

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

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

Apologies – Councillor Chris Horne

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

1. WELCOME AND INTRODUCTIONS

The Chair welcomed Mr Malcolm Hill to his first meeting of the Panel, noting that Mr Hill was the recently appointed representative of the Joint Forum of Community Councils.

At the Chair's request all panel members and officers in attendance took the opportunity to introduce themselves at the meeting.

2. DECLARATIONS OF INTEREST

Agenda Item 5 (Revenue Budget Strategy 2020/21 to 2022/23 – Potential Additional Saving Measures) – Councillor Cathy Muldoon declared in interest in that she was employed by a train operating company so would not participate in the item of business.

3. ORDER OF BUSINESS

The Chair ruled that Agenda Item 9 (Transient Visitor Levy Consultation ) would be considered immediately following consultation of the Minute.

4. MINUTE

The Panel approved the Minute of its meeting held on 3 September 2019. The Minute was thereafter signed by the Chair.

5. TRANSIENT VISITOR LEVY : PROPOSED CONSULTATION RESPONSE

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 the Principles of a Local Discretionary Transient Visitor Leve (TVL) or Tourist Tax.

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

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

In noting the proposed consultation response panel members made the following comments and observations :-

- That in relation to Q6 and Q7 the local authority should be able to set the transient levy;
- If the Transient Levy was set at a national level then the levies raised from the West Lothian area should be returned to the West Lothian area; and
- To mindful if the scheme was successful in raising levies then this could impact on a council's local government settlement from the Scottish Government.

#### Decision

1. To note the contents of the report; and
2. To agree that the recommendations contained in the report be forwarded to an appropriate meeting of the Council Executive for approval.

#### 6. 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 Planning, Economic Development and Regeneration providing a summary of the potential additional saving measures within the remit of the Panel.

It was 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 identified by officers within the Development and Transport portfolio, as set out in Appendix 1, noting that this was 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 (IIA) 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, 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 Council at the annual budget setting meeting each year must be made at full Council; and
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 Council in February 2020 for consideration and approval.

In considering the contents of the report a Panel Member noted that he was disappointed that there was only one additional saving measure before the Panel.

#### Decision

To note the contents of the report

### 7. KIRKNEWTON CONSERVATION AREA BOUNDARY APPRAISAL

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

It was recommended that the panel notes and considers the following recommendations which were intended to be submitted to the Council Executive 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 for 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 would be advertised and referred to Scottish Ministers for their approval.

#### Decision

1. To note the contents of the report; and
2. To agree that the recommendations contained in the report be forwarded to an appropriate meeting of the Council Executive for approval following a period of consultation.

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

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 controlling obtrusive lighting (light pollution) and 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.

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 “Controlling Obtrusive Lighting (Light Pollution) and Reducing Lighting Energy Consumption (Appendix 1);
2. Approves the responses to any comments received during consultation on the draft Planning Guidance (this will be provided an appendix 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.

Decision

1. To note the contents of the report; and
2. To agree that the recommendations contained in the report be forwarded to an appropriate meeting of the Council Executive for approval following a period of consultation.

8. 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 a proposed revision to draft Supplementary Guidance (SG) on Developer Contributions towards Transport Infrastructure, prior to issuing the SG for public consultation. The revision related to contribution rates related to transport management measures within Linlithgow town centre.

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 (to be provided as an appendix to the Council Executive report);

2. Agrees the response to the consultation comments (to be provided as an appendix to the Council Executive report);
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; and
2. To agree that the recommendations contained in the report be forwarded to an appropriate meeting of the Council Executive for approval following a period of consultation.

#### 9. PETITION - LOCAL BUS PROVISION, BROXBURN TOWN CENTRE

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services asking the panel 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.

It was recommended that the panel :-

1. Notes the submission of the petition;
2. Notes that the public transport budget was fully committed within the current financial year;
3. Notes the availability of commercial bus services along Uphall and Broxburn main street;
4. Note and considers the following recommendation which was intended to be submitted to the Council Executive for approval :-
  - “It was recommended that Council Executive instructs officers to respond to the petition stating that the request of the petition could not be met”.

In considering the terms of the report Councillor Robert De Bold stated that it was the opinion of the West Lothian SNP Group that the council had not taken public opinion into consideration on the matter.

Decision

1. To note the contents of the report;
2. To note that the report would be presented to a future meeting of the Council Executive with an officer recommendation that the requirements of the petition could not be met as the budget for public transport was fully committed; and
3. To note the comments of Councillor Robert De Bold.

10. PETITION - LOCAL BUS PROVISION, LADYWELL WEST

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services asking the panel 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.

It was recommended that the panel :-

1. Notes the submission of the petition;
2. Notes that the public transport budget was fully committed within the current financial year;
3. Notes that the existing local bus provision available to the Ladywell West area was in line with current council strategy and performance indicators;
4. Notes and considers the following recommendation which was intended to be submitted to the Council Executive for approval :-
  - “It was recommended that Council Executive instructs officers to respond to the petition stating that the request of the petition could not be met”.

In considering the terms of the report Councillor Robert De Bold stated that it was the opinion of the West Lothian SNP Group that the council had not taken public opinion into consideration on the matter.

Decision

1. To note the contents of the report;
2. To note that the report would be presented to a future meeting of the Council Executive with an officer recommendation that the requirements of the petition could not be met as the budget for public transport was fully committed; and
3. To note the comments of Councillor Robert De Bold.

12. PETITION - WESTER INCH SCHOOL BUS TO BATHGATE ACADEMY

The Panel considered a report (copies of which had been circulated) by the Head of Operational Services asking the panel 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.

It was recommended that the panel :-

5. Notes the submission of the petition;
6. Notes that the public transport budget was fully committed within the current financial year;
7. Notes that the existing school transport provision within the Wester Inch was in line with the Transport to and from Schools Mainstream Policy ;
8. Notes and considers the following recommendation which was intended to be submitted to the Council Executive for approval :-
  - “It was recommended that Council Executive instructs officers to respond to the petition stating that the request of the petition could not be met”.

In considering the terms of the report Councillor Robert De Bold stated that it was the opinion of the West Lothian SNP Group that the council had not taken public opinion into consideration on the matter.

Decision

1. To note the contents of the report;
2. To note that the report would be presented to a future meeting of the Council Executive with an officer recommendation that the requirements of the petition could not be met as the budget for public transport was fully committed; and
3. To note the comments of Councillor Robert De Bold.

12. WORKPLAN

A workplan had been circulated.

Decision

To note the contents of the workplan