

MINUTE of MEETING of the adjourned DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY PANEL held within WEBEX VIRTUAL MEETING, on 1 DECEMBER 2020.

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

Apologies – Councillor Robert De Bold; and, Councillors Pauline Clark, Sarah King and George Paul (invited guests)

In Attendance

Malcom Hill (Joint Forum of Community Councils Representative)

Councillor Kirsteen Sullivan (Whitburn & Blackburn Ward)

Councillor David Tait (Linlithgow Ward)

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. ORDER OF BUSINESS

The Chair ruled that she would be taking the Public Realm Design Guides in the following order:- Whitburn, Bathgate, Linlithgow and Armadale. The Chair also ruled that the Scheme of Delegation Report would immediately follow the design guides. This was to facilitate local ward members attendance and members of the Development Management Committee all of whom had been invited to participate in these particular items of business.

The Chair also advised the panel that agenda item 12 (Local Bus Festive Services), agenda item 13 (Response to Consultation on Free Bus Travel for People Resident in Scotland aged under 19) and agenda item 14 (A National Mission with Local Impact Draft Infrastructure Investment Plan for Scotland 2021-22 to 2025-26) would not be considered because they had since been presented to Council Executive for approval due to the need to progress these items of the business. It was confirmed that panel members had been consulted on the report contents prior to being submitted for approval.

3. REVIEW OF PUBLIC REALM DESIGN GUIDE FOR WHITBURN

Councillor Kirsteen Sullivan participated in the following item of business in her capacity as a local ward member for Whitburn and Blackburn.

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of a review of the public realm design guide relating to Whitburn and proposed updates to the Action Plan for the town centre.

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

1. Notes the comments received on the draft guidance following consultation;
2. Agrees the responses to the comments received during consultation on the draft Planning Guidance that relates to Whitburn's public realm;
3. Approves the content of the Planning Guidance 'Public Realm Design Guides for Whitburn (Appendices 1 and 2);
4. Approves the 'Screening Report' which is to be submitted to SEA Gateway and the Consultation Authorities and which sets out the Council's justification that the guidance is exempted from additional Strategic Environmental Assessment because it will not in itself have any significant environmental effects; and
5. Delegates authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening Determination' in the event that SEA Gateway and the Consultation Authorities confirm their agreement that the guidance will not in itself have any significant environmental effects, and to report the outcome of the SEA screening process to a future meeting of the Council Executive for information.

Decision

1. To note the contents of the report and of the Public Realm Design Guide; and
2. To agree that the report be presented to a future meeting of Council Executive for approval following a period of consultation.

4. REVIEW OF PUBLIC REALM DESIGN GUIDE FOR BATHGATE

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the review of the public realm design guide relating to Bathgate and the proposed updates to the Action Plan for the town centre.

It was 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. Notes the comments received on the draft guidance following consultation;
2. Agrees the responses to the comments received during consultation on the draft Planning Guidance for Bathgate Public

realm;

3. Approves the content of the Planning Guidance 'Public Realm Design Guides for Bathgate' (Appendices 1 and 2);
4. Approves the 'Screening Report' which is to be submitted to SEA Gateway and the Consultation Authorities and which sets out the Council's justification that the guidance is exempted from additional Strategic Environmental Assessment because it will not in itself have any significant environmental effects; and
5. Delegates authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening Determination' in the event that SEA Gateway and the Consultation Authorities confirm their agreement that the guidance will not in itself have any significant environmental effects, and to report the outcome of the SEA screening process to a future meeting of the Council Executive for information.

Decision

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

5. REVIEW OF PUBLIC REALM DESIGN GUIDE FOR LINLITHGOW

Councillor David Tait participated in the following item of business in his capacity as a local ward member for Linlithgow.

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of a review of the public realm design guide relating to Linlithgow and proposed updates to the Action Plan for the town centre.

It was 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. Notes the comments received on the draft guidance following consultation;
2. Agrees the responses to the comments received during consultation on the draft Planning Guidance as it relates to Linlithgow public realm;
3. Approves the content of the Planning Guidance 'Public Realm Design Guides for Linlithgow' (Appendices 1 and 2);
4. Approves the 'Screening Report' which is to be submitted to SEA

Gateway and the Consultation Authorities and which sets out the Council's justification that the guidance is exempted from additional Strategic Environmental Assessment because it will not in itself have any significant environmental effects; and

5. Delegates authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening Determination' in the event that SEA Gateway and the Consultation Authorities confirm their agreement that the guidance will not in itself have any significant environmental effects, and to report the outcome of the SEA screening.

The panel also requested that the link to the council's web pages where the design guides could be accessed be forwarded onto both members of the panel and local ward members.

Decision

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

6. REVIEW OF PUBLIC REALM DESIGN GUIDE FOR ARMADALE

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of a review of the public realm design guide relating to Armadale and proposed updates to the Action Plan for the town centre.

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. Notes the comments received on the draft guidance following consultation;
2. Agrees the responses to the comments received during consultation on the draft Planning Guidance relating to Armadale public realm;
3. Approves the content of the Planning Guidance 'Public Realm Design Guides for Armadale (Appendices 1 and 2);
4. Approves the 'Screening Report' which is to be submitted to SEA Gateway and the Consultation Authorities and which sets out the Council's justification that the guidance is exempted from additional Strategic Environmental Assessment because it will not in itself have any significant environmental effects; and
5. Delegates authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening

Determination' in the event that SEA Gateway and the Consultation Authorities confirm their agreement that the guidance will not in itself have any significant environmental effects, and to report the outcome of the SEA screening process to a future meeting of the Council Executive for information.

Decision

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

7. PROPOSED AMENDMENT TO THE SCHEME OF DELEGATION AND OTHER PLANNING PROCEDURES

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration setting out proposed changes to the scheme of delegation for planning applications and other consent. It was noted that a review of the scheme of delegation was required by legislation and that only one minor change to the scheme of delegation was proposed.

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

1. Notes the proposed changes to the schemes of delegation and the reasons for them;
2. Approves the revised scheme of delegation in relation to planning applications and other consents and enforcement cases; and
3. Notes that if approved by Council Executive, the proposed changes to Part A of the scheme required to be submitted to Scottish Ministers for approval.

The panel undertook a discussion on the contents of the report and wished the following comments to be noted and included in the final report to Council Executive: -

- Definition of the Appointed Person should be made clearer;
- To consider the reasons that has to be stated on the form used by councillors to refer an application from the delegated list to Development Management Committee;
- To consider removing the ability of councillors being able to refer those applications recommended for refusal to Development Management Committee;
- To note the concerns of some members of the panel to possibly restricting councillors being able to refer applications recommended for refusal to the Development Management

Committee as this could potentially cause more applications to be directed towards to the Local Review Body, which was considered a more restrictive process; and

- To note the perception that the role of Community Council's in the consultation process was changing and possibly being diminished.

Decision

1. To note the contents of the report;
2. To note that the report would be presented to the next meeting of Council Executive and would contain those comments made by panel members.

9. DRAFT SUPPLEMENTARY GUIDANCE: RENEWABLES & LOW CARBON ENERGY DEVELOPMENT (EXCLUDING WIND ENERGY)

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development Regeneration advising of the preparation of Draft Supplementary Guidance for Renewable & Low Carbon Energy Development and to set out the next steps towards finalisation and approval of the guidance. The guidance is required to support the West Lothian Local Development Plan (LDP).

It was to be noted that this Supplementary Guidance does not embrace wind energy related development as this subject is addressed by separate supplementary guidance

It was 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. Notes the comments received on the draft guidance following consultation;
2. Agrees the responses to the comments received during consultation on the draft Supplementary Guidance;
3. Approves the content of the Supplementary Guidance 'Renewables & Low Carbon Energy Development (excluding wind energy);
4. Approves the 'Screening Report' which is to be submitted to SEA Gateway and the Consultation Authorities and which sets out the Council's justification that the guidance is exempted from additional Strategic Environmental Assessment because it will not in itself have any significant environmental effects;
5. Delegates authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening Determination' in the event that SEA Gateway and the Consultation Authorities confirm their agreement that the guidance will not in itself have any significant adverse environmental effects, and to report the outcome of the SEA screening process to a future

meeting of the Council Executive for information; and

6. Notes that if approved by Council Executive (and having secured exemption from additional SEA) the guidance will require to be submitted to Scottish Ministers for scrutiny and consideration before it can be adopted as statutory supplementary guidance in support of the West Lothian Local Development Plan.

Decision

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

10. LOW EMISSION ZONE SUPPORT FUND UPDATE

The panel considered a report which provided an update on completed works following grant funding from Transport Scotland which was secured through the Low Emissions Zone Support Fund for Public Transport Provision.

It was recommended that the Panel notes the spend of £110,000 funding from Scottish Ministers used to upgrade bus shelter infrastructure to improve access and promote bus travel along the main West Lothian to Edinburgh commuter routes.

Decision

To note the contents of the report

11. PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION MANAGEMENT PLAN 2020-21

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing a copy of the Planning, Economic Development and Regeneration Management Plan 2020/21.

The panel were asked to note the content of the report and attached plan.

Decision

To note the content of the report and the Planning, Economic Development and Regeneration Management Plan 2020/21

12. OPERATIONAL SERVICES MANAGEMENT PLAN 2020-21

The panel considered a report (copies of which had been circulated) by the Head of Operational Services a providing a copy of the Operational

Services Management Plan for 2020/21.

It was recommended that the panel notes the terms of the report and the attached plan.

Decision

To note the content of the report and the Operational Services Management Plan for 2020/21

13. QUARTERLY PERFORMANCE REPORT - QUARTER 2 OF 2020-2

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development Regeneration advising on current level of performance for all indicators that support the council's Corporate Plan and were the responsibility of the Development and Transport Policy Development and Scrutiny Panel.

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

14. WORKPLAN

The panel noted the contents of the workplan (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration.

Decision

To note the contents of the workplan