

MINUTE of MEETING of the ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 5 NOVEMBER 2019.

Present – Councillors Tom Conn (Chair), Cathy Muldoon, Alison Adamson, Diane Calder, Andrew McGuire, George Paul, Andrew McGuire

Apologies – Councillor Chris Horne, Maureen Finlay, Senior People's Forum representative

In attendance – Keith MacLeod, Joint Forum of Community Councils representative

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. ORDER OF BUSINESS

The Chair welcomed the Keith MacLeod, the representative from the Joint Forum of Community Councils to the panel.

3. MINUTE

The Panel confirmed the Minute of its meeting held on 3 September 2019 as a correct record. The Minute was thereafter signed by the Chair.

4. SCOTLAND'S CLIMATE CHANGE DECLARATION - ANNUAL REPORT 2018/19

The Panel considered a report (copies of which had been circulated) providing details of West Lothian's annual Scottish Climate Change Declaration.

A report on the Airport's consultation and Climate Change Declaration was requested to be brought to a meeting of the Environment PDSP.

The report recommended that the Panel:

1. Notes the contents of the Declarations at Appendix1; and
2. Considers and comments on the annual report prior to its submission to the Council Executive for approval and, subject to that approval, onward submission to Sustainable Scotland Network and the Scottish Government.

Decision

1. To note the terms of the report.

2. To agree that the report and its recommendations be forwarded to the next appropriate meeting of the Council Executive for approval.
3. To note that a report with regard to the Airport's consultation process and its Climate Change Declaration would be brought to a future meeting of the Panel.

5. ADAPTATION SCOTLAND - "SCOTLAND ADAPTS: A NEW CAPABILITY FRAMEWORK FOR A CLIMATE READY PUBLIC SECTOR"

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of Adaptation Scotland's new policy guidance document, "Scotland Adapts: A Capability Framework for a Climate Ready Public Sector".

The report recommended that the panel notes and considers the following recommendations which were intended to be submitted to Council Executive for approval;

1. Any comments from the panel should be forwarded to the Council Executive; and
2. The adaptation framework should be considered in the progress of West Lothian's Adaptation Action Plan.

Decision

1. To note the contents of the report
2. Agreed that the report and its recommendations be forwarded to the next appropriate meeting of Council Executive for approval.

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - HIRE CAR LICENSING

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the following:-

1. The outcome of research into how the provisions of the Equality Act 2010 affect hire car licensing;
2. A new power for the council to introduce an overprovision policy to restrict the numbers of private hire cars licensed locally;
3. A power for the council to publish a list of licensed hire car vehicles under the provisions of Section 167 of the Equality Act 2010; and
4. A number of other issues connected to hire car licensing which may be included in a review of hire car licensing;
5. Proposals to set up a Hire Car Forum comprised of local hire car

trade organisations and other key stakeholders;

6. Proposals to undertake a review of hire car licensing involving a public and stakeholder consultation and evidence gathering process

The report recommended that the Panel scrutinises the terms of the report and comments on the proposals.

In conclusion the Panel was asked to note the outcome of the research which had been carried out in relation to hire car accessibility issues and also that the Council Executive would be asked to consider launching a consultation regarding a hire car licensing review to seek views on the issues which should be included in that review and which should be given priority.

Decision

1. To note the terms of the report.
2. Agreed that the report and its recommendations be forwarded to the next appropriate meeting of the Council Executive for approval.

7. PERFORMANCE REPORT

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services providing details of the current level of performance for all indicators which were the responsibility of the Environment Policy Development and Scrutiny Panel.

The report recommended that the Panel note the performance information and determine if further action or enquiry is necessary for any of the indicators mentioned within the report.

Decision

To note the terms of the report.

8. AIR QUALITY IN WEST LOTHIAN

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising that air quality in West Lothian met statutory objectives across the district in 2018 and that the statutory Annual Progress Report had been submitted to, and approved by, the Scottish Government.

The report recommended that the panel:

1. Consider the content of this report and the Annual Progress Report and comment on the issues which have been highlighted;
2. Note that the improvements outlined in the Annual Progress

Report, submitted in relation to air quality monitoring in West Lothian, had received satisfactory feedback from both the Scottish Environment Protection Agency (SEPA) and the Scottish Government;

3. Note that the Annual Progress Report had been approved by the Scottish Government for publication; and
4. Note that the Scottish Government required justification to be provided for any continued existence of Air Quality Management Areas

Decision

To note the terms of the report.

9. WEST CALDER AREA: UPGRADING OF TWO RURAL PATHS USING FUNDS FROM SECTION 75 AGREEMENTS RELATED TO LOWLAND CROFTING DEVELOPMENTS

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the opportunity to upgrade two access routes to the south of West Calder, identified by two local community development trusts, using developer contributions for environmental improvements arising from two nearby lowland crofting developments.

The report recommended that the panel notes and considers the following recommendation which was intended to be submitted to Council Executive for approval:

- Approves the uses of part of the funding gathered for Section 75 agreements related to two lowland crofting developments to the south west of West Calder for improvements to two access routes in the area at Broadmeadows and a missing path link to Cobbinshaw/Woolfords.

Decision

1. To note the terms of the report.
2. Agreed that the report and its recommendations be forwarded to the next appropriate meeting of Council Executive for approval

10. REVENUE BUDGET STRATEGY 2020/21 TO 2022/23 - POTENTIAL ADDITIONAL SAVING MEASURES

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services providing a summary of potential additional saving measures within the remit of the Panel for their scrutiny.

The report 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 options identified by officers within the Environment portfolio and as set out in Appendix 1, noting that these were provided for information as this stage and could be utilised to address the 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) was assessed as being required, that this would be completed in advance of any of these measures being presented to the budget setting meeting and would 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 the council at the annual budget meeting each year must be made at Full Council;
6. Notes that the Head of Finance and Property Services would continue to review and refine the budget model assumptions and present a three-year detailed revenue budget for 2020/21 to 2022/23 to Full Council in February 2020 for consideration and approval.

Councillor Diane Calder advised that she could not support the report and wished her dissent to be recorded.

Decision

To note the terms of the report.

11. SCOTTISH GOVERNMENT GUIDANCE ON BURIAL GROUND - MEMORIAL SAFETY

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services, providing an update on the Scottish Government Guidance on Burial Ground Memorial Safety and to highlighting variances with West Lothian Council current procedures.

The report recommended that the Panel:

1. Note the content of the guidance;
2. Note the West Lothian Council procedure for Memorial Stabilisation; and
3. Support the officer recommendation to continue with the existing procedure.

The Chair advised that the Panel could not approve recommendation 3 as this would be required to be approved by Council Executive.

Decision

To note the terms of the report.

12. SCOTTISH ROAD WORKS COMMISSIONER'S PERFORMANCE REVIEW 2018/19

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services providing an update on the Scottish Road Works Commissioner's performance review for 2018/19.

The report recommended that the Panel notes progress made by Roads and Transportation in improving performance in respect to compliance with the notification, co-ordination and planning aspects of the New Roads and Street Works Act 1991 and acknowledge the efforts of the staff involved.

Decision

To note the terms of the report.

13. CONSULTATION ON IMPROVING THE OPERATIONAL EFFECTIVENESS OF THE CONTROL OF DOGS (SCOTLAND) ACT 2010

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the Scottish Government's consultation on improving the operational effectiveness of the Control of Dogs (Scotland) Act 2010, and the proposed response from West Lothian Council to this consultation.

The report recommended that the Panel notes and considers the proposed response detailed in Appendix 1 of the report which was intended to be submitted to the Council Executive for approval and submission to the Scottish Government.

Decision

1. To note the terms of the report; and
2. Agreed that the report and its recommendations be forwarded to the next appropriate meeting of the Council Executive for approval.

14. RECYCLING & WASTE SERVICES - RESULTS OF CITIZEN LED INSPECTION

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

the Head of Operational Services providing the results of the Citizens Led Inspection (CLI) into Recycling and Waste Services, and to report the improvement plan that had been developed from the inspections and the actions implemented to date.

The report recommended that the panel note:

1. The results of the CLI; and
2. The improvement plan that was developed and the progress of implementation post inspection.

Decision

To note the terms of the report.

15. ENVIRONMENT PDSP WORKPLAN

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

Decision

To note the workplan and to include an item on the Airport's Annual Climate Change Declaration and the Airport Consultation process.