H-EC4, H-EC5, H-EC6, H-EC7, H-EC8, H-EC9, H-EC10, E-EC 1	West Livingston/Mossend <ul style="list-style-type: none"> • network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 at Almond North to Starlaw; • 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; • bus priority measures are required 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; • new distributor road network linking A71 with Simpson Parkway (Kirkton Campus) via Stepend and Gavieside Farm; and • improvements to A705 and footways between Toll Roundabout and Seafield;
Wilkieston – H-WI 2	Calderwood

	<ul style="list-style-type: none"> • contribution to improvements at Kirknewton railway station including provision of new park and ride facility, bus turning facility and cycle parking at Milrig Holdings; • network of pedestrian and cycleway links including cycleway connections to National Cycle Route 75 and Kirknewton Railway Station; • network of distributor roads linking B7015 with A71 (with bus priority); • upgrading of B7031 from A71 to Kirknewton Railway Station; and • north relief road for Wilkieston linking A71 with B7030 (LDP Proposal P-88).
<p>Armada Core Development Area</p> <p>H-AM5, H-AM6, H-AM7, H-AM8, H-AM9, H-AM10, H-AM11, H-AM12, H-AM13, H-AM14, H-AM15, H-AM19</p>	<ul style="list-style-type: none"> • Armadale Station Park and Ride; • new distributor road network serving the southern expansion of the town linking Lower Bathville, A801 and B8084; • new distributor road serving expansion at Colinsiel linking East Main Street with B8084; • network of pedestrian and cycleway links including new cycleway connections to National Cycle Route 75 and links to the paths in the surrounding countryside; • dualling the A801 between Boghead Roundabout and M8 junction 4; and • contributions to park and ride provision on the south side of Armadale railway station.
<p>East Broxburn and Winchburgh Core Development Area</p> <p>H-BU4, H-BU 5, H-BU8, H-BU9, H-BU10, E-BU5</p> <p>H-WB3, H-WB4, H-WB5, H-WB6, H-WB7, H-WB8, H-WB9, H-WB10, H-WB11, H-WB12, H-WB13, H-WB16, E-EB1, E-WB2</p>	<ul style="list-style-type: none"> • new Distributor road network linking new housing at Winchburgh (west of Faucheldean) with new housing at East Broxburn; • improvements to B8020 between Winchburgh and Broxburn; • new railway station at Winchburgh and associated park and ride and public transport interchange; • new junction on the M9 (in the vicinity of Duntarvie) with associated park and ride; • network of pedestrian and cycleway links including cycleway connections to Union Canal

	<p>towpath/core path and links to the paths in the surrounding countryside;</p> <ul style="list-style-type: none"> • park and ride provision at Kilpunt south of A89 (with potentially a road bridge across the Brox Burn); • network of pedestrian and cycleway links including cycleway connections to Union Canal towpath and improved links to town centre via Stewartfield Park; • new distributor road linking Clarkson Road with the A89 via Candleworks, Albyn and West Wood; • new distributor road linking Clarkson Road with B8020 via the mixed use site at Greendykes Road West; and • contributions to public transport improvements on the A89 and at Newbridge roundabout as identified in future SG.
E-BB 5a, b c and d (See map 1)	A801 dualling (M8 junction 4 to Pottishaw roundabout)
H-BL 1, H-BL2, H-BL 3, H-BL 4, H-BL 5 and H-BL 6, E-BL1, E-BL2Z	Blackridge Railway Station
H-LL 3, H-LL4, H-LL 5, H-LL 7, H-LL 11, H-LL 12, E-LL2	<p>P-44 M9 (Junction 3) westbound slips Westbound slip roads on M9 at Burghmuir</p> <p>P-45 M9 (Junction 3) Coach park and ride facility</p> <p>P-115 Linlithgow Traffic management measures in town centre</p> <p>P-118 Linlithgow new access associated with proposed housing site H-LL 10</p>
West Lothian wide	Travel Plans and Residential Travel Information Packs

*source Appendix 2 West Lothian Local Development Plan and Action Programme

4.0 TRANSPORT APPRAISAL AND MODELLING

4.1 To inform the preparation of the West Lothian Local Development Plan (LDP) the council undertook a transport appraisal and commissioned transport modelling to:

- provide evidence to the council and in turn Transport Scotland regarding impact of proposed developments on the motorway network through West Lothian;
- help plan future transport network improvements through identifying congested junctions and identifying solutions; and

- provide a mechanism to link the funding of potential improvements of the network to specific developments that are likely to generate additional traffic which will result in improvements being required to the network.

4.2 The SEStran Regional Model was used as a base for the modelling work. Since adoption of the LDP, further modelling work has been undertaken specifically to inform developer contribution requirements towards transport infrastructure to support development in Linlithgow.

4.3 Transport appraisals and modelling were prepared by the council and consultants (SYSTRA) in accordance with the Development Planning and Management Transport Appraisal Guidance (DPMTAG). Transport Scotland was consulted at each stage in the appraisal process. DPMTAG is an objective-led approach which considers all modes of transport in generating and appraising appropriate transport interventions and mitigation of any consequential impact of planned growth identified through the development strategy.

4.4 In addition, transport assessments which have been undertaken in support of planning applications for the former Core Development Areas of Armadale, Winchburgh, East Broxburn and Uphall, and Livingston and the Almond Valley (Calderwood, Gavieside/Cleugh Brae/Mossend) and other development sites within the LDP area have also been taken into account and continue to be implemented and inform ongoing development at these and other locations across West Lothian.

4.5 Transport modelling was also undertaken to inform the *Strategic Development Plan* (SDP1) however, this was based on a different level of development and spatial strategy to that which is set out in the West Lothian Local Development Plan (LDP). The transport appraisal undertaken by Transport Scotland for the SDP modelled the development outlined in the proposed SDP.

4.6 Although the LDP seeks to give priority to sustainable transport modes such as active travel, public transport and car share in compliance with SPP 2014, meeting the identified overall level of housing need and economic growth aspirations which are set out in the LDP will have implications for the transport network. An increase in the capacity of the road network in some key locations will also be required if both the housing and employment growth set out in the LDP are to be accommodated.

4.7 Further transport assessment work is anticipated over the lifetime of the LDP for other development proposals in the plan area. Such assessments should take account of all current transport policy and include:

- a) Consideration of new government and local targets for carbon reduction and transport modal split;
- b) A no net detriment assessment of development traffic, which will look to mitigate the adverse effects of development traffic only (i.e. without a need to allow for underlying traffic growth);
- c) Consideration of the potential effects of land uses other than housing development. (e.g. retail and leisure development); and
- d) Local rail infrastructure requirements including a commitment to consult Network Rail where development may impact on the rail network.

5.0 TRANSPORT INFRASTRUCTURE REQUIREMENTS

5.1 The specific nature of transportation requirements is usually determined through a Transport Assessment (TA) in association with the preparation of a planning application. It is the responsibility of the applicant/prospective developer to prepare or commission the

preparation of an appropriate TA which then allows for detailed traffic impacts to be properly addressed and suitable design solutions for the scale and nature of the proposed development identified prior to consent being granted.

5.2 Where proposals are anticipated to impact on the trunk road network, Transport Scotland encourages early engagement. Trunk road infrastructure in addition to that listed within this SG may be required to support development, the cost of which is expected to be met by the developer. As roads authority, any modifications to the trunk road network will require Transport Scotland approval.

A71 Corridor

5.3 Within the Livingston and Almond Valley CDA there are two major allocations at Calderwood and at West Livingston/Mossend providing for housing and mixed use development, including employment allocations. The development proposals at Calderwood and West Livingston/Mossend will impact on transport demand along the A71 corridor and given the scale of development proposed the council has undertaken a number of studies to identify sustainable transport solutions on the A71 corridor. Further transport analysis has been submitted as part of the planning application process for developments within the CDA. Developer contributions towards transportation improvements to the A71 are required to support these developments and specifically towards public transport improvements on the A71 which influence future modal share and contribute towards reducing car based transport.

5.4 Developer contribution costs are being shared by the council and developers for transportation infrastructure costs on the A71 and part funded jointly by the Livingston and Almond Valley CDA developers. Some costs are being fully funded only by the Calderwood CDA developer which is currently under construction. These are set out in the section 75 Agreements attached to planning permission for development within the CDA. At February 2019 the council has received £15, 476.54 in developer contributions towards improvements to the A71. The council has undertaken some improvement works to the Livingston section of the A71.

5.5 The key infrastructure requirements in relation to movements that go along or impact on the A71 corridor are set out in Table 3. These key infrastructure requirements have been tested as part of the overall development strategy and are directly linked to each CDA area and are considered necessary to enable the identified scale of development to progress. The detailed information from the transport assessments in support of the planning applications for Calderwood was used to assess the potential impact of the development on the transport network on the A71.

5.6 Stirling Developments Ltd has accepted that as the largest developer within the Calderwood CDA they will be responsible for providing and forward funding the junction improvements onto the A71 and also the Wilkieston Bypass. These are necessary to accommodate the impact of the Calderwood CDA. Planning conditions attached to the planning approval in principle for the Calderwood development indicate trigger points when infrastructure and junction improvements are required. However, as not all of the Calderwood developers were engaged in discussion on how the costs for each of the improvements was to be shared, it was left to the council to take appropriate contributions from the remaining Calderwood developers towards the three key elements of shared infrastructure. Each housing developer's contribution is based on a percentage of their housing development in relation to the total scale of housing proposed for the whole of the Calderwood CDA. The council will collect each developer's contribution based on a housing unit cost and reimburse Stirling Developments Ltd after construction of each of the following works.

5.7 In the event that the CDA developers make contributions in advance of the final costs being known, these developers shall be entitled to a part refund from the council of any overpayment made.

Table 3: A71 Infrastructure Requirements

NB costs have been indexed to fourth quarter 2017

A71 CORRIDOR STUDY SCHEMES PROPOSED SCHEME	ANTICIPATED COSTS	CDA DEVELOPER	DEVELOPER REQUIREMENT
Bus lane and bus priority at the A71/Kirknewton/East Calder junction	£605,555	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
Eastbound bus lane from above to the junction of the A71 with the B7030	£1,038,095	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
New traffic light layout with bus priority at the A71/B7031 junction	£1,041,555	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.
Eastbound bus lane on the A71 between the B7031 and the B7015	£4,775,238	Calderwood and West Livingston/Mossend	Contribution to costs. Cost sharing identified in Table 4.
New traffic light layout with bus priority at the junction of the A71/B7015	£519,048	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.
Wilkieston north west bypass to B7030	£2,941,270	Calderwood	100% funding. Requirement to access the CDA development area. Cost sharing between Calderwood developers identified in Table 4.

5.8 Of the schemes listed in Table 3, in some instances costs are to be shared by all of the Livingston and Almond Valley CDA developers and are not specific to a single developer. Projects which are the subject of shared costs are set out in Table 4.

Table 4: A71 Corridor Study Schemes – Shared Costs

Bus priority contributions for A71 (excludes junctions)
<p>Total trips 5,240 west of B7031 junction using 2-way AM and PM peak flows:</p> <ul style="list-style-type: none"> • base traffic ATC 2007 3,205 trips (61.1%) • Calderwood 1,387 trips (26.5%) • Gavieside 648 trips (12.4%)
Feasibility cost for proposed bus priority measures on A71 - £6,665,769
<p>Taking the above trips and calculating the scheme on a pro-rata basis means:</p> <p>Base traffic £4,076,928 Calderwood £1,764,490 West Livingston/Mossend £824,316</p> <p>To apportion the costs for each developer it is easier to work out a rate per house:</p> <p>Calderwood 2800 units £666.00 per unit West Livingston/Mossend 220 units £504.00 per unit</p>
Calderwood CDA Shared Infrastructure Costs*
<p>Stirling Developments Ltd has forward funded and constructed the shared infrastructure however, the following levels of contributions will be secured from other developers in the Calderwood CDA area and repaid to Stirling Developments Ltd by the council upon completion of the infrastructure:</p> <p>Wilkieston Bypass Estimated cost £2,941,270 all for Calderwood with 2,800 units = £1050 per unit.</p> <p>Traffic signals at B7015 junction Estimated cost £519,048 all for Calderwood with 2,800 units = £185 per unit.</p> <p>Signalisation and road re-alignment at B7031 junction Estimated cost at £1,041,555 for all Calderwood with 2,800 units = £372 per unit.</p> <p>*fourth quarter 2017 prices</p>

5.9 Studies carried out to date to inform infrastructure requirements along the A71 corridor include the West Lothian Sustainable Transport Study and the A71 Corridor Study together with transport appraisals carried out to support planning applications for developments along the corridor.

5.10 There is a current requirement within the approved SDP to safeguard the A71 Upgrade from Hermiston to East Calder. This requirement is identified as Item 94 of the Action Programme and is safeguarded by SDP policy 9. This safeguarding has also been identified in the West Lothian LDP (P-88 refers). The LDP also identifies a proposal for a cycle route along the A71 from Lizzie Bryce to Wilkieston. This project has not as yet been costed and funding is yet to be agreed.

5.11 In terms of public transport, service improvements on the Edinburgh to Glasgow via Shotts line have been implemented increasing peak hour services and improving passenger capacity on the route.

5.12 Given the ongoing development within the Livingston and Almond Valley CDA is considered vital that clear priorities are established to implement the elements of the A71 public transport strategy in the most beneficial order. There are two key bus routes that serve the Calderwood area and access the A71. The No.X27 and X23 routes from East Calder use the B7015 along to the A71 junction and then the A71 into Edinburgh. The priority section to introduce measures to improve public transport journey times on the A71 is from the B7015 to Wilkieston. The second route uses the Langton Road signals with A71 to access Kirknewton. The No.X28 and local bus No.23 currently use this route and then access the A71 at the signals with Linburn Road.

5.13 The No.X40 route between St John's Hospital and Edinburgh Royal Infirmary running approximately once an hour in each direction is the only bus service operating between Lizzie Bryce roundabout and the B7015. Therefore, in the medium to long term it is unlikely that there will be a bus from Livingston to Edinburgh directly via the A71 that will be at a frequency or have sufficient demand to make this route worthwhile. It is therefore proposed that the council reallocates monies for the formation of bus lanes on the A71, collected or intended to be collected under Section 75 agreements following the now superseded 2006 Supplementary Planning Guidance (SPG) "A71 Corridor Study", to a proposed bus lane on the A71 between the B7015 and the B7030 and further, that a strategy regarding implementation of bus priority measures should now be considered with the following priorities:-

- a) Eastbound bus lane on the A71 between the B7015 and the B7030;
- b) Bus lane and bus priority (north/south) at the Kirknewton/East Calder junction (C27);
- c) Widen the A71 between west of Curriehill Road and Heriot-Watt north gate on the south side to create third lane (eastbound bus lane);
- d) Bus lane and bus priority on the A71 from the Kirknewton/East Calder junction (C27) to the B7031;
- e) Eastbound bus lane between the entrance to the Dalmahoy Hotel and Addiston Mains. (Proposed widening on the north side); and
- f) Bus lane and bus priority (eastbound) at the Kirknewton/East Calder junction (C27).

5.14 Two of the priorities listed above are within the City of Edinburgh Council administrative area. Given that contributions are required to the wider package of measures from both local authorities, it is consider appropriate that they continue to be identified in the priority list.

5.15 The Almondell part of the Calderwood CDA is under construction and subject to Section 75 Agreement. Planning consent has been granted for part of Raw Holdings area of the Calderwood CDA. The transport assessment submitted with the Almondell planning application identified a change to the proposed junction improvements outlined in the A71 Corridor Study. The assessment identified that a signalised junction on the A71/B7015 would be more appropriate than the roundabout proposed in the Corridor Study. The proposed roundabout and part time signals at the staggered A71/B7031 junction have been replaced with a signalised junction – all fully funded by the Calderwood development.

5.16 The remaining improvements on the A71, which are not fully developer funded but require contributions to the overall cost, are the provision of bus priority along the A71 between the

junctions most heavily affected by the developments. These schemes are identified in Tables 3 and 4. From transport assessments undertaken for Mossend and Calderwood it has been possible to allocate how these costs should be shared between the Livingston and Almond Valley CDA developments. These bus priority measure costs are to be met by both the Calderwood and West Livingston/Mossend CDA developers as well as West Lothian and the City of Edinburgh councils.

A89/A8

5.17 The A89/A8 route is a key cross boundary travel corridor between West Lothian and Edinburgh. A shared cycle footpath caters for longer distance cycling trips. However, improvements to public transport are key to delivering sustainable transport options in the Winchburgh and East Broxburn CDA. Previous study work on the A89/A8 corridor has been reviewed and developed to look at cross boundary public transport issues in partnership between West Lothian Council, City of Edinburgh Council and Transport Scotland.

5.18 The requirement for a park and ride site at Kilpunt is already identified and the study when completed will identify specific initiatives along the A89/A8 corridor and in particular will identify public transport improvements at Newbridge Roundabout. As reflected in the LDP Action Programme, developer contributions will be sought towards park and ride provision in addition to other improvements identified for the A89/A8 corridor.

A801 Corridor

5.19 The A801 traverses West Lothian in a north/south direction connecting central West Lothian to Falkirk–Grangemouth. Planning permission has been secured for a new Avon Gorge crossing and is partially funded. West Lothian and Falkirk Councils continue to seek funding from the Scottish Government for construction of the crossing - the long established 'missing link' between the M8 and M9 via the A801, across the Avon Gorge into Falkirk - and associated works with both councils safeguarding land for implementation. The closure and removal of through traffic from existing routes associated with the A801 will create opportunities to improve accessibility and local links to the Avon Valley Heritage Trail.

5.20 The LDP includes sites where development would impact on the A801 at its southern end linking with the M8, including land within the previously identified CDA allocation at Armadale, the employment sites at Pottishaw/ Riddochhill and further afield at Polkemmet and Cowhill. Developer contributions will be sought towards dualling of the section of A801 from Junction 4 on the M8 to the Boghead Roundabout, Bathgate. This section of the A801 is currently single carriageway and includes the access roundabout at J4M8. The M8 is a trunk road managed and maintained by Transport Scotland whilst this section of the A801 is a local road which is managed and maintained by West Lothian Council.

5.21 Through traffic modelling work carried out by SIAS on behalf of West Lothian Council, it has been identified that there is a need to upgrade this section of the A801 to dual carriageway standard in order to provide safe and appropriate road infrastructure to facilitate the development proposals set out in the LDP.

5.22 Upgrading of this section of some 800 metres of the A801 indicated in Figure 2 will require:

- Modifications to M8 junction 4 roundabout
- Dualling of the south section (M8 junction 4 to J4M8)

- Modifications to J4M8
- Dualling of the north section (J4M8 to Pottishaw roundabout)
- Modifications to Pottishaw Roundabout

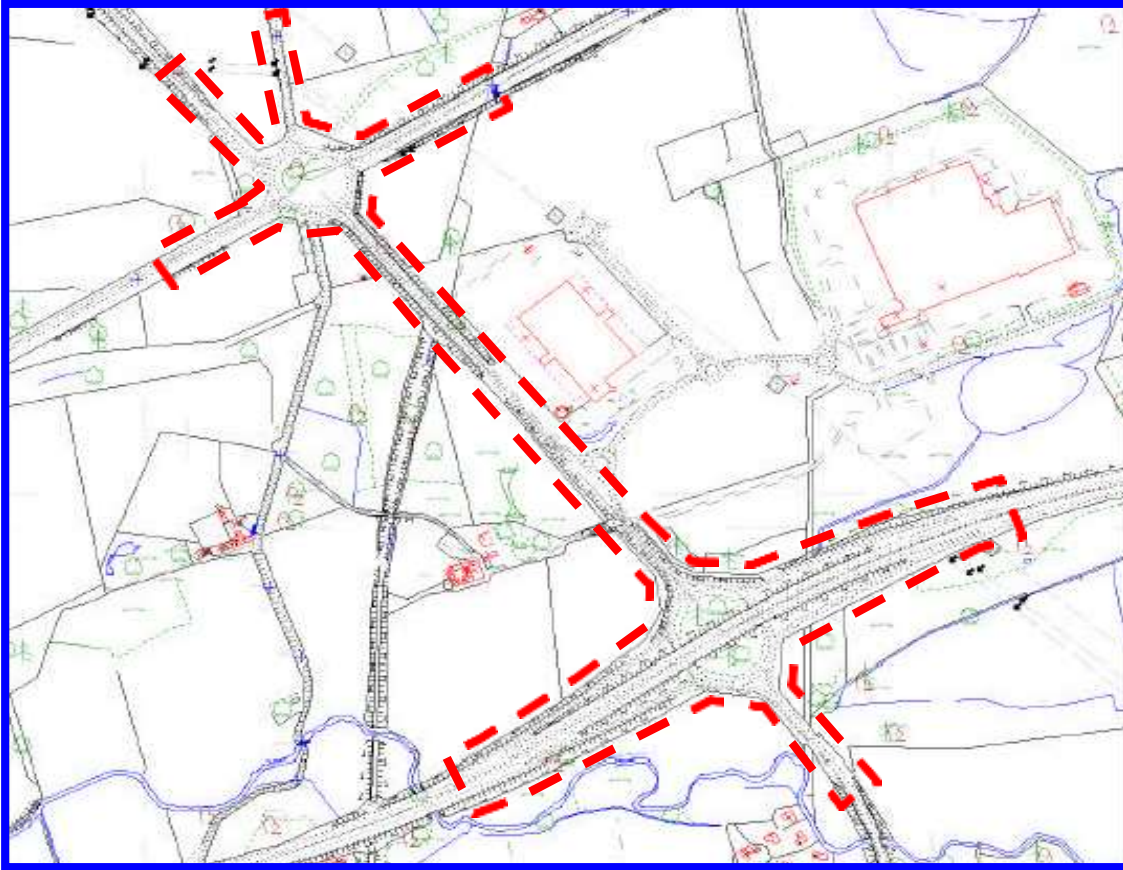
5.23 The cost of the work required has been estimated at £5,958,283 million (quarter 4, 2017). Factors which have been taken into consideration in calculating the cost per trip have been estimated for developments that are allocated in the LDP and assumes that all developments accord with the LDP.

5.24 The assessment work shows junction modifications are required at Pottishaw Roundabout in the form of approach lane widening, the proposed site access roundabout on the A801 and also the need for dualling the south section of the A801 from the Pottishaw roundabout to junction 4 of the M8.

5.25 There is a section 75 legal agreement for the J4M8 office development and completion of the site development. The developer will either secure the A801 works at the appropriate time, or else a payment equivalent to the value of the works to contribute to the cost of the A801 upgrade will be made.

5.26 This project will require the approval of the Transport Scotland as trunk road authority in so far as it affects the slip road to and from the M8. Transport Scotland may require developers to pay for modifications to the slip roads at M8 junction 4 as part of their development proposals. The costs of any such required works to the M8 slip roads would be additional to developer contribution to West Lothian Council for A801 dualling and would be secured through planning conditions or agreements as a result of a Transport Assessment.

Figure 2: A801 – M8 Junction 4 to Pottishaw Roundabout



5.27 Certain types of development within the defined developer contribution zone shown in Figure 3 would be required to pay a developer contribution towards the upgrading of this section of the A801. Developments included in the contribution zone are set out in Table 6. However, not all of these allocations will require to make contributions by virtue of extant planning permission or having been built out since adoption of the LDP.

Figure 3: Catchment Area for developer Contributions for Dualling A801 – M8 Junction 4 to Pottishaw Roundabout

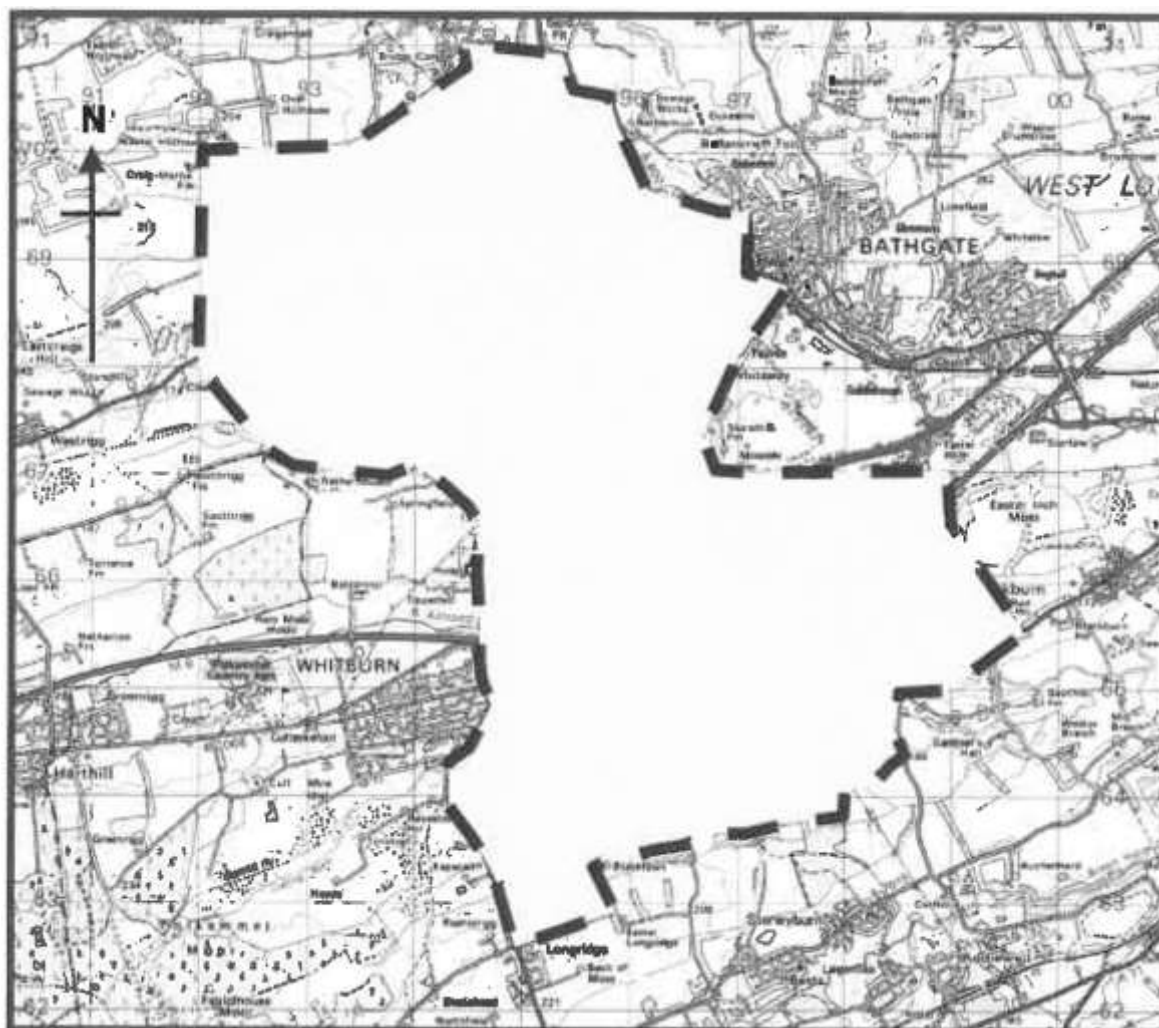


Table 6: Developments within the Contribution Zone for Dualling of the A801

LDP Site Reference	Location/Site Address	No. of Units (estimate)/use class	Remaining capacity at 31 March 2018
Housing Allocations			
H-WH 4	Whitdale East Main Street, Whitburn	49	0
H-BB 1	Daisyhill Road, Blackburn	9	9
H-BB 2	Riddochill Road, Blackburn	15	15
H-BB 3	West Main Street (West) , Blackburn	6	6
H-BB 4	West Main Street (East) , Blackburn	6	6
H-BB 5	16 Bathgate Road, Blackburn	5	5
H-BB 6	11 East Main Street (former garage), Blackburn	7	7
H-BB 7	Redhouse West, Blackburn	100	45
H-BB 8	East Main Street (former adult training centre) , Blackburn	12	12
H-BB 9	Ash Grove, Site A, Blackburn	5	5

H-BB 10	Ash Grove, Site B, Blackburn	5	5
H-BA 6	Easton Road	298	298
H-BA 7	Little Boghead site 2	20	20
H-BA 21	13-15 Glasgow Road, Meadowpark	22	22
H-BA 29	Glasgow Road	53	45
H-BA 27	Whitburn Road	100	100
H-BA 14	Windyknowe, Glasgow Road (east), Bathgate	14	0
H-BA 15	Windyknowe, Glasgow Road (west), Bathgate	46	46
H-BA 18	9 Hardhill Road (former Creamery garage) , Bathgate	14	14
H-AM 1	Muirfield, North Street, Armadale	10	10
H-AM 3	Nelson Park/Mallace Avenue, Armadale	26	26
H-AM 4	High Academy Street (former nursery), Armadale	6	6
H-AM 5	Colinshiel (Site A) , Armadale	135	135
H-AM 6	Colinshiel (Site B) , Armadale	135	135
H-AM 7	Tarrareoch (Southdale Meadows), Armadale	85	0
H-AM 8	Tarrareoch Remainder, Armadale	131	131
H-AM 9	Netherhouse Phase 1, R1A East (Ferrier Path), Armadale	13	0
H-AM 10	Netherhouse Phase 1, R1B West (Hanlin Park), Armadale	26	0
H-AM 11	Netherhouse, Remainder, Armadale	85	0
H-AM 12	Standhill (North), Armadale	300	300
H-AM 13	Standhill (South), Armadale	110	110
H-AM 14	Trees Farm, Armadale	254	254
H-AM 15	Lower Bathville, Armadale	400	400
H-AM 16	Mayfield Drive, Armadale	22	22
H-AM 17	Drove Road, Armadale	26	26
H-AM 18	Stonerigg Farm, Armadale	11	11
H-AM 19	Tarrareoch Farm, Armadale	320	320
25/17	Torbane Drive, East Whitburn	12	12
25/16	1 Bathgate Road, East Whitburn	5	5
1/43	7 North Street, Armadale	19	19
1/40	Bathville Cross phase 4	3	3
	Bathville Cross phase 5	9	9
Employment Allocations			
E-BB 1	Riddochill, Inchmuir Road 1, Bathgate	Use classes 4, 5 & 6	
E-BB 3	Pottishaw Place, Bathgate	Use classes 4, 5 & 6	
E-BB4	Inchmuir Road, Bathgate	Sui generis	
E-BB 5 a-d	Pottishaw, Bathgate	Use classes 4, 5 & 6	
E-BB 6	West Main Street, Blackburn	Use class 4	
E-EW 1	Whitrigg (north east), East Whitburn	Use class 6	
E-EW 2	Whitrigg (south west), East Whitburn	Use classes 4, 5 & 6	

Source: West Lothian Local Development Plan, September 2018 & Housing Land Audit 2018

5.28 Contributions will not be sought where there is an extant planning permission provided the developer does not exceed the capacity specified in the terms of the planning permission. The contribution would only be sought from the following types of development within the catchment area:

- residential;
- business (Use Class 4);
- industrial (Use Class 5); and
- storage and distribution (Use Class 6)

5.29 From the Transport Assessment (TA) for the mixed-use development at south Armadale by EWP Investments, the amount of trips on the A801 between the Pottishaw roundabout and the M8 was identified. The amount of trips accessing the A801 equates to 70% of development flows.

5.30 The LDP housing and employment land allocations have predicted two way peak flow for the combined AM and PM period of 1831 trips for Armadale and 112 trips from Bathgate. The total housing element will generate a total of 1943 trips.

Table 7 – LDP Housing Allocations to Armadale

Site Reference	Site Name	Number of Units	Trips
H-AM 7 to 11 H-AM 14 H-AM19	Tarrareoch (Southdale Meadows) Tarrareoch (Remainder) Netherhouse Phase 1, R1A East (Ferrier Path) Netherhouse Phase 1, R1B West (Hanlin Park) Netherhouse (remainder) Trees Farm Tarrareoch Farm	1320	962
H-AM 5 & 6	Colinshiel (Site A & Site B)	270	196
H-AM 12 & 13	Standhill (North) & Standhill (South)	410	257
H-AM 15	Lower Bathville	400	416

5.31 For Bathgate the two sites are H-BA 7 & H-BA 27 with a total of 112 trips peak combined AM & PM flows.

5.32 The LDP industrial element comprising 26,800sqm business park and 21,900sqm industrial estate has been dropped by the reporter following Examination of the LDP proposed plan and replaced with housing allocation H-AM 19. There is still 1000sqm office allocation identified which would generate 38 trips. Area E-LW2 generates 107 trips and J4M8 sites E-NN 5a-d generates 300 industrial trips and 387 office trips. The total employment trip generation equates to 832 trips.

5.33 The total number of peak combined AM & PM new trips are 2775 trips.

5.34 Dividing the scheme cost of the A801 Dualling by the predicted trip increase, provides a cost per trip for the total development cost. This works out at £2,137 **per trip** on the A801. The developer contribution rates are set out in Table 8.

Table 8: Developer Contributions for A801 Upgrade to Dual from M8 to Boghead Roundabout

Component of Scheme	Cost
Cost estimate for road upgrade	£4,005,750
Land Purchase (assumed 1ha)	£36,728
Design Time	£148,636
Topographical surveys	£5,945
Ground Investigations	£22,295
Wildlife, habitat and ecological survey	£5,202
SUDS drainage design	£89,182
Assume Public Utility costs of	£1,102,882
Sub Total	£5,416,621
Contingencies 10%	£ 541,662
Total Cost	£5,958,283

5.35 The council will consider whether developer contributions will be required for the dualling of the A801 through appraisal of Transport Statements (TS) or Transport Assessments (TA) submitted in support of planning applications. Small scale developments which do not require a TS or TA will be exempt from contributing to the scheme. In circumstances where the council is satisfied that a contribution to the scheme is appropriate, the council will have regard to *Circular 1/2010 "Planning Agreements"* and will only seek contributions which are reasonable and relate to the scale and kind of development proposal. Contributions will be secured through a Section 75 (or Section 69) agreement. The agreement will need to be concluded before planning permission can be granted. It is likely that developers will need to contribute to the cost of preparing legal agreements if delays are to be avoided. The council will have regard to the following principles in considering development proposals:

- (i) Where an applicant owns the land required to implement part of the dualling proposal, the council will require the land to be transferred to the council. This will form part of the applicants contribution to the scheme. If the council needs to acquire land through compulsory purchase to implement all or part of the scheme, the cost of doing so will be met through developer contributions.
- (ii) The council may accumulate contributions in a dedicated fund until it is in a position to undertake construction. Agreements will make provision for returning funds after an agreed period of time if not used. Beyond capacity, developments may be delayed until sufficient funds have been accumulated to implement part or all of the dualling scheme. The need for suspensive conditions will be assessed on a case by case basis.
- (iii) Where agreement cannot be reached on the impact of a proposed development and the amount of contributions, planning permission will be refused.

Blackridge Railway Station

5.36 A new rail station at Blackridge has been forward funded by the council in parallel with the £312 million Airdrie to Bathgate rail project. The council has underwritten approximately £2m of the construction costs of the new station and intends to recover this amount through developer contributions. The total cost of providing the station, access road and park and ride facility was £1,980,000

5.37 The station addresses the cumulative transport impacts of new development on Blackridge and its environs, providing better transport links and stimulating other social, economic and environmental benefits.

5.38 Developer contributions will be required from all new residential developments in Blackridge and within the vicinity of Blackridge and will be used to reimburse the council for all legitimate expenditure associated with the new railway station and improvements to existing or new public spaces or circulation routes where these integrate the station or facilitate movement between new developments. The contribution zone is set out in the map below.

5.39 The only exemptions will be small developments comprising four or less units, unless they are clearly part of a phased development of a larger site. In such cases the council will seek to agree appropriate sums with the applicant.

5.40 Where outline consent has already been granted, without any requirement to contribute to the new railway station, a reserved matters application pursuant to that outline will not in normal circumstances be expected to provide a new contribution. However, any new outline or detailed application will be expected to comply with the terms of this SG. Contribution rates are set out in Table 9.

Table 9: Developer Contributions Towards Blackridge Railway Station

EXPENDITURE		
ACCESS ROAD AND BRIDGE	RAIL STATION	
access road and bridge £850,000	WLC cash contribution	£536,000
	Car park costs	£744,000
	Transport Scotland credit	- £150,000
	Total	£1,130,000
Total costs to be recovered from developers £1,980,000		

Methodology for calculating contributions

5.41 The developers of LDP sites H-BL4, H-BL5 and H-BL6 will be required to make a pro-rata contribution (X) towards the costs associated with the delivery of the new railway station based on the notional site capacity of 250 residential units.

5.42 The developers of the land immediately east of local plan site H-BL4 shall contribute 100% of the costs associated with the construction of the access road serving the station park

and ride facilities (£850,000) plus a pro-rata contribution (X) towards the costs associated with the delivery of the new railway station.

(X) is calculated by subtracting the cost of the access road serving the station park and ride facilities (£850,000) from the total costs to be recovered (£1,980,000) and dividing the resultant sum of £1,130,00 by 480.

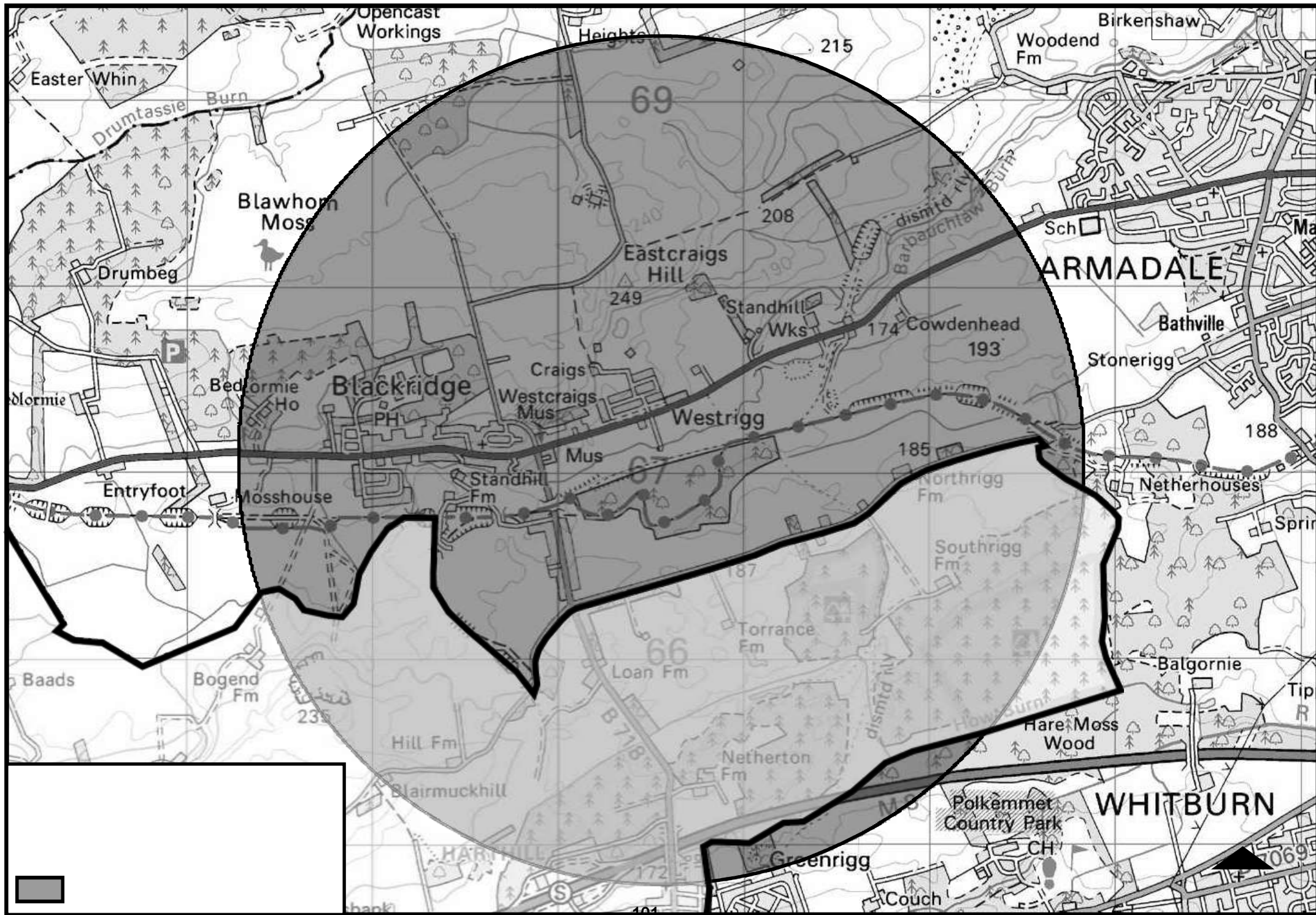
The figure of 480 is obtained as follows:

Site Ref	Site Name	No. of Units
H-BL4	Craiginn Terrace	210
H-BL5	Woodhill Road	30
H-BL6	South of Craiginn Terrace (part of H-BL4)	10
n/a	Notional windfall element	230
Total		480

(X) is therefore $\text{£}1,130,000 \div 480 = \text{£}2,354$

5.43 These specific contributions should be considered as being additional to any other contribution required in relation to the development to cover improvements to the road network or traffic management. These could include provision for pedestrian and cycle facilities, infrastructure creating accessibility improvements to public transport or other road based improvements required as a direct result of the development. Where a Transport Assessment has been prepared, this should provide a basis for addressing the transport impacts in a holistic manner, and set out the basis of the relationship between railway station contributions and any other transport contributions.

5.44 Depending on the particular circumstances of a proposed residential development, the council may, on application, agree for payments to be made at a later stage in the development process than would otherwise be considered appropriate, for example once houses have been sold, albeit subject to indexation as described above. The council also recognises that changes in the economy can have an adverse effect on land values, house completion rates and house sales. As such, the council is prepared to consider more flexible terms for the payment of developer contributions towards the provision of the new station



Armadale Station Park & Ride

5.45 Network Rail, as part of the Airdrie to Bathgate rail project, has constructed a rail station at Armadale. The station includes a park and ride (P&R) facility, on the north side of the railway line, to serve the existing population of Armadale. This provides a car park of approximately 200 spaces. The LDP proposes new housing allocations in Armadale. A key component of the new allocations is the allocation of land for 2000 houses. The LDP requires developers in Armadale to contribute to additional park and ride facilities on the south side of the proposed railway line. This includes:

- land to be transferred to the council at nil cost for 150 car parking spaces will be safeguarded in the CDA masterplan, by the developers of the Trees farm area, adjacent to the southern side of the railway station; and
- financial contributions from developers to fund the construction of 120 spaces within this area.

5.46 The remaining land for 30 spaces requires to be safeguarded for longer term expansion until 2020, at which time the need for safeguarding will be reviewed.

5.47 The previous Supplementary Planning Guidance for developer contributions towards the park and ride facility indicated that 30 spaces were to be provided to support the employment proposals set out in the LDP, with 90 spaces to be provided to support proposed residential development. The LDP Proposed Plan Report of Examination removed the employment land allocation at south Armadale in favour of housing development whilst still requiring park and ride facilities. To accommodate the park and ride facility it is proposed that housing developers in the Armadale CDA provide financial contributions to fund the construction of 120 spaces within the park and ride area in addition to provision of land for the park and ride facility. The developer contributions will ensure that the southern park and ride facility will meet the needs of the new population arising from the development of the Armadale CDA.

5.48 Developers of land within 800 metres walking distance of the station will be exempt from financial contributions. Although the park and ride facilities will be adjacent to the station, residents within the 800 metre walking distance are presumed to walk to the station and not the park and ride facility, therefore the station is the best point from which to measure the 800 metres. A map illustrating the 800 metre walking distance is below. Contributing sites are set out in Table 10.

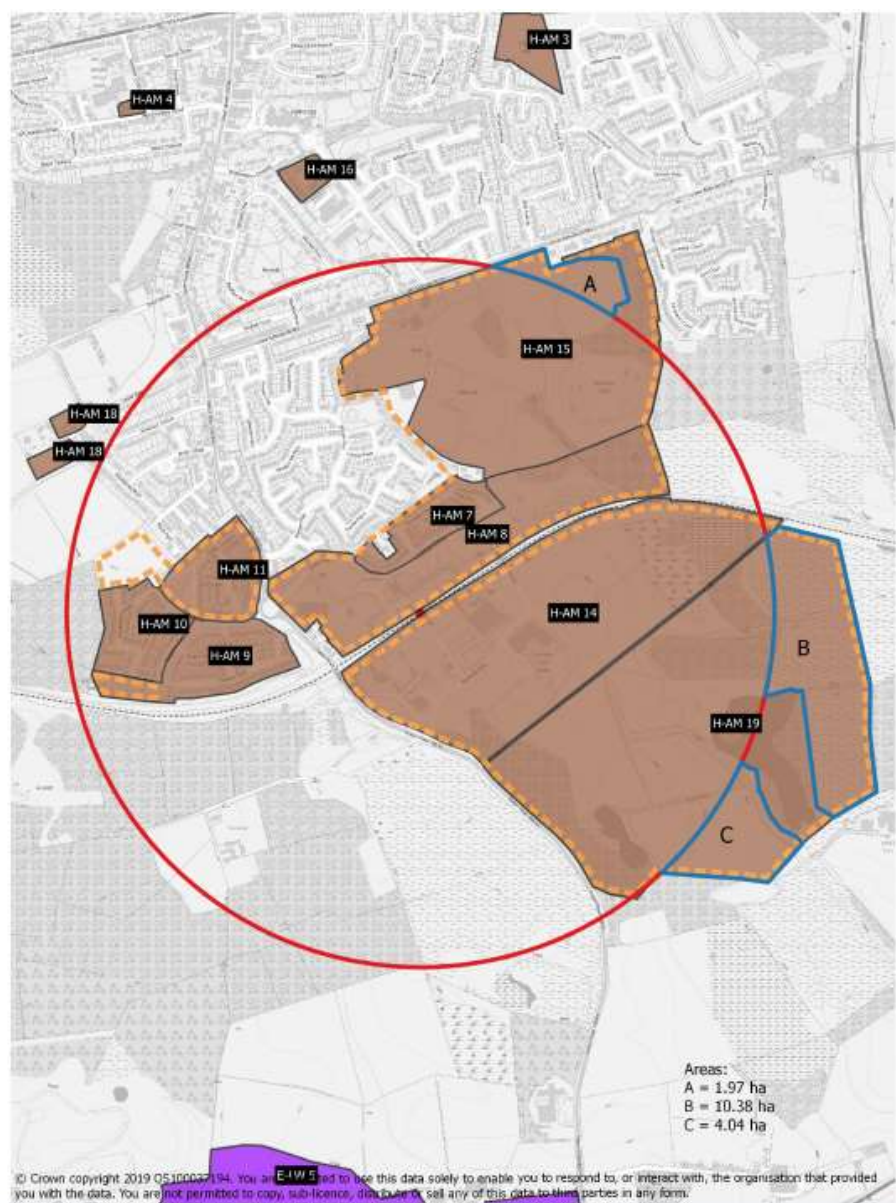


Table 10: Proposed Development Sites outwith 800 metre walking distance from Armadale Railway Station

Site Reference	Site Address	No. of units	Planning Status	Section 75 contribution
H-AM 1	Muirfield (North Street)	10	No consent	
H-AM 4	High Academy Street	6	No consent	
H-AM 5	Colinshiel(Site A)	135	No consent	-
H-AM 6	Colinshiel(Site B)	135	No consent	-
H-AM 12	Standhill (North)	300	Minded to grant	£136,800
H-AM 13	Standhill (South)	100	Approved	£45,600
H-AM 16	Mayfield Drive	22	Approved	£8,800
H-AM 17	Drove Road	26	No consent	-
H-AM 19	Tarrareoch Farm	100*	Approved	£106,000

*LDP allocation is 320 units, a proportion of which lie within 800 metre walking distance

5.49 At 31 March 2019 no developer contributions towards Armadale Railway Station had been received by the council. Table 11 sets out the how the contributions have been calculated.

Table 11: Developer Contribution Rates for Park and Ride Facility at Armadale Rail Station

Cost per parking space x number of spaces*	Total Cost
£4,560 x 120 spaces	£547,200
£4,560 x 30 spaces	£136 800
	£684,000
Deduction from consented sites	£288,400

*indexed to fourth quarter 2017

5.50 Network Rail has delivered a railway station at Blackridge. This facility has been forward funded by the council. The council may wish to utilise some of the funding from the Standhill North and Standhill South sites (H-AM12 and H-AM 13), in the north west of Armadale, towards the cost of providing park and ride facilities at Blackridge Station, rather than at Armadale Station. The reason for having this option is that if it becomes clear that some of the Standhill residents are more likely to use Blackridge Station then it would be appropriate to use some of the contributions for an extension of the park and ride facility at Blackridge. The funding methodology for Blackridge Station and its associated works, including a park and ride facility is set out elsewhere in this SG.

M9 Junction 3 and Linlithgow

5.51 The LDP identifies a requirement for safeguarding of western slip roads at Junction 3 on the M9 at Linlithgow and a new four way junction at Duntarvie near Winchburgh.

5.52 The new 4 way junction at Duntarvie near Winchburgh has been provided at developer expense as part of the Winchburgh Core Development Area (CDA) development.

5.53 In relation to the western slip roads at Junction 3 on the M9 at Linlithgow, the LDP identifies development sites which will be required to contribute towards the provision of the slip roads.

5.54 In addition to the provision of the western slip roads at Junction 3, there is also a need to address transport management measures which are required in Linlithgow town centre, specifically at the High Street/Blackness Road/High Port junction and the St Ninian's Road/High Street junction.

5.55 To inform this SG and developer contribution rates for Linlithgow transport infrastructure traffic modelling which was carried out to inform the LDP has been further refined and now looks at both the AM and PM periods. The modelling report is attached as Appendix 1. Traffic levels through the town are below saturation levels however additional factors regarding inappropriate parking, loading and unloading to businesses and buses stopping creating tailbacks are not helping vehicle movement.

5.56 Anticipated development sites in Linlithgow are set out in Tables 12 and 13. Sites identified in Table 12 which await development will be required to contribute towards junction improvements in Linlithgow as well as Junction 3 of the M9. Where windfall sites come forward these will also require to contribute.

Table 12: Proposed Housing Sites in Linlithgow

LDP Site Reference	Location	Site Size (Ha)	Capacity (Units)
H-LL 1	81-87 High Street	0.3	41
H-LL 2	Westerlea Court, Friarsbrae	0.3	12
H-LL 3	Boghall East	3.2	50
H-LL 4	Land east of Manse Road	1.2	25
H-LL 5	Falkirk Road (land at BSW Timber)	0.7	18
H-LL 7	Clarendon House, 30 Manse Road	2.6	8
H-LL 11	Wilcoxholm Farm/Pilgrims Hill	20.0	200
H-LL 12	Preston Farm	6.0	60
H-LL 13	Kettlestoun Mains	14.3	210

5.57 A congested network results from the impact of the potential development for housing shown in Table 12 through Linlithgow town centre. This was confirmed by the transport modelling which showed that the impact of development traffic on the Base network will be substantial, with higher average delays on the network as a whole. Some individual routes through Linlithgow are severely affected, in particular St Ninian's Road southbound and all routes using the Blackness Road / High Street / High Port junction.

5.58 The proposed network mitigation on its own does not allow the level of delay in the network to return to the same level as in the Base. The network mitigation does, however, allow the queues on St Ninian's Road southbound to dramatically improve. However, this tends to have a knock-on impact to delays on High Street and Preston Road. The roundabout at the junction of High Street/Mains Road becomes a pinch-point (especially as capacity is further constrained by the signalised pedestrian crossing to the east). Further improving the capacity of this area may prove difficult given the competing traffic flows in peak hour traffic and the offset nature of the junctions.

5.59 The proposed western facing slips at J3 of M9 Motorway has the effect of removing a substantial amount of traffic from Linlithgow High Street, therefore the scenarios including west facing slips show improvements in network performance over the Do Nothing scenario.

5.60 The result of opening the western facing slips is to relieve Linlithgow town centre of through traffic to/from the east side of Linlithgow wishing to head towards Falkirk, Stirling and beyond. Traffic generation from the other developments to the west side of Linlithgow are now able to use this spare capacity such that there is no overall traffic change prior to carrying out the improvements.

5.61 Although the employment sites set out in Table 13 are also likely to generate trips impacting on the transport network, based on past take up of employment sites in Linlithgow it is considered unlikely that contributions would be forthcoming. Employment land allocations at Mill Road (sites E-LI 1 and E-LI 2) are largely built out; site E-LI 3 remains largely undeveloped. Should such sites come forward for development a contribution rate would be levied based upon trips generated.

Table 13: Proposed Employment Sites in Linlithgow

LDP Site Ref	Location	Site (Ha)	Size (X100m2)
E-LI 1	Mill Road Industrial Estate, Linlithgow Bridge (plot a)	0.6	18

E-LI 2	Mill Road Industrial Estate, Linlithgow Bridge (plot b)	1.31	39
E-LI 3	Land at Burghmuir, north of Blackness Road	9.6	288

5.62 To meet the requirements of Circular 1/2010 it has been demonstrated that all the proposed developments in Table 12 shall contribute on a per unit basis. The cost estimate of the western facing slips at Junction 3 of the M9 is £8,500,000 at second quarter 2019 prices. The junction improvements within Linlithgow town centre are estimated at £473,000. The total cost of transport improvements in the town is £8,973,000. From the housing sites set out in Table 12 which are not yet under construction, the total number of units is 563. The resultant contribution rate is **£15,938** per house/flat. Any windfall sites will also be required to contribute. The calculation is set out in Table 14.

Table 14: Developer Contribution Rate for Transport Improvements in/around Linlithgow

LDP Site Reference	Location	Capacity (Units)
H-LL 3	Boghall East	50
H-LL 4	Land east of Manse Road	25
H-LL 5	Falkirk Road (land at BSW Timber)	18
H-LL 11	Wilcoxholm Farm/Pilgrims Hill	200
H-LL 12	Preston Farm	60
H-LL 13	Kettlestoun Mains	210
Total Number of Units		563
Total Cost of transport improvements £8,973,000/563 = £15,938		

6.0 Travel Plans and Residential Travel Information Packs

6.1 Policy TRAN 2 of the LDP requires developers to provide travel plans and an associated monitoring framework to support major new developments such as the previously identified Core Development Areas, strategic housing allocations and inward investment proposals. This is required in order to support and promote sustainable travel and is consistent with *Scottish Planning Policy 17 Planning for Transport*.

6.2 The contributions are to be secured through a Section 75 (or Section 69) agreement. The agreement will need to be concluded before planning permission can be granted. It is likely that developers will need to contribute to the cost of preparing legal agreements if delays are to be avoided.

6.3 The LDP includes proposals for some 25,000 houses and 638 hectares of employment land. Unrestrained, this scale of development will have significant effects of adding to congestion on the local transport network and have an adverse effect on the environment and health. Travel planning can help to mitigate the adverse effects of less sustainable travel through the promotion of better use of the most sustainable modes of transport. Any reduction in travel, or improvement in the mode of travel, benefits the West Lothian transport network and the environment. Travel planning can play a part in increasing the efficiency of the local transport network. Residential developments will be required to produce a *Sustainable Travel Information Pack* (IP) to be provided in each new home. The contents of the pack will be site specific and should be integrated with wider information on local amenities and services. The

pack is to be produced by the developer and requires council approval as part of planning consent.

6.4 Employment developments will be required to submit a *Staff Travel Plan* (TP) as part of a transport assessment (or transport statement) in support of their planning application. Exemptions will be made for small developments, which do not require a transport assessment or transport statement. Developers should contact the council at the pre application stage to seek guidance on the contents of the travel plan and the requirements for a transport assessment or transport statement.

6.5 The types of development requiring a travel plan or travel information pack are set out in Table 15.

Table 15: Class Use, Information Types and Contribution Levels

DEVELOPMENT TYPE	Travel Plan	Travel Pack	Information
Residential <10 dwellings IP No	√		n/a
Residential 10 or more dwellings IP and TP £20 per dwelling	√		√
Business (Use Class 4) TP £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		
Industrial (Use Class 5) TP £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		
Storage and distribution (Use Class 6) - £30 per 100m2 GFA or £700 per hectare of site area (the lower of the GFA and site area calculated sum)	√		

6.6 The contribution required by employment developments will be the lower of the two methods of calculation. The council will monitor the level of contribution and revise if appropriate.

6.7 The travel information pack and Travel Plan should include information on the location of local services and amenities and provide information of the options for travel to and from the development and should emphasise the need to travel by the most sustainable practical mode.

6.8 Priority should be given to the modes in the following sustainable travel hierarchy:

- (i) Fuel free modes: walking and cycling
- (ii) Fuel efficient modes: public transport
- (iii) Efficient use: car sharing
- (iv) Most polluting: single occupancy car

6.9 For residential developments, planning permission will be conditional on the submission of an acceptable travel information pack. Developers will be required to regularly monitor and revise travel information packs and travel plans.

7.0 GOVERNANCE

7.1 The council recognises that funds received through the planning obligations process need to be clearly linked to the provision of specific pieces of infrastructure. To provide this clarity the council has set up a financial tracker to monitor the source of funds, the purpose for which they are gathered, and how they are spent; and in which transportation, education, greenspace, public art and employment land contributions will be kept and ring fenced for the delivery of infrastructure in related geographical areas.

7.2 The costs identified within the SG will be subject to review on an annual basis, through the LDP Action Programme. These costs will be index linked against the Building Cost Information Service (BCIS) or similar comparable industry standards and subject to independent verification where necessary.

7.3 In some instances, planning contributions will be in the form of infrastructure provided directly by a developer e.g. junction improvements to accommodate access to development sites or transport infrastructure required as part of the core development areas. Direct provision will be factored into the overall contributions that a site will make and where appropriate, this may be offset against total costs of the infrastructure project. Where direct provision of infrastructure is required, bonds or other legal security will also be agreed to safeguard the council from risk.

7.4 In most instances a developer will not be required to provide a piece of strategic infrastructure directly but will contribute in line with Figure 1 of this SG. There may be instances where infrastructure is required in advance of all developer contributions having been received by the council. Where this is the case alternative funding options may be investigated – these include City Deal and input through the council's capital programme. In these situations, contributions will continue to be sought from developers to meet the full cost of the infrastructure which has been provided. This approach is consistent with paragraphs 17 – 17 of Circular 3/2012.

7.5 Developer contributions will be calculated on the basis of whole sites identified in the Local Development Plan. Applications for parts of allocated sites will pay a proportion of the total site contributions. This SG will not be applied retrospectively to sites which have full planning permission or planning permission in principle, provided that the permission remains capable of being implemented. New planning applications, for similar developments on these sites (including applications for renewal of planning permissions), will be subject to the provisions of this guidance and to LDP policies.

7.6 Over the lifetime of the LDP developers/landowners are likely to seek planning permission for sites not allocated in the LDP - such sites are known as windfall sites. The impact of these sites will not have been considered in any capacity assessments which determine the need for improved or additional infrastructure. Non-exempt windfall sites will be required to provide developer contributions towards transport infrastructure as set out in this SG.

Unilateral Undertakings

7.7 Section 76 (1) (b) of the Town and Country Planning Act (Scotland) 2006, as amended, allows developers to enter into unilateral agreements to make an appropriate contribution in relation to the impact of their proposals. Where a unilateral undertaking is in place, unless it makes provision for all the infrastructure impacts of the proposed development, the need for

any additional contributions to meet the requirements set out in this guidance will be secured through a planning obligation.

Viability

7.8 Developers may consider that the economics of the development and requirements for planning obligations will be greater than a development is able to bear and look to alter the levels of developer contributions required. Any assessment in this respect must be supported by a development appraisal which the council, through the District Valuer, or another independent chartered valuation surveyor agreed by the council, will verify. This appraisal requires to be funded by the developer/applicant. The council will also require documentary evidence necessitating “open-book accounting” to show the viability of a proposal will be curtailed by the requirement for planning obligations. If a development appraisal shows that a site is not viable the council may elect to review developer obligations and consider a degree of ‘prioritisation’. However, in the event of a development being assessed as unviable the council will consider all the options which will include refusal of the application due to its inability to fund the required levels of infrastructure.

Repayment of Contributions

7.9 In some instances the need or level of a contribution may change over time. This may be for a number of reasons including the cost of the infrastructure changing, the level of contributing development altering or the infrastructure, for which the obligations were originally gathered, no longer being required. In these instances the council may recalculate the level of obligations and apply or refund any difference to the per house contribution. It will also be the responsibility of the council to use the obligations for their intended purpose and within the timescale set by any related legal agreements. If the council does not use the contributions within the specified timescales then the obligations will be returned to those who made the contribution.

7.10 The approach ensures that this SG requires proposed development to make an equitable and reasonable contribution to strategic transport improvements with costs apportioned relative to the location of development and probable additional impact on strategic infrastructure. Local measures will be identified in site specific Transport Assessments prepared by site promoters.

7.11 Proposed sustainable transport measures to promote the use of public transport, including improved walking and cycling routes to railway stations, will be expected to be included with planning applications and their supporting Transport Assessments. These measures will be directly funded by developers.

Audit and Review Procedures

7.12 This SG will be reviewed and updated periodically to ensure that the level of contribution being required of developers remains relevant and takes account of changing circumstances. This will include updating contributions to take account of the BCIS All-in Tender Price Index.

7.13 The council, upon recouping all costs associated with the construction of the new station, will no longer apply this SG in relation to future development proposals.

LINLITHGOW MODEL DEVELOPMENT TESTING



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1. INTRODUCTION

- 1.1.1 This note details analysis of various development and network scenarios coded and assigned to the Linlithgow Vissim model. This model was recently updated and recalibrated as detailed in “20190108_Linlithgow_VISSIM_Model_Report.pdf”. As such the base model used for the scenario testing has robust representations of the AM and PM peak periods for the 2018 base year.
- 1.1.2 SYSTRA has developed two basic forecast year scenarios which continue from seven previous scenarios assessed in previous work (using the 2015 version of the Linlithgow Vissim model):
- Scenario 8 – modelling of all LDP housing sites in Linlithgow as set out in Table 1 (proposed housing sites), Table 2 (employment sites) and including the proposed M9 J3 Westbound facing slips.
 - Scenario 9 – based on Scenario 8 above but with the addition of the Bo’Ness housing site in Falkirk Council area as listed in Table 3. Trip generation is derived from TRICS and mode choice from 2011 Census for Bo’Ness.
- 1.1.3 In each case, the maximum development size was used so that the scenarios represented the worst-case traffic impact.



Table 1. West Lothian Local Development Plan – Proposed Housing Sites in Linlithgow

LDP SITE REFERENCE	LOCATION	SITE SIZE (HA)	CAPACITY (UNITS)
H-LL 1	81-87 High Street	0.3	41
H-LL 2	Westerlea Court, Friarsbrae	0.3	12
H-LL 3	Boghall East	3.2	50
H-LL 4	Land east of Manse Road	1.2	25
H-LL 5	Falkirk Road (land at BSW Timber)	0.7	18
H-LL 7	Clarendon House, 30 Manse Road	2.6	8
H-LL 11	Wilcoxholm Farm/Pilgrims Hill	20.0	200
H-LL 12	Preston Farm	6.0	60
H-LL 13	Kettlestoun Mains	14.3	210

Table 2. West Lothian Local Development Plan – Proposed Employment Sites in Linlithgow

LDP SITE REF	LOCATION	SITE	SIZE (X100M ²)
E-LL 1	Mill Road Industrial Estate, Linlithgow Bridge	0.6	5
E-LL 2	Land at Burghmuir, north of Blackness Road	9.6	6

Table 3. West Lothian Local Development Plan – Other Proposed Developments in Linlithgow

COUNCIL SITE REF	LOCATION	CAPACITY (UNITS)
HO1-LDP1	Drum Farm	183
HO2-LDP1	Kinglass Farm	160
HO3-LDP1	Kinglass Farm 2 (Off Drum Rd)	25
MO1-LDP1	Boness Foreshore	750
102-LDP2	Crawfield Road	450
103-LDP2	North Bank Farm	200
104-LDP2	Carrieden Brae North, Muirhouses	120
105-LDP2	East Muirhouses	120
106-LDP2	Dunacre Road	28

- 1.1.4 Note that the M9 J3 Westbound facing slips are based on the latest proposal (provided by WLC) which indicates the use of roundabouts as means of access to the existing road network.
- 1.1.5 The scenarios detailed above have variants with and without the west facing slips at M9 J3, these have the naming convention 8b and 9b. This naming convention has been chosen to differentiate the above scenarios from previous modelling work.
- 1.1.6 The methodology is as per previous modelling in test scenarios (1-7) for the M9 J3 west facing slips for those sites that are located in Linlithgow and to the south. For reference, this methodology, extracted from our proposal, is documented below:
- The original model does not contain any traffic interaction on the M9 as it was not part of the original scope. As we will be modelling west facing slips onto the M9, we will not be able to monitor the merge point located on the M9 ramp. In other words, this project cannot measure the impact of any scenario on the operation of the M9; and
 - It is our intention to estimate the level of traffic associated with the new the M9 Junction 3 layout by amending the traffic patterns already contained within the development scenarios. A common-sense approach will be undertaken to enable traffic only associated with certain zones to be allowed to use the new junction setup, for example, it is anticipated that development traffic located to the west of

Linlithgow will not route through the town centre to access the westbound on-slips to travel west.

- 1.1.7 With regards to the Bo’Ness housing sites, SYSTRA have undertaken a more detailed evaluation of the trip distribution using TRICS. The TRICS database provides an indication of typical multi-modal trip rates for residential developments of this nature. These rates are then used to further refine the modal split assumption and to determine locally specific origin / destination patterns.

2. DEMAND SCENARIOS

- 2.1.1 The TRICS database was used to determine the level of car usage associated with the housing locations. Average trip rates were obtained for the AM and PM Peaks as shown in the tables below.

Table 4. Residential trip rates

PERIOD	MODE	CENSUS PERCENTAGE	MODAL SPLIT	TRIP RATE (PER DWELLING)
AM	Car/Van	67%		0.848
PM	Car/Van	67%		1.013

Table 5. Industrial employment trip rates

PERIOD	MODE	TRIP RATE (PER 100 M ²)
AM	Car/Van	0.571
PM	Car/Van	0.438

Table 6. Business park employment trip rates

PERIOD	MODE	TRIP RATE (PER 100 M ²)
AM	Car/Van	1.247
PM	Car/Van	0.939

- 2.1.2 The trip pattern of the new development sites is based on an existing trip pattern of a similar area within the model, using the existing zone loading points. Trips from the new development sites are assessed to determine their loading points onto the network and added to the existing model matrices.
- 2.1.3 Table 6 below provides an indication of the total number of trips loaded onto the network as a result of the development scenarios

Table 7. Development Scenario Traffic Demand.

PERIOD	MODEL	MATRIX TOTALS (LIGHT VEHs)
AM	2017 Base	3,613
	Base + Full Dev Demand	6,284
	Base + Full Dev Demand - Bo'Ness	5,557
	WFS Base Demand + WFS Full Dev Demand	6,284
	WFS Base Demand + WFS Full Dev Demand – Bo'Ness	5,557
PM	2017 Base	4,252
	Base + Full Dev Demand	7,357
	Base + Full Dev Demand - Bo'Ness	6,669
	WFS Base Demand + WFS Full Dev Demand	7,357
	WFS Base Demand + WFS Full Dev Demand - Bo'Ness	6,669

- 2.1.4 For the full-development scenario the maximum size of development was used in each case. This included the large Bo'Ness development.
- 2.1.5 From the scenarios denoted “- Bo'Ness”, trips from/to the Bo'Ness development were eliminated. This resulted in 727 fewer trips in the AM period and 688 fewer trips in the PM period.
- 2.1.6 On the introduction of the West Facing Slips (WFS) at M9 J3 we have assumed that all trips which currently go from the east of Linlithgow to the west (leaving the modelled area on the A803) will now use the WFS. This is illustrated in Figure 1 where the zones within the blue catchment area and going to / from the red circled zone will instead use the WFS (green circle). The WFS are represented by zone 56 (to M9) and zone 57 (from M9).
- 2.1.7 The change to the demand matrices representing the WFS scenario affects around 90-140 trips in the peak hours (in each direction and including development trips). Effectively, this scenario reroutes upwards of 200 vehicles / hour from Linlithgow High St for the full-development scenario.

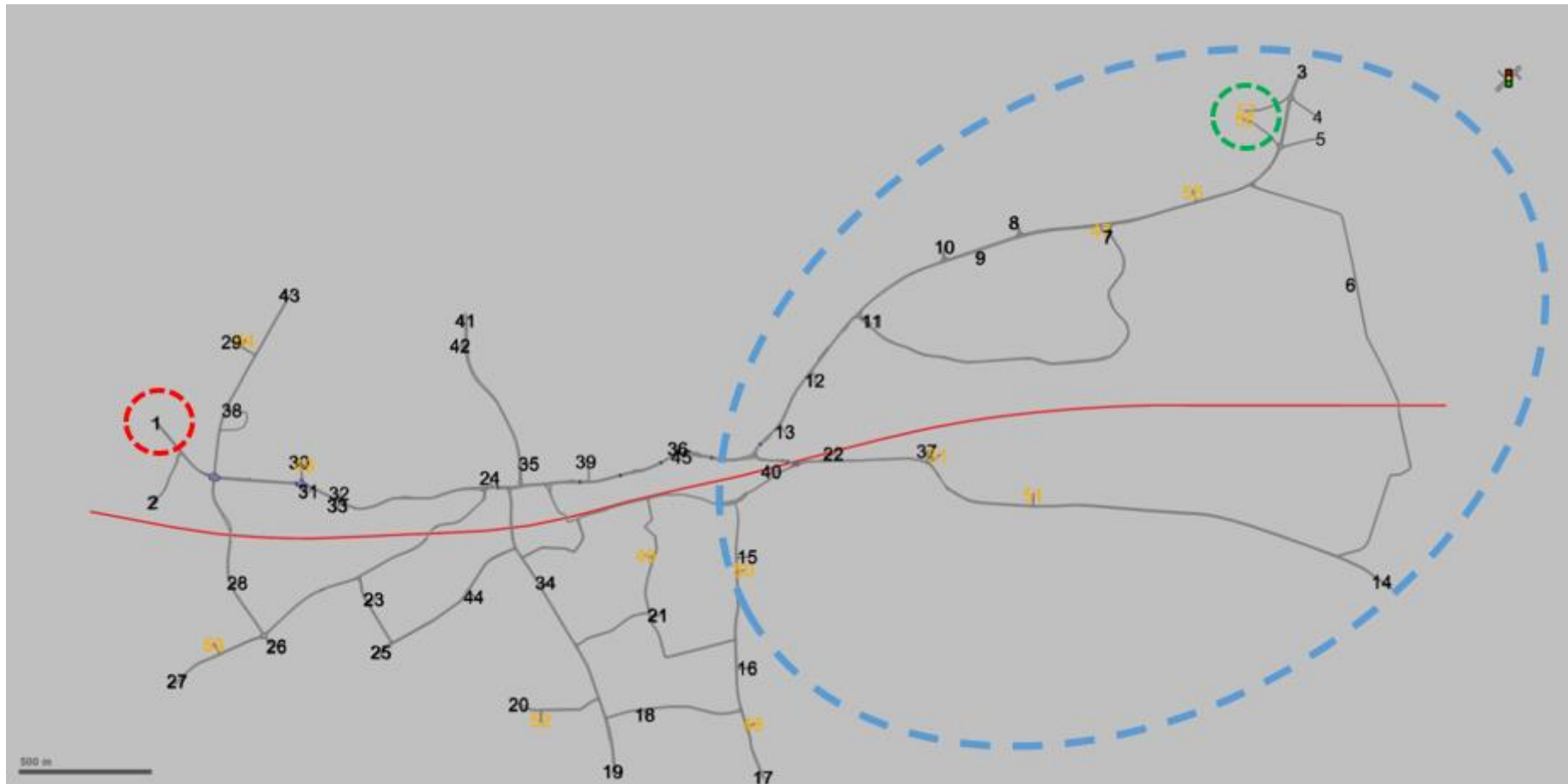


Figure 1. WFS Demand modification (blue = WFS catchment zones, red = original origin / destination zone, green = new WFS zones)

3. WFS SCHEME LAYOUT

3.1 Vissim Network Changes

3.1.1 Figure 2 below shows the M9 J3 West Facing Slips (WFS) proposal received from West Lothian Council in early 2019. The design consists of two new roundabouts which tie in with the existing east facing slips.

3.1.2 Figure 3 shows the equivalent section of the Linlithgow Vissim model with the WFS coded. The M9 itself and the slips' interaction with the M9 are not included in the model.

3.1.3 **SYSTRA have completed a feasibility costing for the proposed WFS.** Please note that what we have completed is an extremely high-level cost estimate, which is based on our recent experience of developing high-level cost estimates for different Grade Separated Junction (GSJ) layout options for a potential GSJ on the Scottish trunk road network. Therefore, once more information is available a more robust cost estimate will require to be undertaken to establish accurate construction costs. The anticipated costs are as follows:

Cost Estimate

- | | |
|--|--------------|
| • Eastbound diverge and westbound merge: | £7.5M |
| • Roundabouts (x2): | <u>£1.0M</u> |
| • Total: | £8.5M |

3.1.4 Rather than providing a single cost estimate we believe that it is prudent to provide a cost range. Therefore, please assume that the cost range for construction of the eastbound diverge and westbound merge plus the two roundabouts is **£6.5M to £10.5M**.

Assumptions & Exclusions

- This cost estimate only covers the **construction costs** associated with the junction i.e. other costs such as design costs (inc. costs associated with design work such as the acquisition of a topographical survey, costs associated with a ground investigation, etc.) and site supervision costs are not included;
- No work to the existing overbridge across the M9 or to the existing eastbound merge and westbound diverge are necessary;
- The underlying ground is suitable for construction of the eastbound diverge and westbound merge i.e. there will be no requirement to excavate unsuitable material and replace with suitable backfill material prior to construction of the diverge and merge;
- The presence of any existing Public Utilities apparatus within the footprint of the works is not known at this time and therefore a nominal allowance is included in the above costs, the actual costs could vary significantly from this amount;
- Costs associated with land acquisition have been omitted;
- Costs associated with ecological and environmental mitigation measures have been omitted;

- Any connections to (and amendments to) the existing local road network, properties or farm accesses that may be required as a consequence of the works have not been included in this cost estimate; and
- It has been assumed that suitable drainage outfalls will be available on both sides of the M9 within the proximity of the works.



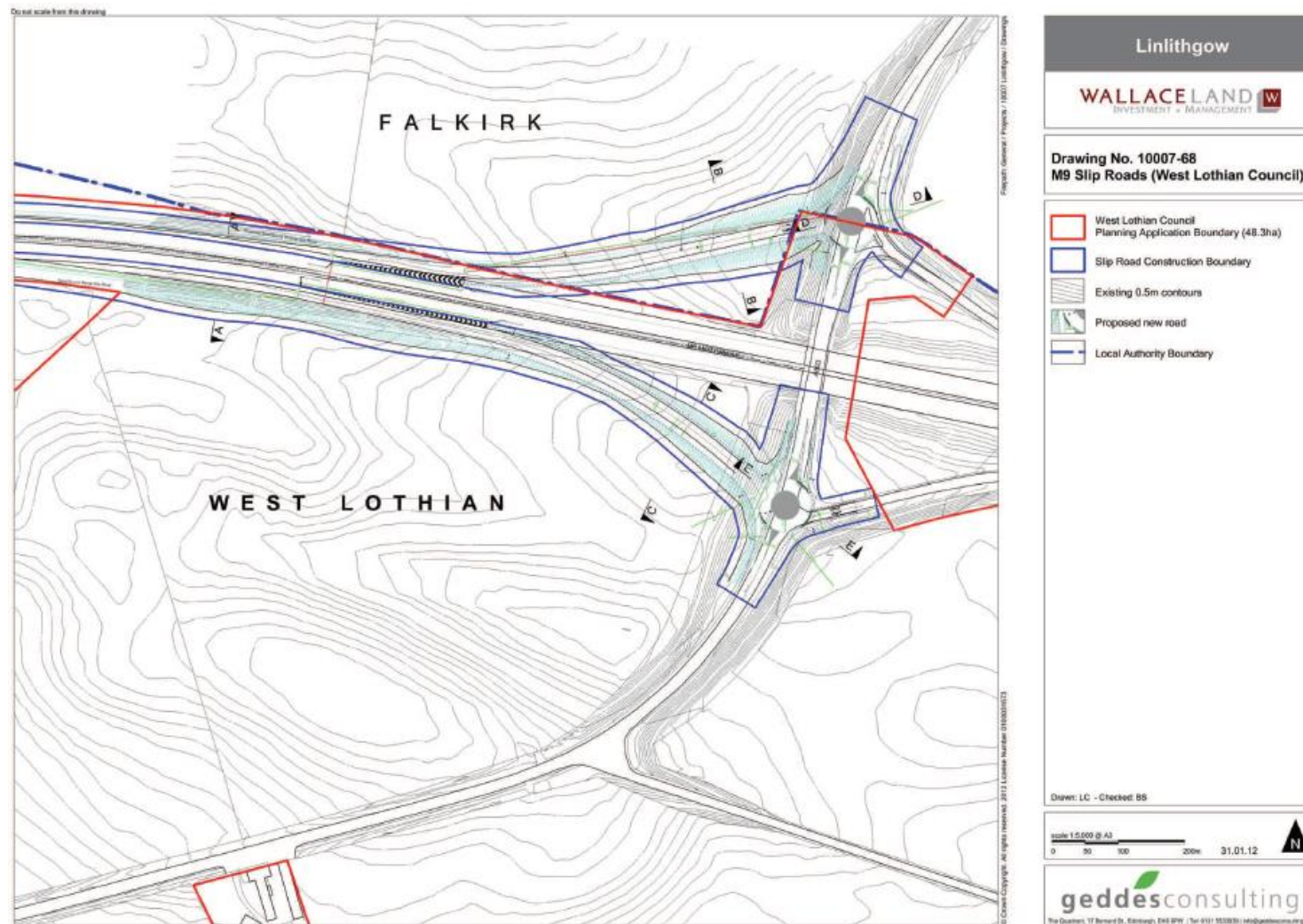


Figure 2. WFS Plan



Figure 3. WFS Network Changes

4. MITIGATION

4.1 Blackness Road / High Port / High Street

- 4.1.1 The existing roundabout at this junction can be the cause of blocking back from the High Port signalised junction as well as from the signalised pedestrian crossing on High St. As such, WLC requested that we evaluate the replacement of this roundabout with a fully signalised junction. An initial evaluation of the space available indicated that two lanes could be accommodated on all approaches. Replacing an existing roundabout with a signalised junction can sometimes lead to increased delay but does allow better balancing of the capacity for various approaches better pedestrian facilities and more reliable journey times.
- 4.1.2 To enhance the provision for pedestrians at this location (there are currently no zebra or signalised crossings on High Port or High St) and to address the clear pedestrian demand evident during our site-visit, we have coded an all-red traffic phase to allow for a “scramble” pedestrian crossing – i.e. allowing all pedestrian movements at the same time in the signal cycle.
- 4.1.3 The cycle time of the signals was matched to the existing signals at Back Station Road to allow the most robust vehicle progression through both junctions. The close-by pedestrian crossing on High St was also set to this cycle time to allow better traffic progression westbound along High St. The existing signalised crossing on Blackness Rd was removed.
- 4.1.4 Reduced speed areas representing the slowing of traffic due to School Crossing Patrol were also removed due to the introduction of signalised crossings.
- 4.1.5 Figure 4 shows the layout of this junction as coded in the Vissim model.

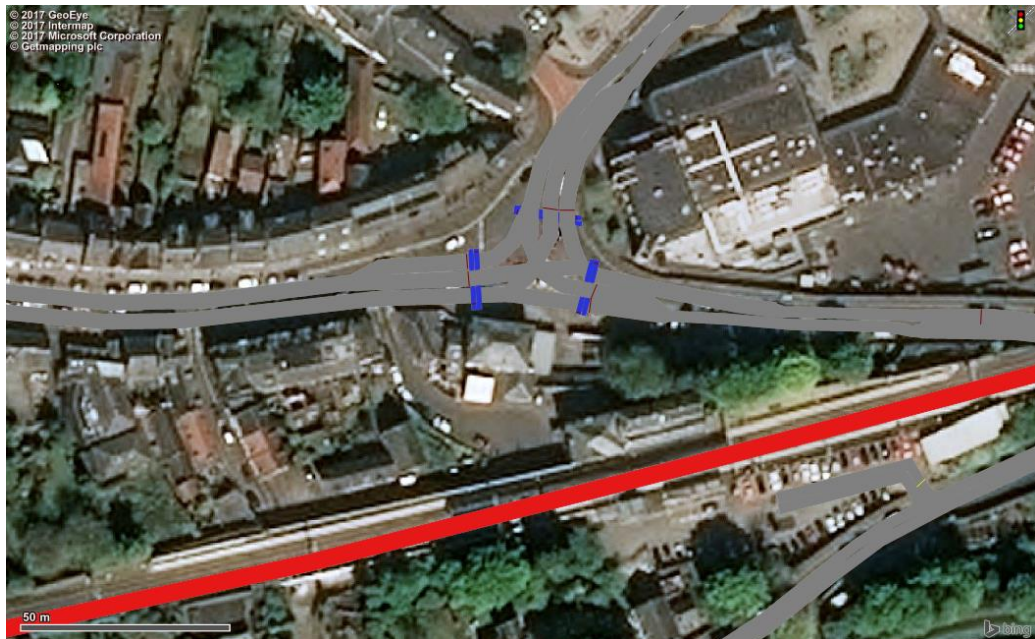


Figure 4. Blackness Rd signals

4.1.6 SYSTRA has calculated the approximate cost of the improvements at High St/Blackness Rd/High Port (roundabout to signalised junction) to be **£330k**.

4.1.7 This price is based on the following assumptions:

- (a) Surface course replacement over extents of junction (planing off top 40mm and replacing), islands, ped crossing points for all-ways movement, new footways where there are changes to road areas, new bollards, new pedestrian guard-rails.
- (b) Based upon no understanding of the presence or location of utilities, we have made no allowances for utilities protection or diversions, which could be significant.
- (c) In terms of traffic management during construction, we have merely made allowance via 20% contingencies (we expect there will be high traffic management costs).
- (d) Given that the junction is in an urban location and has existing road/footway we have assumed no allowance for earthworks/poor ground.
- (e) Drainage allowances made for tying into existing drainage system with new gullies.

4.2 St Ninian's Road / High Street

4.2.1 To mitigate the queuing created by the development demand at this location, a mini-roundabout was coded at the junction of St Ninian's Rd / High St. This intervention enables priority to be given to right-turning traffic from St Ninian's and taken from High St westbound.

4.2.2 It was necessary to move the bus stop opposite St Ninian's Rd to the east of the junction to allow for two approach lanes. Keep clear areas were also coded to help prevent traffic queuing through the junction.

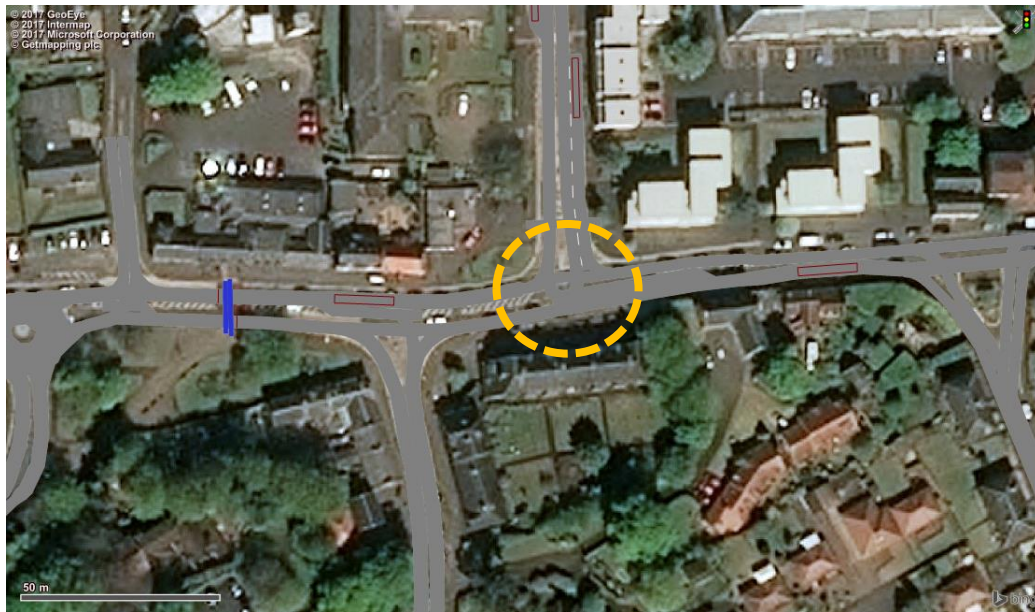


Figure 5. St Ninian's Road mini-roundabout

4.2.3 SYSTRA has calculated the approximate cost of the improvements at St Ninians Rd/High St (priority junction to mini-roundabout) to be **£143k**.

4.2.4 This price is based on the following assumptions:

- (a) We have allowed for surface course replacement over the full extents of junction (planing off top 40mm and replacing), new islands, new footways where there are changes to road areas, new bollards, new pedestrian guard-rails.
- (b) Based upon no understanding of the presence or location of utilities, we have made no allowances for utilities protection or diversions, which could be significant.
- (c) In terms of traffic management during construction, we have merely made allowance via 20% contingencies (we expect there will be high traffic management costs).
- (d) Given that the junction is in an urban location and has existing road/footway we have assumed no allowance for earthworks/poor ground.
- (e) Drainage allowances made for tying into existing drainage system with new gullies.

4.3 Back Station Road / High Port

4.3.1 No physical mitigation is possible at this junction due to the constraints of railway and embankments. Signal green times were however balanced to cope with the increased demand on Back Station Rd westbound.

4.4 Mill Rd / Main St

- 4.4.1 No physical mitigation was considered at this junction. However, signal timings were optimised to balance queues on each approach and better use the full capacity of the existing layout.

5. RESULTS SUMMARY

5.1.1 For consistency, we present the same key performance indicators as used in previous studies. Table 4 compares the AM period results of all development scenarios against those of the Base model. Table 5 shows the results for the PM period.

5.1.2 Detailed journey time results for key routes through Linlithgow are presented in Section 5.8.

5.1.3 We have also extracted link vehicle density plots from the models which effectively illustrate the average queue lengths on the network.

5.2 Key performance indicators

5.2.1 The various demand scenarios were assigned to the model network to assess their impacts on various key performance indicators. Full network statistics are presented in Table 4 and Table 5. Most indicators are self-explanatory, however descriptions of those that are not can be found below.

5.2.2 **Number of vehicles in the network** – vehicles remaining in the network at the end of the evaluation interval i.e. those vehicles that have started but not completed their trip.

5.2.3 **Number of vehicles that have left the network** – vehicles that have completed their trips at the end of the evaluation interval.

5.2.4 **Demand Latent** – the number of vehicles that haven't been able to access the network from their zone i.e. when a link is queued back to a zone, vehicles may not be released.

5.3 Do Nothing (full development demand no mitigation)

5.3.1 In the AM period, the results show that the impact of the full development traffic on the Base network is an increase in average delay of 14s.

5.3.2 In the PM period, average delay is around a minute higher than the AM period for the equivalent scenario. The Do Nothing scenario results in an increase in average delay of 15s over the Base result.

5.3.3 Figure 6 and Figure 7 show link vehicle density plots for the AM and PM Do Nothing scenarios – key queues are highlighted. These figures show a large increase in queue lengths on St Ninian's Road in both the AM and PM periods. An increase in traffic demand on Back Station Road results in increased queues here in both time periods. Similarly, queues increase in length on Blackness Rd particularly in the PM peak.

5.3.4 At the Main St / Mill Road junction in the PM peak, an increase in demand results in longer eastbound queues.

5.3.5 There is general congestion on High St in both periods.



Figure 6. AM Do Nothing link vehicle density

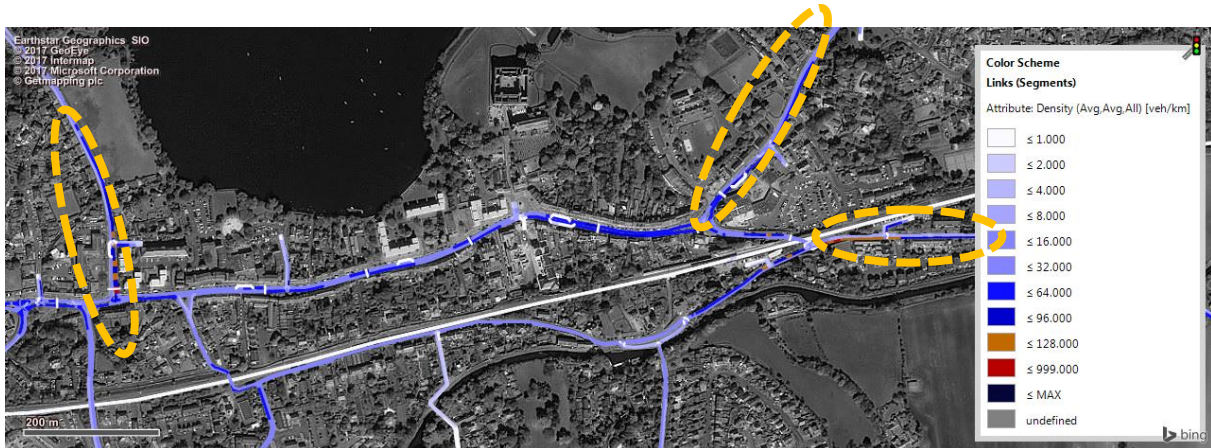


Figure 7. PM Do Nothing link vehicle density

5.4 Scenario 9a (full development demand WFS)

5.4.1 The introduction of the WFS allows the full development traffic to be accommodated onto the network (9a scenario) with a lower average delay than the Base model. This is because the impact of the WFS is to significantly reduce traffic travelling eastbound through Linlithgow. Some queuing remains on St Ninian's Road however and the Back Station Road and Blackness Rd are also subject to congestion particularly in the PM peak.

5.4.2 Figure 8 and Figure 9 show link vehicle density plots for this scenario with key areas of congestion highlighted.



Figure 8. AM Scenario 9a link vehicle density



Figure 9. PM Scenario 9a link vehicle density

5.4.3 Appendix 1 details the existing and proposed trips that may use the new slips.



5.5 Scenario 8a (No Bo’Ness WFS)

- 5.5.1 Removing the demand associated with the Bo’Ness development slightly improves the network average travel time and average vehicle speeds in the AM peak. Consequently the AM scenario operates with less delay than the Base model.
- 5.5.2 In the PM peak this scenario has a greater impact, reducing the network average travel times by 17s over Scenario 9a so that the average delay is 132s (the lowest result for any PM scenario) although still much higher than the equivalent AM scenario.

5.6 Discussion of unmitigated network results

- 5.6.1 Analysis of the unmitigated network model results shows that there are several key pinch points on the network that add to delay. The most evident are at St Ninian’s Rd, where right turning traffic is unable to access the High St and so forms long queues; and at the High St / Blackness Rd / High Port / Back Station Rd area, where traffic blocks back through the roundabout and causes congestion.
- 5.6.2 It is however, evident that the impact of the development traffic is significantly reduced when the WFS scheme is introduced. It is also the case that removing traffic associated with development at Bo’Ness also leads to a general improvement in network conditions (and a reduction in the number of “vehicles that have left the network” due to the lower demand associated with this scenario).
- 5.6.3 Bearing this in mind, and taking cognisance of the network constraints (particularly canal / railway bridges or tunnels) we have therefore tested mitigation measures at St Ninian’s Rd / High St (to reduce the very large queues evident here in all scenarios) and at Blackness Rd / High St roundabout (to reduce the incidences of blocking back from the Back Station Rd junction, to improve journey time reliability and to improve pedestrian ambience at this key location).



5.7 Discussion of mitigated network results

- 5.7.1 The proposed network mitigation at St Ninian's Rd resolves the queue at this location caused by development traffic by giving priority to right turning traffic from St Ninian's Rd over westbound traffic on High St. As a consequence of this, more traffic is pushed onto High St's westbound approach to the Mains Rd (A706) roundabout and this section of road quickly reaches capacity. The signalised pedestrian crossing at this location reduces the capacity further leading to blocking back along High St and Preston Rd.
- 5.7.2 The proposed network mitigation at Blackness Rd / High St / High Port does serve to better manage traffic in terms of keeping this junction clear and provides improved pedestrian facilities. However, the capacity of the junction is not improved over the existing roundabout and so queues, particularly on Blackness Rd, are not generally improved.
- 5.7.3 Figure 10 shows the AM link vehicle density plot for the Scenario 9b mitigated (Full Development demand). The queue triggered on Preston Rd is highlighted. Figure 11 shows the PM link vehicle density plot for the equivalent PM scenario. The queue on Preston Rd is less severe in this period but queues at Blackness Rd are worse than in the AM.



Figure 10. AM Scenario 9b mitigated



Figure 11. PM Scenario 9b mitigated

- 5.7.4 Network results show that the mitigated scenarios generally increase average delay over the unmitigated scenarios. This is a consequence of vehicles stopping at a new signalised junction and westbound vehicles on High St losing priority to development traffic on St Ninian's Rd.
- 5.7.5 The impact of the mitigation on delay in the WFS scenarios is however low. Despite increases in delay over the *unmitigated* Scenario 8a, the *mitigated* Scenario 8a (no

Bo’Ness with WFS) has lower average delay than the Base model in both AM and PM periods.

- 5.7.6 Scenario 9a mitigated (full development demand and WFS) also has lower delay than the Base model in the PM period.



MODELS	BASE AM	DO NOTHING AM	9B MITIGATED AM	8B MITIGATED AM	9A AM	8A AM	9A MITIGATED AM	8A MITIGATED AM
Description	<i>Base AM</i>	<i>Full DevDemand DoNothing</i>	<i>Full DevDemand Mitigated</i>	<i>NoBoness Mitigated</i>	<i>Full Dev Demand WFS</i>	<i>NoBoness WFS</i>	<i>Full DevDemand WFS Mitigated</i>	<i>NoBoness WFS Mitigated</i>
Average delay time per vehicle [s]	107	121	172	138	89	82	117	102
Average number of stops per vehicles	3	4	5	4	2	2	3	3
Average speed [mph]	16	14	13	15	17	17	16	17
Average stopped delay per vehicle [s]	51	58	92	70	41	38	60	52
Total Distance Travelled [km]	9,098	11,142	10,903	10,156	10,897	9,997	10,750	9,951
Total travel time [hrs]	347	451	509	424	409	366	429	375
Total delay time [hrs]	119	168	239	171	124	101	163	126
Number of Stops	12,381	17,795	22,997	16,253	12,308	10,118	15,853	12,359
Total stopped delay [hrs]	57	80	128	86	57	46	83	64
Number of vehicles in the network	286	426	509	364	359	319	361	303
Number of vehicles that have left the network	3,739	4,536	4,499	4,097	4,631	4,110	4,626	4,137
Demand Latent	0.8	0	4	1	0.4	0.6	0.4	0.6

Table 8. Key Performance Indicators AM period

SCENARIO	BASE PM	DO NOTHING PM	9B MITIGATED PM	8B MITIGATED PM	9A PM	8A PM	9A MITIGATED PM	8A MITIGATED PM
Description	<i>Base PM</i>	<i>FullDevDemand DoNothing</i>	<i>FullDevDemand Mitigated</i>	<i>NoBoness Mitigated</i>	<i>FullDevDemand WFS</i>	<i>NoBoness WFS</i>	<i>FullDevDemand WFS Mitigated</i>	<i>NoBoness WFS Mitigated</i>
Average delay time per vehicle [s]	168	183	206	178	149	132	158	149
Average number of stops per vehicles	5	5	5	4	4	4	4	4
Average speed [mph]	13	12	12	13	14	15	13	14
Average stopped delay per vehicle [s]	88	103	111	98	69	59	82	77
Total Distance Travelled [km]	10,341	12,889	12,659	12,064	12,239	11,570	12,072	11,381
Total travel time [hrs]	492	652	661	580	562	494	561	504
Total delay time [hrs]	218	290	327	258	238	191	251	215
Number of Stops	21,929	26,613	29,571	23,040	24,582	19,877	23,763	19,842
Total stopped delay [hrs]	114	164	175	142	111	85	130	111
Number of vehicles in the network	549	713	698	566	606	503	629	545
Number of vehicles that have left the network	4,118	5,006	5,006	4,642	5,140	4,712	5,092	4,652
Demand Latent	5	67	75	35	6	2	29	21

Table 9. Key Performance Indicators PM period

5.8 Journey Time Analysis

5.8.1 Figure 12 below provides an illustration of the journey time routes used in the analysis. These are the same routes as used in the Base model validation and results are presented for both directions on all routes. Routes are therefore designated NB (northbound), SB (southbound), EB (eastbound), WB (westbound), SW (southwest bound) or NE (northeast bound).

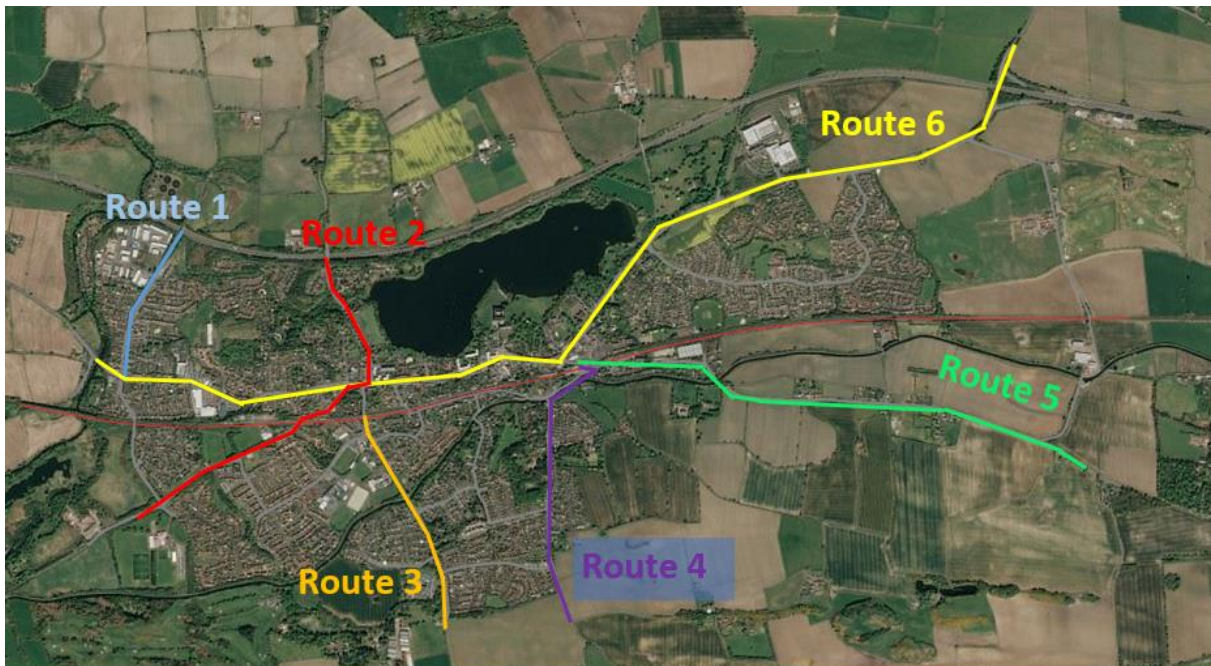


Figure 12. Journey Times Routes.

5.8.2 Table 10 (AM) and Table 11 (PM) below show the results for each journey time route for each scenario. The tables are presented as the change of each result from the equivalent Base model result. Results are also colour coded so that red = worse, yellow = no change, and green = better.

5.8.3 AM Period

5.8.4 The results for the **Do Nothing** scenario highlight that the largest issue is on St Ninian's Rd southbound where the journey time increases by 319s. This is due to the weight of development traffic using this road and the subsequent lack of capacity at the junction with High St, where right turning vehicles don't have sufficient gaps to make their turn. There are also significant increases on routes 4-NB, 5-WB, 6-SW and 6-NE of 40-70s. These are mostly caused by congestion at the Blackness Rd / High St / High Port roundabout.

5.8.5 Introducing network mitigation (**9b mitigated**) shows that the mini-roundabout at St Ninian's Road / High St substantially improves the travel time on route 2-SB (now just 6s worse than Base result). This is at the expense of travel times on Preston Rd northbound

(route 3-NB) where the weight of the now released development traffic causes 162s of additional delay. Routes 4-NB, 6-SW and 6-NE don't respond well to the introduction of traffic signals at Blackness Rd / High St, all showing additional delay, however route 5-WB does show a modest improvement.

- 5.8.6 Removing Bo'Ness traffic from the mitigated network (**8b mitigated**) results in substantial improvements to Route 3-NB and Route 6-SW and more modest improvements to Routes 5-WB and 6-NE.
- 5.8.7 The introduction of the WFS (**9a**) leads to improved results when compared to the Do Nothing scenario. Most journey times are very close to those of the Base model with the exception of Route 5-WB which increases by 75s due to delays approaching town on Back Station Rd.
- 5.8.8 The mitigated WFS scenarios (**9a mitigated and 8a mitigated**) show a similar pattern of results but with scenario 8a mitigated having several improvements as expected with the reduction of demand. The main change is around the Blackness Rd / High St junction where scenario 8a mitigated has lower journey times due to the signalised junction here now being able to operate within capacity.
- 5.8.9 **PM Period**
- 5.8.10 In the PM period, the **Do Nothing** scenario shows large increases in journey times on routes 1-SB, 2-SB and 5-WB. These are caused by the scale of development traffic approaching the High St and Main St on these routes. The improvement in travel time for Route 6-SW is due to reduced delays on the approach to Blackness Rd / High St roundabout and on the section approaching Linlithgow Bridge. In this scenario, the assignment attempts to avoid excessive congestion on the High St by routing eastbound traffic off High St and instead to the south via Royal Terrace. This results in less delay for traffic on Route 6-SW but causes severe delays elsewhere.
- 5.8.11 As in the AM period, introducing mitigation (**9b mitigated**) shows that the mini-roundabout at St Ninian's Road / High St substantially improves the travel time on route 2-SB (now running faster than the Base model). Preston Rd northbound (route 3-NB) shows a modest 27s of additional delay as a result of the extra development traffic now able to access the High St. Routes 5-WB, 6-SW and 6-NE don't respond well to the introduction of traffic signals at Blackness Rd / High St, all showing substantial additional delay. The travel time increase on route 1-SB is successfully mitigated by the optimisation of traffic signals at the Mill Rd / Main St junction.
- 5.8.12 Removing Bo'Ness traffic from the mitigated network (**8b mitigated**) results in substantial improvements to Routes 5-WB and 6-SW. The signalised junction at Blackness Rd / High St now operates better leading to lower delay (rather than over capacity as in the Do Nothing).
- 5.8.13 As in the AM period, the introduction of the WFS (**9a**) leads to improved results compared to the Do Nothing scenario. Some routes are, however, still subject to substantial increases in delay (2-SB, 5-WB, 6-SW at +60s or more over the Base result).

- 5.8.14 Removing the Bo’Ness development from the WFS scenario (**8a**) has a very positive impact on delays in the PM period. The majority of routes in this scenario are faster than the Base with only route 5-WB slower.
- 5.8.15 As in the AM period, the mitigated WFS scenarios (**9a mitigated and 8a mitigated**) show a similar pattern of results but Scenario 8a mitigated shows substantial improvements on route 6 in both directions. Scenario 8a does have a modest increase in travel time on route 3-NB on Preston Rd.

Route	Route Description	Distance (m)	Do Nothing (secs) AM		9b mitigated AM Full Dev Demand Mitigated (secs)		8b mitigated AM Dev Demand No Boness Mitigated (secs)		9a AM Full Dev Demand WFS(secs)		8a AM Dev Demand No Boness WFS (secs)		9a mitigated AM ALL DEMAND WFS Mitigated (secs)		8a mitigated AM No Boness WFS Mitigated (secs)		20.Full Dev Demand WFS Preston RT (secs)	
1-NB	Mill Road/Main	718.2	0%	0.0	-1%	-0.4	0%	-0.2	1%	0.6	1%	0.5	1%	0.4	0%	0.1	1%	0.3
1-SB	Mill Road (M9	716.52	9%	8.4	7%	6.2	8%	7.6	17%	15.7	17%	14.9	5%	4.1	4%	4.0	6%	5.3
2-NB	A706 / Kettlestoun	1897.84	7%	15.8	15%	33.7	12%	27.0	0%	-0.6	-3%	-6.0	8%	18.0	4%	9.2	2%	3.6
2-SB	St Ninian's Rd (M9	1897.79	128%	319.2	3%	6.3	-5%	-13.4	5%	13.5	-5%	-13.2	-7%	-16.6	-9%	-23.0	26%	63.6
3-NB	Preston Road ->	880.2	-1%	-1.0	109%	162.0	8%	11.4	-4%	-5.7	-4%	-6.2	33%	49.6	0%	0.7	-4%	-6.3
3-SB	Railway Bridge ->	880.2	0%	0.6	1%	1.2	0%	0.4	1%	1.6	1%	0.8	1%	0.9	0%	0.2	1%	1.0
4-NB	Manse Rd -> High	1186.54	37%	67.7	62%	113.3	60%	108.4	3%	4.6	2%	2.9	55%	100.0	33%	60.6	5%	9.9
4-SB	High Port -> Manse	1195.32	4%	6.9	11%	17.7	5%	7.7	2%	2.6	3%	5.4	10%	14.8	5%	7.5	2%	3.7
5-EB	High Port -> B9080	2313.16	-1%	-2.8	-1%	-1.5	-1%	-2.6	-1%	-2.5	-2%	-4.2	-2%	-3.7	-2%	-4.0	-2%	-3.3
5-WB	B9080 -> High Port	2311.93	17%	38.5	10%	23.0	15%	33.3	33%	75.0	26%	58.0	29%	65.8	11%	25.3	34%	75.1
6-SW	A803 / Springfield	4939.27	8%	51.0	30%	186.3	5%	29.0	0%	-0.6	-7%	-46.3	7%	46.0	-2%	-12.7	2%	12.1
6-NE	Linlithgow Bridge ->	4913.89	8%	46.9	15%	91.7	14%	88.7	3%	21.1	1%	3.8	6%	38.3	2%	15.0	5%	29.5
Total		23850.86	19%	551.0	22%	639.5	10%	297.1	4%	125.2	0%	10.5	11%	317.6	3%	82.8	7%	194.6
Average Speed (mph)			-16%		-18%		-9%		-4%		0%		-10%		-3%		-6%	

Table 10. AM Journey time summary with respect to the Base model

Route	Route Description	Distance (m)	Do Nothing (secs) PM		9b mitigated PM Full Dev Demand Mitigated(secs)		8b mitigated PM Dev Demand No Boness Mitigated (secs)		9a PM Full Dev Demand WFS (secs)		8a PM Dev Demand No Boness WFS (secs)		9a mitigated PM ALL DEMAND WFS Mitigated (secs)		8a mitigated PM No Boness WFS Mitigated (secs)	
1-NB	Mill Road/Main	718	1%	1.4	0%	0.3	0%	0.1	0%	-0.1	0%	0.2	0%	-0.1	0%	0.0
1-SB	Mill Road (M9)	717	257%	329.0	31%	40.0	19%	24.5	8%	10.8	5%	6.5	-3%	-3.6	-6%	-7.4
2-NB	A706 / Kettlestoun	1,898	5%	11.2	17%	38.6	11%	24.6	3%	7.8	2%	4.5	6%	13.9	4%	8.6
2-SB	St Ninian's Rd (M9)	1,898	57%	200.4	-26%	-91.9	-28%	-99.5	29%	100.3	-18%	-63.9	-27%	-93.7	-29%	-102.3
3-NB	Preston Road ->	880	1%	1.3	17%	27.1	3%	4.3	4%	6.4	2%	3.0	40%	61.6	67%	103.8
3-SB	Railway Bridge ->	880	6%	8.8	0%	0.7	1%	0.9	4%	5.9	4%	5.9	0%	0.1	0%	0.7
4-NB	Manse Rd -> High	1,187	11%	24.0	10%	22.3	-13%	-27.8	4%	9.0	-11%	-24.4	34%	74.6	30%	67.0
4-SB	High Port -> Manse	1,195	4%	6.3	13%	22.0	14%	23.8	2%	2.5	0%	0.4	13%	21.5	10%	16.9
5-EB	High Port -> B9080	2,313	-1%	-2.5	-5%	-10.2	-6%	-12.0	-1%	-1.6	-1%	-1.4	-3%	-6.2	-3%	-7.0
5-WB	B9080 -> High Port	2,312	36%	97.5	20%	54.1	2%	6.4	20%	53.9	14%	38.4	3%	7.0	1%	2.9
6-SW	A803 / Springfield	5,016	-16%	-135.6	19%	161.8	3%	29.9	7%	60.8	-4%	-37.2	7%	61.0	-5%	-47.1
6-NE	Linlithgow Bridge -	4,915	0%	-0.1	11%	74.2	7%	43.7	2%	14.3	-2%	-14.6	3%	20.5	-2%	-16.0
Total		23,929	15%	541.5	10%	339.1	1%	18.9	8%	269.9	-2%	-82.7	4%	156.6	1%	20.1
Average Speed (mph)			-13%		-9%		-1%		-7%		2%		-4%		-1%	

Table 11. PM Journey time summary with respect to the Base model

6. CONCLUSION

- 6.1.1 This note has provided details of the methodology used to assess various development and mitigation scenarios for Linlithgow using the Linlithgow Vissim Model (2018 base year).
- 6.1.2 Forecast matrices were developed from LDP housing and employment information for Linlithgow as well as from information for sites in Falkirk Council area (Bo’Ness). The effect of the proposed M9 J3 West Facing Slips was also modelled by amending trip origins / destinations for a catchment area towards the east of Linlithgow.
- 6.1.3 Several network mitigation measures were coded in response to issues evident in the Do Nothing scenarios. These included a mini-roundabout at St Ninian’s Rd / High St, a signalised junction at Blackness Rd / High St / High Port and signal optimisation at various other junctions.
- 6.1.4 The results of the modelling showed that the impact of development traffic on the Base network will be substantial with higher average delays on the network as a whole. Some individual routes through Linlithgow are severely affected, in particular St Ninian’s Rd southbound and all routes using the Blackness Rd / High St / High Port junction.
- 6.1.5 The proposed network mitigation on its own doesn’t allow the level of delay in the network to return to the same level as in the Base. The network mitigation does however allow the long queues on St Ninian’s Rd southbound to dramatically improve. However, this tends to have a knock-on impact to delays on High St and Preston Rd. The roundabout at the junction of High St / Mains Rd becomes a pinch-point (especially as capacity is further constrained by the signalised pedestrian crossing to the east). Further improving the capacity of this area may prove difficult given the competing traffic flows in peak hour traffic and the offset nature of the junctions.
- 6.1.6 The proposed WFS has the effect of removing a substantial amount of traffic from High St, therefore the scenarios including WFS show improvements in network performance over the Do Nothing scenario. These improvements are further enhanced when Bo’Ness development traffic is also removed from the network.

Appendix 1

New Development zones using the west facing slips M9J3 (AM peak)

Vissim Zones	Description	To WFS		From WFS	
		AM Light Vehicles	AM Heavy Vehicles	AM Light Vehicles	AM Heavy Vehicles
47	Boghall East	3	0	1	0
50	Claredon House 30 Manse Road	0	0	0	0
51	Wilcoxholm Farm / Pilgrims Hill	12	0	3	0
55	Land at Burghmuir, North of Blackness Road	2	0	3	0
	Total	17	0	7	0

New Development zones using the west facing slips M9J3 (PM peak)

Vissim Zones	Description	To WFS		From WFS	
		PM Light Vehicles	PM Heavy Vehicles	PM Light Vehicles	PM Heavy Vehicles
47	Boghall East	2	0	4	0
50	Claredon House 30 Manse Road	0	0	0	0
51	Wilcoxholm Farm / Pilgrims Hill	8	0	14	0
55	Land at Burghmuir, North of Blackness Road	10	0	2	0
	Total	20	0	20	0

Development Vissim zones above will be directly impacted by the introduction of the WFS. The trips that these zones were previously generating towards A803 west (Vissim zone 1) are now using the WFS zone instead (Vissim zones 56 out of the Network, and 57 into the Network). The total number of development trips relocated are 24 in the AM peak and 40 in the PM peak.

Existing Zones using the new west facing slips M9J3 (AM)

Vissim Zones	Description	To WFS		From WFS	
		AM Light Vehicles	AM Heavy Vehicles	AM Light Vehicles	AM Heavy Vehicles
3	A803 to/from Bo'ness	4	0	13	0
4	East Facing on-Slip road	0	0	8	0
5	East Facing off-Slip road	2	1	0	0
6	Kingsfield Golf & Leisure	3	0	0	0
7	Springfield Road	8	0	3	0
8	Oracle Campus	3	0	10	0
9	Grange View	3	0	3	0
10	Oracle Campus	6	0	10	0
11	Springfield Road	11	0	3	0
12	Barons Hill Avenue	10	0	3	0
13	Regent Centre	10	0	11	0
14	B9080	17	4	10	3
15	Clarendon Road	6	0	2	0
22	Linlithgow Station Parking East	4	0	2	0
37	Edinburgh Road	6	0	0	0
40	Linlithgow Station Parking West	2	0	2	0
	Total	95	5	80	3

Existing Zones using the new west facing slips M9J3 (PM)

Vissim Zones	Description	To WFS		From WFS	
		PM Light Vehicles	PM Heavy Vehicles	PM Light Vehicles	PM Heavy Vehicles
3	A803 to/from Bo'ness	8	0	23	0
4	East Facing on-Slip road	0	0	7	0
5	East Facing off-Slip road	8	1	0	0
6	Kingsfield Golf & Leisure	4	0	0	0
7	Springfield Road	6	0	5	0
8	Oracle Campus	2	0	15	0
9	Grange View	2	0	5	0
10	Oracle Campus	4	0	15	0
11	Springfield Road	8	0	5	0
12	Barons Hill Avenue	6	0	4	0
13	Regent Centre	7	0	11	0
14	B9080	10	3	19	0
15	Clarendon Road	3	0	1	0
22	Linlithgow Station Parking East	4	0	5	0
37	Edinburgh Road	16	0	0	0
40	Linlithgow Station Parking West	4	0	5	0
	Total	92	4	120	0

The existing trips above that were previously using the main street towards A803 west (Vissim zone 1) are now using the WFS instead (Vissim zones 56 out of the Network, and 57 into the Network), this includes trips to / from Bo'ness.

The methodology employed did not result in the generation of trips between the new Bo'ness housing allocation sites and the WFS. This is because no new trips for the housing sites were generated to / from Zone 1. Therefore no new trips were reallocated to the WFS.



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DEVELOPMENT & TRANSPORT POLICY DEVELOPMENT & SCRUTINY PANEL

TRANSIENT VISITOR LEVY - PROPOSED CONSULTATION RESPONSE

REPORT BY HEAD OF PLANNING ECONOMIC DEVELOPMENT & REGNERATION

A. PURPOSE OF REPORT

The purpose of this report is to advise the Panel of the Scottish Government's Consultation on the Principles of a Local Discretionary Transient Visitor Levy (TVL) or Tourist Tax.

B. RECOMMENDATION

It is recommended that the panel notes and considers the following recommendations which are intended to be submitted to the Council Executive for approval:

1. Notes the terms of the consultation; and
2. Agrees this report as the council's response to the consultation

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs Being honest, open and accountable Making best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: As part of the 2019-20 Draft Budget, the Scottish Government committed to consult on the principles of TVL. Legal: May have implications going forward
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	Linked to council's own SOA
VI	Resources - (Financial, Staffing and Property)	There could be significant financial implications in terms of TVL liability, billing and collection.

VII	Consideration at PDSP	This is the first consideration by PDSP.
VIII	Other consultations	Finance. Visit West Lothian has been encouraged to respond.

D. TERMS OF REPORT

D.1 Background

The Scottish Government published its Consultation on the Principles of a Local Discretionary Transient Visitor Levy or Tourist Tax on 9 September 2019. The consultation seeks answers to a set of 14 questions by the closing date of 2 December 2019.

The consultation comprises six chapters plus appendices:

Chapter 1 Introduction & background
Chapter 2 The policy context
Chapter 3 The balance between local autonomy and national consistency
Chapter 4 What activity should a visitor levy apply to?
Chapter 5 Local decision making
Chapter 6 Further considerations

A short overview of each chapter is given below.

D.2 Chapter 1 Introduction & Background

Kate Forbes MSP, Minister for Public Finance and Digital Economy highlights the importance of tourism to the Scottish economy noting that over 200,000 people are employed in the sector, and affirming the Scottish Governments commitment to maintaining and enhancing the tourism sector's economic, social and environmental contributions

The chapter states that in 2018, there were over 15.3 million overnight visits to Scotland consisting of 11.8 million domestic visitors (from within UK) and over 3.5 million overseas visitors as well as just under 138 million day visits.

The chapter notes the pressures that these visitor numbers have created in some areas of Scotland, the calls from COSLA for the powers to create a local tourist tax and the significant opposition from representatives of the tourism sector.

In West Lothian there were 344,680 overnight visitors, with 142,500 staying in fee paying accommodation and 202,200 staying with friends or relatives. (Source; 2017 STEAM report). This represents an opportunity to examine the proposed Visitor Levy from a West Lothian context.

D.3 Chapter 2 The Policy Context

The chapter develops the three key elements of policy context that drive the Government's thinking around the development of a visitor levy. These are:

- Support the sustainable growth of the tourism sector across Scotland, particularly in cities and regions which have experienced high visitor numbers in recent years.
- Strengthen local democracy through increased local decision making and more empowered communities.
- Create a new local tax power which is consistent with the Government's overall approach to taxation.

The implementation of a Visitor Levy in West Lothian has the potential to raise approximately £250,000 per annum (Source; 2017 STEAM report overnight visitor numbers, £2 per room per night) that could be invested to support and attract tourism. Consideration would need to be given to how the levy is calculated, collected and invested.

D.4 Chapter 3 The Balance between Local Autonomy and National

This chapter recognises that tourism benefits and challenges vary across the country, due to factors such as population, demography and rurality. It therefore suggests that the appropriate body to levy a tourist tax would be local authorities.

It is stressed that local authorities would be under no obligation to implement a visitor levy and that the initial position of the Scottish Government would be that there are some overarching design principles set out in national legislation which must be followed by all local authorities that opt to introduce a visitor levy.

West Lothian is well placed geographically to benefit from Edinburgh as a tourist destination. 'Over tourism' in the capital has led to visitors looking for accommodation further out from the city itself and West Lothian has excellent transport links to/from Edinburgh.

D.5 Chapter 4 What Activity Should A Visitor Levy Apply To?

This chapter notes that overnight stays in commercially let accommodation would be liable for the levy in the Bill. It is noted that whilst the Scottish Government is not currently minded to expand the visitor levy beyond overnight stays, it does express a wish to explore both the desirability and feasibility of applying a visitor levy other than in relation to overnight stays before making a final decision. Other visitor activities that are suggested are day visitors to a local authority area; cruise ship visitors who disembark for a day; and wild or rough camping, including motorhomes or caravans parked and occupied overnight in places that are not formal campsites or parking places.

The chapter notes that there are a number of different ways that a tourism tax could be applied; these include a flat rate per person per night; a flat rate per room per night; a percentage of accommodation charge; and a flat rate per night dependent on the quality of accommodation.

The Consultation makes no decision on the application of the tax and invites views from all perspectives, on each basis of charging described above. Views are also sought on whether the basis of the charge should be determined nationally, or for a local authority to decide.

The implications of VAT on the tourism tax are highlighted, noting that all but one of the EU member states that operate a tourist tax applied lower rates of VAT on accommodation compared to the UK. The consultation states that it is likely that VAT would be payable on the base price plus levy amount.

The Consultation does make it clear that there are groups that the Scottish Government considers it would be unacceptable for a local authority to impose a visitor levy on under any circumstances. These include the following: Homeless people, Asylum seekers/refugees, Victims of domestic abuse and people who have been rehoused temporarily as a result of fire/flood etc.

A range of other groups that have been suggested for exemption are: Disabled people and registered blind/deaf and their carers, Those travelling outwith their local authority area for medical care, and their carers or next of kin, Children and young people under a certain age, Students, Long stay guests (e.g. people staying for more than 14 days), Business travellers, Local residents (paying for overnight accommodation within the area in which they reside permanently).

West Lothian attracts 800,000 day visitors per annum (Source; 2017 STEAM report) and consideration should be given to whether this group should be included in a version of a Visitor Levy.

D.6 Chapter 5 Local Decision Making

The chapter asks what requirements a local authority should have in place before it can decide to implement a visitor levy. These measures could include; Produce an initial statement of intention to consider introducing a visitor levy, A timeframe for introduction of at least one financial year following conclusion of consultation and engagement activities,

Have held a consultation in their local area to gather views from all those who will be affected by the visitor levy, Have conducted required impact assessments, Have assessed the administrative burden on businesses and taken steps to minimise this, If the legislation allows the rate to be set locally the local authority has demonstrated why the chosen rate of the visitor levy is optimal for that area, Have appropriate mechanisms in place to allow visitor levies collected to be remitted to the local authority, Have made information about the visitor levy and how to pay it available and in the public domain, for both business and visitors, The approach to collaborative decision making on revenue spending is set out in the public domain, Establish an approach to monitoring and publically reporting revenues raised and their expenditure on an annual basis, The approach to monitoring and reporting on the impact of the visitor levy on an annual basis, is clearly set out in the public domain,

Establish an approach to evaluating and publically reporting the impact of the visitor levy, within a reasonable period after introduction.

The Consultation raises the question of what extreme circumstances would be appropriate for the Scottish Government to prevent a local authority from applying a visitor levy, whilst acknowledging the commitment to enhance local decision making.

It is proposed that any receipts raised must fund local authority expenditure and should be spent on tourism related activities including responding to tourism pressures, in the local authority area and not be subject to any pooling or redistribution.

The Consultation states that the Scottish Government is of the view that, where local tourism strategies exist, local authorities should allocate revenues from visitor levies towards delivering the priorities articulated within these strategies.

There are 60 providers of commercial short term let accommodation in West Lothian and 2,672 beds available. (Source; 2017 STEAM report). As the industry body, Visit West Lothian (VWL) is well placed to consult with the sector on the Visitor Levy.

Visit West Lothian is due to launch its new Action Strategy for 2021 – 2025 in Summer 2020, therefore the timing of the Visitor Levy consultation in West Lothian would work well.

D.7 Chapter 6 Further Considerations

The concluding chapter questions whether the term 'visitor levy' is appropriate for the new powers in the consultation documents, if it avoids negative or incorrect inference.

The importance of the visitor being aware of the levy, how and when they will pay it is highlighted.

It is noted that the power to implement the levy would not be available to local authorities until Summer 2021 at the earliest and the prospective transitional measures that would need to be put in place for bookings paid for in advance would need to be discussed.

The impact assessments that are required are:

- Business and Regulatory Impact Assessment (BRIA)
- Equality Impact Assessment (EQIA)
- Data Protection Impact Assessment (DPIA)

A partial BRIA already completed indicates that the main groups that will be affected by a visitor levy are: Visitors (both domestic and international), Tourism accommodation providers and their employees, Other tourism businesses and wider economy, Local residents and general public, Local Authorities.

The key types of impact on these groups which have been identified include: Visitor behaviour (spend less, stay less time, go elsewhere), Business behaviour (reaction to levy and reaction to change in visitor behaviour), Reduced visitor spend and knock on economic impacts more widely, Improved environment for local community, Improved perceptions of tourism held by public, Increase in revenue available for investment by local authorities, reputation of Scotland as a welcoming place

From a West Lothian perspective, consideration should be given to both the positive and negative impacts of a Visitor Levy.

- Without financial support, Visit West Lothian will not be able to continue its work in promoting West Lothian as a tourism destination.
- Visitor Levy is generally considered in areas of 'over-tourism', it would be difficult to argue that this applies in West Lothian.
- The price an accommodation provider charges is subject to market rate. In order to remain competitive a business cannot increase above this rate and still offer the same product without losing custom. It is therefore likely that the business would choose to absorb the TVL cost as opposed to passing it on the consumer.
- There are no major issues around visitor infrastructure that currently need addressed.
- Should the Visitor Levy be applied in other local authority areas, would West Lothian fall behind in terms of support for the sector.

E. CONCLUSION

The Consultation on the Principles of a Local Discretionary Transient Visitor Levy or Tourist Tax details the consideration required ahead of the decision whether to implement a Visitor Levy in West Lothian.

F. BACKGROUND REFERENCES

<https://www.gov.scot/publications/consultation-principles-local-discretionary-transient-visitor-levy-tourist-tax/pages/5/>

2017 STEAM Report – available via Committee Services

Appendices/Attachments:

Appendix 1 Consultation Response

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Craig McCorriston,

Head of Planning, Economic Development and Regeneration.

5 November 2019

Appendix 1: TRANSIENT VISITOR LEVY - PROPOSED CONSULTATION REPONSE

Q1. Do you think that the design of a visitor levy should be set out:

a) wholly in a national framework

b) mostly at a national level with some local discretion

c) mostly at local level with some overarching national principles.

Please provide a reason (or reasons) for your answer:

Scottish Government is committed to legislating to provide local authorities with the power to apply a discretionary visitor levy.

Q2: Is an overnight stay in commercially let accommodation an appropriate basis for applying a levy on visitors?

Yes

No

Don't know

Please provide a reason (or reasons) for your answer:

This is consistent with similar schemes in other countries.

Q3: Which of the following activities do you think a visitor levy could be robustly applied to and enforced, and how?

Tick all boxes that apply and provide reasons where possible

Day visitors not staying overnight

Please explain how a visitor levy could be applied and enforced on day visitors:

Cruise ship passengers who disembark for a day before re-joining the vessel

Please explain how a visitor levy could be applied and enforced on cruise ship passengers:

Wild or rough camping, including in motorhomes and camper vans

Please explain how a visitor levy could be applied and enforced on rough camping, including motorhomes and camper vans:

None of the above

Q4: The consultation paper sets out four options for the basis of the charge (section 5.1).

Please tick which one you think would work best in Scotland? (Tick one box below)

Flat rate per person per night

Flat rate per room per night

A percentage of total accommodation charge

Flat rate per night dependent on the quality of accommodation

This is consistent with similar schemes in other countries.

Q5: In addition, for each option in Q4 what are: the considerations for accommodation users, accommodation providers and local authorities.

Flat rate per person per night

Implications for accommodation users: transparent scheme

Implications for accommodation providers: potential administration burden

Implications for local authorities: additional income to support local tourism but additional billing, collection and enforcement challenges

Flat rate per room

Implications for accommodation users:

Implications for accommodation providers:

Implications for local authorities:

A percentage of total accommodation charge

Implications for accommodation users:

Implications for accommodation providers:

Implications for local authorities:

Flat rate per night dependent on the quality of accommodation

Implications for accommodation users:

Implications for accommodation providers:

Implications for local authorities:

Q6: Do you think that the basis of the charge should be set out in a national framework, or be for a local authority to decide?

Set out in a national framework

Decided by local authorities

Don't know

Consistent across Scotland, easy for visitors to understand.

Q7: Do you think that the rate of the visitor levy should be set out in a national framework or should it be for the local authority to decide?

Tick one box:

Set out at national level

Decided by local authorities

Don't know

Consistent across Scotland, easy for visitors to understand.

Q8: What factors should be considered to ensure the rate of the visitor levy is appropriate?

Consider what is charged in other countries e.g. France, Spain.

Levy should not be a disincentive to tourism

Q9: If the rate of the visitor levy were to be set by individual local authorities, should an upper limit or cap be set at a national level?

Tick one box

Set out at a national level

Decided by local authorities

Don't know

Consistent with local democracy.

The Scottish Government is of the opinion that there are some groups that it would be unacceptable to impose a visitor levy on under any circumstances. These include:

- Homeless people
- Asylum seekers/refugees
- Travelling communities (such as Gypsy travellers and other traveller communities)
- Victims of domestic abuse placed temporarily in refuges or short term accommodation because their normal home is unsafe for them to stay in
- Those placed temporarily in refuges or short term accommodation because their normal home is unsafe for them to stay in.

Beyond these groups, other groups could be included for exemption either at the national or local level.

Q10: Do you think that all exemptions should be the same across Scotland and therefore set out in the national legislation, or should local authorities have scope to select some exemptions?

Tick one box below:

All exemptions should be the same across Scotland and local authorities should not have any discretion.

Some exemptions should be set at national level, and some should be at the local authority's discretion

Q11: Which additional exemptions from the list below do you think should be applied to a visitor levy?

Tick all that apply

Disabled people and registered blind/deaf and their carers

Those travelling out with their local authority area for medical care, and their carers or next of kin

Children and young people under a certain age

Students

Long stay guests (e.g. people staying for more than 14 days)

Business travellers

Local resident (paying for overnight accommodation within the local authority in which they reside permanently)

Q12: Are there any other exemptions that you think should apply?

No, not at this stage

Q13: What is your view of the proposal that accommodation providers should be ultimately responsible for the collection and remittance to the appropriate local authority, even if the tax is collected by a third party booking agent or platform

Tick one

Agree

Disagree

Consistent with broad principles of tax collection.

Q14: If accommodation providers were required to remit visitor levies after the overnight stays to which they relate (even if the payment was made well in advance) how frequently should the levies collected be required to be remitted to the levying local authority?

Tick one box

Ongoing basis (e.g. each night)

Monthly

Quarterly

Annually

A quarterly collection basis would put less of a burden on providers.

It will be necessary for accommodation providers to collect information from visitors to apply the visitor levy correctly and retain records to demonstrate compliance. This information may vary depending on the basis of the charge. It will be essential that local authorities and accommodation providers comply with General Data Protection Regulation (GDPR) in handling personal data.

Q15: What information should an accommodation provider be required to collect and retain to ensure compliance?

Please list below and explain why you think that information is needed for the four different scenarios below:

If the basis of the charge is on a:

- a) flat rate per person per night**
- b) flat rate per room per night**
- c) percentage of total accommodation charge**
- d) flat rate per night dependent on the quality of accommodation**

This will require careful consideration and guidance to ensure compliance with GDPR.

Q16: How can a local authority choosing to apply a visitor levy ensure it has a comprehensive list of all those providing overnight accommodation on a commercial basis in their local authority area?

A number of sources including but not limited to Non-domestic rates (NDR) records; local knowledge; planning and licensing records.

Q17: What enforcement powers should a local authority have to ensure compliance and prevent avoidance and evasion by accommodation providers?

Similar to Non-domestic rates powers.

Q18: Should non-compliance by an accommodation provider be subject to a civil penalty (i.e a fine) and if so, what would be the appropriate level be?

Tick one:

Yes

No

Don't Know

Please state level of civil penalty (fine) (in £ pounds sterling) that you think is appropriate? Requires guidance from Legal colleagues.

Q19: A list of requirements that local authorities could be expected to meet before being able to introduce a visitor levy is summarised below.

Do you agree or disagree with these options. (please tick the appropriate box)

If you have any other suggestion for requirements then please add these in the box below together with your reasons

	Agree	Disagree
Produce an initial statement of intention to consider introducing a visitor levy	√	
A timeframe for introduction of at least one financial year following conclusion of consultation and engagement activities	√	
Have held a consultation in their local area to gather views from all those who will be affected by the visitor levy	√	
Have conducted required impact assessments	√	
Have assessed the administrative burden on businesses and taken steps to minimise this	√	
If the legislation allows the rate to be set locally the local authority has demonstrated why the chosen rate of the visitor levy is optimal for that area	√	
Have appropriate mechanisms in place to allow visitor levies collected to be remitted to the local authority	√	
Have made information about the visitor levy and how to pay it available and in the public domain, for both business and visitors	√	
The approach to collaborative decision making on revenue spending is set out in the public domain	√	

Establish an approach to monitoring and publically reporting revenues raised and their expenditure on an annual basis	√	
The approach to monitoring and reporting on the impact of the visitor levy on an annual basis, is clearly set out in the public domain	√	
Establish an approach to evaluating and publically reporting, the impact of the visitor levy, within a reasonable period after introduction	√	
<p>Please add any other comments on the requirements listed above</p> <p>Please list any other requirements you think might be necessary, together with reasons below:</p>		

Q20: Should Scottish Government be able to prevent a local authority from applying a visitor levy?

Yes

No

Don't Know

Q21: Under what circumstances should Scottish Government be able to do this?

Nil response

Q22: What requirements might be placed on local authorities to engage with local stakeholders to determine how revenues are spent?

West Lothian Council would do this without being required to do so.

Q23: How might this engagement be best achieved?

A partnership approach consistent with existing good practice.

Q24: Should revenues from a visitor levy be allocated to priorities articulated through local tourism strategies, where they exist?

Yes

No

Don't Know

Q25: What reporting arrangements might be required of local authorities to account for the expenditure of receipts from a visitor levy?

Similar arrangements to those that already exist. It could be included in annual accounts.

Q26: If a local authority was to impose a visitor levy on a specific area within the authority, should any revenue raised have to be spent only in that area?

Yes

No

Don't Know

West Lothian would not impose a visitor levy in a specific area

Q27: Is the name 'visitor levy' appropriate for the new powers proposed in the consultation document?

Yes

No

Don't Know

Tourist tax is more transparent.

Q28: If not, what do you consider to be a better alternative and why?

Please provide a reason (or reasons) for your answer:

As Q27 above

Under existing law accommodation providers already must clearly display the price of their accommodation and any VAT which applies to their prices.

Q29: What requirements should apply to ensure accommodation prices transparently display a visitor levy?

We can learn from existing practice in other countries.

Q30: What, if any, transition arrangements should apply when accommodation is reserved and paid for in advance of a local authority choosing to impose, or subsequently vary, a visitor levy for the period the accommodation is let?

This will need more consideration and guidance from legal and financial colleagues.

Q31. Should these transition arrangements be set out in a national framework or be decided by local authorities?

Tick one box:

Set out in a national framework

Decided by local authorities

Don't know

Our partial BRIA indicates that the main groups that will be affected by a visitor levy are:

- Visitors (both domestic and international)
- Tourism accommodation providers and their employees
- Other tourism businesses and wider economy
- Local residents and general public
- Local Authorities

Q32: In addition to what is set out in our draft BRIA are you aware of any additional impacts the visitor levy will have for any of these groups?

Not at this time

Q33: Are there any other groups not listed here that should be given attention in the impact assessments?

Not at this time



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL

PETITION - LOCAL BUS PROVISION BROXBURN TOWN CENTRE

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to consider a petition submitted by residents of Broxburn regarding Public Transport within the Broxburn and Uphall areas and to provide a recommendation to Council Executive.

B. RECOMMENDATION

It is recommended that the Scrutiny Panel;

1. Note the submission of the petition;
2. Note that the public transport budget is fully committed within the current financial year;
3. Note the availability of commercial bus services along Uphall and Broxburn mainstreet.
4. Note and consider the following recommendation which is intended to be submitted to the Council Executive for approval:

It is recommended that the Council Executive instruct officers to respond to the petition stating that the request of the petition cannot be met.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The council has a policy of supporting public transport services where resources permit. The Transport (Scotland) Act 1985 states that it is the duty of the council, in exercising their power, to conduct themselves as not to inhibit competition in the commercial market.</p> <p>The council's procedures on dealing with petitions require that petitions are considered by Council Executive.</p>
III	Implications for Scheme of Delegations to Officers	None

IV	Impact on performance and performance Indicators	The council has a target PI for Public Transport of having 90% of residents with access to an hourly or better daytime service Monday to Saturday. It is possible that changes in the commercial and subsidised network could impact this PI.
V	Relevance to Single Outcome Agreement	The local bus network contributes to a number of outcomes by connecting communities with services and employment.
VI	Resources - (Financial, Staffing and Property)	The Public Transport budget approved by Council Executive in February 2019 was £9.985 million. Council Executive agreed on 25 June that an additional one-off resource of £473,000 would be allocated to assist with the mitigation of the pressures within mainstream school transport and local bus services time-limited funding.
VII	Consideration at PDSP	
VIII	Other consultations	Financial Management Unit

D. TERMS OF REPORT

D.1 Background

A petition signed by over 1000 residents of Broxburn and Uphall has been received by the Council. The petition is requesting the reinstatement of the Town Centre bus service LBS 2.

West Lothian Council's Public Transport Strategy was approved by Council Executive in June 2015 and outlines the council's commitment to maintaining a public transport network to meet the majority of transport needs for local people, while creating the savings which are necessary to ensure that the service is sustainable and affordable for the future. A key feature of the Public Transport Strategy is to remove duplication of bus services and make best use of resources. The council does not necessarily seek to use its financial support to provide service users with a choice of travel destinations or service type; preferring instead to seek to provide accessibility for as many people as possible to locations at which social needs can reasonably be met.

The council also has a performance indicator aiming for at least 90% of residents to have access to an hourly or better bus service within 800 meters of their home address. The council is current exceeding this target at 91.6%.

D.2 Local Bus Service (LBS) 2

West Lothian Council historically subsidised the Broxburn Town Service until 2016 when E&M Horsburgh informed the council of their intent to run the service commercially. As local authorities are not permitted to compete with the commercial market the council withdrew subsidy and it was reinvested into the remainder of the subsidised network.

E&M Horsburgh operated the service until 2017 however withdrew because it was felt the service was not commercially viable. In November 2017 Blue Bus Ltd started commercial operation of the route however the passenger numbers did not improve and subsequently on the 4 January 2019 Blue Bus informed the council of the intent to terminate the LBS 2 Broxburn Town Centre Service. Following a consultation period Blue Bus submitted the cancellation registration to the Office of the Traffic Commissioner and the service terminated on 15 March 2019.

D.3 Local Bus Provision Broxburn and Uphall

The Uphall and Broxburn main street corridors are well served by a number of commercial services with buses available less than every ten minutes throughout the main hours of the day.

The following local bus services can be accessed by utilising stops on the main road:

Stop	Services Available
East Main Street, Uphall	7, 6, 20, 24, 25, 275, 600, X17, X18, X23
West Main Street, Broxburn	7, 6, 20, 24, 25, 275, 600, X17, X18, X23

The removal of the commercial LBS 2 Town Centre route does mean that the outlying housing schemes are no longer served and passengers would be required to walk to the main street to access services for onward travel.

D.4 Your Bus Matters Event

The Passenger Transport Unit held a Your Bus Matters event on 10 June 2019 in liaison with Bus Users Scotland in both Uphall and Broxburn. The purpose of the event was to seek the views of passengers on the previous LBS 2 bus service and any potential changes which may impact passenger numbers. The results of the event were shared with all local bus operators to inform any future planning and to explore any commercial interest. Unfortunately there has been no uptake from commercial operators on the LBS 2 routing and timetable.

D.5 Additional West Lothian Transport Schemes

Residents that feel they are unable to walk or use the travel options available may be entitled to use alternative concessionary travel schemes provided by West Lothian Council. The Dial-a-Ride and Dial-a-Bus services provide a door through door service for customers unable to use ordinary bus services and/or feel they suffer from a degree of social exclusion due to geographical remoteness. Applications for this service are made directly to HcL Transport with further information detailed on the HCL website (www.hcltransport.org.uk).

D.6 Public Transport Financial Pressures

The Public Transport budget approved by Council Executive in February 2019 was £9.985 million. The revenue outturn report was considered by Council Executive on 25 June and it was agreed that an additional one-off resource of £473,000 would be allocated to assist with the mitigation of the pressures within mainstream school transport and local bus services time-limited funding.

It was previously reported that, based on the 2018/19 outturn, Public Transport had budget pressures of £1.443 million. Officers have undertaken work to reduce the recurring overspend however underlying pressures still remain across public transport as a whole.

E. CONCLUSION

A petition has been received from Broxburn and Uphall residents requesting the reinstatement of the LBS 2 town centre service. The LBS 2 service was operated on a commercial basis and therefore the council had no authority over its withdrawal. The council is currently meeting the requirements of the Public Transport Strategy and performance indicators for public transport provision. There is no available financial resource within the public transport budget to provide additional services over and above those already in place.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

None

Contact Person: Nicola Gill, Interim Public Transport Manager, Tel: 01506 282317, Email: nicola.gill@westlothian.gov.uk

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

Date of meeting: 5 November 2019



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL

PETITION - LOCAL BUS PROVISION LADYWELL WEST

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to consider a petition submitted by residents of Ladywell regarding Public Transport within the Ladywell West area and to provide a recommendation to Council Executive.

B. RECOMMENDATION

It is recommended that the Scrutiny Panel;

1. Note the submission of the petition;
2. Note that the public transport budget is fully committed within the current financial year;
3. Note that the existing local bus provision available to the Ladywell west area is in line with current council strategy and performance indicators;
4. Note and consider the following recommendation which is intended to be submitted to the Council Executive for approval:

It is recommended that the Council Executive instruct officers to respond to the petition stating that the request of the petition cannot be met.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The council has a policy of supporting public transport services where resources permit. The Transport (Scotland) Act 1985 states that it is the duty of the council, in exercising their power, to conduct themselves as not to inhibit competition in the commercial market.</p> <p>The council's procedures on dealing with petitions require that petitions are considered by Council Executive.</p>
III	Implications for Scheme of Delegations to Officers	None

IV	Impact on performance and performance Indicators	The council has a target PI for Public Transport of having 90% of residents with access to an hourly or better daytime service Monday to Saturday. It is possible that changes in the commercial and subsidised network could impact this PI.
V	Relevance to Single Outcome Agreement	The local bus network contributes to a number of outcomes by connecting communities with services and employment.
VI	Resources - (Financial, Staffing and Property)	The Public Transport budget approved by Council Executive in February 2019 was £9.985 million. Council Executive agreed on 25 June that an additional one-off resource of £473,000 would be allocated to assist with the mitigation of the pressures within mainstream school transport and local bus services time-limited funding.
VII	Consideration at PDSP	
VIII	Other consultations	Financial Management Unit

D. TERMS OF REPORT

D.1 Background

A petition signed by 330 residents of Ladywell has been received by the Council. The petition is requesting the reinstatement of the 31 local bus service within the area of Ladywell West to provide “an essential link for Ladywell West residents to our local pharmacy, shops and medical services”.

West Lothian Council's Public Transport Strategy was approved by Council Executive in June 2015 and outlines the council's commitment to maintaining a public transport network to meet the majority of transport needs for local people, while creating the savings which are necessary to ensure that the service is sustainable and affordable for the future. A key feature of the Public Transport Strategy is to remove duplication of bus services and make best use of resources. The council does not necessarily seek to use its financial support to provide service users with a choice of travel destinations or service type; preferring instead to seek to provide accessibility for as many people as possible to locations at which social needs can reasonably be met.

The council also has a performance indicator aiming for at least 90% of residents to have access to an hourly or better bus service within 800 meters of their home address. The council is current exceeding this target at 91.6%.

D.2 Local Bus Service (LBS) 31

In April 2016, the council redesigned and retendered subsidised local bus contracts based on the outcomes of the public transport strategy. In September 2016, the council identified one off time limited funding to extend the newly designed 31 service to include stops in Ladywell West and Dechmont. At its meeting of 25 June 2019, Council Executive extended the funding to 28 September 2019 and agreed that after this date the timetable would revert back to the originally contracted specification and Ladywell West and Dechmont would subsequently be removed.

D.3 Local Bus Provision Ladywell West

As the 31 bus service was the single service serving Ladywell West, the removal of the service from the area has resulted in the 4 stops along Ladywell West Road no longer being served by a local bus service. However, in line with the council's performance indicator all residents within Ladywell West have access to alternative services within 800 meters of their home address. Appendix 1 provides a map of Ladywell West Road and the alternative bus stops available on both Ladywell East Road and Alderstone Road. The following local bus services can be accessed by utilising these stops:

Stop	Services Available
Ladywell East Road	25,27,280 and X23
Alderstone Road	26, 27, 275, 281, X27 and X28

These services provide a direct link to the majority of areas available on the previous 31 service including St John's Hospital and Livingston Centre. Passengers wishing to travel to Linlithgow can board the 31 at Livingston Centre for onward travel.

Officers within Public Transport have liaised with commercial operators to ascertain if a commercial service could be amended to serve Ladywell West Road however operators confirmed that there is no scope at this time within the current commercial network to make a change of this nature. The local bus provision available to residents of Ladywell West is in line with the Public Transport Strategy and performance indicators

D.4 Additional West Lothian Transport Schemes

Residents that feel they are unable to walk or use the travel options available may be entitled to use alternative concessionary travel schemes provided by West Lothian Council. The Dial-a-Ride and Dial-a-Bus services provide a door through door service for customers unable to use ordinary bus services and/or feel they suffer from a degree of social exclusion due to geographical remoteness. Applications for this service are made directly to HcL Transport with further information detailed on the HCL website (www.hcltransport.org.uk).

D.5 Public Transport Financial Pressures

The Public Transport budget approved by Council Executive in February 2019 was £9.985 million. The revenue outturn report was considered by Council Executive on 25 June and it was agreed that an additional one-off resource of £473,000 would be allocated to assist with the mitigation of the pressures within mainstream school transport and local bus services time-limited funding.

It was previously reported that, based on the 2018/19 outturn, Public Transport had budget pressures of £1.443 million. Officers have undertaken work to reduce the recurring overspend however underlying pressures still remain across public transport as a whole.

E. CONCLUSION

A petition has been received from Ladywell West residents requesting the reinstatement of the 31 service within Ladywell West Road. The local bus provision available to residents of Ladywell West is in line with the Public Transport Strategy and performance indicators. Furthermore, there is no available financial resource within the public transport budget to provide additional services over and above those already in place.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

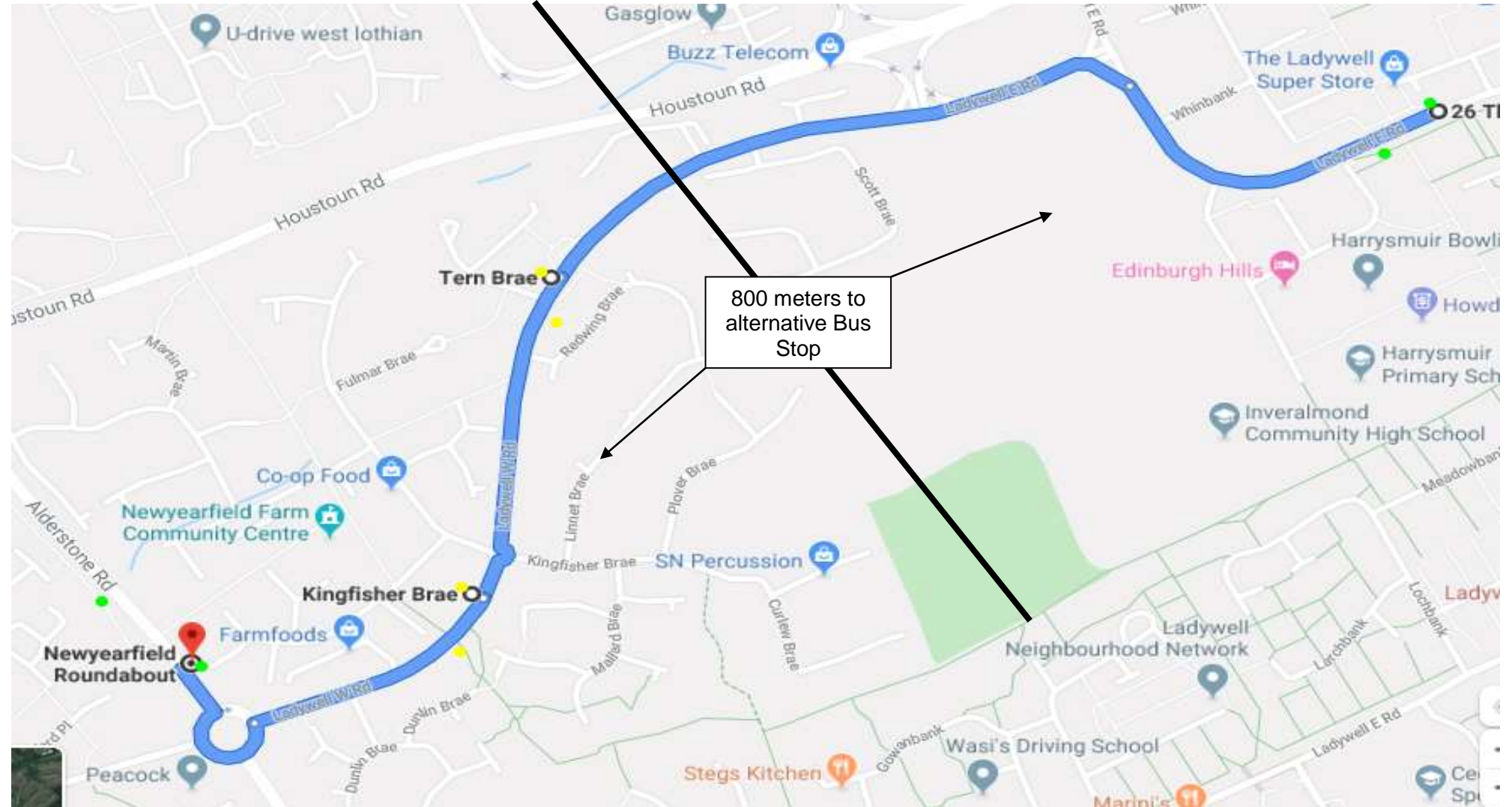
Appendix 1 – Ladywell West Road Alternative Bus Stops

Contact Person: Nicola Gill, Interim Public Transport Manager, Tel: 01506 282317, Email: nicola.gill@westlothian.gov.uk

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

Date of meeting: 5 November 2019

Appendix 1 – Ladywell West Road Alternative Bus Stops



Key

- Current Bus Stops on Ladywell West Road
- Alternative Bus Stops within 800 meters
- Cut off for direction of alternative bus stop



DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL

PETITION - WESTER INCH SCHOOL BUS TO BATHGATE ACADEMY

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

Then purpose of the report is to consider a petition submitted by residents of Wester Inch requesting the introduction of a school bus between Wester Inch and Bathgate Academy and to provide a recommendation to Council Executive.

B. RECOMMENDATION

It is recommended that the Scrutiny Panel;

1. Note the submission of the petition;
2. Note that the Mainstream school budget is fully committed within the current financial year;
3. Note that the existing school transport provision within the Wester Inch area is in line with the Transport to and from Schools Mainstream Policy;
4. Note and consider the following recommendation which is intended to be submitted to the Council Executive for approval:

It is recommended that the Council Executive instruct officers to respond to the petition stating that the request of the petition cannot be met.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of transport to and from school.</p> <p>The council's procedures on dealing with petitions require that petitions are considered by Council Executive.</p>
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance	None

Indicators

V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	The current approved budget for Mainstream school transport is £3.6 million. The cost of providing extra transport is between £28,500 and £38,000. There is no availability within the mainstream school budget to meet the requests of the petition.
VII	Consideration at PDSP	
VIII	Other consultations	Financial Management Unit

D. TERMS OF REPORT

D.1 Background

A petition signed by 164 residents of Wester Inch has been received by the Council. The petition is requesting the introduction of a school bus to provide transport for pupils in the Wester Inch area to and from Bathgate Academy.

Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of transport to and from school. Section 42 (4) of the Education (Scotland) Act 1980 sets a statutory walking distance of 2 miles for any pupil under the age of 8, and three miles for any other pupil.

D.2 West Lothian Council Policy

West Lothian Council has a more generous policy which provides free home to school transport for pupils attending their designated catchment school and living 2 or more miles away for secondary pupils and 1.5 or more miles for primary aged pupils.

The distance is measured as the shortest suitable walking distance from home to school using public footpaths between the house gate (or door where this does not apply) and the nearest school gate. The standard criteria for suitable walking routes are that they are of adequate width, have an all-weather surface, and are street lit. Where a suitable walking route is not in existence within the distance parameters of the policy transport will be provided.

Where a pupil does not qualify for free transport to and from school, parents/carers are responsible for travel to and from school.

D.3 Wester Inch Transport Eligibility

The catchment secondary schools for the Wester Inch area are Bathgate Academy and St Kentigern's Academy. All pupils residing in Wester Inch attending St Kentigern's Academy are entitled to school transport as the distance from each address in the area to the school is over 2 miles. School roll data shows there are 30 pupils residing in Wester Inch attending St Kentigern's Academy. The council therefore provides a school service, route SCH 321, that runs between Wester Inch and the school. This is provided solely for those pupils issued with a free school bus pass.

Based on a suitable walking route calculation, the majority of Wester Inch addresses measure under a 2 mile distance from Bathgate Academy and therefore pupils residing in the area are not entitled to free home to school transport. School roll data shows there are 266 pupils residing in Wester Inch attending Bathgate Academy. Appendix 1 provides a map highlighting the 2 mile eligibility border for Wester Inch from the school. The map shows that there are only a small number of pupils attending Bathgate Academy out-with the 2 mile radius (yellow shaded area) who are entitled to free school transport. A minibus is contracted to provide transport for these pupils to and from Bathgate Academy.

Those pupils residing in Wester Inch within the 2 mile radius should use the available suitable walking route to Bathgate Academy. An example of this route is provided within appendix 2.

D.4 Public Transport Budget Pressures

The budget for mainstream school transport provision was originally set at £3,313,497 for financial year 2019/20 however the revenue outturn report was considered by Council Executive on 25 June which highlighted an expected overspend of £400,000. It was agreed that one-off resource of £323,000 would be allocated to assist with the mitigation of the pressure until changes are implemented, however, an underlying pressure still remains.

The additional cost of providing a school bus service from Wester Inch to Bathgate Academy, based on indicative costings, would be between £150 and £200 per day or £28,500 and £38,000 per school year. There is not availability within the current budget to provide additional services over and above current policy.

E. CONCLUSION

A petition has been received from Wester Inch residents requesting the introduction of a school bus route between Wester Inch and Bathgate Academy. The current provision within Wester Inch is in line with the Home to School Transport Policy and there is no available financial resource within the mainstream school budget to provide additional services over and above those already in place.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

Appendix 1 – 2 mile radius from Bathgate Academy map

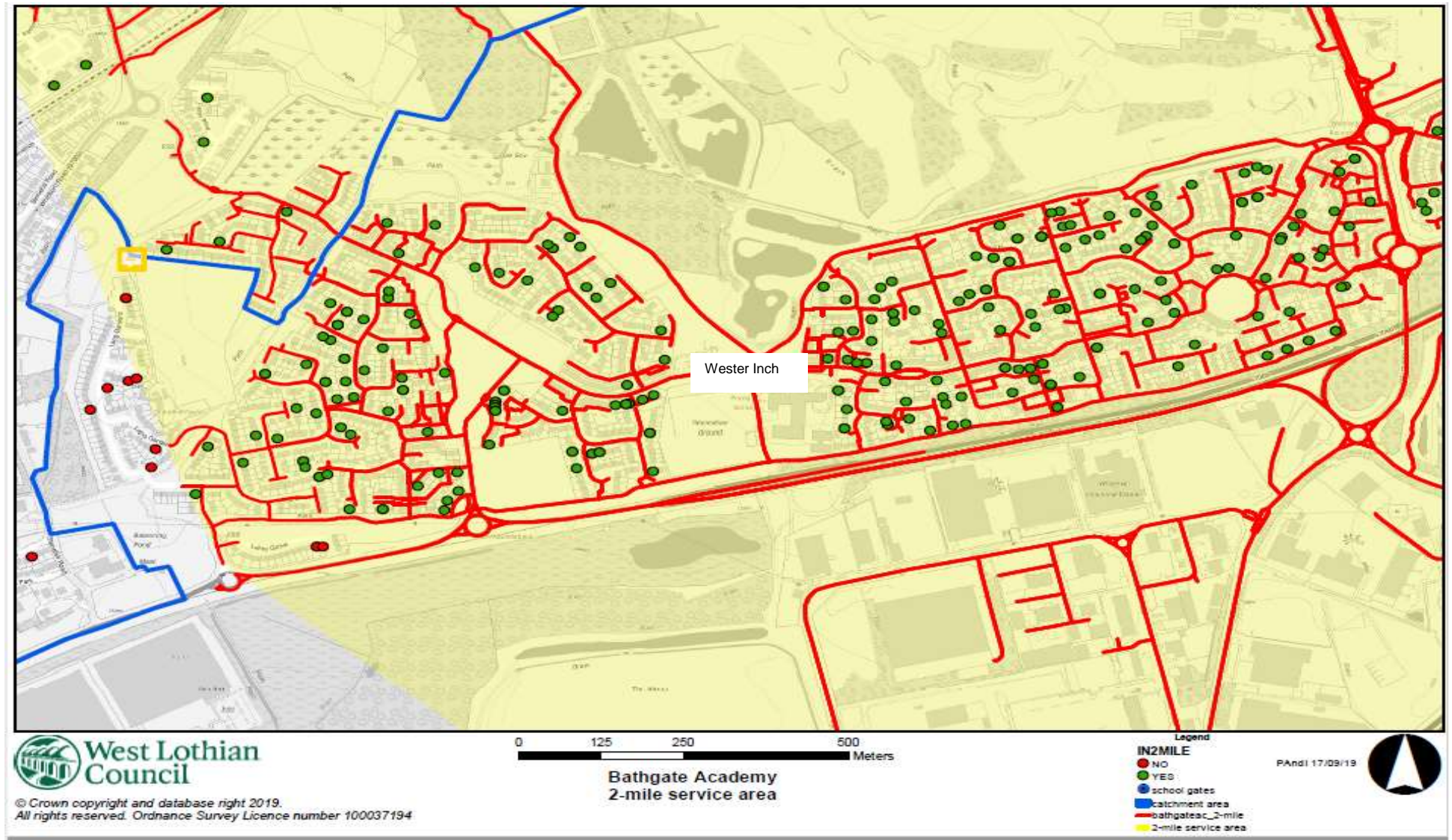
Appendix 2 – Example of Suitable Walking Route Wester Inch to Bathgate Academy

Contact Person: Nicola Gill, Interim Public Transport Manager, Tel: 01506 282317, Email: nicola.gill@westlothian.gov.uk

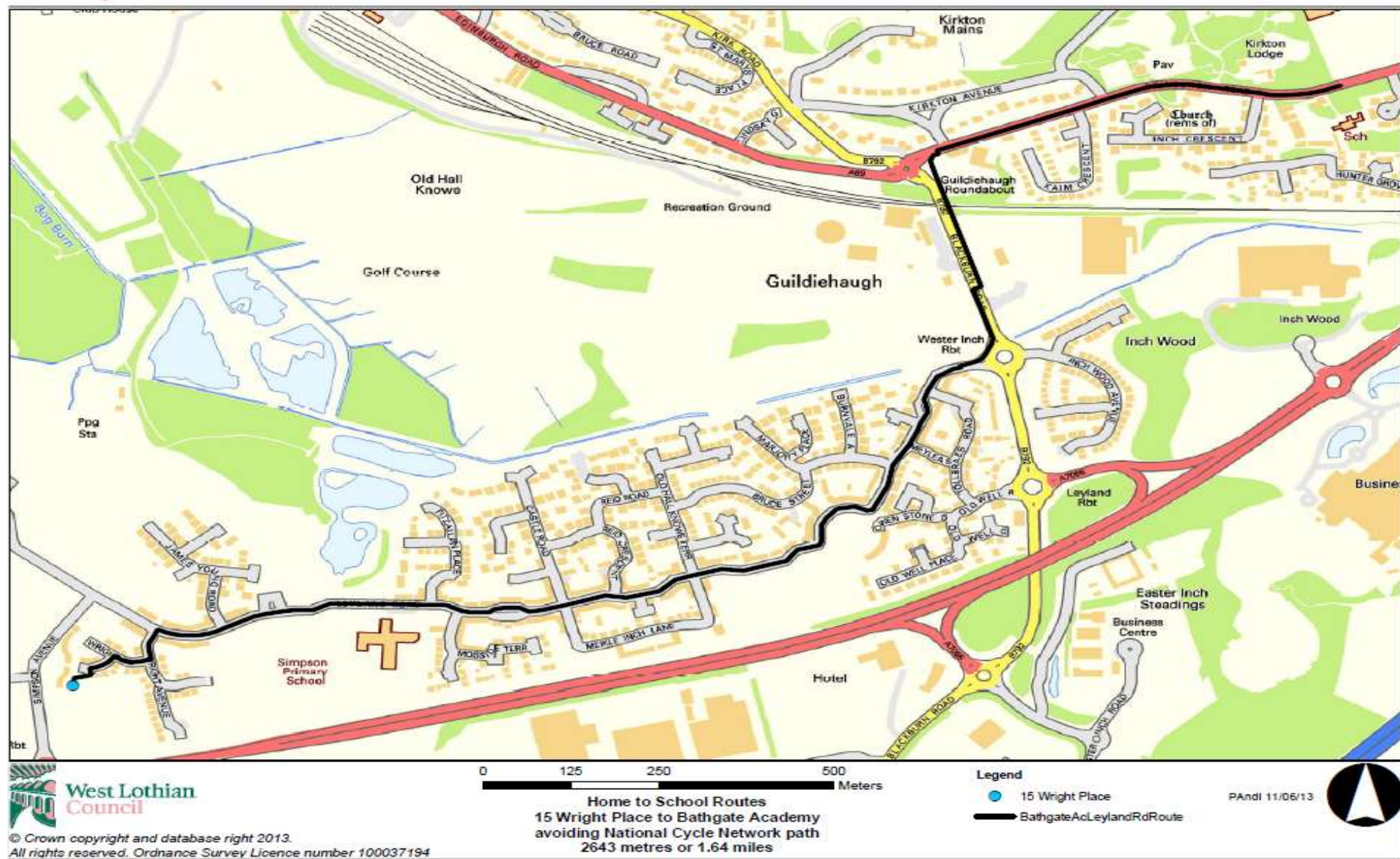
Jim Jack, Head of Operational Services, Whitehill House, Whitestone Place, Bathgate, West Lothian

Date of meeting: 5 November 2019

Appendix 1 – Wester Inch 2 mile radius from Bathgate Academy map



Appendix 2 – Example of Suitable Walking Route Wester Inch to Bathgate Academy



Development & Transport Policy Development and Scrutiny Panel

Workplan 2019/2020

Issue	Purpose	Lead Officer	Date	Referral to Council Exec
Revenue Budget Strategy 2020/21 to 2022/23 – Potential Additional Saving Measures	This report provides the Panel with a summary of the potential additional saving measures within the remit of the Panel for their scrutiny.	Craig McCorriston	05/11/2019	Yes
Kirknewton Conservation Area Appraisal	The purpose of this report is to advise the panel on the proposed variation of the conservation area boundary in Kirknewton as a result of a Conservation Area Appraisal (CAA) which was carried out in compliance with the Scottish Government's Planning Advice Note (PAN) 71: Conservation Area Management (2004).	Chris Alcorn	05/11/2019	Yes
Draft Planning Guidance: Controlling obtrusive lighting (Light Pollution) and reducing lighting energy consumption.	The purpose of this report is to advise the panel of the preparation of Planning Guidance (PG) on controlling obtrusive lighting (light pollution), reducing lighting energy consumption in support of the West Lothian Local Development Plan (LDP) and to set out the next steps towards finalisation and approval of the guidance.	Steve Lovell	05/11/2019	Yes

Supplementary Guidance: Developer Contributions towards Transport Infrastructure	The purpose of this report is to advise the panel of a proposed revision to draft Supplementary Guidance (SG) on Developer Contributions Towards Transport Infrastructure, prior to issuing the SG for public consultation. Revisions are required in relation to proposed developer contribution rates relating to Linlithgow. The SG is required to support the West Lothian Local Development Plan (LDP).	Fiona McBrierty	05/11/2019	Yes
Tourist Tax Consultation	To advise the panel on a Scottish Government consultation and to consider the council's response to that consultation	Jim Henderson	05/11/2019	Yes
Petition - Broxburn Town Centre Local Bus	To advise the panel on the receipt of the petition and to consider the terms of that petition.	Nicola Gill	05/11/2019	Yes
Petition - Wester Inch School Bus	To advise the panel on the receipt of the petition and to consider the terms of that petition.	Nicola Gill	05/11/2019	Yes
Petition - Ladywell West Local Bus	To advise the panel on the receipt of the petition and to consider the terms of that petition.	Nicola Gill	05/11/2019	Yes
West Lothian Local Development Plan (LDP): Development Plan Scheme No 12	The purpose of this report is to advise the panel of a Development Plan Scheme (DPS No.12) for the West Lothian Local Development Plan (LDP2).	Fiona McBrierty	11/02/2020	Yes
Public Realm Design Guides	To update the panel on progress/implementation of actions	Chris Alcorn	11/02/2020	Yes
Supplementary Guidance: Wind Energy	The purpose of this report is to advise the panel of preparation of statutory supplementary guidance (SG) on wind energy in support of the West Lothian Local Development Plan (LDP).	Sarah Collings	11/02/2020	Yes

Developer Contributions for Town Centre Improvements in Fauldhouse and Whitburn	To advise the panel on the receipt of contributions from the developer at Heartlands and to consider the disbursement of those funds.	Craig McCorriston	11/02/2020	Yes
City Region Deal Annual Report	To advise the panel on the publication of the first City Region Deal Annual Report and to consider the terms of that annual report.	Craig McCorriston	11/02/2020	Yes
Planning Guidance: House Extension and Alteration Design Guide	The purpose of this report is to advise the panel of preparation of refreshed planning guidance on house extensions and alterations.	Ross Burton	TBC	Yes
Supplementary Guidance: Green Network	The purpose of this report is to advise the panel of preparation of statutory supplementary guidance (SG) on the green network in support of the West Lothian Local Development Plan (LDP).	Chris Alcorn	TBC	Yes
Planning Guidance: Non-employment uses within Employment areas	The purpose of this report is to advise the panel of preparation of planning guidance (PG) on non-employment uses within employment areas in support of policy EMP 1 of the West Lothian Local Development Plan (LDP).	Margaret Stone	TBC	Yes
Planning Guidance: Woodland, Trees and High Hedges	The purpose of this report is to advise the panel of preparation of planning guidance (PG) relating to woodland, trees and high hedges.	Sarah Collings	TBC	Yes
Planning Guidance: Renewable Energy	The purpose of this report is to advise the panel of preparation of planning guidance (PG) on renewable energy in support of the West Lothian Local Development Plan (LDP).	Peter Rogers	TBC	Yes
West Lothian Local Development Plan Action Programme	The purpose of this report is to advise the panel of the annual review of the West Lothian Local Development Plan (LDP) Action Programme.	Fiona McBrierty	TBC	Yes
Progress Update on Employability Initiatives	The purpose of the report is to provide an update on the progress of employability work undertaken by Access2employment to support West Lothian residents into employment, training or education.	Clare Stewart	TBC	No

Supplementary Guidance: Healthcare & Community Facilities in New Housing Development	The purpose of this report is to advise the panel of preparation of supplementary guidance (SG) on healthcare and community facilities in new housing development in support of the West Lothian Local Development Plan (LDP).	Margaret Stone	TBC	Yes
Amendments to the Scheme of Delegation and other Planning Matters.	To advise the panel of proposed changes to the Scheme of Delegation and other Planning Matters.	Tony Irving	TBC	Yes
SEStran Minutes	To advise the panel on matters considered by SEStran committee.	Graeme Malcolm	Various Dates	No
SESPlan Minutes	To advise the panel on matters considered by SESplan Joint Committee.	Fiona McBrierty	Various Dates	No
Performance Report	To update the panel on the performance of the services which report to the panel	Craig MCCorrison	Quarterly	No

D&T PDSP Reports	Quarter 2 July - September	Quarter 3 October – December	Quarter 4 January – March	Quarter 1 April – June
PDSP scorecard report	<ul style="list-style-type: none"> Performance scorecard report (Q1) 	<ul style="list-style-type: none"> Performance scorecard report (Q2) 	<ul style="list-style-type: none"> Performance scorecard report (Q3) 	<ul style="list-style-type: none"> Performance scorecard report (full year - Q1-4)
Corporate performance report				<ul style="list-style-type: none"> Performance scorecard report (full year)

D&T PDSP Reports	Quarter 2 July - September	Quarter 3 October – December	Quarter 4 January – March	Quarter 1 April – June
Management Plan				<ul style="list-style-type: none"> • PEDR Management Plan 2019/20 • Operational Services Management Plan 2019/20
Service performance report	<i>As required / requested by PDSP</i>	<i>As required / requested by PDSP</i>	<i>As required / requested by PDSP</i>	<i>As required / requested by PDSP</i>