



Environment Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

26 January 2021

A meeting of the **Environment Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Webex Virtual Meeting Room** on **Tuesday 2 February 2021** at **11:00am** or at the conclusion of Development and Transport PDSP whichever is the later.

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 Environment Policy Development and Scrutiny Panel held on Tuesday 10 November 2020 (herewith)
5. Petition - Request for the Removal of the Spaces for People Temporary 20MPH Speed Limits - Report by Head of Operational Services (herewith)
6. 2020/21 Financial Performance - Month 6 Monitoring - Report by Head of Finance and Property Services (herewith)
7. Consultation on Cycle 2 of the Forth Estuary Flood Risk Management Strategy and Plan - Update on West Lothian Council's Actions - Report by Head of Operational Services (herewith)

8. Broxburn Flood Protection Scheme - Review of Flood Event - Report by Head of Operational Services (herewith)
9. West Lothian Statutory Return to Scottish Government on Public Body Reporting on Biodiversity Duty: 2018 - 2020 - Report by Head of Planning, Economic Development and Regeneration (herewith)
10. Easter Inch Moss & Seafeld Law Local Nature Reserve - Review of Habitat Management Plan (2011 - 2021) - Report by Head of Planning, Economic Development and Regeneration (herewith)
11. Climate Emergency Update, Reporting & Timescales - Report by Head of Planning, Economic Development and Regeneration (herewith)
12. The Role of Planning in Tackling Climate Change - Report by Head of Planning, Economic Development and Regeneration (herewith)
13. Sustainable Procurement Duty - Report by Head of Corporate Services (herewith)
14. Youth Participation - Report by Head of Planning, Economic Development and Regeneration (herewith)
15. Waste and Recycling Future Legislative Influences Reducing Environmental Impact - Report by Head of Operational Services (herewith)
16. Decarbonising the Council's Fleet - Report by Head of Operational Services (herewith)
17. Plans to Develop EV Charging Infrastructure across West Lothian - Report by Head of Finance and Property Services (herewith)
18. The Integration of Net Zero Carbon Targets in Housing Strategy - Report by Head of Housing, Customer and Building Services (herewith)
19. Improving the Energy Efficiency of Operational Buildings - Report by Head of Finance and Property Services (herewith)
20. Carbon Offsetting - Report by Head of Planning, Economic Development and Regeneration (herewith)
21. Environment PDSP Workplan (herewith)

NOTE **For further information please contact Eileen Rollo on 01506 281621 or email eileen.rollo@westlothian.gov.uk**

MINUTE of MEETING of the ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL held within WEBEX VIRTUAL MEETING ROOM, on 10 NOVEMBER 2020.

Present – Councillors Cathy Muldoon, Alison Adamson, Diane Calder, Chris Horne, Andrew McGuire, George Paul, Andrew McGuire, Pippa Plevin (West Lothian Joint Forum of Community Councils Representative), Tom Carr-Pollock (Union Representative)

Apologies – Councillor Tom Conn (Chair)

1. DECLARATIONS OF INTEREST

Agenda Item 9 – Travelling Funfairs (Licensing)(Scotland) Bill – Call For Views – Councillor Chris Horne declared an interest in that he was a member of the Licensing Committee but this would not preclude him from taking part in this item of business.

2. MINUTE

The panel confirmed the Minute of its meeting held on 15 September 2020 as a correct record. The Minute was thereafter signed by the Chair.

3. SCOTLAND'S CLIMATE CHANGE DECLARATIONS - ANNUAL REPORT 2019/20

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing West Lothian's annual Scottish Climate Change Declaration for 2019/20

The report recommended that the panel:

1. Note the contents of the Declaration contained in Appendix 1; and
2. Consider and comment on the annual report prior to its submission to Council Executive for approval and, subject to that approval onward submission to the Scottish Government for publication.

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 the Council Executive for approval.

4. PETITION - REQUEST FOR SPEED REDUCTION MEASURES IN FALSIDE, BATHGATE

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising of a petition from the residents of the Falside area of Bathgate had been received. The petition was remitted to the Environment PDSP from the Council Executive at its meeting on 18 August 2020.

The report recommended that the panel note and consider the following recommendation which was intended to be submitted to Council Executive for approval

It was recommended that the Falside area of Bathgate continue to be monitored through the annual AIP programme and any accident trends or changes be analysed accordingly through the programme.

Decision

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

5. CONSULTATION ON CYCLE 2 OF THE FORTH ESTUARY FLOOD RISK MANAGEMENT STRATEGIES AND PLANS

The panel considered a report (copies of which had been circulated) by the Head of Operational Services providing an update on the forthcoming public consultation for the Draft 2021 -2027 Forth Estuary Flood Risk Management Strategy and the Draft 2022 – 2028 Forth Estuary Local Flood Risk Management Plan.

The report recommended that the panel notes the content of this report, the forthcoming Forth Estuary consultation dates for the flood risk management strategy and plans, and the Council's agreed Objective Target Areas, which are to be reported to the Council Executive for information.

Decision

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

6. PERFORMANCE REPORT

The panel considered a report (copies of which had been circulated) by the Head of Operational Services showing the current levels 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 was necessary for any of the indicators mentioned within the report.

Decision

To note the contents of the report.

7. TRAVELLING FUNFAIRS (LICENSING) (SCOTLAND) BILL - CALL FOR VIEWS

The panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the Scottish Parliament's call for views on the Travelling Funfairs (Licensing) (Scotland) Bill and to invite the Panel to consider the draft response appended to this report.

The report recommended that the panel agrees to recommend to the Council Executive that the proposed response to the call for views on the Bill be considered and approved for submission to the Scottish Government.

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 the Council Executive for approval.

8. ACTIVE TRAVEL PLAN FOR WEST LoTHIAN 2021 TO 2026

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising that the current Active Travel Plan for West Lothian requires to be reviewed and a new five-year plan developed for the period 2021 to 2026.

The report recommended that the panel notes the contents of the report and the intention of officers to apply for Sustran Places for People funding to allow the appointment of consultants to review the current Plan and develop a new five-year Active Travel Plan (2021 to 2026).

Decision

To note the contents of the report.

9. DEALING WITH THE PRESENCE OF COAL TAR IN ROADS AND FOOTWAYS

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising on the impacts of the presence of coal tar when found in roads and footways.

The report recommended that the panel notes the contents of the report

and the intention to bring back a policy, to a future Environment PDSP, on a process for dealing with coal tar in roads and footways.

Decision

To note the contents of the report.

10. ACCESSIBILITY IMPROVEMENT SCHEMES TO THE ROAD AND FOOTWAY NETWORK 2020/21 AND 2021/22

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising of officers' recommendations for the programme of works for accessibility schemes (2020/21 and 2021/22).

The report recommended that the panel notes the contents of the report and the programme of accessibility schemes identified in Appendix 1, which will be submitted to Council Executive for approval.

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 the Council Executive for approval.

11. SCHOOL CROSSING PATROL GUIDES - RECRUITMENT DIFFICULTIES

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising the Panel of the current vacancy levels in the School Crossing Patrol Guides service and the steps being taken to recruit staff.

The report recommended that the panel note the current recruitment difficulties in the School Crossing Patrol Guides service and seek the Panel views on additional measures to recruit staff via a targeted recruitment campaign.

Decision

To note the contents of the report.

12. OPEN SPACE PLAN 2020 M- 2024

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising of the content and adoption of the Open Space Plan for the period 2020-2024 and highlight to the panel the plans for the document going forward and to seek approval for submission of the plan to Council Executive for approval.

The report recommended that the panel:

1. Note the content and adoption of the Open Space Plan 2020-2024.
2. Note the plan to incorporate, through the introduction of Annexes, the full range of service areas under the Open Space Asset Category, these include Food Growing, Cemeteries, Play Areas, Parks and Woodlands, Core Paths, Bio/Geo Diversity, Green and Blue Networks, Sports Facilities and Public Art.
3. Support the submission of the Open Space Plan 2020-2024 to Council Executive for approval.

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 the Council Executive for approval.

13. OPERATIONAL SERVICES MANAGEMENT PLAN 2020/21

The panel considered a report (copies of which had been circulated) by the Head of Operational Services providing the Operational Services Management Plan for 2020/21.

The report recommended that the panel notes the terms of the report and the attached management plan.

Decision

To note the contents of the report.

14. PLANNING, ECONOMIC DEVELOPMENT 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 the Planning, Economic Development and Regeneration Management Plan 2020/21.

The report recommended that the panel notes the terms of the report and the attached management plan.

Decision

To note the contents of the report.

15. CONSULTATION RESPONSE TO SCOTLAND'S ROAD SAFETY FRAMEWORK TO 2030

The panel considered a report (copies of which had been circulated) by the Head of Operational Services advising of the consultation that is being carried out by the Scottish Government in relation to Scotland's Road Safety Framework to 2030. The report suggests a Council response to the consultation questions.

The report recommended that the panel notes the content of the Scotland's Road Safety Framework to 2030 consultation document and considers the proposed response detailed in Appendix 1 of this report which is intended to be submitted to the Council Executive for approval and submission to the Scottish Government.

Decision

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

16. 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

LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

**PETITION - REQUEST FOR THE REMOVAL OF THE SPACES FOR PEOPLE
TEMPORARY 20MPH SPEED LIMITS**

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the Panel of the receipt of an electronic online petition remitted to the Environment PDSP from the Council Executive at its meeting on the 15 December 2020.

B. RECOMMENDATION

The Panel should note and consider the following recommendation which is intended to be submitted to the Council Executive for approval.

It is recommended that the Spaces for People temporary 20mph speed limits in West Lothian be assessed and evaluated by officers at the conclusion of the temporary project's duration as part of the whole project as originally planned and taking into account council's decision of 29 September 2020, however in line with Scottish Government guidance the measures will be removed when the national Covid-19 restrictions are fully lifted.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none">• Focusing on our customers' needs; and• Being honest, open and accountable;
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Policy: The council's procedures on dealing with petitions require that petitions are considered by the Council Executive.</p> <p>Legal: None.</p>
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	None.

VI Resources - (Financial, Staffing and Property)	Financial: None. Staffing: None. Property: None.
VII Consideration at PDSP	N/A
VIII Other consultations	None

D. TERMS OF REPORT

D1 Background

A petition which has been signed by 4881 people has been received by the council. This petition is still open to be signed by the public and as of the 25 January 2021 there were 5018 signatories. The petition is titled "Remove 20mph Speed Limits from Main Roads Across West Lothian". The petition is attached in Appendix 1. It was considered at Council Executive on 15 December 2020 when its organiser took part as a deputation. It was remitted to the PDSP for consideration and a report will be made to Council Executive when that has been done, setting out officers' recommendations and a note of the PDSP's consideration.

The introduction of temporary 20mph speed limits in West Lothian towns and villages is part of a programme of initiatives funded via Scottish Government's Spaces for People fund. This funding was made available last summer for temporary measures during the Covid-19 pandemic which would make it safer for people who choose to walk, cycle or wheel for essential trips and exercise during Covid-19.

Sustrans (on behalf of the Scottish Government) approved funding on 4th June 2020 for nine work packages including the temporary speed limit changes. The funding and works are additional to the Council's own revenue and capital roads programmes. Officers presented the proposals to Council Executive on 23 June 2020 when the recommendations were approved unanimously by the committee.

Due to the timescales to install these measures public consultation relaxations were made by the Scottish Government to ensure that temporary measures were installed as quickly as possible across the country to assist with the Covid-19 health pandemic.

Since approval of the measures on 23 June 2020, officers were instructed at a meeting of full council on 29 September 2020 to "... monitor the impact of the temporary speed restrictions on vehicle drivers including accident statistics, traffic convictions and complaints, to use these results to assess future speed reduction measures in place of the current measure of "no serious accidents have been recorded" which prevents speed reduction measures being implemented at present". Any evaluation of the Spaces for People projects, especially the 20 mph zones, will be carried out accordingly.

D2 Assessment of the petition

Officers' views on the statements made in the petition are outlined below.

Waste of Tax Payers Funds

The petition states "*West Lothian Council has wasted £600,000 from the taxpayer on the "Spaces for People" scheme, which has involved reducing the speed limit on main roads across West Lothian to 20mph*"

The total funding approved for all nine Spaces for People work packages is £818,500. Of this funding, a total construction cost of £87,500 has been spent on the implementation of the temporary 20mph speed limits. Officers are of the view that funding has not been wasted. The work packages undertaken have delivered local improvements to assist with physical distancing during Covid-19 making our towns and villages a better environment for those who choose to walk, cycle or wheel for essential trips and exercise through the reduction of traffic speeds.

Obstruction of People, Businesses and Other Services/Pandering to Minority Cycling Enthusiasts

The petition states that "reducing the speed limit on main roads across West Lothian to 20mph in order to try and obstruct the majority of people, businesses, and other services grinding them to a halt. This has created extensive frustration and delay to the people of West Lothian. The council claims that this is in relation to the COVID-19 pandemic but is instead using it as a guise to enforce an agenda of pandering to minority cycling enthusiasts."

Research suggests that the reduction in speed will not significantly increase journey times. In addition, the lower speed limit can encourage drivers to shift to walking or cycling, particularly when the average journey to their destination is less than three miles which is a benefit for the public during Covid-19 restrictions. This shift can help lead to fewer motor vehicles on the road and a reduction in congestion and therefore journey time. This will benefit all road users.

Driving more slowly requires a change of habits. Rather than speed up to get to the next traffic queue in urban areas, it encourages a mindset of relaxing, taking one's time and enjoying the journey. For some this will be quite a change and will require conscious driving decision making in the initial stages.

Research suggests that any small time disadvantage to drivers is considered to be outweighed by the road safety benefits (of less severe and fewer casualties) alone. When wider health benefits are considered such as improved heart health through more people choosing to walk or cycle more, and improved respiratory function through cleaner air, the health benefits far outweigh any small time loss.

Businesses and individuals benefit from a more pleasant environment for shopping, work and leisure. For shopping 20mph provides a more convivial environment where people feel less intimidated by moving traffic. A 20mph limit encourages more people to walk and cycle and people who walk and cycle to local shops spend more money than those who travel by car (who, on average, use out of town supermarkets more). This is a benefit to trading in the town centres and urban areas where these speed limits have been reduced allowing a safer environment for people to make essential trips to local businesses during Covid19 restrictions.

The suggestion made within the petition that these measures were installed “as a guise to enforce an agenda of pandering to minority cycling enthusiasts” is not the case. The temporary 20mph speed limits were introduced to support the wider objectives set by the Scottish Government which were directly aimed at assisting with physical distancing and encouraging active travel. The introduction of the temporary 20mph speed limits clearly benefit more than just cyclists.

Lack of consultation

The petition states that *“This action is one of the most uncalled for and forced ever performed by West Lothian Council as the well-disguised “survey” conducted by them involved just 471 people, approximately 0.25% of the West Lothian adult population. It is clear that this survey is a misrepresentation of the community.”*

It is acknowledged that these measures have been introduced into the community quickly. Information on the measures has however been issued through the council’s website, local newspapers and social media. Normal consultation channels were restricted during Covid-19. The grant offer funding was for a limited period only and this did not help with having a wider consultation. However, a public on-line consultation was carried out between 15th and 22nd May allowing everyone to participate and put forward their views and ideas on a range of measures.

Due to the timescales to install these measures public consultation relaxations were made by the Scottish Government to ensure that these temporary measures were installed as quickly as possible across the country to assist with the Covid-19 health pandemic. The consultation and its outcome, and the measures proposed, were covered in the report to committee on 23 June 2020 when approval was given to proceed.

The temporary 20mph speed limits have been installed using a Temporary Traffic Regulation Order for a period of 18 months. This can legally be extended if required, however after this second period it cannot be extended further and must be removed. If in future any temporary 20mph speed limits were to be considered for permanency, then the normal statutory process for promoting a Traffic Regulation Order (TRO) would be required. This process involves statutory consultation, advertisement and resolution of any objections received before the legal TRO can be made.

Revenue making scheme, mass criminalising the public and no benefit

The petition further states *“There has been a clear, universal disagreement with this measure as it is seeking to mass criminalise everyday people and use them as a means for more revenue. This is completely undemocratic and to note there have been several studies that have shown 20mph limits on main roads are a waste of resources. Not only do these increase journey times and traffic, they also increase the risk of accidents due to less caution being exercised by other people. Additionally, this scheme has created huge amounts of confusion and undermines the 20mph limit on side streets and estates. There is absolutely no benefit immediately or long term to the taxpayer for this when the budget could have been actually worthwhile spent elsewhere.”*

Police Scotland enforce speed limits on the public road network and West Lothian Council have no powers to enforce any speed limits. As a result, any motorists that illegally break the speed limit on public roads are committing a road traffic offence enforceable by law. Any penalties that may apply, financial, licence points or custodial sentences are a matter for the courts to decide. No revenue is received by the council as a result of these legal processes.

It is the view of officers that reducing speeds means that residents, pedestrians and cyclists can live and travel more safely. Lower speeds mean that people feel more comfortable to walk and cycle and it is safer for children to walk to school, while older people also feel more able to travel independently and safely. There is a very large body of evidence from across the world that vehicle speeds are the main reason why people do not walk or cycle or do not allow their children to walk or cycle to school. Nationally, over half of all incidents in which people are injured happen on urban roads with a maximum speed limit of 30mph.

The Royal Society for the Prevention of Accidents (ROSPA) says: "An analysis of vehicle speed in pedestrian fatalities in Great Britain found that 85% of pedestrians killed when struck by cars died in collisions that occurred at impact speeds below 40mph, 45% at less than 30 mph and 5% at speeds below 20 mph." These statistics are illustrated by the fact that in the distance a 20mph car can stop, a 30mph car will still be doing 24mph.

Closing statements in the petition

The criteria set out by the Scottish Government for the Spaces for People funding is for the implementation of temporary measures to support to make it safer for people who choose to walk, cycle or wheel for essential trips and exercise during Covid-19. Due to this, these measures are not "*long term*" and are in no way "*changing the law using a back door method*".

Finally, the petition concludes with the statement "*the council should revert this change and stay out of trying to inhibit the taxpaying public and their use of public roads in a sensible manner*". The introduction of the temporary 20mph speed limits have been introduced for good reason and do not restrict the use of the public road network. The council as a roads authority use various tools to control driver behaviour on its roads and this is no different. The temporary speed limits introduced at this time are not considered to be excessive in terms of "*inhibiting*" motorists and when balanced with the wider health and accident benefits are considered appropriate by officers during the period of the Covid-19 pandemic.

D3 NEXT STEPS

As originally planned, and as instructed by council on 29 September 2020, officers will assess and evaluate the temporary 20mph speed limit measures that have been introduced. This work is dependent on further data collection which is currently on hold due to the tightening of current Covid-19 restrictions. Officers plan to undertake the data collection as soon as restrictions are relaxed and travel movements represent more closely the pre-introduction levels to allow comparison. This evaluation work will be reported back to the PDSP once it can be completed and national Covid-19 restrictions are lifted. The timescales for evaluation and reporting will be dependent on the need to target resources elsewhere in relation to COVID or other significant risk and factors.

E. CONCLUSION

In conclusion officers recommend the Spaces for People temporary 20mph speed limits in West Lothian are assessed and evaluated by officers as originally planned, however in line with Scottish Government guidance the measures will be removed when the national Covid-19 restrictions are fully lifted.

F. BACKGROUND REFERENCES

Council Executive, 23 June 2020. -

<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Dh%94q%7E%88>

West Lothian Council, 29 September 2020

<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Dh%95o%81%8C>

Spaces for People guidance - <https://www.sustrans.org.uk/our-blog/projects/2020/scotland/spaces-for-people-making-essential-travel-and-exercise-safer-during-coronavirus>

Appendices/Attachments:

Appendix 1 – Petition received.

Contact Person: Gordon Brown, Roads Network Manager tel: 01506 282340, e-mail: gordon.brown@westlothian.gov.uk

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

Date: 2 February 2020

Remove 20mph Speed Limits from Main Roads Across West Lothian



4,881 have signed. Let's get to 5,000!

Lorenzo F started this petition to West Lothian Council

West Lothian Council has wasted £600,000 from the taxpayer on the "Spaces for People" scheme, which has involved reducing the speed limit on main roads across West Lothian to 20mph in order to try and obstruct the majority of people, businesses, and other services grinding them to a halt. This has created extensive frustration and delay to the people of West Lothian. The council claims that this is in relation to the COVID-19 pandemic but is instead using it as a guise to enforce an agenda of pandering to minority cycling enthusiasts.

This action is one of the most uncalled for and forced ever performed by West Lothian Council as the well-disguised "survey" conducted by them involved just 471 people, approximately 0.25% of the West Lothian adult population. It is clear that this survey is a misrepresentation of the community.

There has been a clear, universal disagreement with this measure as it is seeking to mass criminalise everyday people and use them as a means for more revenue. This is completely undemocratic and to note there have been several studies that have shown 20mph limits on main roads are a waste of resources. Not only do these increase journey times and traffic, they also increase the risk of accidents due to less caution being exercised by other people. Additionally, this scheme has created huge amounts of confusion and undermines the 20mph limit on side streets and estates. There is absolutely no benefit immediately or long term to the taxpayer for this when the budget could have been actually worthwhile spent elsewhere.

By trying to force this agenda on people it has been clear that the council is trying to change the law using a back door method, as this is a blatant mass abuse of "experimental" Traffic Regulation Orders across the majority of the county. Despite wasting this money the council is continuing to campaign for more money to squander from the Scottish Government and claims it is "underfunded" desperately. The execution of this is an utterly ridiculous mismanagement of a vital resource and the council should revert this change and stay out of trying to inhibit the taxpaying public and their use of public roads in a sensible manor.

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

2020/21 FINANCIAL PERFORMANCE – MONTH 6 MONITORING REPORT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To provide the Panel with an update on the financial performance of the Environment portfolio.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes the financial performance of the Environment portfolio as at month 6;
2. Notes that the Environment portfolio position at month 6 is part of the overall council budget position reported to Council Executive on 17 November 2020;
3. Notes any actions required to be taken by Heads of Service and budget holders to manage spend within available resources.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on customers' needs, being honest, open and accountable, making best use of resources, working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973, Section 95; Local Government in Scotland Act 2003, section 1-14.
III Implications for Scheme of Delegations to Officers	No implications at this stage.
IV Impact on performance and performance indicators	Effective budget management is an essential element of service performance. Additional financial reporting provides elected members with information to allow for proper scrutiny of performance of services.
V Relevance to Single Outcome Agreement	The revenue and capital budgets provide resources necessary to help deliver the Single Outcome Agreement. Effective prioritisation of resources is essential to achieving key outcomes.
VI Resources – (Financial, Staffing and Property)	An overspend of £1.385 million is forecast for the Environment portfolio general revenue fund in 2020/21. There is forecast to be a net accelerated spend of £69,000 on the capital programme for the portfolio area.
VII Consideration at PDSP	A financial performance report will be presented to the Panel twice yearly on an ongoing basis.

VIII Other Consultations

Depute Chief Executives, Head of Operational Services and Head of Planning, Economic Development and Regeneration

D. TERMS OF REPORT

D.1 Introduction

This report provides an update on the general fund revenue financial performance in respect of the Environment Policy Development and Scrutiny Panel (PDSP) portfolio of services. The council's revenue budget is operationally managed at a Head of Service level, and the financial position included within this report formed part of the overall council position reported to Council Executive on 17 November 2020. This report also includes the position on the delivery of approved budget reduction measures relevant to the Environment portfolio for 2020/21.

The budget monitoring process is undertaken in line with the council's budgetary control framework and procedures, which place particular focus on a risk based and pro-active approach to budget monitoring.

This report focuses on the financial performance of council services which further enhances the information presented to elected members to allow scrutiny of service and financial performance. The report contains reference to key performance measures for service areas which are contained within Service Management Plans and referenced in the 2018/19 Local Government Benchmarking Framework (LGBF) data-set. LGBF data for 2019/20 will be collated by the Improvement Service and will be made available later in the financial year.

D.2 Financial Information for 2020/21 Month 6 Position

The table below summarises the position in relation to service expenditure for the portfolio area. As part of the monitoring exercise, a number of key risks and service pressures have been identified and these are noted in the narrative for the relevant service area.

Service	2020/21 Budget £'000	Month 6 Forecast £'000	Variance £'000
GENERAL FUND REVENUE			
Operational Services			
Roads and Transportation	9,983	9,804	(179)
Recycling and Waste Management	14,667	16,398	1,731
Nets, Land and Countryside	6,703	6,568	(135)
Operational Services - Total	31,353	32,770	1,417
Planning, Economic Development and Regeneration			
Environmental Health and Trading Standards	1,410	1,378	(32)
Planning, Economic Development and Regeneration - Total	1,378	1,378	0
TOTAL EXPENDITURE GENERAL FUND REVENUE	32,763	34,148	1,385
GENERAL SERVICES CAPITAL			
Roads	8,822	8,775	(47)
Open Spaces	2,791	2,907	116
TOTAL EXPENDITURE GENERAL SERVICES CAPITAL	11,613	11,682	69

D.3 Summary of Main Issues in Service Expenditure Budgets and Impact on Performance

D.3.1 General Fund Revenue - Operational Services

Roads and Transportation

An underspend of £179,000 is forecast for Roads and Transportation Services mainly due to workload restrictions caused by the current Covid-19 pandemic. These are expected to reduce variable costs by £686,000 but also result in a £300,000 revenue pressure due to a reduction in the re-charge to capital. There is also a £190,000 reduction in Public Utilities income arising from reduced private sector workloads particularly during the Covid-10 pandemic lockdown.

Severe weather can have a significant impact on the outturn for the service and close monitoring of this expenditure is undertaken during periods of severe weather. At Month 6 (being the forecast reported on in this paper), winter associated costs were forecast to be in line with budget. However, the recent severe weather has resulted in higher winter associated costs and the Month 9 forecast shows a £0.4 million overspend in the area.

Service performance remains positive in terms of asset condition with the council being ranked sixth overall in Scotland for the conditions of roads (the percentage of roads that should be considered for maintenance treatment) in 2018/19. The most recent customer satisfaction survey, 2019/20, indicated that customers are less satisfied with the condition of roads, the time taken to complete roadworks and our response to pot holes on the road network, however customers are more satisfied with street lighting, road safety and pavements and footpaths.

LGBF benchmarking indicates that the service is ranked 22nd in Scotland for the cost of maintenance per kilometre of roads. There have been a number of approved budget reductions delivered within this area and it is important that customer satisfaction is managed against a background of reduced expenditure. Expenditure is being prioritised on those areas which meet statutory requirements.

Recycling and Waste Management

Recycling and Waste Management is forecast to overspend by £1.731 million mainly as a result of the current Covid-19 pandemic.

Tonnage levels have increased this year for landfill, brown bin and blue bin waste generating additional costs of £1.325 million. It is assumed that increased levels of tonnage will remain throughout 2020/21 due to changing behaviour as a result of the Covid-19 pandemic. Staff costs are forecast to be £172,000 over budget largely due to Covid-19 pressures and repair costs are forecast to be £138,000 over budget. The revised implementation date for generic working and changes to shift patterns to beyond the end of 2020/21 will result in a non-recurring pressure of £236,000.

The Scottish Government is continuing to implement its deposit return scheme. Close liaison with the government is required to assess how this will impact on the council's expenditure and funding arrangements, including agreed budget savings to introduce further source segregation of blue bin material.

In addition, the Scottish Government is progressing with the preparation and implementation process for the UK-wide extended producer responsibility (EPR) scheme, whereby producers will be liable for the costs of collection, disposal and engagement activities related to the end of life processes for their products. The monies raised from producers will be distributed centrally to councils in order to fund the elements of their recycling and waste operations linked to the disposal of these products – it is expected that general funding provided by the Scottish Government will be reduced as a result with a portion of the previous funding offset by the EPR monies. Again, close liaison with the Scottish Government is required to assess how this will impact on the council's net funding arrangements and any impact this will have

on the delivery of the council's recycling and waste services given the monies are likely to be tied to a best practice efficiency operational model.

In terms of LGBF benchmarking service performance, household recycling rates continued to increase considerably, from 61.3% in 2017/18 to 65.2% in 2018/19, which made West Lothian Council the second highest council household recycling rate overall at the time on those measures. However, this comes at a financial cost as the service is ranked 30th and 19th in Scotland for the cost of collection and disposal respectively within the LGBF exercise for 2018/19, both of which are down on 2017/18 rankings of 24th and 16th respectively although it is noted that our average disposal costs is broadly in line with the council average (£99.90 per tonne vs £97.23) with this average being lowered by some very low cost councils eg Dumfries & Galloway (£44.69) and Shetland Islands (£47.33). Future agreed TYC measures will help reduce collection costs. In addition, the council was ranked 22nd in Scotland for customer satisfaction in 2018/19 compared to 8th the previous year.

Nets, Land and Countryside

An underspend of £135,000 is forecast for Nets, Land and Countryside. Income is forecast to under recover by £176,000 and Supplies and Services are forecast to underspend by £162,000 both due to a period of inactivity as a result of the Covid-19 pandemic lockdown. Staffing is forecast to underspend by £115,000. The Service Manager is in the process of filling some of the vacancies within the service.

LGBF data indicates that in comparison with other local authorities', adult satisfaction with our three country parks is lower than the national average in that the council was ranked 23rd out of 32 in Scotland in 2018/19 (down from 18th the previous year) although it is noted that our satisfaction rate at 70% is reasonably close to the average of 72%. Investment in these three country parks is planned for 2021 which should improve their satisfaction rates. In addition, we were ranked 16th when compared to other local authorities in terms of the cost of parks and open spaces per 1,000 population which is consistent with the previous year and slightly lower than average (£20,072 vs £20,174). LGBF data does not cover our 300 district and local parks where independent surveys show 93% satisfaction demonstrating the benefit of the improvements that have been implemented at these parks.

D.3.2 General Fund Revenue – Planning, Economic Development and Regeneration

Environmental Health and Trading Standards

Environmental Health and Trading Standards is forecast to have a small underspend of £32,000 as a result of an under recovery in pest control income of £32,000 being more than offset by lower staff costs of £70,000. The lower pest control income in due, at least in part, to difficulties in recruiting appropriately experienced staff.

Expenditure in this area has allowed the service to maintain performance in line with previous years. Overall, for the most recent survey periods, 99.4% and 85.6% of service requests to Trading Standards and Environmental Health respectively have been responded to within service level targets, an improvement on the previous year and above target.

95.8% of customers have measured the service as either good or excellent, and 83.6% of the highest risk commercial premises have been inspected within the agreed programme timelines. This is below target, but reflects the impact of gaps in staff resource whilst vacancies are being filled along with a change in premises inspection requirements with the introduction of a new code of practice, as reported to Council Executive in June 2020.

In terms of benchmarking costs with other local authorities, the council's Environmental Health service is consistently performing better than the average of Scottish authorities demonstrating the delivery of efficient services by the council. LGBF comparative data for 2018/19 indicates that the council has the fourth lowest expenditure in Scotland for Environmental Health. Staffing resource and other anticipated external demands may impact

on performance going forward and therefore targets and priorities will be reviewed to ensure continued focus on highest priority aspects of the service. Monitoring of service performance will continue in the new financial year to allow for appropriate response and adjustments, but it is anticipated that performance in high priority aspects of the service will not be adversely affected by the delivery of approved budget reduction measures.

D.3.3 General Fund Revenue – Monitoring of approved budget reductions

For the Environment portfolio, savings in 2020/21 are anticipated to be fully delivered by the end of the financial year other than the following:

- Recycling and Waste Services – changes in shift patterns and rural collection points (total saving of £396,000 split £236,000 in 2020/21 and £160,000 in 2021/22). These new arrangements have still to be finalised and approved and thereafter they will require to be rolled out. It is not expected that this will happen before the end of 2020/21.

The operational delivery of the savings for future years is progressing well although the following should be noted:

- Recycling and Waste Services – introduction of twin stream recycling (saving of £973,000 in 2022/23). The introduction of the Scottish Government's deposit return scheme is likely to reduce the savings that can be achieved from this project. However, it is still considered worthwhile to continue with the project as substantial savings are still expected to be achieved.

D.3.4 General Services Capital

Roads and Open Spaces asset categories are forecasting a net accelerated spend of £69,000 for the financial year.

Roads

Projected outturn expenditure in 2020/21 is £8.775 million, resulting in net forecast slippage of £47,000.

There has been steady progress on the Spaces for People project with it forecasting to be on budget. Nine packages of measures have been identified that can be undertaken taking account of social distancing restrictions. At the stage, these projects are all expected to be completed by the end of 2020/21.

The Broxburn flood prevention scheme is now projecting accelerated spend of £105,000. Consultancy work is still ongoing however site investigations now indicate the cost of works required to be higher than originally anticipated. At present, the site investigation tenders are still being considered and a property level protection plan is being developed for implementation from April 2021.

Works at Guildiehaugh Railway bridge, Bathgate, are reporting slippage of £290,000 in 2020/21. Progress on the project has been slower than initially planned and it is expected that phase 1 will now over run. This new position is reflected in the reduction of the forecast.

Open Spaces

Projected outturn expenditure in 2020/21 is £2.907 million, giving rise to accelerated spend of £116,000.

The Almondell Historic Wall project was originally approved with a budget of £121,000. Due to the deteriorating condition of the wall, together with market changes and architect and engineering requirements, the tender has been returned at a higher cost of approximately

£222,000 After carefully considering the various implications if the project were to not proceed, the project will go ahead and the overspend will be funded from future years block budgets resulting in accelerated spend of £101,000

Slippage of £40,000 is forecast for the KGV Ball court project due to delays in the potential asset transfer as a result of Covid-19. The investment had been agreed to refurbish the kick pitch at KGV Park in Whitburn in response to a request from Whitburn Community Football Club. The football club have now presented alternative proposals which officers are currently exploring with the club. Any capital investment will therefore now take place in 2021/22

E. SUMMARISED BUDGET POSITION FOR 2019/20

An overspend of £1.385 million is forecast for the Environment portfolio general revenue fund in 2020/21. There is forecast to be a net accelerated spend of £69,000 on the capital programme for the portfolio area. The month 6 position was reported to Council Executive on 17 November 2020.

F. FUTURE BUDGET ISSUES AND RISKS

There remains significant risks and uncertainties associated with the financial assumptions in the council's budget. In addition to the current increase in costs, there is a high risk that further significant costs will continue to be incurred during financial year 2020/21 and beyond given the current and likely future lockdown, social distancing and other requirements in place to manage the pandemic. However, it is recognised that the ongoing vaccination programme should help control certain of these costs in due course.

As council services continue to be delivered in accordance with Scottish Government guidance, there will be a substantial increase in the cost of service delivery. This will need to be closely monitored to ensure costs are fully identified and this will inform discussions with the Scottish Government over additional funding.

The council, in liaising with COSLA, will continue to lobby the Scottish Government to provide additional resources to the council to ensure that the financial implications of Covid-19 are fully funded.

In relation to medium term financial planning, whilst acknowledging that the planning assumptions are subject to uncertainty due to the planning time horizon, some of the general risks and uncertainties include annual confirmation of local authority funding from the Scottish Government, pay award, particularly given payroll costs are the council's largest expense, the implementation of the recently agreed trade discussions between the UK and EU, the outcome of continuing services and trade discussions between the UK and EU, policy changes by the government without adequate funding, demographic demands and inflationary pressures.

Specifically for the Environment portfolio, there are key risks around the volume of waste material collected, the cost of processing waste material and the ability to maintain the recycling rates going forward. In particular, both the volume of waste material collected and the cost of recycling and disposing of this waste material are subject to further change in the months and years ahead. The implementation of Scottish Government proposals for a deposit return scheme for waste materials and extended producer responsibility needs to be assessed fully, in particular the impact on council expenditure and funding arrangements. Severe weather events such as heavy snowfall and flooding can have a significant impact on expenditure within Roads and Transportation. Severe weather working and related expenditure is monitored closely if and when events occur and remain general risks on an ongoing basis.

The council's risk based approach to budget monitoring will ensure that effective action is taken to manage risks during the course of the financial year. Officers will continue to provide updates on risks as part of the regular budget monitoring reporting to Council Executive at period 4, 6 and 9.

G. CONCLUSION

The forecast position for the Environment portfolio is an overspend of £1.385 million. As noted, the position for the Environmental portfolio is part of the overall outturn forecast position for 2019/20 which was reported to Council Executive on 17 November 2020. There is accelerated spend of £69,000 on the capital programme for the portfolio area.

H. BACKGROUND REFERENCES

1. Council Executive 2020/21 General Fund Revenue Budget – Month 6 Monitoring Report – 17 November 2020
2. Local Government Benchmarking Framework

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Donald Forrest

Head of Finance and Property Services

Date: 2 February 2021

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

CONSULTATION ON CYCLE 2 OF THE FORTH ESTUARY FLOOD RISK MANAGEMENT STRATEGY AND PLAN – UPDATE ON WEST LOTHIAN COUNCIL’S ACTIONS

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to advise the Panel of the proposed Flood Risk Management Actions for the Council, for Cycle 2 of the Flood Risk Management (Scotland) Act 2009, and to inform the Panel of the delayed launch of the full public consultation on the Draft 2021-2027 Forth Estuary Flood Risk Management Strategy and the Draft 2022-2028 Forth Estuary Flood Risk Management Plan.

B. RECOMMENDATION

It is recommended that the Panel notes, the public consultation dates for the Forth Estuary Flood Strategy and Plan and the draft prioritised actions for the council, which officers will be reporting to the Council Executive for information.

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>Policy – Draft 2021-2027 Forth Estuary Flood Risk Management Strategy and Draft 2022-2028 Forth Estuary Flood Risk Management Plan.</p> <p>Legal - The Flood Risk Management (Scotland) Act 2009.</p> <p>SEA – A Draft SEA for the Flood Risk Management Strategy and a Habitats Regulations Appraisal will be included with Phase 2 of the public consultation.</p> <p>Equality Issues – A Social Score is included in the evaluation of Prioritised Actions.</p> <p>H&S – Not applicable.</p>

Risk Assessment – Not applicable.

III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	SOA 4. We live in resilient, cohesive and safe communities; SOA 5. People most at risk are protected and supported to achieve improved life chances; SOA 6. Older people are able to live independently in the community with an improved quality of life; SOA 7. We live longer, healthier lives and have reduced inequalities; and SOA 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)	<p>Financial: Scottish Government funding of Cycle 2 local authority flood risk management is based on these agreed actions and their prioritisation in the 2022-2028 Local Flood Risk Management Plans.</p> <p>Staffing: Existing resources.</p> <p>Property/Assets: If funded, some of these agreed actions will create future flood protection assets.</p>
VII	Consideration at PDSP	Linked to a previous PDSP report on 17 November 2020.
VIII	Other consultations	This report is to advise the Panel of the public consultation arrangements for the Draft 2021-2027 Forth Estuary Flood Risk Management Strategy, and the Draft 2022-2028 Forth Estuary Local Flood Risk Management Plan.

D. TERMS OF REPORT

Background

- D1** As advised in November 2020, this report is to update the Panel on the public consultations for both the draft Cycle 2 Forth Estuary Local Plan District Flood Risk Management Strategy (the 'Strategy') and the draft Cycle 2 Forth Estuary Local Plan District Local Flood Risk Management Plan (the 'Plan').

Cycle 2 – Consultation Phase 1 (launched 21 December 2020)

- D2** Phase 1 of the draft Forth Estuary Cycle 2 Strategy public consultation was launched on 21 December 2020. The published information includes a Forth Estuary Local Plan District (LPD) summary, Potentially Vulnerable Area (PVA) summaries, and a list of agreed Objective Target Areas (OTA's).

- D3** The Scottish Environment Protection Agency (SEPA) led development of the Forth Estuary Draft Strategy in collaboration with Responsible Authorities, i.e. Scottish Water and 11 local authorities in the Forth Estuary LPD. Additionally, SEPA engaged with other national stakeholders such as: Forestry & Land Scotland, Scottish Forestry, Scottish Natural Heritage, Transport Scotland, Network Rail, utilities (including Scottish Power, Scottish & Southern Energy, Scottish Gas Networks, British Telecoms) and airport authorities. The National Flood Management Group (NFMAG) is also engaged in the development process. West Lothian Council is working with the Forth Estuary Lead Local Authority (Falkirk Council) to ensure that relevant groups are advised of the publication of the Cycle 2 Draft Plan consultation, i.e. Community Councils and Tenants & Residents Groups.

Cycle 2 – Consultation Phase 2 (Delayed from March to Summer 2021)

- D4** Phase 2 of the public consultation was due to be launched in March 2021 but this programme has now been delayed due to the recent cyber-attack on SEPA and increased Covid lockdown early 2021. Phase 1 consultation information is still available online. Phase 2 Draft Strategy information will include the OTA Datasheets, a Draft Strategic Environmental Assessment (SEA) Report and a Draft Habitats Regulations Appraisal. Draft Plan information will include the prioritised flood risk management actions for Cycle 2 (see Appendix 1) and the Local Authority wide actions (see Appendix 2). All consultation questions will apply to Phase 2 only.

- D5** Unless already allocated funding by the council, the proposed actions are reliant on approval of funding from the Scottish Government (see Appendix 3) and available council staff resources. Scottish Government funding for Cycle 2 Actions is expected to be announced in October 2021. If funded, some of the proposed actions would create new flood protection assets for the council in the next cycle. The total cost of Average Annual Damages (AAD) for the Council's OTA's has been calculated at £4.3m per year (see Appendix 1).

- D6** The proposed actions have been assessed for their impact on the more vulnerable members of the community using a social score; a value from 1 to 10 (least to most vulnerable), which is determined using the percentage of the community at flood risk, and the Social Flood Vulnerability Index.

- D7** The Phase 1 Forth Estuary Strategy and Plan consultation can be accessed at: <https://consultation.sepa.org.uk/> using the Citizen Space online citizens' engagement platform. Once launched Phase 2 of the consultation is expected to remain open for

3 months. This consultation period will be promoted with a marketing campaign to encourage feedback, this will include a press release, public notice, press advertising, digital advertising and social media strategies.

- D8** If required, printed copies of the Draft Cycle 2 Forth Estuary Flood Risk Management Strategy & Plan and the Cycle 2 Consultation Questions can be requested from SEPA after the launch of Phase 2, by email (FloodActConsultation@sepa.org.uk) or telephone (03000 99 66 99).

Recent Local Flooding & Climate Change

- D9** The importance of the Council's Flood Risk Management (FRM) actions and subsequent funding allocation was highlighted recently when an intense localised rain storm caused internal damage to almost 30 properties in and around Broxburn in August 2020.

- D10** Rainfall events are forecast to become both more frequent and potentially more severe, with wetter winters, more intense rainfall and rising sea levels. The climate change data used for the 2018 National Flood Risk Assessment (NFRA), which informs the Cycle 2 Strategies and Plans, are based on the UK Climate Projections 2009 (UKCP09). During 2021, SEPA will be working on updating the Surface Water flood hazard maps with the latest 2018 UK Climate Projections (UKCP18). The outcome of this work will inform future flood hazard mapping, Surface Water Management Planning and the next NFRA in 2024; but UKCP18 will not inform the Final Cycle 2 Forth Estuary Strategy, which is due to be published by SEPA in December 2021, or Falkirk Council's publication of the Final Cycle 2 Plan due in June 2022. The current delay to the main consultation period may impact these publication dates.

- D11** Additionally, council officers recently participated in SEPA's One Planet Prosperity: Flood Services Strategy Consultation (see Appendix 4). Feedback was sought on the SEPA data which officers use, how it is used and its functionality. Final publication of this document is due Summer 2021.

2020 Flood Map Update

- D12** SEPA's most recent Flood Map update was published in November 2020. For the first time this includes 'Future Flood Maps' which are based on projected increases in peak river flows and mean sea levels (currently based on a high-emissions climate scenario from UKCP09 data). These maps have been launched on SEPA's new Beta Version 2.0 Flood Map, and SEPA invites feedback on these revised maps from all users: <https://map.sepa.org.uk/floodmaps>

E. CONCLUSION

This report is to advise the Panel of the Council's proposed Flood Risk Management actions and the consultation arrangements for the Flood Risk Management (Scotland) Act 2009 Cycle 2 Flood Strategies and Plans.

- Phase 1 of the public consultation for the 2021-2027 Draft Forth Estuary Flood Risk Management Strategy was launched on the 21 December 2020.

- Phase 2 of the public consultation for the 2021-2027 Draft Forth Estuary Flood Risk Management Strategy was due to be launched in March 2021, alongside the launch of the public consultation for the 2022-2028 Draft Forth Estuary Local Flood Risk Management Plan. The consultation programme has now been delayed due to the recent cyber-attack on SEPA and increased Covid lockdown early 2021.

Once launched the main consultation period is expected to remain open for 3 months, and all feedback is welcomed. The Draft prioritised actions for Cycle 2 (2022-2028) for each of the council's Objective Target Areas are detailed in Appendix 1.

Unless already allocated funding by the council, the proposed actions are reliant on the approval of funding from the Scottish Government, and available council staff resources. The funding allocation for Cycle 2 is expected to be announced in October 2021.

F. BACKGROUND REFERENCES

- Flood Risk Management Strategy for the Forth Estuary Local Plan District, Published by SEPA, December 2015
- Local Flood Risk Management Plan for the Forth Estuary Local Plan District, Published by City of Edinburgh Council, June 2016
- National Flood Risk Assessment, Report by the Head of Operational Services to the Council Executive, 26 June 2018
- Forth Estuary Local Plan District – Flood Risk Management Interim Report, Report by the Head of Operational Services to the Council Executive, 26 February 2019
- Consultation on Cycle 2 of the Forth Estuary Flood Risk Management Strategies and Plans, Report by the Head of Operational Services to the Council Executive, 17 November 2020

Appendices/Attachments:

Appendix 1 – Cycle 2 DRAFT Prioritised Actions Table for West Lothian Council

Appendix 2 – Cycle 2 DRAFT Local Authority Wide Actions for West Lothian Council

Appendix 3 - Scottish Government Letter re Implementation Plan Funding, December 2020

Appendix 4 – One Planet Prosperity Draft Flood Strategy – West Lothian Council's Consultation Response, dated 26 Nov 2020

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Jim Jack, Head of Operational Services

Date of meeting: 2 February 2021

APPENDIX 1 – Cycle 2 DRAFT Prioritised Actions for West Lothian Council

OTA Information		OTA Prioritisation		FRM Strategy Information					FRM Plan Information	
OTA ID	OTA	AAD	Social score	Proposed action	Flood Source	Lead Responsible Authority	FRM Cycle	Generic description	Local detail	Coordination
295	Livingston and Mid Calder	£2,595,543	4	Flood scheme or works design	Pluvial	Scottish Water	Ongoing	The selected preferred approach for managing flood risk is to be designed following the completion of the flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	The recommended works should progress to the design and implementation stages, as appropriate. The impact of climate change on the proposed solution should be considered and if appropriate, an Adaptation Plan developed.	West Lothian Council
295	Livingston and Mid Calder	£2,595,543	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 3	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system have been identified. Next steps in managing such water ponding or over-whelmed drainage systems have been identified and should be implemented. The Plan is to be reviewed and updated as needed.	West Lothian Council published a high level Surface Water Management plan in 2015. The Plan identifies a ‘road-map’ for the management of surface water flood risk and the need for further detailed studies. The Plan should be kept under review and updated as new information becomes available.	Scottish Water
246	Linlithgow	£651,916	2	Flood study	Fluvial	West Lothian Council	Cycle 1	An understanding of flood risk and associated issues in the area is to be developed, which may include surveys and modelling and should consider the impacts of climate change on flood risk.	Planned flood study for Bell’s burn should be completed. The study should include flood modelling and should flood risk be confirmed, scoping of flood protection options.	
246	Linlithgow	£651,916	2	Flood study (existing flood defences)	Fluvial	West Lothian Council	Cycle 2	The performance and condition of the existing flood defences are to be evaluated, including consideration of the likely impacts of climate change. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A study is recommended to investigate the performance and long-term management of the existing Flood Protection Scheme along the Mains Burn. The study may require survey of flood defences, data collection and flood modelling. The study should include a comprehensive assessment of the potential impacts of climate change and aim to develop a long-term plan to managing the flood defences (Adaptation Plan).	
246	Linlithgow	£651,916	2	Data collection	Fluvial	West Lothian Council	Ongoing	Equipment that measures rainfall, river levels, erosion, ground levels or wave height is to be installed and maintained to improve our understanding of flood risk. This can be done over short term or to measure longer term impacts.	West Lothian Council should continue current efforts in data collection and monitoring to improve the confidence in flood sources, mechanisms and risk relating to river flooding from the River Avon. The new data should be used to update the existing flood risk assessment as deemed necessary.	
246	Linlithgow	£651,916	2	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system have been identified. Next steps in managing such water ponding or over-whelmed drainage systems have been identified and should be implemented. The Plan is to be reviewed and updated as needed.	West Lothian Council published a high level Surface Water Management plan in 2015. The Plan identifies a ‘road-map’ for the management of surface water flood risk and the need for further detailed studies. The Plan should be kept under review and updated as new information becomes available.	Scottish Water
246	Linlithgow	£651,916	2	Integrated catchment study	Fluvial+ Pluvial	Scottish Water	TBC	Interactions between flood water in rivers, surface water drainage and sewer systems are to be considered, and ways to reduce the risk of this causing flooding in the future are to be identified.	The integrated catchment study should be completed to supplement current understanding of flood risk in Linlithgow and to support proposed actions to manage surface water flood risk.	West Lothian Council
246	Linlithgow	£651,916	2	Flood defence maintenance	Fluvial	West Lothian Council	Ongoing	The existing flood defences are to be maintained by the asset owner to ensure they are in good condition.	Local authority should continue to maintain the existing Linlithgow Flood Protection Scheme on the Mains Burn.	

APPENDIX 1 – Cycle 2 DRAFT Prioritised Actions for West Lothian Council

OTA Information		OTA Prioritisation		FRM Strategy Information					FRM Plan Information	
OTA ID	OTA	AAD	Social score	Proposed action	Flood Source	Lead Responsible Authority	FRM Cycle	Generic description	Local detail	Coordination
196	Bathgate	£374,764	4	Flood study	Fluvial+ Pluvial	West Lothian Council	Cycle 1	An understanding of flood risk and associated issues in the area is to be developed, which may include surveys and modelling and should consider the impacts of climate change on flood risk.	A flood study for Bathgate is due to be carried out in 2020-21. It is worth noting that the Boghead Burn/Bog Burn/Couston Water Burn is failing to meet WFD objectives. Water Environment Fund project (Bathgate Water Restoration) is underway in the area which could bring flooding benefits. The local community will be advised of any resulting Works.	WEF (Bathgate Water restoration)
196	Bathgate	£374,764	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 3	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system have been identified. Next steps in managing such water ponding or over-whelmed drainage systems have been identified and should be implemented. The Plan is to be reviewed and updated as needed.	West Lothian Council published a high level Surface Water Management plan in 2015. The Plan identifies a ‘road-map’ for the management of surface water flood risk and the need for further detailed studies. The Plan should be kept under review and updated as new information becomes available.	Scottish Water
196	Bathgate	£374,764	4	Integrated catchment study	Fluvial+ Pluvial	Scottish Water	TBC	Interactions between flood water in rivers, surface water drainage and sewer systems are to be considered, and ways to reduce the risk of this causing flooding in the future are to be identified.	The integrated catchment study should be completed to supplement current understanding of flood risk in Linlithgow and to support proposed actions to manage surface water flood risk.	West Lothian Council
196	Bathgate	£374,764	4	Sewer flood risk assessment	Fluvial+ Pluvial	Scottish Water	TBC	The volume of water that would overwhelm the sewer system and cause flooding from man-holes or inside our homes is to be assessed, to help prioritise areas for further work.		
206	Broxburn	£304,974	4	Flood scheme or works design	Fluvial+ Pluvial	West Lothian Council	Cycle 1	The selected preferred approach for managing flood risk is to be designed following the completion of the flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	Detailed design for future phases of the flood protection scheme in Broxburn commenced in 2019 with local authority funding. Proposed works include Liggat Syke Flood Relief Culvert and Basin, property level protection scheme for New Holygate and Parkwood Gardens and West Burnside Flood Embankment. Stakeholder and public consultations are due to be carried out in these areas in 2021.	SEPA, Scottish Water, Scottish Canals
206	Broxburn	£304,974	4	Flood scheme or works	Pluvial	Scottish Water	Ongoing	The flood scheme/works is to be built following agreement of the design, costs and timescales.	The legacy SUDS project is to continue in partnership between the local authority and Scottish Water.	West Lothian Council
206	Broxburn	£304,974	4	Flood scheme or works implementation	Fluvial+ Pluvial	West Lothian Council	Cycle 2	The flood scheme/works is to be built following agreement of the design, costs and timescales.	The future phases of Broxburn flood protection scheme should continue to the construction phase subject to securing funding. The future phases include the Liggat Syke Flood Relief Culvert & Basin, PLP scheme costs for New Holygate & Parkwood Gardens and West Burnside Flood Embankment.	SEPA, Scottish Water, Scottish Canals
206	Broxburn	£304,974	4	Flood study (existing flood defences)	Fluvial	West Lothian Council	Cycle 2	The performance and condition of the existing flood defences are to be evaluated, including consideration of the likely impacts of climate change. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A study is recommended to investigate the long-term performance and management of the existing Flood Protection Scheme in Broxburn. The study may require survey of flood defences, data collection and flood modelling. The study should include a comprehensive assessment of the potential impacts of climate change and aim to develop a long-term plan to managing the flood defences (Adaptation Plan). The local community will be advised of any resulting works.	

APPENDIX 1 – Cycle 2 DRAFT Prioritised Actions for West Lothian Council

OTA Information		OTA Prioritisation		FRM Strategy Information					FRM Plan Information	
OTA ID	OTA	AAD	Social score	Proposed action	Flood Source	Lead Responsible Authority	FRM Cycle	Generic description	Local detail	Coordination
206	Broxburn	£304,974	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 3	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system have been identified. Next steps in managing such water ponding or over-whelmed drainage systems have been identified and should be implemented. The Plan is to be reviewed and updated as needed.	West Lothian Council published a high level Surface Water Management Plan in 2015. The Plan identifies a 'road-map' for the management of surface water flood risk and the need for further detailed studies. The Plan should be kept under review and updated as new information becomes available.	Scottish Water
206	Broxburn	£304,974	4	Flood defence maintenance	Fluvial	West Lothian Council	Ongoing	The existing flood defences are to be maintained by the asset owner to ensure they are in good condition.	Maintenance to the existing Broxburn flood protection scheme completed in 2008 should continue.	
206	Broxburn	£304,974	4	Sewer flood risk assessment	Fluvial+ Pluvial	Scottish Water	TBC	The volume of water that would overwhelm the sewer system and cause flooding from man-holes or inside our homes is to be assessed, to help prioritise areas for further work.		
325	Whitburn	£151,358	4	Data collection	Fluvial	West Lothian Council	Ongoing	Equipment that measures rainfall, river levels, erosion, ground levels or wave height is to be installed and maintained to improve our understanding of flood risk. This can be done over short term or to measure longer term impacts.	West Lothian Council should continue current efforts in data collection and monitoring to improve the confidence in flood sources, mechanisms and risk relating to river flooding from the White Burn. The new data should be used to update the existing flood risk assessment as deemed necessary.	
325	Whitburn	£151,358	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for Whitburn to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area.	Scottish Water
191	Armadale	£74,024	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for Armadale to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area. The local community will be advised of any resulting Works.	Scottish Water
197	Blackburn	£53,084	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for Blackburn to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area.	Scottish Water

APPENDIX 1 – Cycle 2 DRAFT Prioritised Actions for West Lothian Council

OTA Information		OTA Prioritisation		FRM Strategy Information					FRM Plan Information	
OTA ID	OTA	AAD	Social score	Proposed action	Flood Source	Lead Responsible Authority	FRM Cycle	Generic description	Local detail	Coordination
229	Fauldhouse	£31,096	4	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for Fauldhouse to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area.	Scottish Water
323	West Calder	£31,054	1	Surface water management plan	Pluvial	West Lothian Council	Cycle 2	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for West Calder to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area.	Scottish Water
282	Blackridge	£2,775	5	Flood scheme or works implementation	Pluvial	West Lothian Council	Cycle 3	The flood scheme/works is to be built following agreement of the design, costs and timescales.	The recommendations of the flood study should be taken forward to reduce surface water flood risk in Blackridge. These include surface water works and consideration of natural flood management opportunities.	
282	Blackridge	£2,775	5	Flood study	Fluvial	West Lothian Council	Cycle 3+	An understanding of flood risk and associated issues in the area is to be developed, which may include surveys and modelling and should consider the impacts of climate change on flood risk.	The flood protection study for the Barbauchlaw Burn was completed in 2019. The study should be updated once more hydrological information is available to confirm the understanding of flood risk.	
282	Blackridge	£2,775	5	Data collection	Fluvial	West Lothian Council	Ongoing	Equipment that measures rainfall, river levels, erosion, ground levels or wave height is to be installed and maintained to improve our understanding of flood risk. This can be done over short term or to measure longer term impacts.	West Lothian Council should continue current efforts in data collection and monitoring to improve the confidence in flood sources, mechanisms and risk relating to river flooding from the Barbauchlaw Burn. The new data should be used to update the existing flood risk assessment as deemed necessary.	
282	Blackridge	£2,775	5	Surface water management plan	Pluvial	West Lothian Council	Cycle 3+	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A surface water management plan should be developed for Blackridge to improve understanding of surface water flood risk. Current and long-term flood risk should be considered including how climate change may impact flood risk in the area.	Scottish Water
TOTAL AAD		£4,270,588								

* Upon confirmation from Scottish Water the Integrated Catchment Studies Actions are to be removed; the 2019 Catchment Flood Assessments for Linlithgow & Bathgate both concluded with low damages and no specific WLC actions.

National action	Generic description (FRM Strategy)	Local description (LFRM Plan)
Inspection and maintenance	Local authorities are to continue to inspect, clear and maintain watercourses in line with their legal obligations.	West Lothian Council carries out prioritised watercourse inspections within their area, as well as undertaking clearance and repair work. Road gullies are also inspected and maintained to reduce flood risk.
Self help	Everyone is responsible for protecting themselves and their property from flooding. Self help measures are to continue to be promoted by the responsible authorities, including purchase of property flood resilience measures, signing up for Floodline, the Flood Re insurance scheme and preparing a flood kit.	All landowners have the responsibility to inspect and maintain their flood risk management assets. In the event of severe issues West Lothian Council will work with other responsible authorities to support residents, businesses and local resilient communities groups as required. West Lothian Council continues to promote property flood resilience measures, Floodline, and the FloodRe insurance scheme.
Emergency plan	The plan to coordinate responses to emergency incidents between organisations, including local authorities, the emergency services and SEPA, is to be maintained and executed as required.	West Lothian Council has a Severe Weather Plan and Major Incident Plans which are regularly reviewed and updated (where necessary) after flood events. The Plans provide local resilience partnerships with the information required to respond to flooding incidents. An emergency response to flooding may also include Scottish water and voluntary groups.
Land use planning	Planning authority should ensure that their development plan and planning decision-making supports delivery of sustainable flood management.	West Lothian Council's Flooding and Drainage Supplementary Planning Guidance was updated to support the adoption of their 2018 Local Development Plan. Its purpose is to assist developers and their agents by providing context and an overview of issues that the council has to have regard to when producing and implementing a land use development plan, highlighting the matters that will need to be considered and the information that will need to be brought forward by developers when submitting a planning application to ensure that new development are not at risk of flooding, that the risk of flooding is not increased elsewhere and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.
Flood forecasting	The Scottish Flood Forecasting Service is to be kept operational by SEPA and the Met Office to provide flood alerts nationally.	SEPA's 'Edinburgh & Lothians Flood Warning Area' covers the West Lothian Council area. The Scottish Flood Forecasting Service advises SEPA's Floodline service where Residents can be notified when flooding is likely in their area, see www.floodlinescotland.org.uk
Awareness raising	SEPA, local authorities and others to help communities understand their flood risk and the actions they can take to reduce their risk of flooding.	The Scottish Flood Forum, SEPA and West Lothian Council continue to raise awareness of flooding, providing advice and guidance on flood matters.



E: Gerry.Smith@gov.scot

Local Authority Flooding Contacts

8 December 2020

Dear Colleague

Flood Risk Management (Scotland) Act 2009

As you know, we are beginning to reach some of the significant deadlines in implementation of the Flood Risk Management (Scotland) Act 2009. In particular, SEPA is required to publish the draft Flood Risk Management Strategies by 22 December 2020, and local authorities now have until 31 March 2021 to publish a draft of the local flood risk management plan.

I understand that concerns have been raised about listing potential actions in the draft implementation plan, particularly in the light of future funding uncertainties. The principle of producing flood risk management plans is supposed to ensure a long-term, informed planning process that sets out the direction of travel for a 6 year period. Including “potential actions” in the implementation plan does not commit a local authority to implementation if, for any reason, that proves to be unworkable – one such reason could be that funding could not be secured. However, it does allow the public to see that local authorities recognise that there are flooding issues that require addressing in specific areas. This is likely to be an important assurance to the public during the consultation exercise.

The adoption of consistent principles, approaches and methods at each stage of the flood risk management planning process is essential to ensure a nationally comparable approach, which will inform management and investment decisions.

Finally, I should like to thank everyone involved in getting the flood risk management planning process to this stage during a very difficult year. I hope all those involved in flood risk management have a well deserved break over Christmas, and that the weather is kind to us.

Yours sincerely

Gerry Smith
Head of Flood Risk Management Team

Response ID ANON-USYV-F99Y-8Submitted to **One Planet Prosperity: Our Flooding Services Strategy**Submitted on **2020-11-26 20:00:48****Introduction****1 What is your name?****Name:**

Shona Collins

2 What is your email address?**Email:**

shona.collins@westlothian.gov.uk

3 What is your organisation?**Organisation:**

West Lothian Council

Planning for the future

4 Our Government has declared a climate emergency and there is already clear evidence of climate change impacts on flooding in Scotland. Do you agree that our Flood Maps, National Flood Risk Assessment and Flood Risk Management Strategies should consider the impact of a high emissions climate scenario?

Yes

Please explain the reason for your answer:

Climate change projections, like all modelling, contains uncertainties.

We have to make cautious decisions based on the worst case (high emissions) scenario in order to be best prepared to live safely and healthy in our future climate.

Our Vision

5 Climate Change is expected to increase flooding significantly in the future. It is important that people and communities remain safe and able to adapt to new conditions. With this in mind, to what extent do you agree with our vision: Scotland's people and places are resilient to flooding?

Agree

6 What actions can you or your organisation take to support us deliver our vision?**Actions:**

Front line flood risk management through

- Maintenance and Inspection of watercourses, FRM assets, road gullies
- local coordination of emergency response during a flood event
- Supporting householders in the aftermath of a flood event

Improving national quality of FRM evidence through targeted local studies within areas identified at risk.

Delivery of new FRM assets to reduce flood risk

Development Management input through the councils Local Development Plan process, and assessment of planning applications.

Communicating awareness of flood risk in our community, in relation to the local weather, infrastructure and historic flooding issues.

Communicating Flood Risk

7 Our flood maps are important tools for communicating flood risk. What areas of improvement would increase your confidence and capability in using the maps for decision-making? Please rank options 1-6 - 1 = high priority 6 = low priority.

Areas of improvement flood maps - Ease of access (how you find it online):

2

Areas of improvement flood maps - Usability (how easy is it to use):

3

Areas of improvement flood maps - Ease of understanding (how clear its purpose is):

4

Areas of improvement flood maps - Accuracy and resolution:

1

Areas of improvement flood maps - Accessibility for people with disabilities or impairments:

6

Areas of improvement flood maps - Self-service one-stop shop for flood risk data:

5

Building Resilient Communities

8 We aim to support the development of great places to live and work that are adapted to a future with increased flood risk. How can we help communities, especially the most disadvantaged become more resilient e.g. provide information for Home Reports, improved flood warnings, engaging with communities?

How can we help communities become more resilient?:

All of the above examples.

Community engagement in schools, using creative artists.

Improve understanding of the flooding impact of dumping rubbish (especially household furniture) in nearby watercourses, this predominantly occurs in disadvantaged communities.

Establish a National PLP/PFR Scheme where householders/housing associations can access the latest information on appropriate products, approved suppliers and maintenance advice. Products, Installation & Maintenance costs could be appropriately subsidised depending on the local Index of Multiple Deprivation.

Improving Our Flood Warning Service

9 Our Flood Warning Development Framework (2017-2021) sets out our current commitments to develop our flood forecasting and warning service. Going beyond 2021, what should be our priorities to improve our service for people and communities in Scotland? Please rank options 1-4. 1 = high priority 4 = low priority

Priorities to improve service for people and communities - Expand our coverage of local (community level) flood warnings:

2

Priorities to improve service for people and communities - Improve the accuracy and extend the lead time of our existing service:

3

Priorities to improve service for people and communities - Provide more information digitally and all in one place (for example observed rainfall, observed water levels and forecast water levels):

4

Priorities to improve service for people and communities - Engage more with local communities to explain our service and support the development of local resilience groups:

1

Other:

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

BROXBURN FLOOD PROTECTION SCHEME – REVIEW OF FLOOD EVENT

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to update the Panel, following preliminary review by officers and subsequent technical review, of the event which took place on 27 August 2020 and flooded 21 properties in Nicol Road and Pyothall Court, Broxburn and the implications that this has for any future flood protection scheme.

B. RECOMMENDATION

It is recommended that note:

1. the findings from officers' preliminary review and the independent consultant's review of the flood event;
2. the intention of officers to resume work on outline design of flood protection measures to reduce the risk of flooding to properties in Pyothall Court and Nicol Road from the Liggat Syke; and
3. proposals will be brought back to Environment PDSP.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources: and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Policy - The approved Local Flood Risk Management Plan 2016-22 underlines the commitment of the Council to a number of measures to reduce flood risk in its area and to deliver flood protection particularly in Broxburn.</p> <p>Legal - The Flood Risk Management (Scotland) Act 2009 places a duty on the Council, as a Responsible Body under the Act, to work together with other competent and responsible bodies to reduce overall flood risk, act in the way best calculated to manage flood risk sustainably and promote sustainable flood management.</p>
III Implications for	Not applicable.

Scheme of Delegations to Officers

IV	Impact on performance and performance Indicators	Not applicable.
V	Relevance to Single Outcome Agreement	SOA 3. Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business; SOA 4. We live in resilient, cohesive, safe communities; SOA 5. People most at risk are protected and supported to achieve improved life chances; SOA 7. We live longer, healthier lives and have reduced health inequalities; and SOA 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)	<p>Financial: Provision is in place under the council's capital programme to meet the cost of structural measures to reduce the risk of flooding from out-of-bank flows from the Liggat Syke.</p> <p>Staffing: From within the existing establishment.</p> <p>Property: The proposed structural measures are to be constructed on land owned by the council comprising part of the former candle works site in Broxburn.</p>
VII	Consideration at PDSP	Not applicable
VIII	Other consultations	Property Management & Development & Planning Services.

D. TERMS OF REPORT

D1 Background

- 1.1** On the evening of Thursday 27th August 2020, an intense, localised storm fell across Broxburn. The rain fell onto saturated ground, over a steep and short catchment. At 6.00pm the council's water level monitor located on the Liggat Syke, a tributary of the Brox Burn, immediately upstream of the canal issued both high-water and flood alerts. Such was the intensity of the rainfall, the capacity of the culvert beneath the Union Canal was exceeded causing floodwater to back-up against the canal embankment overtopping structures and flooding properties at Pyothall Court and Nicol Road. Within 45 minutes, the level of the Liggat Syke upstream of the canal had risen out-of-bank at Pyothall Court, a rapid rise of some 1.74m. The water level continued to rise until it peaked at 8.15pm at 2.61m, inundating 21 properties in Pyothall Court and Nicol Road with residents having to be evacuated. The total cost of internal damages was estimated at between £360,000 and £765,000. The value of external damages has not been assessed

and is not generally considered in damages calculations. Losses did, however, include a number of private motor vehicles. The council's out-of-hours Duty Officer noted that water levels had visibly started to recede by around 10.30pm and, shortly after midnight, had returned to normal. Data from the council's water level monitoring system confirms this.

D2 Preliminary review

- 2.1** In the immediate aftermath of the event, officers gathered data to inform a preliminary review. This confirmed that no warnings of severe weather had been issued in advance by the Met Office and no Flood Warnings had been issued in advance by SEPA. SEPA did issue a Flood Alert at 8.04pm, just minutes before levels peaked in the Liggat Syke at 8.15pm.
- 2.2** Immediately following the event, two trash screens behind Nicol Road and Pyothall Court were found to be clear of debris; all culverts, road bridges and footbridges, which cross the upstream channel were checked and found free-flowing. Small quantities of vegetation were matted on security screens at inlets further upstream but mobilised by the event and deemed not to have contributed to it.
- 2.3** Trash screens along the Liggat Syke are inspected every two weeks during summer and every week during winter. Medium-risk screens are inspected each month during the summer and every two weeks during winter. The inspections are carried out by external contractors on behalf of the council. All inspections are captured and recorded in real time by the council's asset management software and supported by photographic evidence taken by the contractor at the time of the inspection. Records demonstrate that the four high-risk screens were inspected and cleaned on the 25th August 2020, just two days before the flood.
- 2.4** Culverted watercourses are subject to regular assessment to determine their condition. The culvert, which conveys the Liggat Syke downstream of the canal, to the east side of Curran Crescent, some 1.2Kms, was subject to survey by closed-circuit television. Those sections where access was possible were found in reasonable condition.
- 2.5** The Liggat Syke catchment is small and steep (1.8km² to the canal). It is a flashy watercourse, culverted from immediately upstream of the Union Canal and downstream as far as the east side of Curran Crescent, it then passes beneath the A899 and the A89 before its confluence with the Brox Burn at East Burnside.
- 2.6** Data obtained in the immediate aftermath of the event from the Scottish Environment Protection Agency (SEPA) and Met Office from gauges at Gogarburn, Whitburn and Polmonthill suggest that the event appeared to have been a localised storm. Similarly, the rainfall was not recorded by the Council's own rain gauges located at Beecraigs, Linlithgow and Seafield, Bathgate. Heavy and intense rainfall was experienced throughout Broxburn that evening, but the preliminary review concluded that further investigation would be required to quantify the severity of the event, i.e. the rainfall return period.

D3 Proposed protection measures

- 3.1** The susceptibility of properties to flooding at Pyothall Court and Nicol Road has been known for some time. Two separate events occurred during the festive season of 1998/99 and again on 26 January 1999, during the development of Pyothall Court and were due to poor management of the construction site. Youths

are understood to have entered the site compound and used building materials to block the culvert inlet. A subsequent event, some years later, following occupation of the development, was caused by a mattress, which had been fly tipped into the Liggat Syke. Neither of these events were as significant or had the same ramifications as the event in August 2020 but ensured that the location was considered as part of the first study of the Broxburn catchment in 2002 and that physical measures were put in place by the council to reduce the likelihood of flooding from this mechanism. This included hydraulic improvements in the form of a raked trash screen and instrumentation to alert officers to the build-up of debris on the trash screen.

- 3.2** The 2007 Broxburn Flood Protection Scheme was designed to mitigate the risk of flooding to residential and business properties in the West Burnside and Burnside Village areas of the town from the Brox Burn and Caw Burn, and mitigate the risk of flooding to residential properties in the Nicol Road, Pyothall Court and Galloway Crescent areas from the Liggat Syke. Construction of formal flood defences was truncated to provide areas at greatest risk with defences first, with work commencing at East Burnside. Transitional funding provided by the Scottish Government for the flood protection scheme was insufficient to complete the final components.
- 3.3** Since completion of works at West Burnside, several investigations have been carried out to determine the best approach for the Liggat Syke at Pyothall Court and Nicol Road. In 2014, a Natural Flood Management Assessment was carried out, which resulted in the planting of deciduous trees in the upper catchment in 2015. In 2017 a Property Level Protection Study was completed, which included a detailed topographic survey to determine the appropriateness of this as an alternative approach to more structural measures. The Council's hydraulic model for the Liggat Syke and the Brox Burn was also updated in 2018 and in 2019 to take account of new modelling guidance and climate change projections.
- 3.4** A bid was made to the Scottish Government for further funding as part of the process leading to publication of the Local Flood Risk Management Plan 2016-22. The bid was successful. Funding for the project was announced publicly but the offer was pulled by the Scottish Government shortly after.
- 3.5** £1.8m funding was later approved by the council for development of the Liggat Syke Flood Protection Works to mitigate the risk of flooding for up to 40 residential properties as part of the council's capital programme. At the time of the flood in August 2020, outline design was well underway. Work was, however, suspended in the aftermath of the flood to allow independent consultants to undertake a post-flood review to calibrate the hydraulic model on which the proposed works are based and ensure that the outline design remained sufficiently robust to mitigate the type of event that took place in August 2020. The post-flood review was finalised in late December 2020.

D4 Independent post-flood review

- 4.1** The consultants concluded that understanding and replicating the mechanisms, interactions and constraints characteristic to small, steep, partially urbanised catchments had proved challenging to replicate purely based on hydraulic modelling. The views and accounts of those directly or indirectly affected by the event have proved invaluable in determining some of the local-scale effects.
- 4.2** Saturated ground conditions in the period leading up to the event created conditions preventing infiltration and causing runoff to flow across the surface of the ground

directly towards the watercourse

- 4.3** The 27 August 2020 storm was very localised and concentrated to this site. Based on statistical analysis over a one-hour event, the Met Office estimated that the event had a return period of 1 in 146 years. Well over half the average annual rainfall fell on the catchment over this period.
- 4.4** All culverts downstream of Clarkson Road have a trash screen. Apart from the first trash screen (located north of the junction between Clarkson Road and Nicol Road), there was no recorded evidence that blockage from debris had a role in the flood mechanisms.
- 4.5** Following the flooding event, there is no notable evidence of changes to the channel geomorphology, such as bank erosion, scour, geotechnical failure or bank toe sediment accumulation
- 4.6** The August 2020 event was simulated within a hydraulic model, which included the proposed flood protection measures. The event was considered to be well managed by the outline proposals.
- 4.7** The review included two recommendations relating to existing culverts, which should be considered as part of the ongoing option appraisal and outline design. The recommendations included additional sensitivity analysis with a view to upsizing and changing the existing pipe to a rectangular box culvert with higher soffit; and (ii) undertaking additional sensitivity analysis at another, check bank levels provide sufficient freeboard.
- 4.8** In view of the foregoing, it is proposed that outline design work should resume without delay to deliver the structural measures that will reduce the risk of flooding at Pyothall Court and Nicol Road. Indeed, during the hiatus caused by the flood and subsequent review, work has continued with the procurement of site investigation. A successful tenderer was appointed before Christmas and work commenced on site on 07 January 2021.

E. CONCLUSION

Following a significant and intense, localised storm on already saturated ground in Broxburn on the evening of 27 August 2020, 21 properties were inundated from flood water, which rose out-of-bank from the Liggat Syke, a tributary of the Brox Burn, immediately upstream of the Union Canal. The total cost of internal damages was estimated at between £360,000 and £765,000 but collateral damage to people's lives and possessions and wellbeing was much greater with many people still living in temporary accommodation, elsewhere.

Previous investment made by the council in asset management software, quality assurance, effective maintenance regimes and instrumentation did not prevent the flood. It did, however, provided an audit trail demonstrating active management of flood protection assets and data recorded by the instruments informed the understanding of what happened and when after the event. The accuracy of the data also allowed independent consultants to clearly demonstrate that the measures currently subject to outline design to reduce the risk of flooding at Pyothall Court and Nicol Road would be sufficient to reduce future risk to the properties in question.

The post-flood review also brought forward recommendations for additional work that may potentially increase the resilience of water-related assets in Nicol Road,

following sensitivity analysis.

It is now considered essential that work on outline design is quickly resumed. The recommendations regarding culverts in Nicol Road should be included in a revised scope of work and a revised programme prepared from outline design to construction and brought forward for early consideration by the Panel and for subsequent approval by the Council Executive.

F BACKGROUND REFERENCES

Flooding in Broxburn, Report by Head of Operational Services to the Community Safety Committee, 11 February 2003

Proposed Flood Prevention Scheme Broxburn, Report by Head of Operational Services to the Community Safety Committee, 18 October 2005

Report to the Broxburn, Uphall and Winchburgh Local Area Committee, 19 January 2009.

Flooding in Broxburn - Report - Broxburn, Uphall and Winchburgh Local Area Committee - 18 February 2009

Broxburn Post-Flood Review – Report by Head of Operational Services to the Council Executive, 19 May 2009

Broxburn Post Flood Review - Report by Head of Operational Services to Broxburn, Uphall and Winchburgh Local Area Committee, 12 August 2009

Update note to Council Executive on Broxburn Flood Protection Scheme, 13 January 2010
Broxburn Flood Prevention Scheme 2011 - An Update – Report by Head of Operational Services to the Broxburn, Uphall and Winchburgh Local Area Committee, 11 August 2011

Broxburn Flood Prevention Scheme - An Update – report to the Broxburn, Uphall & Winchburgh Local Area Committee, 27 October 2011

Broxburn Flood Protection Scheme – Proposed Works, Report by Head of Operational Services to the Environment Policy Development and Scrutiny Panel, 04 June 2019

Appendices/Attachments:

Appendix 1 - Liggat Syke Flood Protection Scheme – Review of August 2020 Flood Incident – Jacobs, 22 December 2020

Contact Person: Graeme Hedger, Senior Engineer - Flood Risk Management
07774 479863

Jim Jack, Head of Operational Services

02 February 2021



Liggat Syke Flood Protection Scheme

Review of August 2020 Flood Incident

22 December 2020

West Lothian Council

Review of August 2020 Flood Incident

Liggat Syke Flood Protection Scheme

Project No: B2375000
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Date: 22 December 2020
Client Name: West Lothian Council
Project Manager: AP
Author: MM
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Document history and status

Revision	Date	Description	Author	Checked	Reviewed	Approved
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Review of August 2020 Flood Incident

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Review of August 2020 Flood Incident

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Appendix A. Site Photographs

1. Introduction

1.1 Context

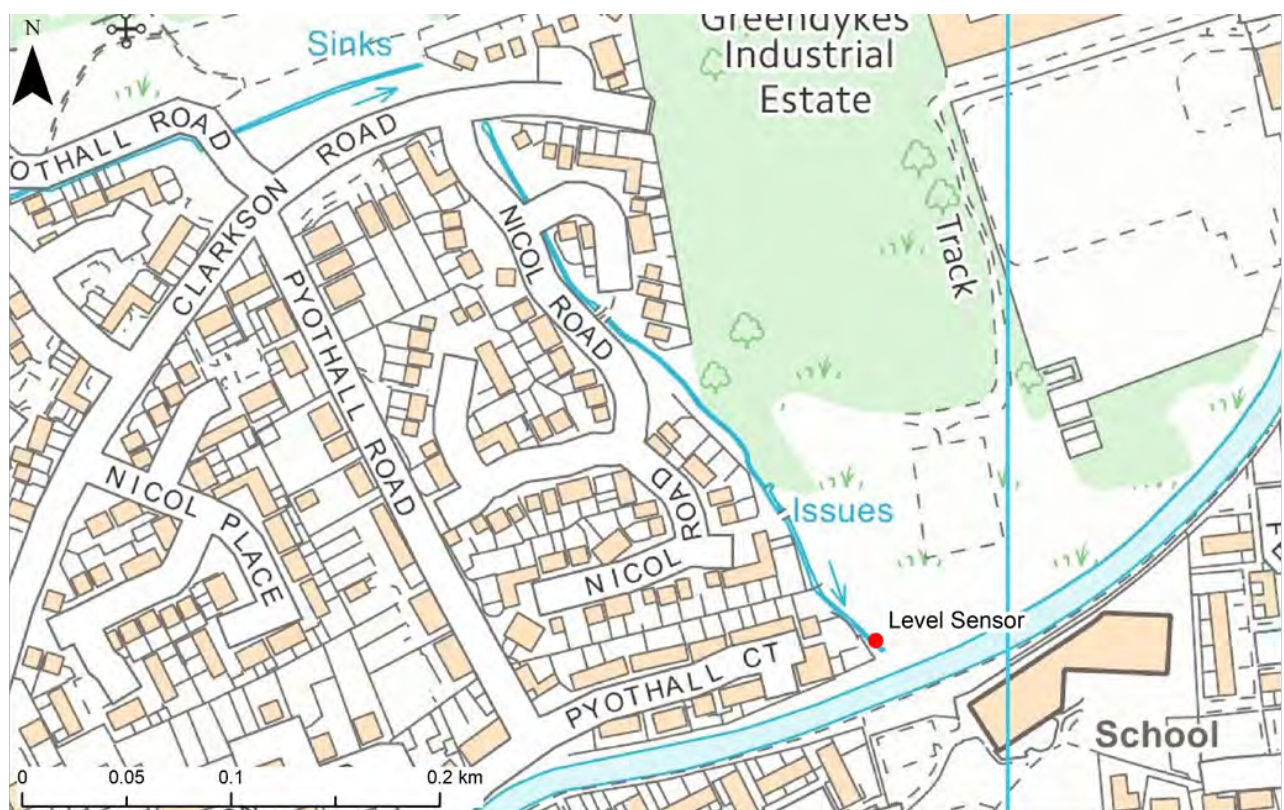
1.1.1 Background

On the evening of Thursday 27th August 2020, an observed period of intense rainfall fell in northern Broxburn which resulted in a localised flooding incident associated with the Liggat Syke watercourse. Jacobs was commissioned by West Lothian Council (WLC) in September 2020 to undertake an assessment to characterise the nature of the event, the mechanisms involved and if the current Flood Prevention Scheme (FPS) feasibility proposals required adaption.

On the evening of the 27th August event, it is understood that in total 21 residential properties as well as roadways, a private carpark and residential garden areas were inundated by the flood water. The majority of those property owners/tenants affected were evacuated to temporary accommodation, several have yet to return to their homes. As per a WLC estimate, the upper estimate of the damages could be in the order of £765,000.

1.1.2 Location

The initial hypothesis is that the majority of the flood water was fluvial in nature, due to out of bank flows from the Liggat Syke watercourse, which is depicted in Figure 1-2 to the east of Nicol Road and Pyothall Court, flowing north to south.



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Figure 1-1: Location plan and level sensor on Liggat Syke upstream of Union Canal

1.1.3 Catchment Description

The Liggat Syke is a tributary of the Brox Burn, with its catchment located in West Lothian, Scotland. The Liggat Syke is a relatively steep fast-flowing watercourse, rising on the hills just south of the B8020 at Newbigging and 500m east of the disused Binny Quarry, conveyancing eastwards just north of Broxburn Community Wood, then flowing through a modern residential development where it is bisected by the Union Canal. There are several short culverts along this reach which provide vehicular access and footbridges around the residential estate. Of note, is the large hardstanding area associated with Greendykes Industrial Estate which discharges to the Liggat Syke via a relatively large surface water sewer. The catchment from where it springs to the Union Canal is steep, with an average slope of approximately 1 in 50 and an elevation range between 110mAOD and 70mAOD.

1.1.4 Description of Flood Incident

The following chronological account of the events leading to and following the flooding event on the evening of the 27th August 2020 have been obtained from the Council's attending duty officer and flood risk management officers. References to levels are relative to average water levels normally observed from the Liggat Syke at the sensor location (see Figure 1-1).

There was heavy rainfall in ten of the preceding eleven days leading to the flooding incident. Site measurements taken locally on the 25th August indicate soil saturation values typical of those in winter months.

For a period of approximately an hour from 16:00 on the 27th August, there was an intense rainfall event in the area. At around 18:00 the watercourse has risen by 1.40m, triggering the near threshold warnings "High-Water" then the "Flood Alert" in quick succession. By 18:15, both alarms had been triggered, informal flood defence measures (see Figure 2-9) had been overtopped, and overland flow was observed on Pyothall Court and surrounding roadways. A level of 1.74m is recorded at 18:30, with flooding to dwellings occurring at this time. A peak of 2.61m was reached at 20:15, with further properties flooding throughout this period.

By 22:30 the majority of the flood waters had receded and the Liggat Syke water levels had noticeably declined. By 00:30 wrack marks to property and vehicles were the only evidence of the evening's flood incident.

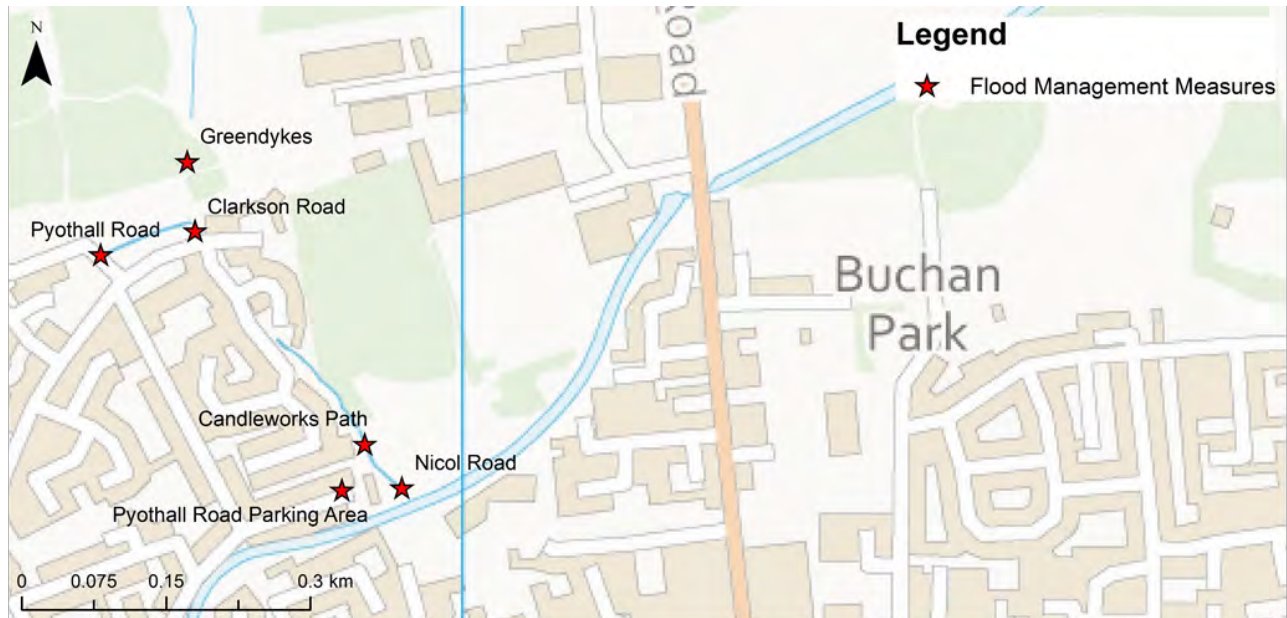
1.1.5 Flooding History

Reports of past historical flooding on the Liggat Syke is specifically documented in sources such as the British Hydrological Society and local press. WLC reported that there had been some historical flooding of properties at Pyothall Court, immediately upstream of the Union Canal. Two separate events occurred in the period of Christmas/New year 1998 and 26 January 1999, at which time the residential development was still being built out, resulting in circa 1m flood depths. However, it is reported that the cause of flooding was vandalism and obstruction at the inlet of Liggat Syke culvert under the Union Canal. Following these events mitigation measures were undertaken to minimise the risk of flooding from vandalism.

Review of August 2020 Flood Incident

1.1.6 Existing Flood Risk Management Measures

Several flood risk management measures have been constructed along this reach within the past ten years. Figure 1-2 shows the locations of where these measures have been implemented, with Table 1-1 providing a description of the arrangements.



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Figure 1-2: Location of Existing Flood Management Measures

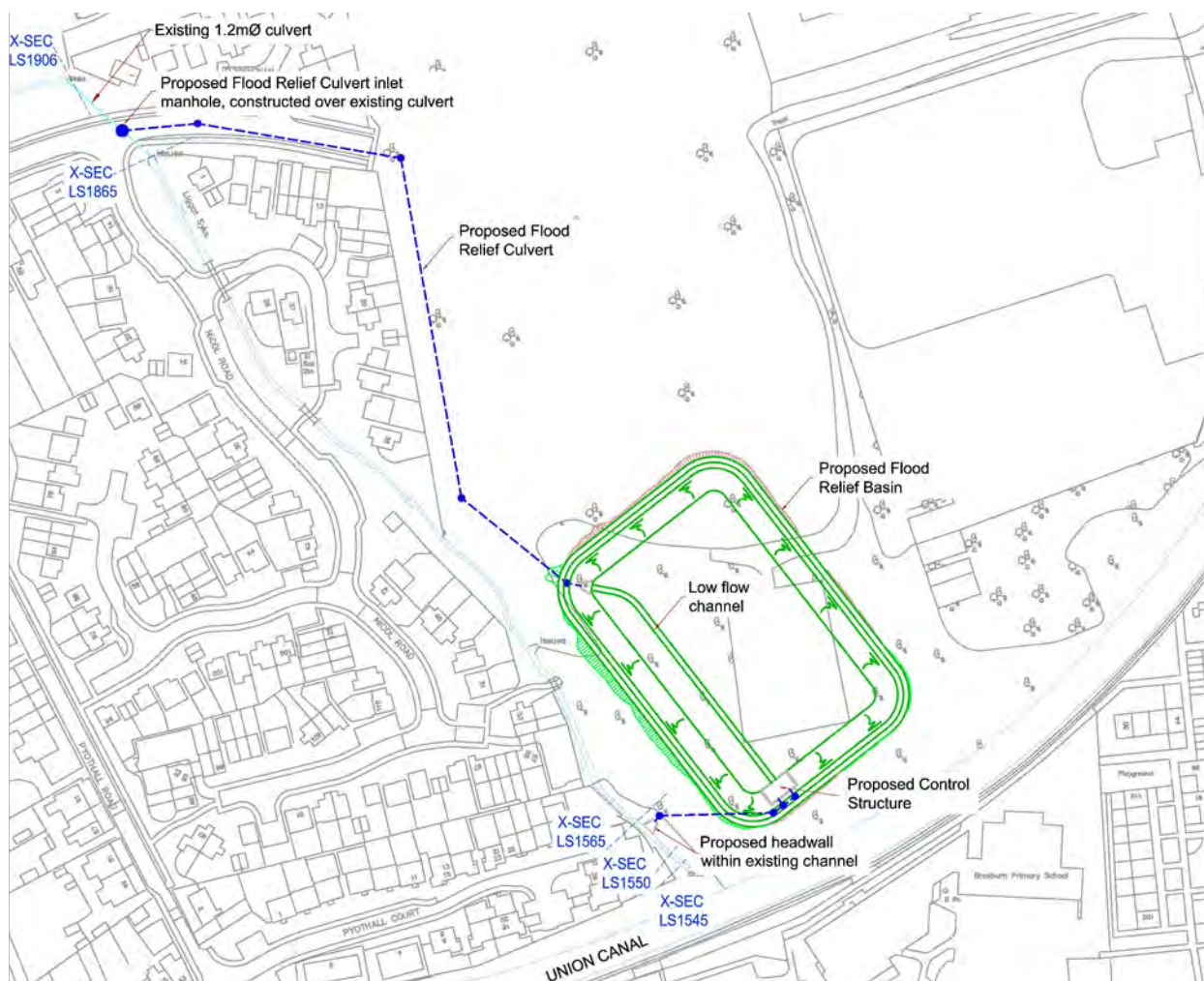
Table 1-1: Description of Flood Management Measures

Location	Description
Candleworks Path	Improved screen arrangement at culvert inlet. Footpath over the top of the culvert, links from residential area through former Candleworks site and Greendykes Industrial Estate.
Clarkson Road	Improved screen arrangement at culvert inlet prior to Clarkson Road.
Greendykes	Replacement 300mm diameter culvert (using directional drilling) including replacement inlet and outfall headwalls.
Nicol Road	Improved inlet headwall and screen arrangement, where Liggat Syke sinks beneath the Union Canal. Installation of level sensor telemetry and access footpath. Installation of CCTV trained on the trash screen.
Pyothall Road	Replacement of circular triple pipe arrangement with square box culvert.
Pyothall Road Parking Area	Improved surface water underground drainage system

Review of August 2020 Flood Incident

1.1.7 Recent and Ongoing Studies

A number of FPS options were considered and shortlisted in a feasibility report "*Broxburn Flood Mitigation Options Recommendations, Jacobs 2019*". The aforementioned report considered three flood cells. However the relevant flood cell is that of the Upper Liggat Syke. Currently Jacobs is commissioned by WLC to undertake an Option Appraisal and Outline Design in support of prompting a FPS for the Upper Liggat Syke catchment. Figure 1-3 has been replicated from the 2019 Jacobs Feasibility report and is currently the preferred option. In-channel existing bunding and a wall on the right-hand bank (Pyothall Court) would also be replaced with formal raised defences.



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Figure 1-3: Preferred FPS option for Upper Liggat Syke, from 2019 Jacobs feasibility report

In consultation with WLC it was agreed that the targeted Standard of Protection (SoP) for the Liggat Syke FPS would be the 200 year event, plus climate change (35%) and an allowance of 500mm freeboard.

1.1.8 Definition of Terms

This report refers to numerous flood related terms and descriptions which are defined as follows:

- **Catchment:** the total area of land which drains to a particular watercourse.
- **Geomorphology:** the study of the formation, alteration and evolution of landforms.
- **Flood Return Period:** flood return periods are quoted as 1 in XXX years. This refers to the flow in the watercourse during the flood event which, statistically, has a 1 in XXX chance of happening in any given year. The higher the return period, the less chance it has of happening in any given year. This also means that a flood event with a higher flood return period will be more severe. Flood return period is the inverse of flood annual exceedance probability (AEP), as described in Section 1.2.
- **Fluvial:** Relates directly to watercourses, such as flow within a river including its floodplains.
- **Hyetograph:** is a graphical representation of the distribution of rainfall intensity over time.
- **Left or Right-hand bank:** that bank which is observed by a person looking downstream in a watercourse.
- **NGR:** National Grid Reference
- **SAAR:** Standard Average Annual Rainfall
- **Storm Duration:** a design storm duration for a particular catchment depends on the response time of the catchment and the general wetness of the catchment
- **Rainfall return period:** rainfall return periods are also quoted as 1 in XXX years but should not be confused with flood return periods. Rainfall return periods refer to the total amount of rain which falls during a storm which, statistically, has a 1 in XXX chance of happening in any given year. A 1 in 100 year rainfall return period does not equate to a 1 in 100 year flood event as the two events being measured are not equivalent. Other variables such as degree of saturation of the ground and distribution of the rainfall around the catchment will affect how much of this rain enters the burn. For example, a catchment-wide rainfall event with a return period of 1 in 5 years, falling on to saturated ground may generate a flow in the river which is equivalent to the 1 in 50 year event. A localised heavy thunderstorm with a rainfall return period of 1 in 100 years falling onto dry ground may not even generate a flood event in the watercourse.
- **Rainfall Radar:** radar is an acronym for **R**adio **D**etecting **A**nd **R**anging and is a method of detecting distant objects and determining their position, speed, material composition, or other characteristics by causing radio waves to be reflected from them and analysing the reflected waves. The amount of waves bounced back is directly related to how heavy the rain is (the more rain falling from the clouds, the more waves are bounced back). The amount of waves bounced back is measured against the amount of waves sent out and the data is converted electronically to rainfall intensity.
- **Pluvial:** Relates directly to rainfall, such as surface water runoff from a road either overland or within a carrier pipe.
- **Wrack Mark:** Where debris has been deposited within the floodplain after being carried out of channel during a high flow event. Alternatively, the high-water mark left (on walls, windows and vehicles) from receding floodwater - similar to tidemarks in coastal waters.

Review of August 2020 Flood Incident

1.2 Flood Probability

Different magnitudes of flooding have different probabilities of occurring. Probability of flooding is defined by Annual Exceedance Probability (AEP). This is the likelihood of a particular magnitude flood occurring or being exceeded in any given year. Thus, a 0.5% AEP event describes a flood event which has a 0.5% (or 1 in 200) chance of occurring or being exceeded in any given year. Flood events with a lower probability of occurrence result in more extreme flooding. For example, a 0.5% AEP flood event will result in more flooding than a 50% AEP event. It should be noted that the likelihood of a flood event occurring in the future, whatever its probability, is independent of the time since the last flood of similar magnitude.

Throughout this report, the likelihood of flooding has been expressed as AEP as opposed to return periods. Table 1-2 shows the comparison between the two description types.

Table 1-2: AEP/Return Period

AEP (%)	50	20	10	4	3.33	2	1.33	1	0.5	0.5CC†	0.1
Return Period (1 in years)	2	5	10	25	30	50	75	100	200	200CC	1000

† For the purposes of this report, an uplift of 35% has been factored for Climate Change (CC)

1.3 Flood Incident Report Objectives

The following was undertaken to improve the understanding of the flood incident:

- Objective 1: Obtain wrack mark survey (based on photographs taken shortly after event), define the extents of the inundation and estimate the rarity of the flood event. Obtain eyewitness accounts of the pattern of the out of bank floodwaters and the rate in which inundation occurred.
- Objective 2: Characterise the meteorological event, obtain site specific Met Office rainfall data and determine the rarity of the rainfall event.
- Objective 3: Review the channel geomorphology and the structures integrity to ensure they have not been altered since baseline surveys were undertaken in early 2019. Update baseline studies accordingly if required.
- Objective 4: Calibrate the hydraulic model to the flood event, using a developed rainfall profile appropriate for the extent of the inundation mapping. Use the profile to sensitivity test the proposed FPS hydraulic model.
- Objective 5: Provide an overview of the key FPS measures. Incorporating where appropriate mitigating measures developed as a result of this flood incident review.

2. The August 2020 Flood Incident

2.1 Meteorology

2.1.1 Prevailing Weather Conditions

From the 25th August, heavy persistent rain and very strong winds were ushered in by Storm Francis, the impacts of which were felt initially across the west of Scotland with instances of flooding and power outages. By the 26th August the remnants of Storm Francis had moved eastwards off into the North Sea. Strong winds and persistent rainfall were observed across much of the central belt between the 25th and 26th August. Less than a week prior, Scotland had experienced similar conditions, to a lesser extent from an area of low pressure following Storm Ellen.

Figure 2-1 has been adapted from Met Office archives. The figure on the left shows the passage of Storm Francis over the east coast and out into the North Sea. In the day preceding this an area of low pressure swept across the Atlantic Ocean towards Ireland. The leading cold edge closed in on the warm air mass across the Irish Sea, bringing an occluded front across the West of Scotland moving eastwards.

In the aftermath of Storm Francis, the figure on the right shows several occluded fronts sweeping across the UK, one of which is over the Central Belt with two troughs present at this time stamp, one in Southern Ireland and the other in Northern France.

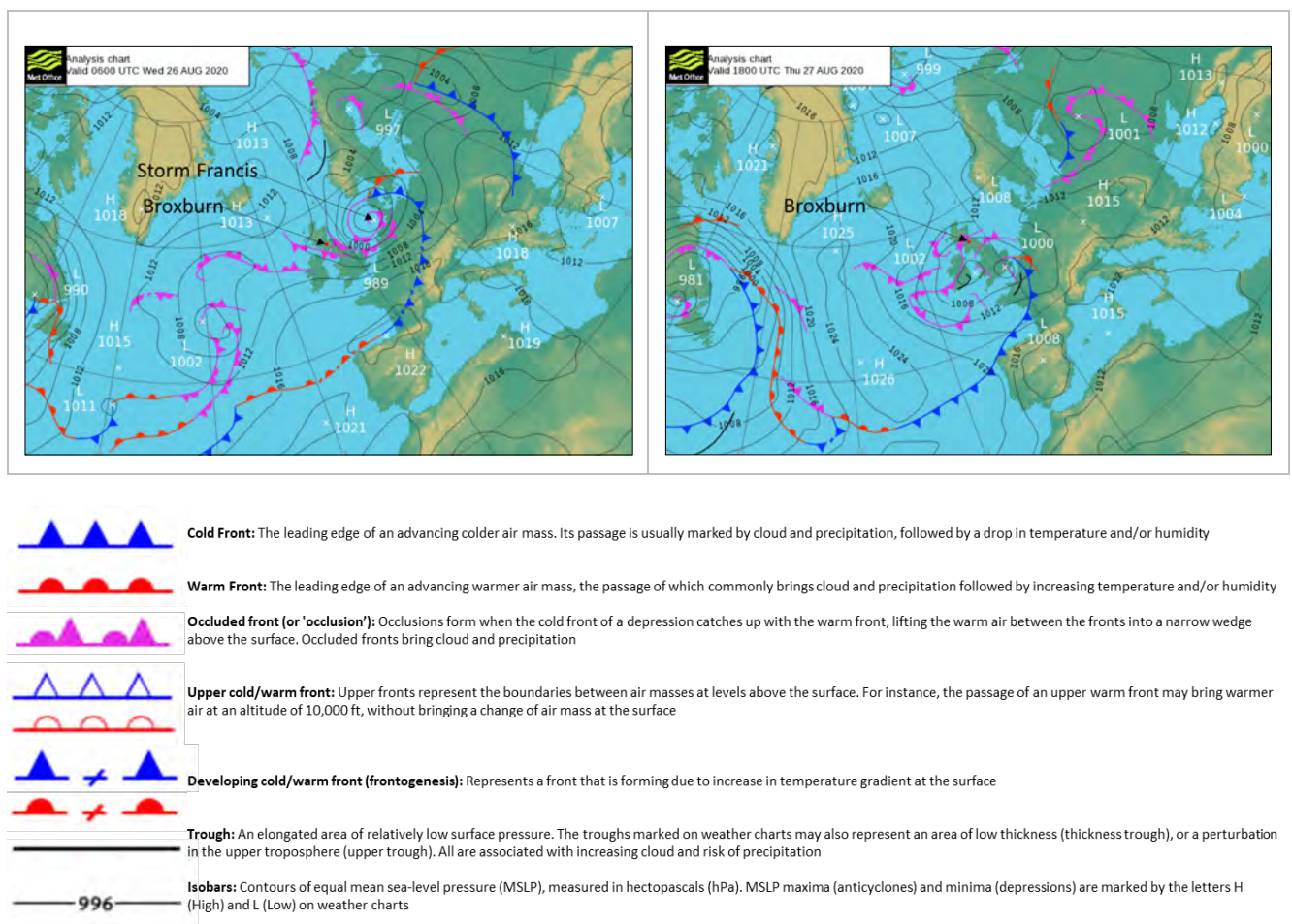


Figure 2-1: On the left; synoptic chart during "Storm Francis" as it passes over the east coast of Scotland. On the right; synoptic chart during the peak of the localised storm event.

Review of August 2020 Flood Incident

2.1.2 Antecedent rainfall

The current averaging period the Met Office use is 1981 – 2010. The following has been adapted from their monthly summaries for Scotland, focusing on precipitation and as localised to Broxburn as possible. In the summer months, June saw higher rainfall in the west of Scotland but in the east it was in line with this time of year. In July, Scotland as a whole was subjected to rainfall higher than the seasonal average. The Central Belt experienced a wet month in August and is worth describing in further detail.

August started off with showery, mostly cloudy weather with belts of rain affecting mainly the Central Belt. From the 6th to the 12th there were thunderstorms across different parts of Scotland. From the 13th to 18th it was generally a drier spell across the Central Belt. Cloudy and showery patterns during the 19th to 25th with eastern parts experiencing occasional rain and drizzle during the 24th. The 25th heralded Storm Francis, bringing initially a very wet day for most of Scotland but mainly concentrated in the west of the country. More rain spread eastwards on the 26th, followed by scattered showers, all areas experienced strong winds. The 27th was a wet day for most with heavy afternoon downpours, thundery at times.

Figure 2-2 shows both monthly and seasonal rainfalls (based on rainfall radar) were significantly higher when compared to the 1981 – 2010 averaging period values across the Central Belt. Note a value of 100% represents neither an increase nor decrease and at this scale the mapping cells are averaged over an area of 25km², as such there will be local variations which are not identified. In the region containing Broxburn, August 2020 saw approximately a 100% increase in values above average and in summer this was approximately 30% to 50% increase above average.

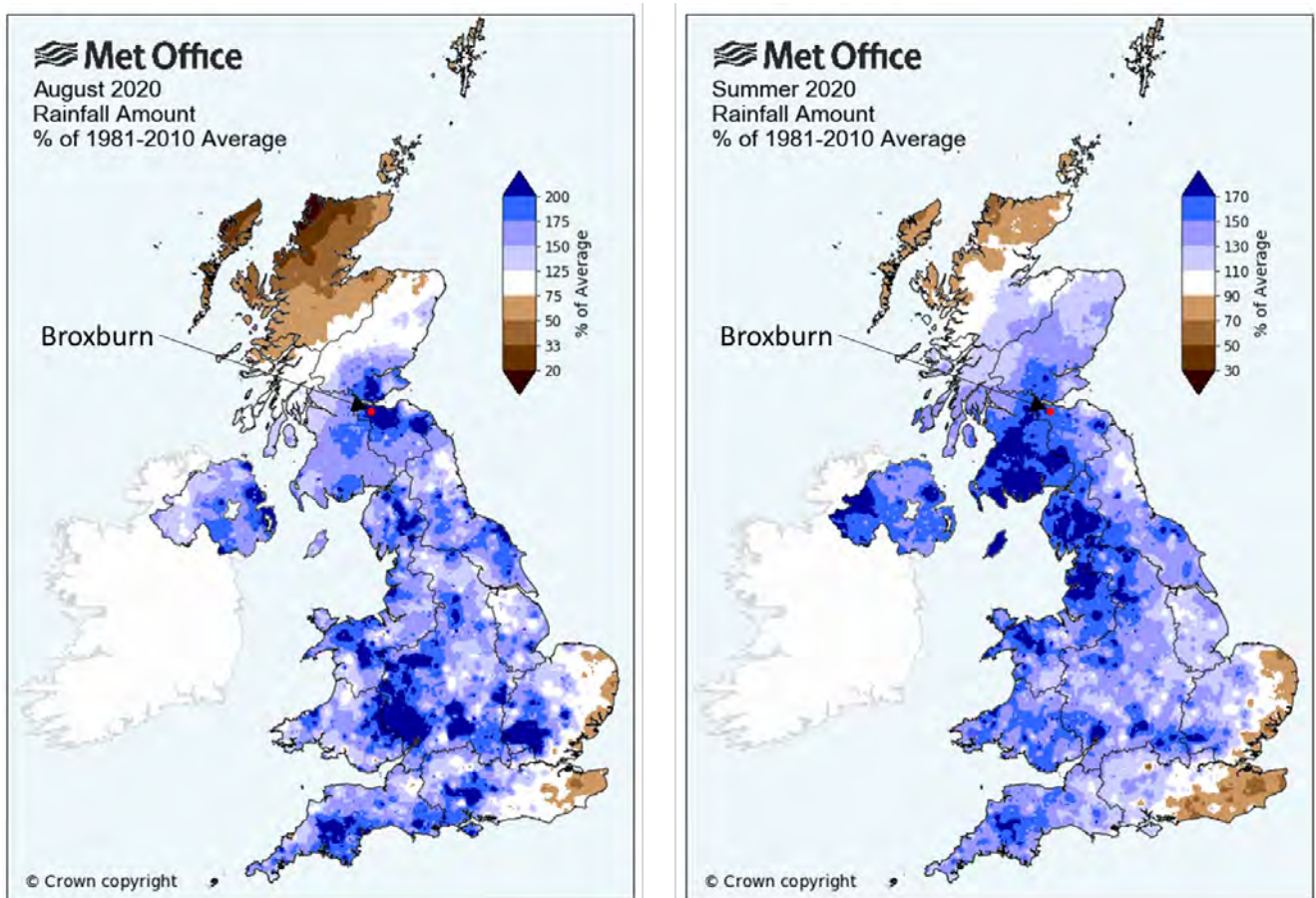


Figure 2-2: On the left; August 2020 rainfall as a % of monthly averages. On the right; Summer 2020 rainfall as a % of seasonal averages

Review of August 2020 Flood Incident

The summer rainfall was investigated further at a smaller catchment scale, using data supplied by SEPA. Their nearest rain gauge to the study site is approximately 9km east at Gogarbank, located to the south of Gogarburn Golf Club. Figure 2-3 is broadly in line with the Met Office findings for the summer months of 2020. With June and July representing approximately a 10% increase above long term averages and August with an 85% increase. As a mean average, this represents an increase in rainfall during the summer of 2020 in the region of 35% when compared to the 20 year record.

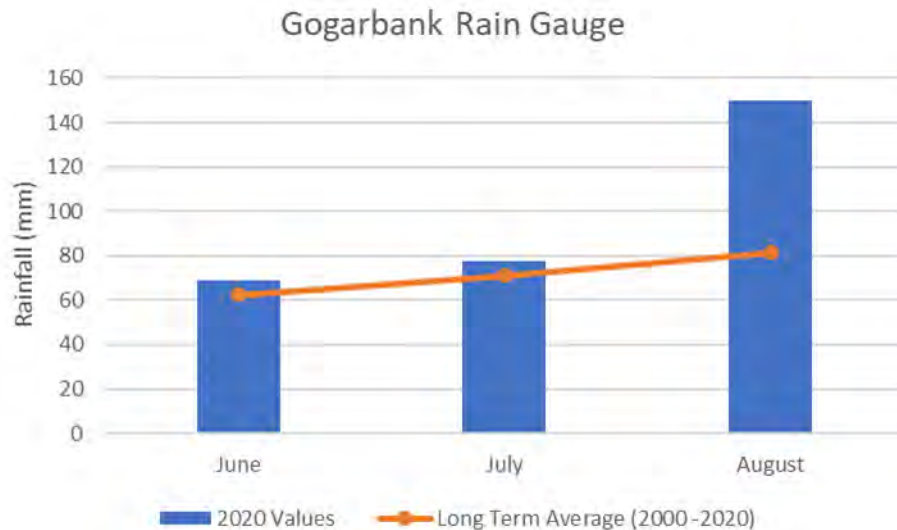


Figure 2-3: Summer months of 2020 rainfall plotted against long term averages

The effect of these very wet conditions was to saturate the soil, such that it could not infiltrate additional rainfall. Rain falling onto sodden ground on the 27th August could not soak into the soil (slowly seeping into the watercourse as baseflow) and instead ran directly over the surface, entering the watercourses much more quickly than if the ground was not saturated. This fast runoff undoubtedly contributed to the "flashy" nature of the flooding.

2.1.3 Flood Warnings

For residents of Broxburn there are two flood warning systems in place, one from SEPA and the other provided by WLC, both of which have no subscription costs. In addition, the Met Office issue weather warnings.

On the evening of the 27th August there were no Met Offices rainfall warnings in place. SEPA have three levels of severity that are meant to help prepare for the onset of flooding. Over the period of inclement weather in late August, as described in Section 2.1.2, those signed up for SEPA's Floodline service would have received the following text messages as shown in Figure 2-4, which relate to the lowest severity of warning a "Flood Alert".


Message Issued	What it means	
Flood Alert 	Flooding is possible. Be prepared. Flood Alerts are issued for regional areas. When is it used? Between two hours and two days in advance of forecast flooding. What to do <ul style="list-style-type: none"> • Be prepared to act on your flood plan • Prepare a flood kit of essential items 	<p>"FLOOD ALERT issued for Edinburgh and Lothians" 26th August 11:06</p> <p>"Improving conditions means a FLOOD ALERT is NO LONGER IN FORCE for Edinburgh and Lothians" 27th August 14:11</p> <p>"FLOOD ALERT issued for Edinburgh and Lothians" 27th August 20:04</p> <p>"Improving conditions means a FLOOD ALERT is NO LONGER IN FORCE for Edinburgh and Lothians" 28th August 09:52</p>

Figure 2-4: Summary of text messages sent by Floodline (SEPA)

Review of August 2020 Flood Incident

Whilst a warning was issued on the 27th August, it was not until 20:04, shortly before the peak was observed on the Liggat Syke at 20:15, therefore realistically not providing ample time for residents to be prepared. It is not known if any of the affected residents are signed up to the Floodline service.

Upon the thresholds on the WLC level sensor being triggered, "High-Water" and "Flood-Alert" (as discussed in section 1.1.4), via telemetry automated text messages were sent to those signed up. However, WLC report that only one affected resident received notification due to low subscription.

2.2 Rainfall Data

2.2.1 Scope and purpose

An accurate replication of the August 2020 event could not be achieved without an understanding of the spatial distribution, magnitude and intensity of the rainfall which created it.

There are no known calibrated rain gauges within the catchment, outwith there are three as shown in Figure 2-5, the closest of which is located in Gogarbank (Edinburgh), as discussed in Section 2.1.2.

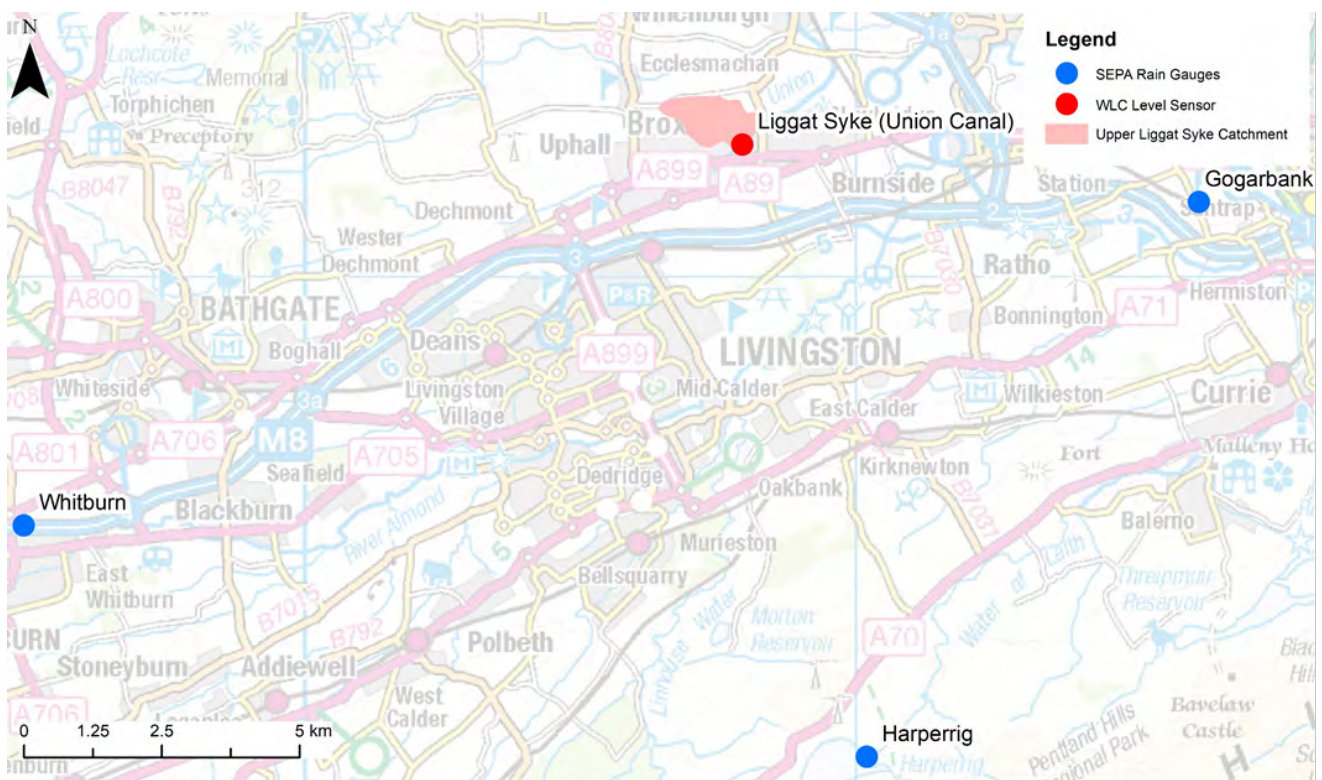


Figure 2-5: Rain gauges and level sensor locations

On the evening of the 27th August, there is little evidence that any of the other nearby watercourse catchments flooded or came close to top of bank. The reported magnitude and intensity of the Broxburn storm is not evident from the rainfall data at Gogarbank. It is therefore reasonable to assume the rainfall event was localised and relatively isolated in nature.

Review of August 2020 Flood Incident

Separately from this study, the Met Office were commissioned by WLC to undertake statistical analyses of data from rainfall gauges. They looked at a combination of hourly and daily rainfall gauges (including Gogarbank), none of which indicated a hyetograph on the 27th August 2020 greater than a return period of 1 year. This would suggest that the event was very localised and concentrated to the subject site/catchment.

Determination of the rainfall data for this storm and the amount of rain which fell in the preceding days could therefore only be gathered from analysis of local rainfall radar data.

2.2.2 Rainfall radar

The Met Office operates a number of radar stations within the UK. These stations interpret rainfall intensities and therefore amounts for grid squares covering the whole of the UK. The main advantage this data has over traditional rainfall collection measurement instrumentation (e.g. tipping bucket) is that it gives a much broader picture of the distribution and intensity of rainfall and hence rainfall variability.

WLC obtained daily and 5-minute interval rainfall data from the Met Office which covers the period 26th of August 2020 to the 29th of August 2020, assumed to be based on a 2km² resolution (NGR 30774, 672391). Figure 2-6 shows the specific storm believed responsible for the flooding, note however based on the time series supplied by the Met Office, there was persistent rainfall from 14:20 which continued to 19:35. Approximately 500mm of rainfall fell within one hour, which is 64% of the SAAR.

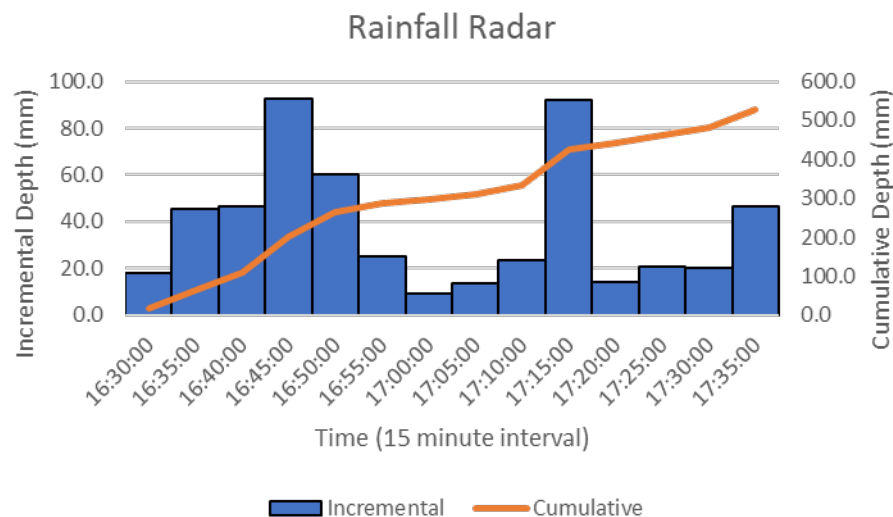


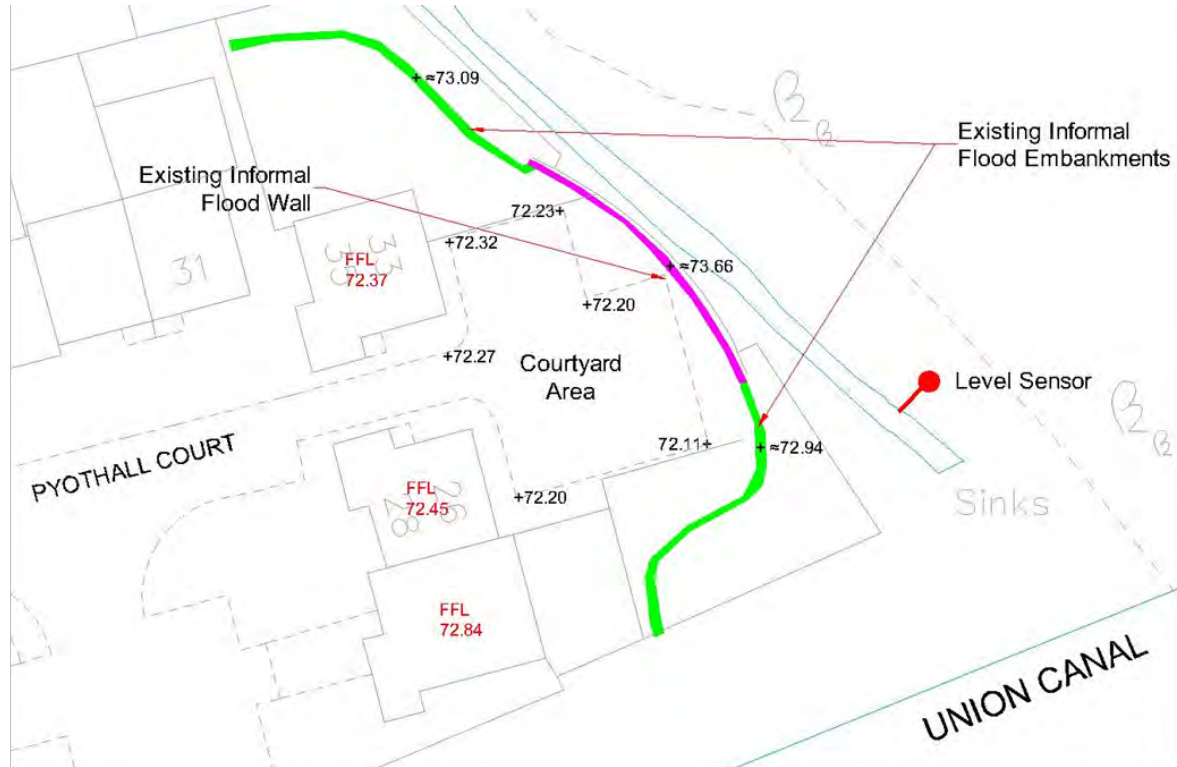
Figure 2-6: Storm Hyetograph based on Rainfall Radar on the afternoon of 27th August 2020

The Met Office also undertook some statistical analysis, based on the 60 minute event shown in Figure 2-6. The results of their analysis indicate that this 60 minute storm has a return period of 1 in 146 years.

Review of August 2020 Flood Incident

2.2.3 WLC Level Sensor

The location of the WLC level sensor is shown in Figure 2-7, as are informal flood defences thought to have been constructed by the original housing developer.



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Figure 2-7: Location of Level Sensor and Informal Flood Defences

By late afternoon of the 27th August 2020, the rapid catchment response is clearly seen by the steep rising limb of the level sensor plot shown in Figure 2-8, which indicates channel depths in excess of 2.0m for a prolonged period. Based on topographical survey levels, water levels would have exceeded the crest levels of both informal flood embankments by circa 500mm.

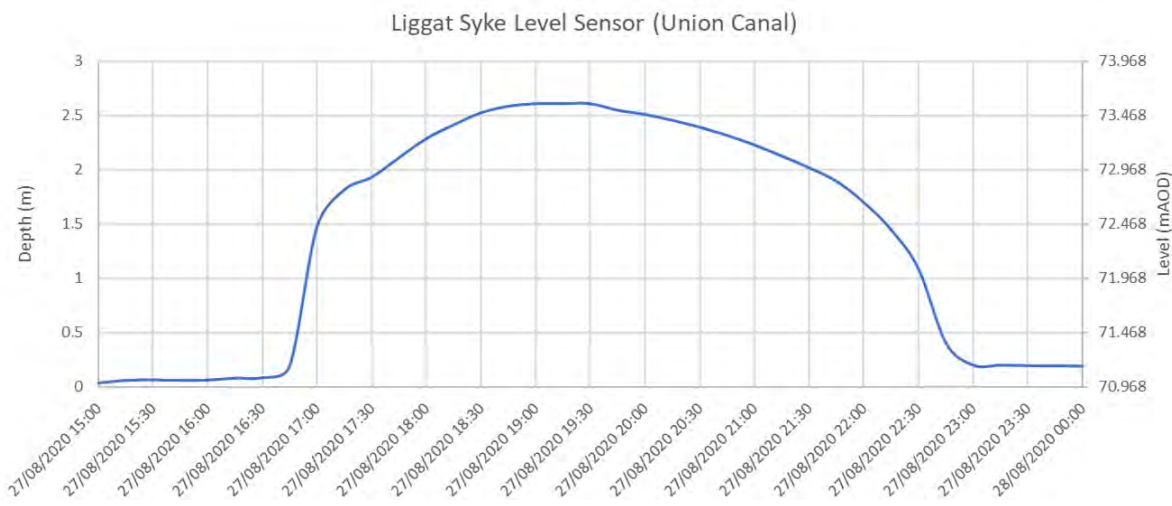


Figure 2-8: Level sensor plot on the afternoon of 27th August 2020

2.3 Post Flooding Surveys and Accounts

2.3.1 Wrack Mark Survey

A photographic survey (contained in Appendix A) was carried out by WLC on the morning of the 28th August 2020. This enabled the extent and depth of flooding to be recorded. It was undertaken that quickly to ensure the wrack mark evidence was not lost during the clean-up operation. No topographical surveys were undertaken. The location where these photographs were taken is referenced on Figure 2-9 (on the next page). The photographs have been annotated with information salient to wrack marks and flood routing.

2.3.2 Eyewitness Accounts

Eyewitness accounts of the flood event are invaluable to the mapping of the flood extents and give an insight into the way in which the flood regime operated, highlighting micro-scale elements of flooding which often are difficult to predict by modelling alone.

As summarised in Table 2-1, three eyewitness accounts in total were taken, denoted by the references E1 to E3. The commentary referenced C1 to C5 is the product of an interview with WLC's duty officer and the author of this report. These comments form part of building a wider picture of the flood event mechanisms, determining where out of bank flows occurred, the route of overland flows and if there were any in-channel features that exacerbated the situation.

Table 2-1: Summary of eyewitness accounts and flood mechanisms

Ref	Description
E1	"The roads were running like rivers." This was the observation from an occupant at number 35 Nicol Road, they said that the roads were like rivers and water was coming out of everywhere including the gaps between the slabs at the side of the Burn, they also said that their back garden had completely flooded and that the water ran into their garage.
E2	"Whilst getting the shopping from the car, my feet initially got a bit wet, by the time I'd dropped shopping in the house and went back into the car park, stepping off the kerb the water was at my ankles, by the time I had reached the car again it was at my knees." This was the description provided by an occupant at number 26 Pyothall Court. They also mentioned that they normally parked to the right of the car park but due to the puddle they had parked to the left.
E3	"Water was flowing from everywhere, it was running down the road and past the house and down the side of my path was torrent of water." This was how the occupant at number 31 Pyothall Court described the overland flow regime.
C1	First trash screen on watercourse, it is partially blinded with debris (vegetation and domestic waste). Landing area all but completely blinded, evidence water levels were above the crown of the culvert. No evidence of out of bank flows in this reach of the channel.
C2	Trash screen at culvert inlet, no evidence of blockage. Evidence of out of bank flows on left hand bank indicating conveyance limited by culvert/screen, overtopping onto roadway. Unclear if water ponded or re-entered the watercourse.
C3	Trash screen at culvert inlet, no evidence of blockage. Evidence of out of bank flows on both banks indicating conveyance limited by culvert/screen. Thought to be the source of an out of bank flow path along right hand bank.
C4	Informal flood embankment, notch for fencing noted reducing crest height. Evidence of out of bank flows on right hand bank, overtopping embankment. Understood to be due to tailwater effect (backing-up), from limited conveyance on downstream culvert/screen at the Union Canal. No evidence of blockage.
C5	Informal flood embankment. Evidence of out of bank flows on right hand bank, overtopping embankment. Indicates limited conveyance on downstream culvert/screen at the Union Canal. No evidence of blockage.

Review of August 2020 Flood Incident

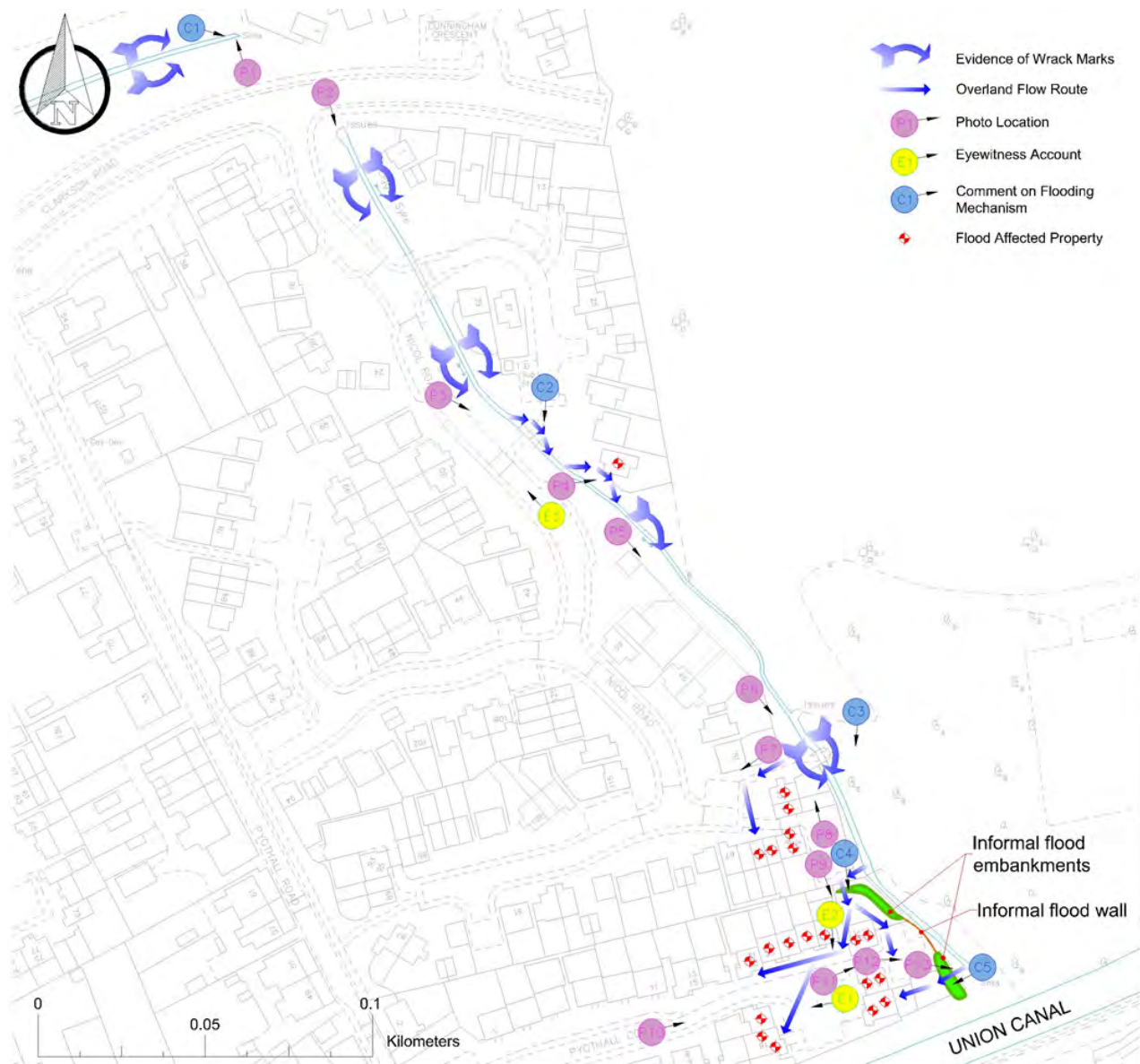
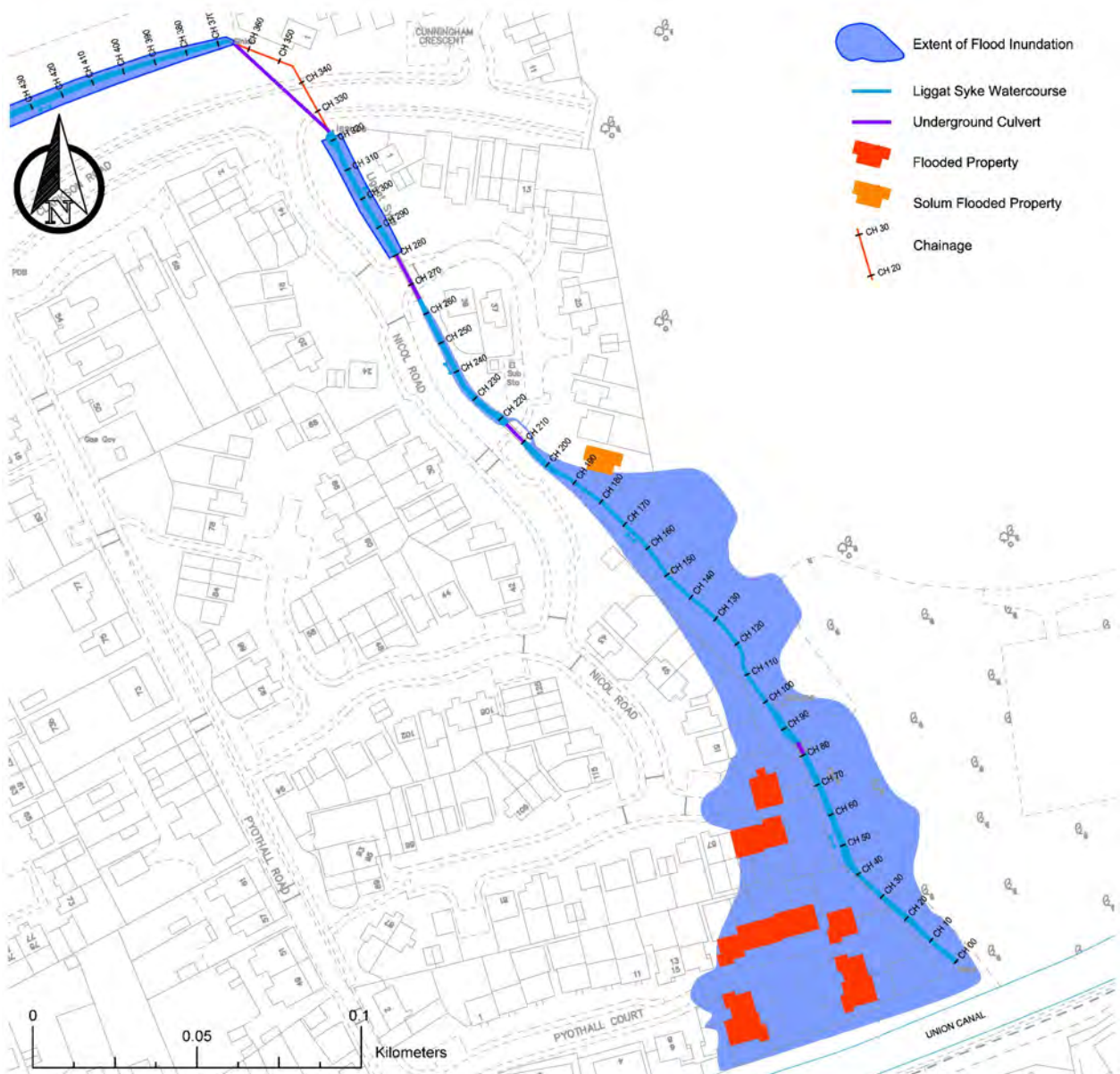


Figure 2-9: Photograph/eyewitness locations and comments on flood mechanisms

2.3.3 Summary of Survey and Accounts

Figure 2-10 shows the extent of the flood inundation on the 27th August 2020 based upon the wrack mark survey and by tracing the land contour nearest to evidence of maximum water levels to create a series of continuous bounded areas. It can also be read in conjunction with Figure 2-9.

Review of August 2020 Flood Incident



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Figure 2-10: Approximate extent of flooding event based upon wrack mark survey and all accounts

Review of August 2020 Flood Incident

2.3.4 What can be gained from these observations

With reference to Figure 2-10, Table 2-2 provides a brief discussion of the flooding mechanisms and general recommendations including (where valid) matters to be considered as part of the FPS outline design. It is worth recalling that these mechanisms are likely to have been made possible, or at least exacerbated by antecedent saturated soil conditions as a result of previous prolonged rainfall days, and the intensity of the storm on the 27th August.

Table 2-2: Discussion of theorised flooding mechanisms and recommendations

Chainage (metres)	Summary and likely mechanism	Recommendation
430 to 370	High water levels due to trash screen becoming partially blocked (first screen in watercourse) and flow being throttled by culvert inlet.	Check culvert between CH370 to CH320 is clear from debris. Consideration of upland trash screen including in-channel bypass.
320 to 280	High water levels due to flow being throttled by culvert inlet.	None.
220	High water levels due to flow being throttled by culvert inlet and possibly due to downstream tailwater backup. Left hand bank levels are relatively low, first instance of overland flow.	Additional sensitivity of this screen as part of the FPS outline design to check if the banks need to be raised.
190	First instance of property flooding, function of downstream tailwater backup and relatively low lying property.	Address as part of FPS design.
80	First instance of overland flow potentially contributing to property flooding.	Additional sensitivity of this screen as part of the FPS outline design to check there is sufficient conveyance capacity in the culvert or if it needs to be upsized.
80 to 0	Very high water levels due to flow being throttled by restrictive aperture on culvert inlet, causes upstream tailwater for circa 200m. Informally defences along right hand bank are overtopped.	Address as part of FPS design.

2.3.5 Geomorphology

In October 2019, Jacobs carried out a geomorphological walkover of the watercourse to establish a baseline survey, characterise the flow regime and to provide recommendations for the proposed FPS. Based on an extensive photographic survey following the 27th August event, there is no notable evidence of changes to the baseline, for features such as bank erosion, scour, geotechnic failure or bank toe sediment accumulation.

On this basis, the baseline and recommendations of the geomorphological report written up in early 2020 remain current and valid at the time when this current report was prepared.

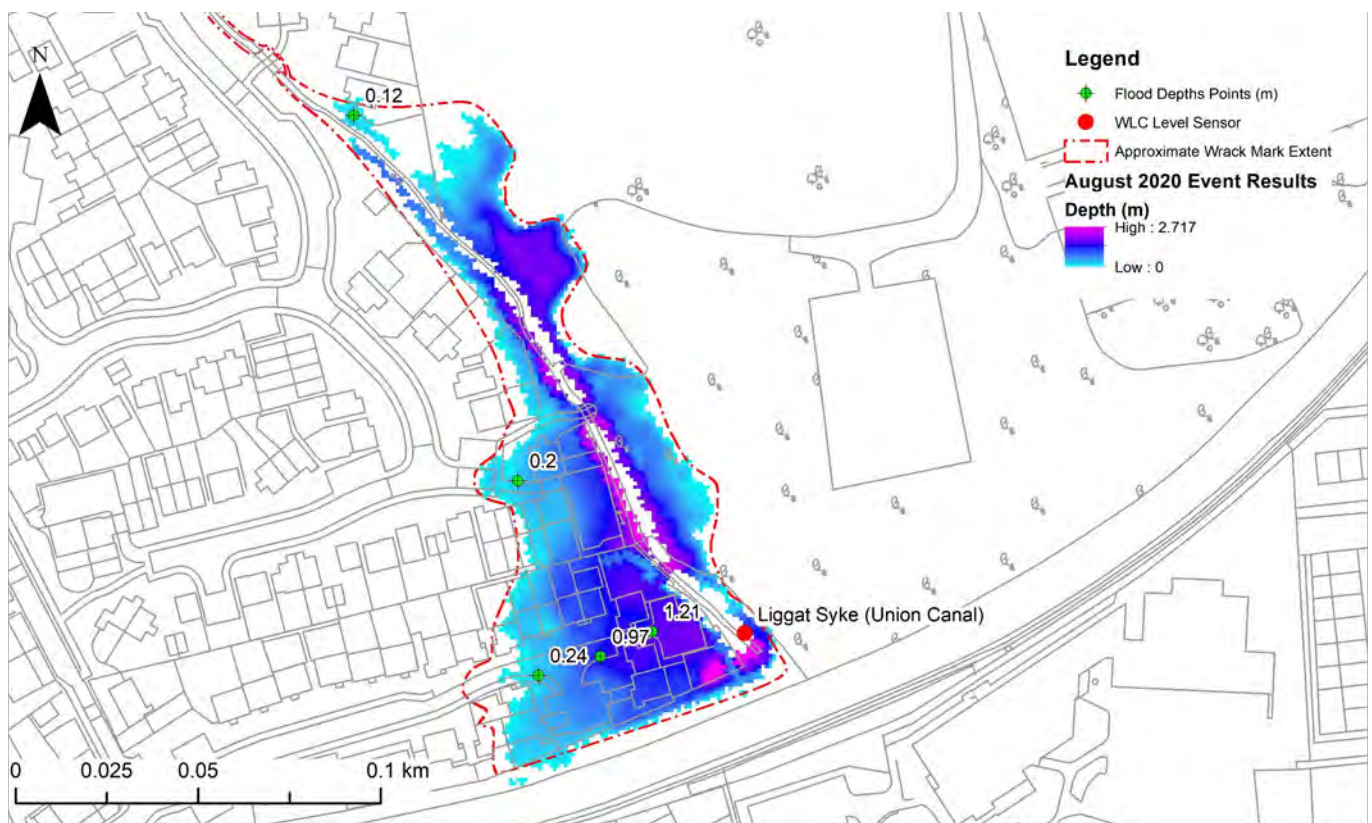
3. Review of Watercourse Flow Rates

3.1 Introduction

The August 2020 event was run through the model to calibrate it and see if the model is replicating flooding accurately. The outputs were investigated to identify if they matched the evidence of flooding collated in this incident report.

3.2 Evaluation of the August 2020 Incident Flood Magnitudes and Estimating its Rarity

The flood extent from the model for the August 2020 event are shown in Figure 3-1, and was compared against the observed flooding identified in Figure 2-10. The orange building affected on Nicol Road is shown to be just flooded by the edge of the modelled flood extent. Additionally, all the red properties shown as flooding in Pythall Court are also within the modelled flood extent. Therefore, the flood extents from the model are replicating the August 2020 event as recorded in the wrack mark survey.



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Figure 3-1: Results from 1D-2D hydraulic modelling for August 2020 Event

In terms of flood depths, account E2 in Table 2-1 records that the flood depth was up to a person's knees. It is not clear if the flood depths then rose further or if this was the maximum water level this person saw. The modelled flood depths in the vicinity of this account's location range between 0.5 to 0.8 m, with lower levels on the west side of the property away from Liggat Syke, and deeper levels towards Liggat Syke; the driveway is on the west side. The lower depth range is approximately consistent with knee height, perhaps a little higher, but water levels may have continued to rise after the eyewitness had finished unpacking her car. This eyewitness account therefore appears to corroborate the depths the model is showing.

Review of August 2020 Flood Incident

Photos and videos online of residents being evacuated show flooding up to and above the top of cars numbers plates and the bottom of house windows. Therefore, areas of Pyothall Court had very deep water, which is again consistent with the depths from the model that can be seen in Figure 3-1.

A notable feature of the flooding event was the rapid rate with which the levels rose in the watercourse, as observed in Figure 2-8. Based on the high flow rates, the restricted opening of the inlet (600mm x 600mm) it is considered highly possible the inlet was partially blocked at the start of the event from riverbed material and debris. It is also possible the percentage of blockage was highest at the onset of flooding until the water levels rose and pressurised the material/debris through the culvert. In order to model the steep rising limb, a partial blockage (25%) was applied to the inlet of the culvert at the Union Canal.

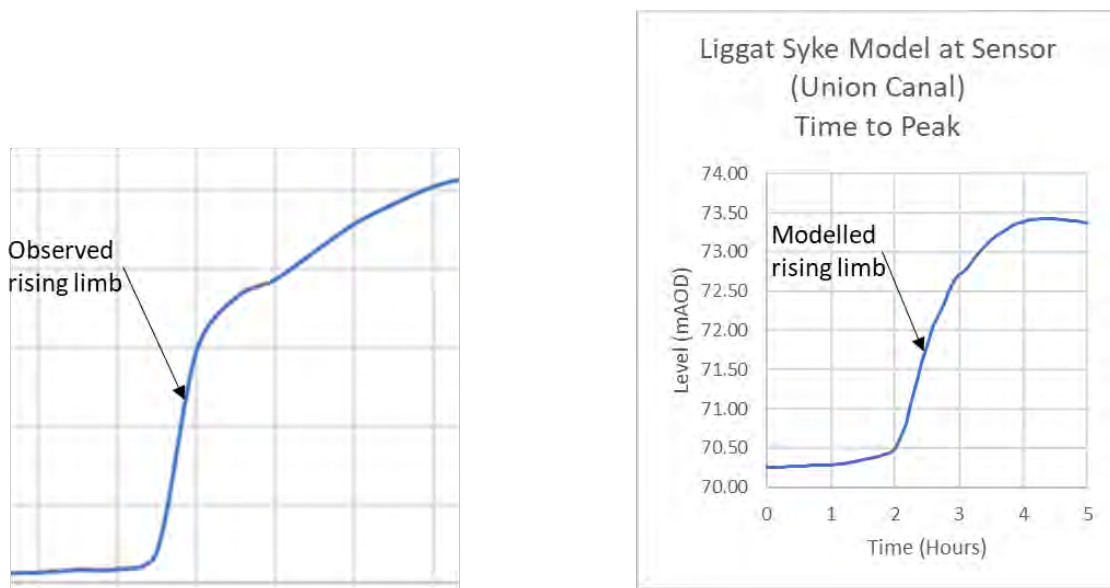


Figure 3-2: On the left; observed rising limb (taken from Figure 2-8). On the right; modelled results showing close match once a partial blockage was applied

The flood extent of the modelled August 2020 event is a very close match to the modelled 0.5% AEP flood extent see Figure 3-3 (on the next page).

The peak flow of the August 2020 event at node LS1578 is 2.13 m³/s. For comparison the scaled 1% AEP peak flow is 2.05 m³/s and 2.39 m³/s for the 0.5% AEP. When comparing to the flood frequency curve the August 2020 event is closest to 1% AEP in magnitude.

An area showing flooding in the model but that has not been explicitly mentioned in the observed flooding is a row of houses off Galloway Crescent (north west of the study area under discussion). The model indicates a relatively low depth of flooding approximately 50mm.

Review of August 2020 Flood Incident



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Figure 3-3: Comparison of August 2020 modelled flood extent and the 0.5% AEP modelled flood extent

3.3 Model Calibration

The model was run for 140 hours to fully allow the rainfall event inflows to pass through the model. This produced the results described above in section 3.2. The inflows were derived from supplied radar rainfall, converted to river flow using the Revitalised Flood Hydrograph (ReFH) software version 2.3.

Initially, the modelled August 2020 flood extents were smaller than the evidence presented in this flood incident report. A flow multiplier of 1.25 was applied to create a flood extent that better matched the observed flooding. This scaling factor is consistent with those used as part of the baseline flow reconciliation process. As discussed in the previous section, a blockage of 25% was also applied to the inlet of the culvert at the Union Canal.

The modelled peak water level (at node LS1545 in the model which represents Liggat Syke gauge) was 128 mm lower than the peak water level of the event from the observed time series data. This is considered to be a reasonably good match, being within the +/-150mm recommended tolerance for hydraulic model calibration. Therefore, owing to the reasonably good match between the observed August 2020 event and the modelled August 2020 event no further changes to the model were required.

3.3.1 Calibrated Flows within the FPS Hydraulic Model

The calibrated hydrograph flow was simulated within the FPS Hydraulic model as a sensitivity test. All flows were well within bank levels and the proposed flood mitigation measures performed as expected.

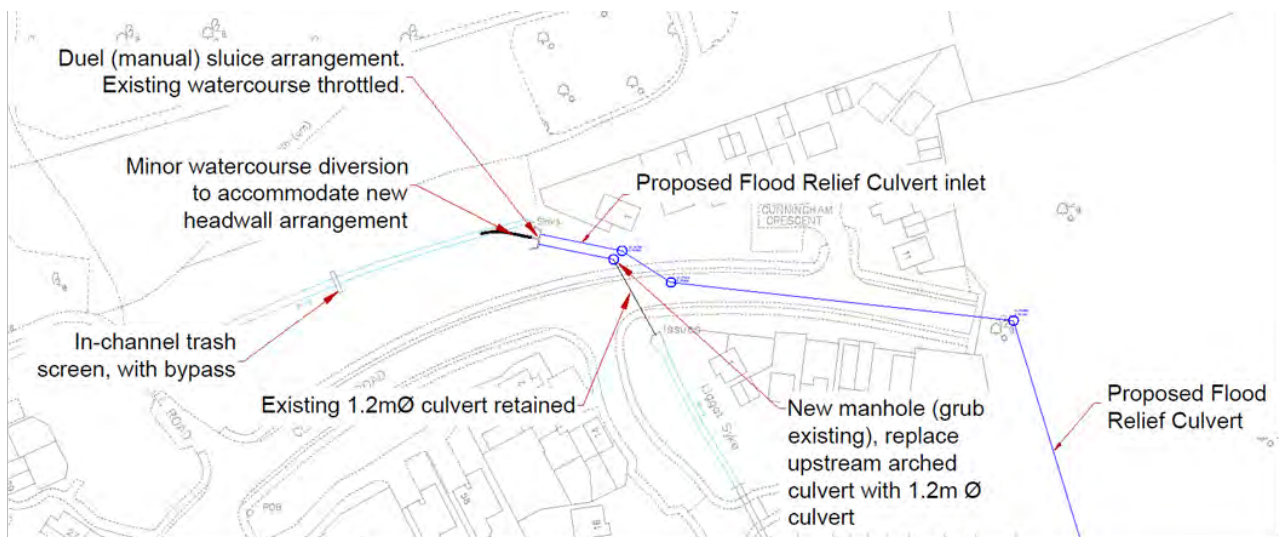
4. Discussion of FPS Measures

4.1 Description of Measures

Currently the flood mitigation measures are being developed, proposed Geotechnical Investigations are due to start early in 2021 and there are a number of other studies which will also have a bearing on the preferred option. Therefore, the following discussion is subject to ongoing design development. Some of the recommendations discussed in earlier sections of this report have now been adapted into the proposals.

4.1.1 Indicative Inlet Arrangement

Currently, the existing headwall as at an acute angle to the direction of flow (see photograph P1). A new headwall is proposed south of the existing arrangement along with a minor watercourse diversion. An in-channel trash screen is proposed upstream of this headwall to reduce the risk of blockage to the downstream culverts. A short section of arched culvert is to be replaced with a circular culvert to match that currently under Clarkson Road. The flow regime will be modified via a duel sluice arrangement, whereby the existing Liggat Syke flows will be throttled at high flows, with excess water being conveyed via the proposed flood relief culvert as is shown in Figure 4-1



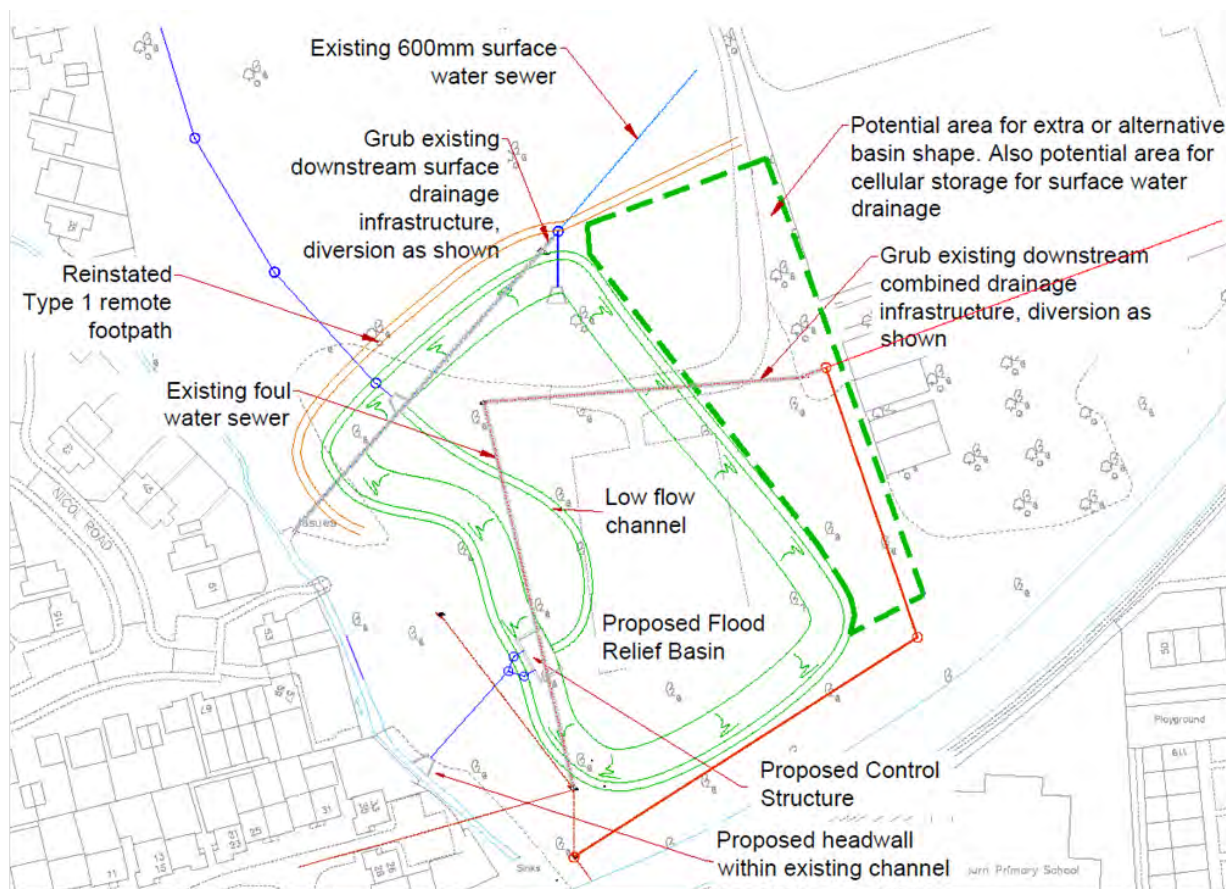
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Figure 4-1: Proposed inlet arrangement at head of the flood relief culvert

4.1.2 Indicative Basin Arrangement

The form and placement of the basin is currently under review, it is likely geotechnical information will play a significant role in determining the preferred option. The basin provides the bulk of the storage potential within the FPS. A propriety flow control will be used to attenuate the flow prior to it being conveyed back into the Liggat Syke. The amenity value of the basin is to be maximised by taking account of landscaping architecture and environmental considerations. Various service diversions are required to facilitate the proposal. Currently it is proposed to redirect a surface water sewer into the basin, however subject to existing manhole levels, the runoff might be stored and attenuated via underground cellular storage with flow control and continue to the existing headwall. See Figure 4-2 (on the next page) for further details.

Review of August 2020 Flood Incident



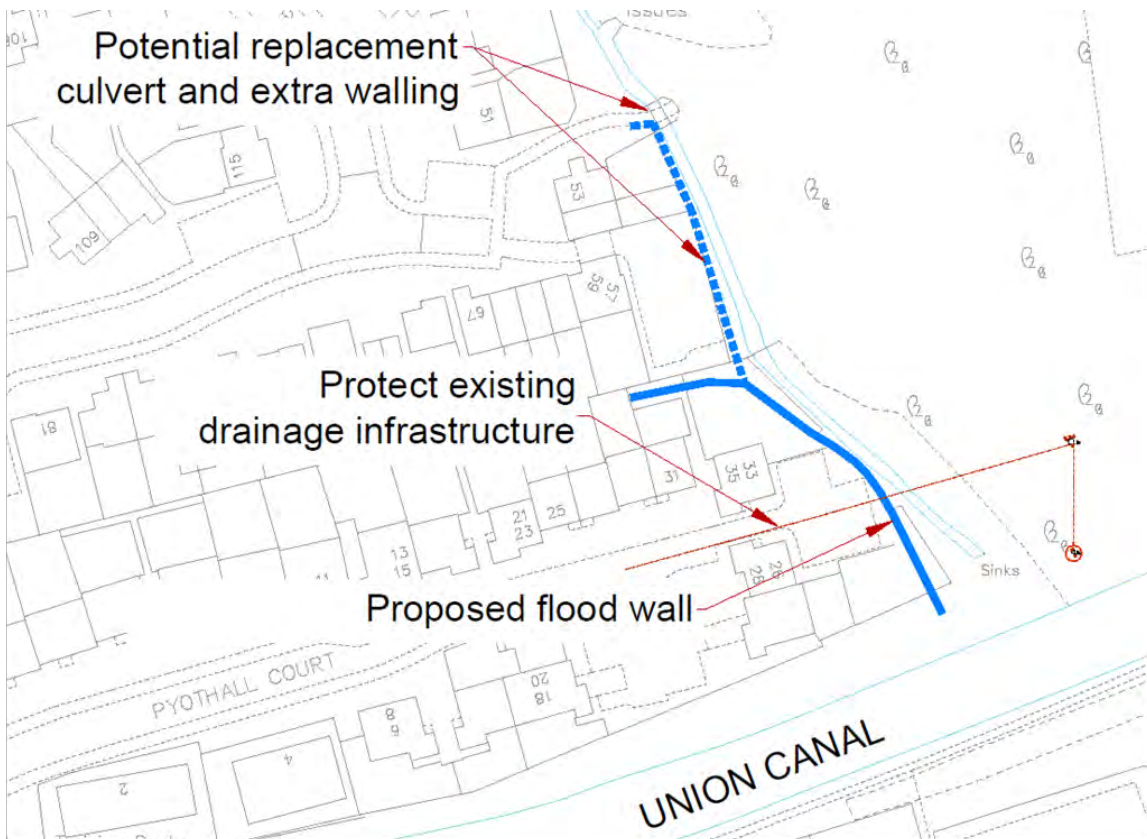
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Figure 4-2: Proposed basin arrangement and various service diversions (Flood Walls not shown for clarity)

4.1.3 Indicative Flood Wall Arrangement

Essentially it is proposed to replace the existing informal flood embankments (see Figure 2-7) and wall with a formal Flood Wall, as is shown on Figure 4-3 (on the next page). The crest height of the wall may be increased slightly. Marginally more channel capacity is likely to result from adapting the existing embankment to a walled solution at the inlet to the culvert under the Union Canal. The wall may be extended to the north subject to further investigation. The sensitivity of the culverted footpath (see Photograph P6) is also to be reviewed further, there may be merit in replacing the circular culvert with a rectangular culvert with higher soffit height.

Review of August 2020 Flood Incident



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Figure 4-3: Proposed Flood Wall arrangement and service protections (Basin not shown for clarity)

5. Conclusions and Recommendations

5.1 Conclusions

Undertaking this post flood event study has determined that understanding and replicating the mechanisms, interactions and constraints which are characteristic to small, steep, partially urbanised catchment is challenging to replicate purely based on hydraulic modelling. The views and accounts of those directly or indirectly affected by the event have been invaluable in determining some of the local-scale effects. The following are the conclusions of this study:

- Following a prolonged period of wet weather over the month of August 2020, a deluge of rainfall fell on the Liggat Syke catchment on the evening of Thursday 27th August causing a flooding incident.
- The wet catchment conditions leading up to the event resulted in the soil becoming completely saturated, such that rainfall could no longer infiltrate (soak-away) into the ground. As a result, subsequent runoff flowed over the surface directly into the watercourse.
- Historically, circa twenty years ago there were a couple of flooding incidents. These were attributed to vandalism. Subsequent mitigation measures were implemented by WLC to minimise the likelihood of flooding from this mechanism.
- The August 2020 rainfall event was very localised and concentrated to this site. Based on Met Office statistical analysis, over a one-hour event they estimated the storm had a return period of 1 in 146 years. Well over half of the SAAR fell on the catchment over this period.
- Using the Met Office rainfall data, the August 2020 event was simulated within a hydraulic river model of the existing (baseline) watercourse arrangements. When compared to existing baseline data, the flooding extent closely matched the pattern of 0.5% AEP and had a maximum flow akin to 1% AEP.
- The existing informal flood embankments upstream of the Union Canal were both overtopped by in channel flooding and outflanked by out of bank flooding. This is evidenced by eyewitness accounts and photographs taken as the watercourse was in spate.
- All culverts downstream of Clarkson Road have a trash screen. Apart from the first trash screen (located north of the junction between Clarkson Road and Nicol Road), there is no recorded evidence that blockage from debris had a role in the flood mechanisms.
- Following the flooding event, there is no notable evidence of changes to the channel geomorphology, such as bank erosion, scour, geotechnical failure or bank toe sediment accumulation.
- The August 2020 event was simulated within a hydraulic river model of the proposed (FPS) watercourse arrangements. The event was well managed.

5.2 Recommendations

This study has highlighted several matters relating to existing culverts which should be considered further as part of the ongoing Option Appraisal and Outline Design in support of promoting a flood protection scheme:



- Undertake additional sensitivity at the culvert located at CH80, potentially recommend upsizing to rectangular culvert with higher soffit
- Undertake additional sensitivity at the culvert located at CH220, check bank levels provide sufficient freeboard if not, make recommendations

Review of August 2020 Flood Incident

Appendix A. Site Photographs

Reference	Photograph	Description
P1		Looking towards the left-hand bank. Trash screen partially blinded by debris
P2		Looking downstream. Wrack mark bounded between fence line and trees

Review of August 2020 Flood Incident

Reference	Photograph	Description
P3		Looking downstream. Sandbags on left hand bank, wrapped around headwall
P4		Looking towards the left-hand bank. Vegetation flattened, watermark on wall



Review of August 2020 Flood Incident

Reference	Photograph	Description
P5		Looking downstream. Vegetation flattened
P6		Looking downstream. Trash screen clear

Review of August 2020 Flood Incident

Reference	Photograph	Description
P7		Away from watercourse. Debris on remote footpath. Water marks on dwelling
P8		Within carparking area. Debris mark on car. Water mark on dwelling


Review of August 2020 Flood Incident

Reference	Photograph	Description
P9		Looking along right-hand bank. Informal flood embankment. Water marks on dwellings
P10		Away from watercourse. Debris across roadway

Review of August 2020 Flood Incident

Reference	Photograph	Description
P11		Away from watercourse. Water marks on dwellings
P12		Looking towards the left-hand bank, within carpark. Informal flood wall. Watercourse in spate

Review of August 2020 Flood Incident

Reference	Photograph	Description
P13		Looking downstream. Trash screen clear

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

WEST LOTHIAN STATUTORY RETURN TO SCOTTISH GOVERNMENT ON PUBLIC BODY REPORTING ON BIODIVERSITY DUTY: 2018 - 2020

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of the report is to make the panel aware of the requirement for public body reporting to the Scottish Government on West Lothian Council's Biodiversity Duty for the three year period between 2018 – 2020.

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:

1. notes the contents of the general review of West Lothian's commitment to biodiversity (as detailed in Appendix 1);
2. agrees to forward the report to the Scottish Government as evidence that the council, as a public body, has met its reporting duty on biodiversity over the 3 year period (2018 to 2020); and
3. agrees to publicise the report on the council's website as advised by the Scottish Government.

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)	<p>The Nature Conservation (Scotland) Act (2004) requires all public bodies in Scotland to further the conservation of biodiversity when carrying out their responsibilities.</p> <p>The Wildlife and Natural Environment (Scotland) Act (2011) requires public bodies in Scotland to provide a publicly available report, every three years, on the actions which they have taken to meet this biodiversity duty.</p> <p>The Climate Change (Scotland) Act 2009 - places a duty on all public bodies to reduce greenhouse gas emissions, adapt to the effects</p>

of climate change by ensuring resilience to future climate conditions and act in a way considered most sustainable.

Policies ENV1 – ENV5 of the West Lothian Local Development Plan support biodiversity, nature conservation and enhancement.

Actions will be screened as they are progressed to determine the need for environment, equality, health or risk assessments. There are no SEA issues.

III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	SOA: 4 We live in resilient, cohesive and safe communities. SOA: 8 We have the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	Resources - (Financial, Staffing and Property)	The Wildlife Information Centre (TWIC) Service Level Agreement with Planning Services is met from within existing revenue budgets.
VII	Consideration at PDSP	The PDSP considered a second report on the WLC Biodiversity Duty for the previous 3 year period (2015 – 2017) on 7 February 2018.
VIII	Other consultations	NETs & Land Services, Countryside Services (Parks and Woodland), Flood Risk Management Unit.

D. TERMS OF REPORT

D1 Introduction

Under the Nature Conservation (Scotland) Act (2004), all public bodies in Scotland are required to further the conservation of biodiversity when carrying out their duties. The Wildlife and Natural Environment (Scotland) Act (2011) requires public bodies in Scotland to provide a publicly available report, every three years, on the actions which they have taken to meet this biodiversity duty.

While the first West Lothian report covered the period 2011 - 2014 and the second covered 2015 - 2017, this third report relates to 2018 - 2020. The initial Scottish Biodiversity Strategy from 2004 was updated in June 2013 with the '*2020 Challenge for Scotland's Biodiversity*'. It reflected international commitments and the European Union's '*Biodiversity Strategy for 2020*'.

Recently in December 2020, the Scottish Government has published the '*Scottish Biodiversity Strategy post-2020: statement of intent*' which sets the direction for a new biodiversity strategy which will respond to the increased urgency for action to tackle the twin challenges of biodiversity loss and climate change and committing to increasing protected areas for nature to at least 30% of terrestrial Scotland by 2030. It also commits, via the forthcoming National Planning Framework 4, to develop proposals which will deliver positive effects for biodiversity through development.

The third West Lothian Biodiversity Duty Report (see Appendix 1) sets out actions taken by the council for the period 2018 - 2020. The Appendix demonstrates the great variety and range of biodiversity related work being carried out in West Lothian.

D2 New layout of Biodiversity Duty report to Scottish Government

The Scottish Government, advised by NatureScot (formerly Scottish Natural Heritage) have for this round of biodiversity reporting produced a new template to create some uniformity among the various returns. The council falls under Template 1 for public bodies and the sections cover:

- a) Actions to protect biodiversity and connect people with nature;
- b) 'Mainstreaming' – examples of how biodiversity has been incorporated into corporate policy, plans and projects;
- c) Nature-Based Solutions, Climate Change and Biodiversity;
- d) Public Engagement and Workforce Development; and
- e) Research and Monitoring.

The main West Lothian biodiversity activities under these headings are set out below.

D3 Section 2: Actions to protect biodiversity and connect people with nature

There are numerous biodiversity projects that have occurred in West Lothian over the last three years. Several examples include:

- Working in partnership with Buglife on West Lothian 'B-Lines' to increase the amount of wildflower meadow and over the 2-year project, creating 14 meadows, over 8 urban parks and 1 cemetery.
- Livingston Blue / Green Network (BGN) masterplan prepared and two related 'Woodlands in and Around Towns' (WIAT) management plans were drafted, costed and submitted to Scottish Forestry.
- The WLC Ranger Service have engaged with over 2,740 school pupils between 2018 and 2020 in outdoor environmental education activities and 1,760 volunteers.
- 6 meadows planted in country parks, 8 rural road verges surveyed and Operational Services cutting regime amended for pollinating wildflowers.

D4 Section 3: Mainstreaming

- The WLC Ranger Service run a 'Forest Schools' programme which not only helps connect pupils with their local environment, but also helps to mainstream environmental outdoor learning in West Lothian schools.
- Work with the former Central Scotland Green Network Trust (CSGNT) – now Green Action Trust (GAT) – on a range of related open space capital projects e.g.; at Balbardie Park, Bathgate and Sommers Park, Mid Calder.

- Adoption of the West Lothian Local Development Plan in September 2018 with numerous environmental planning policies and supporting Planning Guidance related to 'Development Management & Wildlife' and 'Soils on Development Sites'.
- Adoption of an 'Ecosystems approach to land management' by NETs, Land and Countryside Services.

D5 Section 4: Nature-Based Solutions, Climate Change and Biodiversity

- Multi-partner projects facilitating the passage of fish at physical barriers across the River Almond in the Kirkton, Craigshill and Howden areas of Livingston enhancing the biodiversity of the river and the species.
- Continuation of developing a multiple-benefits project to restore the Bathgate Water and Boghead Burns in Bathgate.
- Projects to maintain and enhance two peatland areas in West Lothian at Easter Inch Moss and Black Moss, Armadale and to continue with regular monitoring and volunteer sessions, including scrub and sapling removal and peat dam creation. This has included working with other organisations including NatureScot, Oatridge College, Lothian Conservation Volunteers, The Conservation Volunteers and Butterfly Conservation 'Bog Squad'.

D6 Section 5: Public Engagement and Workforce Development –

- The WLC Ranger Service run a number of environmental based events through the year and have engaged with over 3,590 people between 2018 - 20.
- Four annual environmental fairs, 'Wild Wednesdays', organised by the Ranger Service, ran across West Lothian during the summer holidays, bringing many organisations together to engage with local families in their local area. This involves partnership working with other organisations such as RSPB, Buglife, Forth Rivers Trust and The Dogs Trust.
- Parks & Woodland run a Volunteer Ranger Service programme giving the opportunity for college students and other interested individuals to get a more in-depth view of what it is like to be a Countryside Ranger, whilst gaining valuable practical experience.

D7 Section 6: Research and Monitoring -

- The council has continued to support work by Historic Environment Scotland (HES) and the Centre for Ecology & Hydrology (CEH) to sample water issuing into Linlithgow Loch from surrounding land, the results of which will lead to publication of a 'Nutrient Apportionment Study' in 2021. The Loch Habitat Management Plan was reviewed and updated in 2020.
- The Ranger Service carries out a number of annual surveys throughout the 3 country parks, as well as other public landholdings. These include grassland surveys, fen vegetation surveys at Calderwood; bat box occupancy checks, various badger sett surveys and other ad-hoc surveys such as peat depth, hornet and otter surveys.
- WLC continues to have a 3 year Service Level Agreement with The Wildlife Information Service (TWIC) who review the Development Management Weekly List of planning applications for protected species and related issues as well as input from NETs & Land Services and the Parks & Woodland Team and the Rangers Services on biodiversity issues.

E. CONCLUSION

The Biodiversity Duty report sets out in detail the actions, activities and outcomes with respect to the council's statutory duty to further the conservation of biodiversity. It sets out a range of positive interventions to both protect and enhance the varied biodiversity of West Lothian over the 2018 - 20 period that, despite challenges to council's capital and revenue budgets, as well as staff resources, are anticipated to be continued.

F. BACKGROUND REFERENCES

West Lothian Local Development Plan (2018)

Scottish Government - Scottish Biodiversity Strategy post-2020: statement of intent:
<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2020/12/scottish-biodiversity-strategy-post-2020-statement-intent2/documents/scottish-biodiversity-strategy-post-2020-statement-intent/scottish-biodiversity-strategy-post-2020-statement-intent/govscot%3Adocument/scottish-biodiversity-strategy-post-2020-statement-intent.pdf>

Ecosystem Approach to land management, as adopted by NETs, Land and Countryside Services – January 2019
<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Dg%96i%7E%8E>

Appendices/Attachments: One – Third West Lothian report on the Scottish Biodiversity Duty (2018-20)

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Craig McCorriston
Head of Planning, Economic Development & Regeneration

2 February 2021

Data Label: Public

Appendix 1

West Lothian Council: Biodiversity Duty Report (2018 – 2020) - return to Scottish Government

(Level 1 template)

Section 2: Actions to protect biodiversity and connect people with nature (by WLC Service)	West Lothian Council Examples
NETs, Land & Countryside Team	<ul style="list-style-type: none"> • 'West Lothian B-Lines', a partnership project with Buglife secured £40,600 from the National Lottery Heritage Fund for creating wildflower meadows throughout West Lothian from 2019 to 2021. £13k match funding was contributed by WLC. To date, this has enabled: the creation of 14 meadows over 8 urban parks and 1 cemetery; the production of a handout on meadow creation and management for WLC Grounds Maintenance and Cemeteries staff; 1 wildflower meadow interpretation board; 10 pollinator ID/education workshops; 4 information events; 6 meadow creation events and 10 flora / fauna meadow surveys. The project is due to end in May 2021. • The West Lothian Food Growing Strategy has been drafted and is due to be ratified by the Council in 2021. A key element of this strategy is to increase biodiversity on council land through community growing initiatives. • Livingston North Blue / Green Network (BGN) – a public consultation was undertaken in 2018 and the masterplan finalised. The masterplan is being used to schedule projects as funding becomes available for woodland management and water quality works, with planned links to NHS Lothian's "Greenspace and Health Strategic Framework" and Community Regeneration aims. • Dedridge Ecology and Environment Project (DEEP) in Livingston was wound-up after over 10-years of sustained community involvement improving the environment of the Dedridge Burn corridor in 2017, but their legacy continues.

	<ul style="list-style-type: none"> • The Conservation Trust's (TCV) 'School Green Gym' has been working in several communities, enabling schools to get out and learn in greenspaces in West Lothian, including the production of activity cards to help teachers to use the outdoors for teaching in their own lesson time.
Parks & Woodland	<ul style="list-style-type: none"> • As part of the Livingston BGN project above, two 'Woodlands in and Around Towns' (WIAT) management plans were drafted and costed. These have been submitted to Scottish Forestry and once some amendments have been made, await final approval. Then further grant applications towards implementing woodland and access management works will be made (this is currently capped at £100k per landowner, rather than based on the benefits provided as used to be the case). • A start has been made on preparing a UK Forestry Standard compliant Long-term Forest Plan (LFP) for WLC's woods in Livingston in parallel with a similar plan for Woodland Trust Scotland's woods in and around the town. • Felling, thinning and replanting continue in line with the LFP for Beecraigs including the development of 'Continuous Cover Forestry' in some areas. Forest management has continued to be certificated under the UK Woodland Assurance Scheme. • A WIAT woodland and access management plan was approved for Almondell by Scottish Forestry and works are underway. • The Agri-environment scheme on the Beecraigs Animal Attraction has continued with hedge maintenance and seasonal grazing of the wildflower seeded field adjacent to the new Hillhouse car park. This has a path along one side and so the Highland cattle grazing this area can be viewed by the public. • Environmental education programmes and activities have been undertaken to engage people of all ages on topics such as: natural history, climate change, local wildlife & habitats and the environment around them. The WLC Ranger Service have engaged with over 2,740 pupils between 2018 and 2020 in outdoor environmental education activities. • A number of WLC Parks & Woodland sites are now being managed as wildflower meadows: <ul style="list-style-type: none"> ○ Balvormie Meadow, Beecraigs which continues to be grazed; ○ along with areas on the Beecraigs Caravan Site;

	<ul style="list-style-type: none"> ○ Almondell Meadow and Butterfly Bank; ○ Polkemmet Meadow, ○ Little Boghead, Bathgate grassland and ○ Skolie Burn, Addiewell SSSI. <p>As a result, Parks & Woodland staff are already starting to see an increase in flowering species and decrease in less desirable rank species. Management is either through conservation grazing, or cut and lift methods.</p> <ul style="list-style-type: none"> ● Successful grant applications have been made to the former Scottish Natural Heritage (now Nature Scot) Peatland Restoration Programme and works were carried out via contractors and volunteers on Easter Inch Moss by Blackburn (c£75k) and Black Moss (c£30k) on the west side of Armadale. ● The Ranger Service manage a number of conservation-based projects with the help of volunteers including Friends of Parks groups, corporate volunteers or other external groups such as Butterfly Conservation, Buglife, Forth River Trust, Lothian Conservation Volunteers (LCV) and The Conservation Volunteers (TCV). <p>Activities over the period between 2018-20 have included:</p> <ul style="list-style-type: none"> ○ Pond management at Almondell wildlife pond, Calderwood Great Crested Newt ponds, Little Boghead Nature Park, Bathgate and Polkemmet wildlife pond; ○ Fen management at Calderwood, including bracken whipping; ○ Invasive species control at Little Boghead and Polkemmet Country Park; ○ Grassland scything at Almondell & Calderwood; ○ Woodland management including maintenance of orchard areas and tree planting at Almondell, Little Boghead, Beecraigs, Polkemmet and Almond Park, Livingston; ○ Rhododendron control at Almondell and Polkemmet; ○ Scrub clearance at Easter Inch Moss, Blackburn; ○ Meadow creation at Beecraigs Country Park; ○ The Ranger Service have worked with over 1,760 volunteers during 2018-2020. These volunteers have committed over 5,500 work hours during this period; and ○ Grassland management at Skolie Burn SSSI, Addiewell.
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	<ul style="list-style-type: none"> The Ranger Service have also worked with other organisations to help with the protection and enhancement of wildlife within West Lothian, including actively being involved in the Mud Snails Project in 2018/19 and also the 'B lines' project with Buglife Scotland.
Planning Services	<ul style="list-style-type: none"> Moves to secure a specialist consultant to jointly review and update the out-of-date WL' Local Biodiversity Action Plan' (2009) and undertake a Natural Capital audit of all WLC landholdings and form a small internal steering group of various Services involved to advance the project. Organised 8 rural verges, previously protected for wild flowers, survey in Autumn 2019 by Scottish Wildlife Trust (SWT) and WLC Operational Services amended their cutting regime to accord with revenue budget reductions. SWT been asked to 'signpost' these rural verges via volunteers. Harperigg Reservoir Local Nature Reserve - Local Management Group meets bi-annually and chaired by WLC Planning Services and administered by City of Edinburgh Council Pentland Hills Regional Park staff and looks at various actions, including work on the adjacent wildlife refuge and biodiversity related work in and around the reservoir, among other work. Continuing support for the Easter Inch Moss & Seafield Law Local Nature Reserve Management Group, albeit the group wound-up in November 2019 due to lack of local interest. Parks & Woodland continue with works in and around the Moss to accord with the related Habitat Management Plan (2011 – 2021) that has been revised.
Section 3: Mainstreaming (by WLC Service)	West Lothian Council Examples
NETs, Land & Countryside Team Services	<ul style="list-style-type: none"> West Lothian Open Space Strategy (2015) reviewed as the 'Open Space Plan' and adopted in December 2020. The WLC Open Space Capital programme continues to improve access to greenspaces across West Lothian as well as improving biodiversity, such as planting trees in parks, shelterbelt thinning, meadow creation, relaxed grass cutting, bulb planting and rain garden creation. An "Adopting an Ecosystems Approach to Land Management" report was prepared by NETs & Land Services and presented to the council's Environment Panel in January 2019 to raise awareness of

	<p>members about the principles behind their new approach to land management. This recognises previously overlooked, multiple benefits of the natural environment. Adopting an 'ecosystems approach' in West Lothian, offers a flexible, sustainable way forward which enables the council to fulfil statutory duties of enhancing biodiversity, building resilience to climate change and involving communities.</p> <ul style="list-style-type: none"> • Open Space Audits have been adapted to include categories on biodiversity and ecosystem services. The audits assess and score the quality of parks and open spaces, which subsequently inform capital investment.
Parks & Woodland	<ul style="list-style-type: none"> • Ranger Service run 'Forest Schools' programmes which not only help connect pupils with their local environment, but also help to mainstream environmental outdoor learning in West Lothian schools by enabling and empowering staff to make environmental education a regular part of their pupils learning. • Work with the former Central Scotland Green Network Trust (CSGNT) – now Green Action Trust (GAT) – on a range of related open space improvement capital projects e.g.; at Balbardie Park Bathgate, Sommers Park, Mid Calder.
Planning Services	<ul style="list-style-type: none"> • Adoption of the West Lothian Local Development Plan in September 2018 with numerous environmental planning policies (see Section 5, below, for details). • Preparation, consultation and adoption of revised Planning Guidance on 'Planning for Nature - Development Management and Wildlife' (April 2020). • Interim review of West Lothian Geodiversity Action Plan 2017-22 at mid-point in September 2020. Information on all 51 West Lothian Geodiversity Sites were placed on the council's planning web site. • Preparation and consultation of Planning Guidance on 'Management of Soils on Development Sites' (2020) for consideration for adoption as planning policy in 2021. • Contribution to the review of the Pentland Hills Regional Park 10 year Strategic Management Plan (2019-29).

	<ul style="list-style-type: none"> Chair the annual West Lothian Local Biodiversity Sites (LBS) Steering Group, administered via The Wildlife Information Centre (TWIC) under a Service Level Agreement with the council, that involves Scottish Wildlife Trust and local volunteer experts in a range of species along with representation from WLC Parks & Woodland, that fund the required ecological surveys, to allow consideration of potential LBS across West Lothian.
Section 4: Nature-Based Solutions, Climate Change & Biodiversity (by WLC Service)	West Lothian Council Examples
Roads & Transportation Services	<ul style="list-style-type: none"> Multi-partner projects facilitating the passage of fish at physical barriers across the River Almond in the Kirkton, Craigshill and Howden areas of Livingston enhancing the biodiversity of the river and the species that depend on it. Work is also in preparation for replacement of the Harwood Water falls in Polbeth with a fish passage as part of the wider River Almond scheme. Partnership work has continued to develop a multiple-benefits project to restore the Bathgate Water and Boghead Burns in Bathgate, enhance green space and connect people with nature in one of Scotland's most deprived communities. In a partnership with Scottish Water and SEPA, the Council has been working on the Surface Water Action Plan to help improve the quality of surface run-off from its premises at Whitehill Industrial Estate, Bathgate reducing the impact of pollution on the Bog Burn in Bathgate. Work has continued to provide advice to Planning Services (Development Management as well as Development Planning & Environment) on issues of flood risk, sustainable drainage, pollution prevention and the water environment to help ensure that development delivers benefits and that the risk it presents to the built and natural environment is mitigated.
NETs & Land Services	<ul style="list-style-type: none"> Open Space Officers assess relevant planning applications and advise Planning Services on Open Space related issues.

	<ul style="list-style-type: none"> • NETs have generally reviewed their operations to see if they can become more biodiversity friendly e.g.; in relation to use of herbicides (See also Section 3 above on NETs “Adopting an Ecosystems Approach to Land Management”). • A ‘West Lothian Open Spaces Asset Management Plan’ was prepared and considered by the Council’s Environment PDSP in January 2019 that sets out the council’s approach for the management of open space assets effectively and efficiently for a 10 year period to 2027/28.
Parks & Woodland	<ul style="list-style-type: none"> • Projects to maintain and enhance two peatland areas in West Lothian, Easter Inch Moss between Blackburn and Seafield and Black Moss at Armadale, continue with regular monitoring and volunteer sessions, including scrub and sapling removal and peat dam creation. This has included working with other organisations including NatureScot, Oatridge College, Lothian Conservation Volunteers , The Conservation Volunteers and Butterfly Conservation ‘Bog Squad’. These sites are particularly important in terms of CO² sequestration. • A programme of management work is regularly carried out by staff and volunteers at Calderwood SSSI between Mid Calder and Livingston which is recognised for its woodland and fen areas and associated flora and fauna and Skolie Burn SSSI in Addiewell, which is recognised for its rich neutral grassland and geology. • The Ranger Service have carried out a number of projects with Forth River Trust, including a series of Willow Spilling sessions at Almondell & Calderwood Country Park and Polkemmet Country Park to help reduce river breaches and erosion on the banks of the River Almond which flows through both these Parks and has suffered damage due to flash flooding, historic bank modification and erosion from people and dogs accessing the river. • WLC Ranger Service scrutinises relevant planning applications from the Weekly List and submits consultation responses on biodiversity impacts / mitigation works to Planning Services.
Planning Services	<ul style="list-style-type: none"> • West Lothian “<i>Adaptation Action Plan</i>” following internal workshops with 10 Service areas in 2017, was drafted in 2018 & updated 2019. • Linlithgow Loch Management Plan reviewed and reported to committee (in April 2018 and again in September 2019) and 18 months survey of loch water samples were carried over 2018/19 to allow

	a Nutrient Apportionment Survey Report to be produced (due in Summer 2021) with recommendations for the long term treatment of the Loch to reduce the annual algal blooms.
Section 5: Public Engagement and Workforce Development (by WLC Service)	West Lothian Council Examples
NETs & Land Services	<ul style="list-style-type: none"> Numerous community groups are supported across West Lothian by the WLC NETs & Countryside Section. Internal workforce training has taken place with Operational Services - NETs operatives in relation to wildflower meadow management and a 'Toolbox Talk' leaflet produced for staff that has been shared with NatureScot as they were impressed by the resource.
Parks & Woodland	<ul style="list-style-type: none"> A number of environmental based events organised by the Rangers ran throughout the year engaged with over 3,590 people between 2018 and 2020. Four annual environmental fairs '<i>Wild Wednesdays</i>' were held across West Lothian during the summer holidays, bringing many organisations together to engage with local families in their local area. This involves partnership working with other organisations such as RSPB, Buglife, Forth Rivers Trust and The Dogs Trust. The Parks & Woodland team and the Ranger Service offer regular placements to those wanting to find out more about working in the environmental sector and have worked alongside pupils for over 226 work hours. The Ranger Service run a Volunteer Ranger Service programme giving the opportunity for college students and other interested individuals to get a more in-depth view of what it is like to be a Countryside Ranger, whilst gaining valuable practical experience. Parks & Woodland volunteers and the Ranger Service attended 'Meadow workshops', wildlife monitoring training, invasive species workshop and Biosecurity Training to develop knowledge and understanding in both staff and our volunteers.

Planning Services	<ul style="list-style-type: none"> • Adoption of “<i>West Lothian Local Development Plan</i>” in September 2018 that contains various planning policies related to biodiversity: <ul style="list-style-type: none"> - Policy ENV 4: Loss of prime agricultural land; - Policy ENV 5: Soil Sustainability Plans; - Policy ENV 6: Peatlands and carbon rich soils; - Policy ENV 8: Green network; - Policy ENV 9: Woodland Forestry and hedgerows; - Policy ENV10: Protection of urban woodland; - Policy ENV11: Protection of the water environment / coastline and riparian corridors; - Policy ENV14: Pentland Hills regional park – further protections; - Policy ENV15: Community Growing and allotments; - Policy ENV16: Temporary greening of Development sites; - Policy ENV17: Protection of international nature conservation sites; - Policy ENV18: Protection of National Nature conservation sites; - Policy ENV19: Protection of Local Biodiversity and Local geodiversity sites; - Policy ENV20: Species protection and enhancement; and - Policy ENV21: Protection of formal and informal open space. • Planning Guidance on “<i>Planning for Nature - Development Management and Wildlife</i>” was reviewed, updated, underwent public consultation and approved in Spring 2020. • Planning Guidance Note on “<i>Management of Soils on Development Sites</i>” was produced in Autumn 2020 with input from NatureScot Soil Scientist and underwent consultation. It is the intention to adopt the guidance in Spring 2021 and to issue it with all relevant greenfield planning permissions to developers and site agents on how they undertake site soil stripping and form and treat their soil dumps. It is suitable for adaptation by other Scottish local planning authorities. • Planning Guidance on “Green Networks” (including Local Biodiversity Sites & Geodiversity sites) under review in 2020/21 as part of the Local Biodiversity Action Plan update and Natural Capital audit of WLC landholdings.
Section 6: Research and Monitoring (by WLC Service)	West Lothian Council Examples

Roads & Transportation Services	<ul style="list-style-type: none">WLC have continued to support work by Historic Environment Scotland (HES) and the Centre for Ecology & Hydrology (CEH) to sample water issuing into Linlithgow Loch from surrounding land the results of which will lead to publication of a ‘Nutrient Apportionment Study’ in 2021. The purpose of the study is to prioritise investment to reduce the impact of nutrient on water quality in the loch.																
Parks & Woodland	<ul style="list-style-type: none">The Ranger Service carries out a number of annual surveys including:<ul style="list-style-type: none">NVC and grassland surveys at Balvormie Meadow (Beecraigs), Polkemmet Meadow, Little Boghead Meadow (Bathgate) and as of 2020, Skolie Burn SSSI, Addiewell;Greater Butterfly Orchid Survey on the Beecraigs meadow;Fen vegetation surveys at Calderwood and waterway surveys at Almondell;Bat box occupancy checks at all three Country Parks;Hibernacula surveys at Beecraigs with the Lothians Bat Group;Badger sett surveys at Beecraigs, Almondell, Calderwood, Ravenscraig, Almond Park, Witchcraig and Seafield Law; andAd-hoc surveys such as peat depth survey, hornet survey and otter surveys have also been carried out in recent years.Data collected shared via i-record which feeds into various National and local record data including those maintained by UKCEH, TWIC and BNB organisations.																
Planning Services	<ul style="list-style-type: none">WLC continue to have a 3 year Service Level Agreement with The Wildlife Information Service (TWIC) who review the Development Management Weekly List of planning applications for protected species and related issues:<table><tr><th>Year</th><th>TWIC screened planning applications</th><th>Potential biodiversity constraint identified</th><th>Potential biodiversity constraint identified</th></tr><tr><td>2017/18</td><td>610</td><td>232</td><td>38.0%</td></tr><tr><td>2018/19</td><td>909</td><td>333</td><td>36.6%</td></tr><tr><td>2019/20</td><td>1163</td><td>482</td><td>41.4%</td></tr></table>	Year	TWIC screened planning applications	Potential biodiversity constraint identified	Potential biodiversity constraint identified	2017/18	610	232	38.0%	2018/19	909	333	36.6%	2019/20	1163	482	41.4%
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2017/18	610	232	38.0%														
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	<ul style="list-style-type: none">• TWIC administer and provide review data on potential Local Biodiversity Sites (pLBS) across West Lothian as part of the Local Development Plan (LDP) process. The group of volunteer local natural heritage and species experts, including Scottish Wildlife Trust and WLC Parks & Woodland (who fund the surveys), meet annually. Candidate LBS, that pass the assessment, are for inclusion in future LDP 2 due 2023 / 24 within the next 3 year biodiversity reporting round.
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DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

EASTER INCH MOSS & SEAFIELD LAW LOCAL NATURE RESERVE – REVIEW OF HABITAT MANAGEMENT PLAN (2011 - 21)

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of the report is to make the panel aware of the review of the habitat management plan for Easter Inch Moss & Seafield Law Local Nature Reserve originally prepared in 2011.

B. RECOMMENDATION

It is recommended that the panel:

1. notes the contents of the general review of Easter Inch Moss & Seafield Law Local Nature Reserve Habitat Management Plan (as detailed in Appendix 1).

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)	<p>Legal: The Nature Conservation (Scotland) Act (2004) requires all public bodies in Scotland to further the conservation of biodiversity when carrying out their responsibilities.</p> <p>Policies: West Lothian Local Development Plan (2018) ENV 1 - 5 support biodiversity, nature conservation and enhancement.</p> <p>There are no equality, health, SEA or risk assessment issues associated with the guidance.</p>
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	SOA: 8 We have the most efficient and effective use of resources by minimising our impact on the built and natural environment.

VI	Resources - (Financial, Staffing and Property)	The site is owned by the council and has received external grants from the former Scottish Natural Heritage (now Nature Scot) via their 'Peatland Restoration' programme.
VII	Consideration at PDSP	This is the first time that Environment PDSP has considered a report on this issue.
VIII	Other consultations	NETs & Land Services, Countryside Services (Parks and Woodland), Flood Risk Management Unit.

D. TERMS OF REPORT

D1 Introduction

Easter Inch Moss and Seafeld Law Local Nature Reserve (LNR) is an area of locally important natural heritage, owned and managed by West Lothian Council in partnership with a Local Management Group. It was designated a Local Nature Reserve (LNR) in 2007. The reserve gives people the chance to learn about and enjoy nature close to where they live as well as being a valuable green space to be enjoyed between the two built up areas of Blackburn and Seafeld.

The nature reserve grew out of local conflict between off-road motor bike users and other local users of the moss and law. A consultant was engaged in 2005 and several meetings held between the two groups to try and reach a common understanding. Over the years the then Lothian & Borders Police Off-Road Bikes Team were active in mounting patrols of the site and served Anti-Social Behaviour Orders (ASBOs) related to illegal off-road bike use. This issue has reduced over the years, but flares back up from time to time.

D2 Easter Inch Moss

As well as being a valuable green space for local residents, the moss is home to over 140 different plant species, with 11 being recognised as rare in West Lothian. The moss is also home to a wide array of bird life, insects and mammals in the open areas of the moss, with toads and newts found in the damp, wet areas.

However, like many peat bogs in the UK, Easter Inch Moss has been badly damaged by extraction and poor management over the years, but is now recognised as an important area for wildlife which should be protected for generations to come. Although it is already a refuge for wildlife, Easter Inch Moss has the potential to return to its former glory as a lowland peat bog offering a diverse matrix of niche habitats for peatland flora and fauna.

In 2015 a project was funded through the then Scottish Natural Heritage (now Nature Scot) 'Peatland Restoration' programme to begin the process of restoring Easter Inch Moss back to its 'natural' state. Volunteers removed large amounts of encroaching scrub and helped with damming ditches using either plastic piling or scrub material. As a wet bog is a healthy bog, this work helped to retain water within the site creating a suitable environment for important peatland species to thrive.

The long-term management aim is to convert the moss back into a healthy, well-functioning bog that will absorb and store carbon, helping reduce carbon emissions through sequestration for generations to come, as well as continuing to provide an important haven for wildlife and local open space for people to access and enjoy.

While the peatland restoration project has come to an end, the council's Ranger Service continues to actively manage Easter Inch Moss, with assistance from various volunteer groups and continues to work towards the long-term management objectives.

D3 Easter Inch Moss & Seafeld Law LNR Habitat Management Plan (HMP) 2011

The initial habitat management plan was prepared by specialist consultants in 2011 from a grant from the then Central Scotland Forest Trust - Development Fund (now Green Action Trust). This allowed for a hydrological survey, as well as a habitat survey and woodland condition survey to be carried out to act as a base line for numerous management prescriptions over a 5 year period till 2016.

The council updated the HMP in 2016 in discussion with the Local Nature Reserve Local Management Group and it acted as the basis of decisions on further management actions over the period 2017-2021. Appendix 1 sets out the original management prescriptions for the LNR and a review of those actions.

However, in November 2019, after difficulties for several years in attracting interested new local residents to participate in the group, the decision was taken by the remaining core group to wind-up the bi-annual local management group meetings. However, the Countryside Services Rangers remain actively involved in the site.

E. CONCLUSION

The large public land holding at Easter Inch Moss on the east side of Blackburn and the adjacent Seafeld Law has been a local nature reserve for over a decade. An initial habitat management plan was prepared by consultants in 2011 and has been reviewed a decade later.

Extensive works have been carried out to improve the bog through grant funding from the national Nature Scot 'Peatland Restoration' programme, but management work on the surrounding woodland remains to be carried out. While the local management group has recently wound up, the council continues to manage the site through the Parks & Woodland Ranger Service, with the input of various volunteer groups.

F. BACKGROUND REFERENCES

The Easter Inch Moss & Seafeld Law Habitat Management Plan (2011) related Appendices and maps, as well as the hydrological survey, habitat survey and woodland condition survey is available on the council's web site at:

<https://www.westlothian.gov.uk/article/44207/Local-Nature-Reserves>

Appendices/Attachments: One –

Review of the 2011 Easter Inch Moss & Seafeld Law Habitat Management Plan.

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& Hannah Crow, Countryside Services Ranger hannah.crow@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development & Regeneration

2 February 2021

Appendix 1:

Review of Easter Inch Moss & Seafield Law Local Nature Reserve Habitat Management Plan (2011 – 2016)

2011 Management Plan prescription	2021 Review Comment
Access and Enhancements – Proposed Management Works	
Major Path Network Management Goals To retain corridor of footpath / cycle track; free of encroaching vegetation; in good condition; free of litter and fly-tipping.	<i>The National Cycle Route (NCR) 75 remains running through both Easter Inch Moss and Seafield Law. Sustrans operated a volunteer ranger service on this section of the route, but it is not in operation as it once was. Due to restrictions in NETs maintenance budget over last few years, only reactive works are undertaken on encroaching vegetation e.g.; gorse removal on Seafield Law.</i>
Upgrade Existing Routes Management Goals To create an accessible loop associated with entrance from Seafield Law; provide an improved means down from Seafield Law; to improve pedestrian circulation and opportunity within the site.	<i>These path works have generally been undertaken, although there remains erosion on the upper Seafield Law informal blaes paths. The entrance path connection to Seafield village was resurfaced some years ago and the barrier replaced to be Disability Discrimination Act compliant.</i>
Maintain Existing Routes through Modified Bog Management Goals To encourage an appropriate link from Blackburn north east towards the cycle track and M8. Undertake minor improvements to existing tracks such as boardwalks over wet areas / ditch crossing.	<i>Sustrans funded the resurfacing of the NCR spur connection from Blackburn to the main cycle route some year ago.</i> <i>Boardwalks have been resisted due to the ongoing future maintenance issues and to reduce any impact on the bog.</i> <i>Improvements to access from Beechwood Gardens onto Moss will be considered in the future, if funding becomes available.</i>
Improve Edge Treatment Adjacent to Housing Management Goals To reduce fly-tipping; create a more impenetrable barrier adjacent to housing; improve the visual quality of site boundaries.	<i>Fly tipping has reduced greatly over the last decade, particular at the Blackburn end with the upgrading of the spur path and installation of barriers, but also at the Seafield car park. NETs react to sporadic fly-tipping incidents.</i> <i>Ranger Service carry out quarterly patrols across the whole site, litter picking and reporting any fly-tipping encountered.</i>

2011 Management Plan prescription	2021 Review Comment
Make Safe Culverts / Septic Tank Management Goals To make safe potential hazards identified within the Hydrological Survey.	<i>WLC Flood Risk Management Unit carried out the works on the culvert grating and sewer manhole replacement very early on in the management plan when these issues were initially raised following the consultants survey.</i>
Minor Improvement Projects Management Goals To undertake minor improvements to enhance the environmental quality of the Nature Reserve and tackle issues such as vehicular access and fly-tipping.	<i>See comments above.</i>
Signage Management Goals To provide signage to improve orientation around site and understanding of site.	<i>A Site Statement is in progress which will highlight key areas / interests on the site and also provide a map and further information about the site. This will be available on the WLC website and enhance map information already available on the web site.</i>
Seating / Bins Management Goals To provide additional seating and bins around main routes to assist accessibility and reduce fly-tipping / litter.	<i>There are a number of bins at the main entry points and these continue to be emptied by the WLC Cleaner Communities Team. The Seafeld Community Council installed a seat on Seafeld Law end of 2020 as part of the Town Centre Funding. 'Perch seats' on the wider site are to be considered in any future funded projects.</i>
Proposed Habitat Management Works	
Woodland Management 1 Management Goals To improve the sustainability of young woodland by creating conditions that improve diversity, increase habitat opportunities and support natural regeneration. Thinning is a key priority for early action.	<i>On completion of the Habitat Management Plan, this woodland component was discussed with the former Central Scotland Forest Trust (now Green Action Trust) and the former Forestry Commission Scotland (now Scottish Forestry) to see if a woodland management scheme was financially viable, but the level of grants were not suitable. It was also not a priority landholding for the Council's Forester. How that Central Scotland Green Network woodland planting grant rates have changed, this potential scheme can be re-visited. Long term aims will be to phase out the conifers, replacing with native broadleaves – however this is not a priority for the Tree & Woodland team at present and remains currently difficult to fund through Scottish Forestry Schemes.</i>

2011 Management Plan prescription	2021 Review Comment
<p>Woodland Management 3 Management Goals To fully remove stand of coniferous planting and restock to create native woodland that will improve diversity and support natural regeneration.</p>	<p><i>The Council's Forester did have a look at this coniferous shelter belt along the north boundary and it was decided that for the time being it should remain as it was a valuable wind break, albeit in the long term it will need removal due to its potential impact on the overall hydrology of the bog.</i> <i>See above</i></p>
<p>Woodland Management 4 Management Goals To reduce the quantity and extent of conifers adjacent to modified peat bog. To thin deciduous trees and ensure trees and ground vegetation adjacent to ponds provide a supportive habitat for newts and other amphibians. Careful monitoring and a long-term phased programme will be key to achieving this goal.</p>	<p><i>See above.</i> <i>Some volunteer work was undertaken to remove vegetation from some of the ponds in the south east corner of the moss where there were known to be populations of newts.</i> <i>Birch scrub is periodically removed from areas of the moss, by volunteer groups, to reduce regrowth.</i></p>
<p>Woodland Management 5 Management Goals To reduce the quantity and extent of conifers adjacent to the peat bog and to thin deciduous trees with partial restocking to support bog regeneration whilst also ensuring shelter and amenity to footpath / cycle path is retained. Careful monitoring and a long term phased programme will be key to achieving this goal.</p>	<p><i>See comments on woodland management above.</i></p>
<p>Woodland Management 6 Management Goals To improve the sustainability of young woodland by creating conditions that improve diversity, increase habitat opportunities and support natural regeneration. To improve amenity and habitat adjacent to boundary through edge planting. Thinning is a key priority for early action.</p>	<p><i>See comments on woodland management above.</i></p>
<p>Raised Bog Management Goals To ensure the habitat value of the raised bog is retained through monitoring.</p>	<p><i>Countryside Services (Parks & Woodland) do undertake regular annual monitoring of various aspects of the Local Nature Reserve. Various individuals (volunteers) assist the Ranger Service in monitoring of the moss, especially related to birds. Data collected feeds into local and national datasets.</i></p>

2011 Management Plan prescription	2021 Review Comment
<p>Bog Restoration 1 Management Goals</p> <p>To amend hydrology of modified bog to provide conditions suitable for peat bog restoration. This area is closest to the existing Raised Bog and can be viewed as a priority in terms of habitat creation within the site</p>	<p><i>The council benefited from two grant awards from then Scottish Natural Heritage (now NatureScot), as part of their 'Peatland Restoration' programme. The initial award of £35k allowed for a major dam to be installed in the north west corner of the site and numerous plastic dams, via volunteers, at key points across the moss with the aim to retain water on the site. The second related SHN grant of £28k allowed for additional dam works.</i></p> <p><i>Further funding has been offered and managed by NatureScot to carry out further modifications to the peatland through plastic and peat dams across the whole of the site. This has been difficult due to current constraints due to COVID and the time sensitivities of carrying out work on the moss. NS are considering future funding and will be in discussion with the Ranger Service if future funding can be accessed for this project.</i></p> <p><i>Due to the numerous extent of ditch lines that exist on the moss, blocking these ditches is a long term aim that will be continued as funding becomes available.</i></p>
<p>Bog Restoration 2 Management Goals</p> <p>To amend hydrology of modified bog to provide conditions suitable for peat bog restoration. It is considered that proposals for enabling this restoration should be developed following review of the success of Bog Restoration 1.</p>	<p>As above.</p>
<p>Modified Bog Management Goals</p> <p>To retain as existing for the next five years of the Management Plan. It is recognised that there are differing manners through which this portion of the site could be managed in the long-term and may benefit from further review and consultation.</p> <p>No specific habitat management tasks, but general monitoring to be able to react to any significant change or threats to the existing habitat.</p>	<p><i>No "significant change or threats to the existing habitat" have been identified over the intervening decade.</i></p>

2011 Management Plan prescription	2021 Review Comment
<p>Open Space 1 Management Goals</p> <p>To control development of scrub and to introduce a more diverse herb layer to provide a rich habitat for butterflies and moths.</p>	<p><i>Over the decade, numerous volunteer parties have carried out scrub control works across the LNR. Through monitoring, this has had a positive impact on a range of butterflies and moths now seen on the site.</i></p> <p><i>Scrub control / management will continue periodically via various volunteer groups</i></p>
<p>Open Space 2 Management Goals</p> <p>To cut back and fragment scrub within Seafeld Law area. The purpose of this management is to improve habitat and reduce the potential for fires associated with burning Gorse and Broom. This fragmentation and scrub control could be considered a priority in terms of Open Space management.</p>	<p><i>Some management of gorse has been undertaken especially close to paths but there remains a large component of gorse across Seafeld Law.</i></p> <p><i>Future scrub management on the Law is to be scheduled in the future by the Ranger Service, through volunteer groups.</i></p>
<p>Open Space 3 Management Goals</p> <p>To retain as Open Grassland with scattered scrub.</p>	<p><i>See comments above related to scrub control.</i></p>

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

CLIMATE EMERGENCY UPDATE, REPORTING & TIMESCALES

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to update the panel on progress made in the response to the Climate Emergency and to present proposals for revised reporting timescales.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report and appendix;
2. Considers whether the revised reporting timescales are appropriate in the current and post-covid environment, and;
3. Note that the revised timescales as suggested in the report and Appendix 1 will be presented to Council Executive for approval.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	Specific risk assessments and method statements covering the works will be agreed before they commence.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	A number of new performance indicators will be developed in order to monitor progress in achieving new climate change targets.
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)	Officers from across the council will be involved in the preparation of reports.
VII	Consideration at PDSP	This is the first time the PDSP has considered this matter.
VIII	Other consultations	Climate Change & Sustainability Working Group.

D. TERMS OF REPORT

D.1 Background

A motion to declare a Climate Emergency was agreed at a meeting of West Lothian Council on 24 September 2019. As part of the agreed motion a short term, cross-party working group was established. The remit of the group, to formulate a way forward which involved the wider public, business and other public bodies, was agreed at a meeting of Council Executive on 22 October 2019.

The Working Group reported back to Council on 17 March 2020 with an update on progress and a set of recommendations and proposals, including a range of reports that would be used in the development of a new Climate Change Strategy in 2021. The recommendations and actions are attached as Appendix 1.

These recommendations and actions were agreed in the period before the first COVID-19 lockdown. Since that time there have been many changes to normal life and there have been significant environmental changes as a result. Some of these changes have been positive and some have been negative. But all were unanticipated. At this point in time it is not clear if some or all of these changes will be temporary or permanent.

The Scottish Government was due to publish a revised Climate Change Plan in April 2020 which would set out the priorities and direction of travel to achieve the ambitious new targets set out in the Climate Change (Emissions Reduction Targets) Act 2019. However, publication of the plan was significantly delayed, and it was not published until December.

D.2 Current Position

Some of the timescales set out in the agreed recommendations and actions have, unfortunately, already slipped. This is the combined result of officers being involved in other priority tasks and also PDSPs not meeting. However, notwithstanding, significant progress continues to be made with project delivery and reducing the council's emissions.

The annual Climate Change Declaration Report for 2019/20 was presented to Council Executive for approval on 17 November. The report highlighted the significant work that the council has taken forward to reduce its emissions and adapt to the changing climate. In 2019/20, our emissions were 36,635 tonnes, down 5,807 tonnes (13.7%) on the previous year and 24,426 tonnes (40%) from our current baseline year of 2013/14.

In addition, and despite the challenges and constraints faced due to the COVID-19, officers have continued to take forward work in response to the climate emergency. Examples of initiatives that have been progressed in 2020 include:

- Developing a detailed proposal Solar PV and EV charging project at West Lothian Civic Centre.
- Working in partnership with Greenspace Scotland to take forward their Green Heat from Greenspaces initiative.
- Working with the Energy Saving Trust to develop a feasibility study for a future *Switched on Towns and Cities* bid, focusing on forecasting future EV uptake and charging infrastructure requirements to 2025.
- Investigating options for the delivery of a Local Biodiversity Action Plan and a study into the council's existing land assets and their potential contribution to carbon sequestration.

Progress also continues to be made on each of the recommendations on the Climate Emergency Working Group but it is not going to be possible to meet all of the timescales set out.

D.3 Approach & Reporting

The approach recommended by the Climate Emergency Working Group included the preparation of a number of reports which were to be submitted to PDSP, as set out in Appendix 1. The content of these reports would then form part of the development process for a new Climate Change Strategy, Carbon Management Plan and associated documents. A number of these reports were due to be presented between June and October last year but that was not possible for the reasons set out above. However, it is proposed that these now be progressed in the timescales set out in Appendix 1. The publication of the new strategy is planned to coincide with the COP26 conference being held in Glasgow in November which will bring a global focus to Scotland and the work being done to combat climate change.

E. CONCLUSION

Work to respond to the Climate Emergency has continued across the council during the COVID-19 pandemic. The pandemic and the response to it has had an impact on delivery timescales at a local and national level, with delays to key documents such as the Scottish Government's revised Climate Change Plan.

The wide ranging impacts of COVID-19 could not have been foreseen when the working group was developing its proposals and recommendations, and it is now proposed that the timescales for reporting and for development of the new strategy and associated documents are revised.

Doing so will give officers the opportunity to ensure that they are fully relevant to a post-COVID-19 environment and take into account emerging areas of work including the Green Economic Recovery and any other corporate priorities.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: Appendix 1 – Working Group Recommendations & Proposals

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Craig McCorriston
Head of Planning, Economic Development & Regeneration

2 February 2021

Appendix 1 – Working Group Recommendations & Proposals

Strategic Framework

Action	Description	Original Completion Target	Proposed Completion Date
Agree a target date for West Lothian to be net-zero carbon	Achieving net-zero emissions by 2045 is in line with national targets set out in the Climate Change (Emissions Reductions) (Scotland) Bill. Interim targets should also be in line with those in the Bill.	2045	2045 although there remains the possibility for a council specify target earlier than 2045. Lead officer: Craig McCorriston
Development of new Climate Change Strategy	High level strategy setting the direction and targets for the council, Community Planning Partnership and wider West Lothian Area. Clear objective of net-zero carbon by 2045 at the latest. The strategy will be supported and underpinned by the Carbon Management Plan, Adaptation Action Plan and Communication Strategy.	March 2021	November 2021 Lead officer: Peter Rogers
Development of new Carbon Management Plan	Detailed project register to assess impacts (both positive and negative) on carbon emissions. Refreshed every 5 years and reviewed annually.	March 2021	November 2021 Lead officer: Peter Rogers
Review and publish Adaptation Action Plan	The Adaptation Action Plan sets out how the council will respond and adapt to the already changing climate now and in the future.	March 2021	November 2021 Lead officer: Peter Rogers
Development of Climate Change Communication Strategy	The Communication Strategy will set out how we will communicate a clear and consistent message on Climate Change and improve engagement with members of the public, partners and the business sector.	March 2021	March 2021 Lead officer: Garry Heron

Review of strategies, policies and governance	Ensure that any review of existing council strategies, policies and the governance associated with delivery has regard to the climate emergency.	Ongoing	All Heads of Service
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Reporting

Action	Description	Original Completion Target	Proposed Completion Date	Responsible Officer
Identification of most appropriate method of including climate change considerations in committee reports	Review of existing templates including committee report, integrated impact assessment and strategic outline business case to establish best method of ensuring climate change is considered in the development of policies, plans and strategies.	September 2020	March 2021	Craig McCorriston in consultation with the Governance Manager
Development of targets, performance indicators and format for quarterly reporting to Environment PDSP	Targets, performance indicators and reporting format will be included within the revised Climate Change Strategy.	March 2021	December 2021 But with quarterly updates on current performance in advance of that.	Peter Rogers but with input from Heads of Service
Report to PDSP on climate change issues and actions identified by service areas	Review of climate change issues and actions identified by each service area across the council. Key themes will be included within the Climate Change Strategy and/or Carbon Management Plan.	June 2020	March 2021	Peter Rogers but with input from Heads of Service
Report to PDSP on de-carbonising the council's vehicle fleet	Options for decarbonisation of the council's vehicle fleet, including timescales and estimated costs.	October 2020	February 2021	Jim Jack
Report to PDSP on improving the energy efficiency of council buildings	Options for decarbonising existing and future non-domestic buildings, including the use of renewable technologies where	October 2020	February 2021	Peter Rogers

	appropriate. Report to include timescales and estimated costs.			
Report to PDSP on waste and recycling	Report to include zero waste to landfill progress and future emissions projections. Report to include timescales and estimated costs.	October 2020	February 2021	Jim Jack
Report to PDSP on the integration of net zero carbon targets in Housing Strategy	Options for decarbonising existing and future housing stock, including the use of renewable technologies where appropriate. Report to include timescales and estimated costs.	October 2020	February 2021	AnnMarie Carr
Report to PDSP and Council Executive on a plan to develop EV charging infrastructure across West Lothian	Review of existing charging infrastructure and options for increasing and enhancing charging network.	June 2020	February 2021	Peter Rogers
Report to PDSP on Carbon Offsetting requirements	Carbon offsetting will be critical in achieving net-zero carbon. Report to review offsetting options, timescales and costs.	October 2020	February 2021	Peter Rogers
Report to PDSP on Youth Engagement	Report on engagement with young people of West Lothian, including consideration of using ISM model and links with Scottish Youth Parliament.	June 2020	February 2021	Joanna Anderson
Report to PDSP on the contribution of Procurement in achieving the net-zero carbon target	Review of Sustainable Procurement Duty; consideration as to how climate change can be incorporated into the Procurement Strategy, and; how specifications and tender scoring can take account of carbon/climate change impacts	October 2020	February 2021	Angela Gray
Report to PDSP on the role of Planning in tackling Climate Change	How Planning policy & guidance can help tackle climate change mitigation and	October 2020	February 2021	Jim McGinley

	adaptation			
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DATA LABEL: SENSITIVE



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

THE ROLE OF PLANNING IN TACKLING CLIMATE CHANGE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of the report is to make the panel aware of the role of planning in tackling climate change. Consideration of the role was a matter considered by West Lothian Council at a meeting on 17 March 2020.

B. RECOMMENDATION

It is recommended that the panel notes the terms of the report.

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) | <p>The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act:</p> <ul style="list-style-type: none">(a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act;(b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;(c) in a way that it considers is most sustainable. <p>Actions will be screened as they are progressed to determine the need for environment, equality, health or risk assessments.</p> <p>There are no SEA issue at this stage.</p> |
| III Implications for Scheme of Delegations to Officers | None. |

IV	Impact on performance and performance Indicators	None.
V	Relevance to Single Outcome Agreement	<p>SOA: 3 Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.</p> <p>SOA: 4 We live in resilient, cohesive and safe communities.</p> <p>SOA: 7 We live longer, healthier lives and have reduced health inequalities.</p> <p>SOA: 8 We have 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)	None.
VII	Consideration at PDSP	This is the first consideration of the report by the Environment PDSP.
VIII	Other consultations	Property Management (Climate Change Manager).

D. TERMS OF REPORT

D1 Introduction

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working Group reported back to West Lothian Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details the role of Planning in tackling climate change.

Planning is a regulatory service and as such the main role is to enforce regulations as enacted by the Scottish Government. Within West Lothian Council this is carried out in various manners by three units within Planning Services:

- Development Planning and Environment;
- Development Management; and
- Building Standards.

D2 Development Planning & Environment

Climate Change is impacted through the Strategic Development Plan (SDP) for South East Scotland (SESplan), and the Local Development Plan (LDP), both of which help to deliver the spatial strategy and policy set out in the Scottish Government's National Planning Framework (NPF) and Scottish Planning Policy (SPP).

These are the starting points for making decisions on planning applications through setting policy considerations for development and also statutory Supplementary Guidance, or non-statutory Planning Guidance, which provides further explanatory information or detail on the planning policies or proposals that are within the development plan.

D3 Development Management

Development Management deal with the process of determining planning applications in line with relevant national and/or local planning policies.

There are three classes of planning applications:

- National – designated in the NPF;
- Major – developments which fall into the descriptions in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 Reg 2 (1) and Schedule; and
- Local – all other developments which are not classed as National or Major.

The LDP policies and Supplementary/Planning Guidance are the basis on which Development Management make their recommendations in the determination of all planning applications which are either considered by elected members through Development Management Committee, or via delegated authority to the Head of Planning, Economic Development & Regeneration.

They are also the basis on which developer financial contributions are assigned to projects which meet specific criteria.

D4 Building Standards

Building Standards enforce compliance with the Building Regulations by confirming that plans are designed in accordance with the Regulations and then verifying that work on site has been completed in line with the approved plans and again comply with the Building Regulations.

This compliance is achieved by assessing proposals against either the technical handbooks produced by the Scottish Government, which are one way of showing compliance with the mandatory standards, or by determining an alternative solution which achieves the same result as that if the published guidance were followed.

D5 Legislative Framework

The outline of how this is achieved in practice is set out as follows:

The Scottish Government sets Scottish Planning Policy (SPP) on land use planning matters. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

This sits alongside the National Planning Framework (NPF) which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities and the SPP sets out policy that will help to deliver the objectives of the NPF. Both are currently being reviewed and the SPP will be incorporated within the revised NPF4 that is due to be laid before the Scottish Parliament in Autumn 2021.

SPP currently includes the following subject policies a number of which impact on climate change: A Successful, Sustainable Place –

- Promoting Town Centres;
- Promoting Rural Development;
- Supporting Business and Employment; and
- Enabling Delivery of New Homes.

A Low Carbon Place -

- Delivering Heat and Electricity; and
- Planning for Zero Waste.

A Natural, Resilient Place -

- Valuing the Natural Environment;
- Maximising the Benefits of Green Infrastructure;
- Promoting Responsible Extraction of Resources
- Supporting Aquaculture; and
- Managing Flood Risk and Drainage.

A Connected Place -

- Promoting Sustainable Transport and Active Travel; and
- Supporting Digital Connectivity.

Each local authority is required to produce their own local development plan (LDP) which sits below a strategic development plan (SDP) and deals with region-wide issues that cross boundaries of council areas. West Lothian has a SDP as the area is located adjacent to Edinburgh and follows the requirements of the Edinburgh and South East Scotland Strategic Development Plan (SESplan) which is required for the city region around Edinburgh.

The SDP and LDP help to deliver the spatial strategy and policy set out in the NPF and SPP. They are also the starting point for making decisions on planning applications through setting policy considerations for development and also Supplementary Guidance and Planning Guidance which provide further explanatory information or detail on the policies or proposals that are in the development plan.

D6 Main Policies within the LDP which have an impact on Climate Change

These main planning policies related to climate change issues are:

- Policy NRG 1 - Climate Change and Sustainability;
- Policy NRG 1a - Low and Zero Carbon Generating Technology;
- Policy NRG 2 - Solar roof Capacity Requirements;
- Policy NRG 3 - Wind Energy Development;
- Policy NRG 4 - Other Renewable Energy Technologies; and
- Policy NRG 5 - Energy and Heat Networks.

In addition to the above policies, the following LDP policies also have an impact on climate change:

- Policy DES 1 - Design principles;

- Policy EMP 2 - Employment Development within Settlement Boundaries;
- Policy EMP 3 - Employment Development outwith Settlement Boundaries;
- Policy EMP 5 - Office Development;
- Policy EMP 6 - Enterprise Areas;
- Policy HOU 2 - Maintaining an Effective Housing Land Supply;
- Policy HOU 3 - Infill/Windfall Housing Development within Settlements;
- Policy HOU 6 - Residential Care and Supported Accommodation;
- Policy TRAN 2 - Development Contributions and Associated Works;
- Policy TRAN 3 - Core paths and Active Travel;
- Policy ENV 2 - Housing development in the Countryside;
- Policy ENV 3 - Other Development in the Countryside;
- Policy ENV 4 - Loss of Prime Agricultural Land;
- Policy ENV 5 - Soil Sustainability Plans;
- Policy ENV 6 - Peatlands and Carbon Rich Soils;
- Policy ENV 8 - Green Network;
- Policy ENV 9 - Woodland, Forestry, Trees and Hedgerows;
- Policy ENV 10 - Protection of Urban Woodland; and
- Policy ENV 15 - Community Growing and Allotments.

D7 Conditions attached to Planning Permissions which have an impact on Climate Change

Examples of conditions Development Management attached to planning permissions (see Appendix 1), which have an impact on climate change relate to a number of issues e.g.;

- Electric Vehicle Charging (50kW) – Commercial Sites;
- Electric Vehicle Charging (7kW) – Housing Sites;
- Low and Zero Carbon Generating Technology; and
- Landscaping (Tree Replacement) and Condition of Trees.

D8 Solar Panels installation

While, as yet, there has not been a major move on Solar Panels installation, an application has been approved for the installation of solar panel arrays on the Terrace Car Park to the south of the River Almond which will result in a carbon reduction of around 100 tonnes of CO² per annum from the running of the Civic Centre.

This forms part of the council's Climate Emergency response and assists in the council's ambition of being net-zero carbon by 2045. The proposals accord with policies NRG 1 (climate change and sustainability), NRG 4 (other renewable technologies) and DES 1 (design principles) of the adopted West Lothian Local Development Plan, 2018.

D9 Mandatory Standards in Building Regulations

Examples of these mandatory Building Regulations standards are:

Mandatory Standards 6.1 - Carbon Dioxide Emissions

Every building must be designed and constructed in such a way that:

- a. the energy performance is estimated in accordance with a methodology of calculation approved under regulation 7(a) of the Energy Performance of Buildings (Scotland) Regulations 2008, and

- b. the energy performance of the building is capable of reducing carbon dioxide emissions.

Mandatory Standards 6.2 - Building insulation Envelope

Every building must be designed and constructed in such a way that an insulation envelope is provided which reduces heat loss.

D10 Possible Future Measures related to Planning & Climate Change

Going forward it may be that schemes could be agreed in conjunction with both Planning, Economic Development and Regeneration Service and developers for a voluntary planning obligations scheme such as an agreement by developers to offset carbon reduction from the site in an alternative means for which the developer could promote the site in conjunction with West Lothian Council as being 'carbon neutral'.

A similar type scheme as was previously employed for local apprenticeships and local materials / suppliers in conjunction with businesses and P,ED&R.

Planning Guidance for gathering voluntary developers' contributions towards tree planting on WLC sites and landholdings that contribute towards carbon sequestration.

These schemes would initially need to be voluntary as to be mandatory there needs to be a relationship to one of the statutory LDP policies and the obligation must be in accordance with Scottish Government current Circular 3/2012 'Planning Obligations and Good Neighbour Agreements', as interpreted by emerging case law and amended by subsequent amendments and legislation. The forthcoming review of the NPF4 and the accompanying SPP may hasten change on these climate change related issues.

More than 100 new policies and proposals to support Scotland's green recovery and help deliver a just transition to net zero have been launched by the Scottish Government at the end of 2020. They form part of the Climate Change Plan 2018 – 2032, which has been updated to reflect the world's most ambitious framework of climate targets as enshrined in Scotland's Climate Change Act 2019.

The plan, which also increases the ambition of more than 40 other policies to cut greenhouse gas emissions across all sectors, including Planning, includes:

- the launch of a £180 million Emerging Energy Technologies Fund (EETF), that, over the next 5 years, will support the development of Scottish hydrogen and Carbon Capture and Storage (CCS) industries, and support the development of Negative Emissions Technologies (NETs).
- additional funding of £120 million for zero emission buses to accelerate the decarbonisation of Scotland's bus fleet and support the Scottish supply chain.
- £50 million to support the creation of Active Freeways to provide sustainable transport links between our towns and cities.
- £50 million to transform vacant and derelict land, ensuring that this land is utilised for maximum environmental and community benefit.
- reducing the number of kilometres travelled by car by 20% by 2030 In line with the vision and priorities of the new National Transport Strategy.
- phasing out the need for new petrol and diesel cars and vans by 2030, in line with UK Committee on Climate Change advice.
- plan to help create 1 million zero-emission homes by 2030.
- a Waste 'Route map' to 2030 and beyond, including consulting on a ban on all biodegradable non-municipal waste being sent to landfill, also in line with UK Committee on Climate Change advice.

- nature-based solutions also form a key part of the updated Climate Change Plan. The Scottish Government recently announcing an additional £500 million of investment in the natural economy, with peatland restoration and woodland creation helping to enhance biodiversity and create good, green jobs whilst tackling climate change.

D11 Biodiversity and Climate Change

The Scottish Government announced in December 2020 plans to protect at least 30% of Scotland's land for nature by 2030 – and to examine options to extend this further.

A new '*Statement of Intent on Biodiversity*', sets out priorities for tackling biodiversity loss as part of a strategy to combat climate change and ecological decline.

Currently, 37 per cent of Scotland's marine environment is safeguarded, with 22.7 per cent of terrestrial land protected for nature.

Other commitments include plans to support new, locally driven projects that aim to improve ecological connectivity and the publication of a new national strategy on biodiversity within 12 months of the international climate change summit in Glasgow rescheduled for November 2021.

An emphasis on 'pocket parks' and other green spaces could help to improve access to nature as part of the 20-minute neighbourhood approach being developed through National Planning Framework 4 that will also develop *"ambitious new proposals which will deliver positive effects for biodiversity from development, without the need for overly complex metrics, and how they can support wider approaches to natural infrastructure."*

D12 Carbon Conscious Places

Finally, in 2019 the Scottish Government's Energy and Climate Change Directorate asked Architecture and Design Scotland (A&DS) - Scotland's design agency – "What will Scotland look like in 2050 if a 'whole place approach' to designing for a changing climate is adopted".

Against the backdrop of increasing climate crisis and an ambitious target to be a net-zero carbon society by 2045, they enquired how best to implement Scotland's Climate Change Plan locally – at the level of settlements, rather than individual buildings, or national infrastructure.

A&DS examined Glasgow City Council, Moray Council, Shetland Islands Council, and Loch Lomond and the Trossachs National Park for their variety – in geography, scales, issues and project stage and also considered insights from professionals with expertise in: energy, food-growing, greening, brownfield reuse, health, waste, mobility and behaviour change.

Eight clear principles emerge that support a holistic approach to developing places that reduce, repurpose and absorb carbon while adapting to the impacts of climate change:

1. A '**place-led' approach** – understanding, appreciating and working with existing assets, the surrounding landscape and the place identity – is critical. Scotland's 'Place Standard' is a useful tool that can help to identify the opportunities and assets in each location.

2. A **place of small distances** - dense and compact settlements supported by walkable neighbourhoods, mixed-use developments with everyday amenities and transport links, tend to support more carbon-conscious lifestyles.
3. A **network of small distance places** - Transport is one of the largest contributors to carbon emissions. Enabling people to live, work and play without generating unnecessary emissions will be a step towards delivering carbon-conscious places.
4. A **place designed for and with local people** - Placing people's needs at the centre of decision-making, service provision and investment as people need to be actively involved in the design process to feel a sense of ownership.
5. A **place that reuses, repurposes and considers whole-life costs** - retrofitting existing structures to be climate ready and focusing on vacant and derelict land, as planners need to consider the cost of the entire life cycle of a project, rather than its initial capital costs only.
6. A **place with whole and circular systems** - places we live in are shaped by the systems that make modern life work – heat, energy, water, transport and waste – as well as the natural systems in the landscape. Enhancing, repairing and joining up these different systems is key for systems become self-sustaining.
7. A **place that supports sharing** - sharing of assets and services has a vital part to play in the pursuit of lower-carbon living. Sharing works at all scales e.g.; sharing tools, food, bikes, electric vehicles, service provision & accommodation.
8. A **place designed in time** - time is a fundamental dimension in the emergence of places with long-term visions or short-term ('meanwhile') approaches that test out new ideas.

There is a need to embed climate action into the future spatial plans developed for villages and towns, shifting away from the current reliance on carbon-intensive developments, services and modes of transport, which requires thinking about planning and development in a more holistic, collective way. These aspects related to West Lothian can be explored spatially in the Regional Spatial Strategy as part of NPF4 and review of the Local Development Plan and its accompanying new planning policies to reflect the desire for a long term, no-carbon future to respond to the impacts of climate change.

E. CONCLUSION

There is a long standing legislative background for Planning in Scotland. This translates from the Scottish Government preparation of National Planning Frameworks and Scottish Planning Policy, through to the Strategic Development Plan, Regional Spatial Strategy and the corresponding Local Development Plan and its related statutory and non-statutory Supplementary/Planning Guidance.

Many aspects of the Planning system impact on climate change and the related planning policies and corresponding decisions on planning applications will assist in tackling climate change issues. A major vehicle for considering further climate change issues in West Lothian will be the preparation of the new LDP 2.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations - West Lothian Council 17 March 2020.

Climate Emergency Declaration Motion - West Lothian Council 24 September 2019.

Scottish Government updated Climate Change Plan 2018 – 2032:

<https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/>

West Lothian Local Development Plan (2018).

Appendices/Attachments: One - Examples of conditions Development Management attach to Planning Permissions which have an impact on Climate Change.

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Craig McCorriston

Head of Planning, Economic Development & Regeneration

2 February 2021

Appendix 1:

Examples of planning conditions Development Management attach to planning permissions which have an impact on climate change

Electric Vehicle Charging (50kW) – Commercial Sites

“One active ready to use 'rapid' electric vehicle charging point (50kW with CCS or CHAdeMO connector) shall be provided in a dedicated charging bay. The dedicated charging bay shall be physically identified for use by electric vehicles. Plans detailing who will be responsible for managing and maintaining charging infrastructure shall be submitted for the consideration and written approval of the planning authority. Details should include arrangements for managing access to EV charging spaces and arrangements for paying for the electricity used during charging.”

Reason: To comply with the council's policies and supplementary guidance on air quality.

Electric Vehicle Charging (7kW) – Housing Sites

“Prior to the start of any site servicing works, details which show that a minimum of X houses approved under permission will have an active ready to use electric vehicle (EV) charging point (7kw) installed, either in a garage or within the driveway of the property and connected to the domestic electricity supply via a dedicated circuit and the locations of the X houses, shall be submitted for the written approval of the planning authority. For all other residential units with off-street parking, the details shall show that passive provision (cabling and individual fuse boxes) will be provided to enable easy conversion to an active charging point. Thereafter, the agreed EV charging points and cabling shall be installed to the satisfaction of the planning authority.”

Reason: In the interests of environmental amenity and providing sustainable transport options for the site.

Electric Vehicle Charging

“Development shall not begin until details to meet the following requirements for electric vehicle charging have been submitted to and approved in writing by the planning authority:

- (a) Where off-street parking is provided, one in every six residential units shall have an active ready to use electric vehicle charging point (7kw) located either in a garage or in close proximity to a dedicated car parking place within the driveway of the property and connected to the domestic electricity supply via a dedicated circuit. For all other residential units with off-street parking, passive provision (cabling and individual fuse boxes provided) shall be provided to enable easy conversion to an active charging point should demand manifest itself.
- (b) For on-street parking (excluding adoptable visitor parking), one in every six spaces shall have a fully connected, active and ready to use electric vehicle charging point (7kw). Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.
- (c) Details of who will be responsible for managing and maintaining charging infrastructure, including details of managing access to charging spaces and arrangements for paying for the electricity used during charging.

Thereafter the development shall be carried out in accordance with the details as approved”.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of ensuring the provision of electric vehicle charging.

Low and Zero Carbon Generating Technology (Policy NRG1a) -

"Prior to the occupation of the premises, a written statement shall be submitted to the Planning Authority that demonstrates that this development can achieve and implement at least 10% of the current carbon emission reduction (set by Scottish Building Standards) which shall be met through the installation and operation of low and zero-carbon generating technologies and shall remain as such unless otherwise agreed in writing by the Planning Authority".

Reason - To enable full consideration to be given to those details which have yet to be submitted, in the interests of environmental amenity

Landscaping (Tree Replacement)

"Prior to the start of construction works, a landscaping plan shall be submitted for the consideration and written approval of the planning authority. The landscaping plan shall show the types, standard and location of a minimum of XX replacement trees (replaced on a 2 for 1 basis – XX removed) within the XX area. Once approved, the tree planting shall be carried out in accordance with that plan in the first available planting season, unless otherwise agreed. All trees planted shall be maintained for a minimum of 5 years until they become established and with any tree which dies, is damaged or removed within that period replaced with a tree of similar standard, to the satisfaction of the planning authority."

Reason: In the interest of visual and environmental amenity

Condition of Trees

"The development shall not begin until details of landscaping (including the hedge and trees) has been submitted to and approved in writing by the planning authority. It shall include details of plant species, sizes, planting distances, methods of protection and the body that will maintain the landscaping together with a schedule of maintenance works. It shall comply with BS 3936-1 Nursery stock - Part 1: Specification for trees and shrubs and BS 4428 - Code of practice for general landscape operations (excluding hard surfaces). Thereafter the landscaping as approved shall be implemented in the first planting season following the development being occupied, or completion of the development, whichever is sooner. The landscaping as approved shall thereafter be maintained to the entire satisfaction of the planning authority. Maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the landscaping".

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of visual and environmental amenity.

DATA LABEL: OFFICIAL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

SUSTAINABLE PROCUREMENT DUTY

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

This report provides an update to the Environment Policy Development and Scrutiny Panel on progress in the council's progress in implementing the Sustainable Procurement Duty.

B. RECOMMENDATION

It is recommended that the Panel notes the terms of the report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Procurement Reform (Scotland) Act 2014. Climate Change (Scotland) Act 2009.
V	Relevance to Single Outcome Agreement	Our economy is diverse and dynamic and West Lothian is an attractive place for doing business.
VI	Resources - (Financial, Staffing and Property)	None.
VII	Consideration at PDSP	None.
VIII	Other consultations	None.

D. TERMS OF REPORT

D1. Background

Public sector procurement is expected to contribute to climate change targets through implementation of the Sustainable Procurement Duty. The sustainable procurement duty, contained in section 9 of the Procurement Reform (Scotland) Act 2014, places sustainable and socially responsible purchasing at the heart of procurement activity.

The sustainable procurement duty is the duty of a contracting authority, before carrying out a regulated procurement, to consider how, in conducting the procurement process, it can improve the economic, social, and environmental wellbeing of the authority's area, facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process.

In meeting its duty, the council should consider only those matters that are relevant to what is proposed to be procured and, in doing so, consider the extent to which it is proportionate in all the circumstances to take those matters into account.

The council's Corporate Procurement Strategy 2019-2023 acknowledges the duty and requirement to comply with obligations in the national procurement legislation, policy and guidance in all of our regulated procurement activities and Outcome 5 makes specific reference to sustainability, with a specific performance indicator with a target for the number of contract strategies considering sustainable procurement elements as a percentage of all contract strategies. The target is currently at 100%.

D2. Sustainable Procurement Action Plan

To assist contracting authorities in implementing their sustainable procurement duty and address how they can optimise economic, social and environmental outcomes of procurement activity, a series of tools have been produced by the Scottish Government to assist the sustainable procurement process. A Sustainable Procurement Action Plan has been developed for the council, using the Scottish Governments Flexible Framework, which considers the range of tools available and supports the council to achieve Level 2 of the Flexible Framework. It concentrates on 5 key themes:

- People
- Objectives, Strategy and Communication
- Processes
- Stakeholder Engagement
- Monitoring and Reporting

The action plan is attached at Appendix 1.

Good progress has been made in delivery of the Sustainable Procurement Action Plan with 30 of the 35 actions now complete. Although, the council's contract strategy already considers whole life cost and economic, social and environment outcomes for all formal tenders, one of the deliverables in the Sustainable Procurement Action Plan was to embed the Scottish Governments "Sustainability Test" into the Contract Strategy. The test focuses on identifying whether particular contracts will have emissions and ensures that these can be considered for the specification and scoring, where applicable.

E CONCLUSION AND RECOMMENDATION

The Sustainable Procurement Action Plan supports Outcome 5 of the Corporate Procurement Strategy, on Sustainability, to develop the council's overall approach to Sustainable Procurement and to comply with the Sustainable Procurement Duty.

F. BACKGROUND REFERENCES

None.

Appendices: One

Appendix 1 - Sustainable Procurement Action Plan

Contact Person: Angela Gray, Corporate Procurement Manager

Telephone: 01506 283259, e-mail: angela.gray@westlothian.gov.uk

Julie Whitelaw

Head of Corporate Services

2 February 2021

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	Organisation:	West Lothian Council					
	IMPORTANT: If filtering ensure you select 'x' as well as the required search criteria - this ensures that headings are retained. If you want to print set the 'Print Area' within Page Layout.						
	Criteria Question	Organisational Action to meet criteria (Suggested or Detailed Organisational, based on your input)	Evidence to support Suggested OR Detailed Organisational Action, to meet criteria	Owner	Date raised	Due Date	Progress as at Dec 2020
	PEOPLE						
L1							
L1							
L1(a)	Have 'key' procurement staff received basic awareness training in sustainable procurement principles?	Training document to be created to detail what training is required and by who. ("Sustainability Passport") need to identify and confirm content of training.	Basic training document drafted - need to add content in (assuming that this is web links)	KA	03/12 /19	-	Yes
L1(b)	Has an analysis of training requirements for all procurement staff been undertaken to embed sustainable procurement capability?	Once "Sustainability Passport" created, this will call out relevant training for Procurement and wider service areas - to be added to intranet page??	Once this has been completed, then we would look to roll out across service areas (publish on Intranet?)	KA	03/12 /19	-	Yes
L2							
L2(a)	Have all procurement staff received basic training in sustainable procurement principles and implementation?	See L1(b)	See Level 1(b)	KA	07/01 /20	-	Yes
L2(b)	Have those responsible for commissioning, specifying, setting budgets been identified and training requirements established to embed appropriate sustainable procurement capability?	Sustainable procurement paper for proc board to ask for action to identify relevant key contacts that require training.	Training passport partially developed and names of service area contacts have been requested.	KA	07/01 /20	-	Yes

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L2(c)	Do the key procurement staff and commissioners, budget holders and specifiers have the appropriate capability to embed sustainable procurement principles and implementation?	covered by sustainability passport	Training passport has been published.	KA	07/01/20	-	Yes
L2(d)	Does the organisation monitor the impact of training on embedding of sustainable procurement within tender requirements and contract management?	Passport will provide dates of when training completed. Annual Reporting to Scottish Government collects data.	Annual report to Scottish government collects data and a process will be developed to monitor the impact.	KA/AG	07/01/20	-	Yes
	OBJECTIVES, STRATEGY & COMMS.						
L1							
L1(a)	Have overarching sustainable procurement objectives been agreed?	Completed - see link to procurement strategy	https://www.westlothian.gov.uk/article/34895/Rules-and-Regulations	AG	03/12/19	-	Yes
L1(b)	Is a clear and succinct set of intended sustainable procurement objectives/ outcomes set out in a statement (or policy), which has been endorsed by the organisation's governing board or equivalent?	Flexible Framework Assessment Tool to be finalised Procurement Strategy forms part of evidence for this also	https://www.westlothian.gov.uk/article/34895/Rules-and-Regulations HOCS/DCE agreed that Strategy is in place to support and no requirement to develop separate policy on sustainable procurement.	KA	03/12/19	-	Yes
L1(c)	Have sustainable procurement objectives/ outcomes/ policy been communicated to appropriate internal and external stakeholders?	Added to Agenda Calendar for CPU Team Meeting. Procurement Board review. Present to climate change working group Communicate to heads of service and publish on intranet / internet	https://objective.westlothian.gov.uk:8443/id:A10917140/document/versions/latest https://www.westlothian.gov.uk/article/34895/Rules-and-Regulations	KA/AG	03/12/19	-	Yes

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L2							
L2(a)	Are the intended sustainable outcomes as set out in the statement/ procurement policy regularly reviewed and updated?	policy will be reviewed annually, then procurement board for sign off - PDSP for approval. Put to Climate change working group.	-	AG	07/01/20	-	Yes
L2(b)	Has there been engagement in the development of sustainable procurement outcomes with appropriate internal and external stakeholders?	internal: engagement with climate change working group / heads of service External: SXL, Local Authorities, Federation of small businesses (rather than put out to own suppliers), Iain Moore (Scot Gov)	-	AG	07/01/20	-	Yes
L2(c)	Has the organisation developed an Organisational Procurement Strategy, that is aligned with intended outcomes/ policy objectives, and other relevant corporate strategies and which is endorsed by CEO or equivalent?	See Procurement Strategy.	https://www.westlothian.gov.uk/article/34895/Rules-and-Regulations	AG	07/01/20	-	Yes
L2(d)	Has the Organisational Procurement Strategy and revisions to the procurement policy and sustainable objectives/outcomes been communicated to appropriate internal and external stakeholders?	Council Exec, Internet / Intranet, Procurement Board, Climate change working group. AG to compile communication plan	https://www.westlothian.gov.uk/article/34895/Rules-and-Regulations	AG	07/01/20	-	Yes
L2(e)	Is a process in place to annually report against, review and update the organisation's Procurement Strategy?	strategy reviewed annually	Annual Procurement Report and P&R PDSP/Council Executive	AG	07/01/20	-	Yes
PROCESS							
L1							

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L1(a)	Has a risk and opportunity assessment / prioritisation exercise been carried out?	<p>Expenditure analysis required; how much we spend, who with, how often, where</p> <p>Key category areas require to be called out</p> <p>07/01/20 - KA to get expenditure reports and review.</p> <p>Consultation with service areas to identify a plan of category commodities.</p>	<p>Expenditure codes obtained and 5 strategic areas have been agreed with service areas for indepth strategic analysis.</p> <p>Whole Council spend analysis can also begin.</p>	KA	03/12/19	28/02/21	Partial
L1(b)	Do key contracts address relevant sustainable procurement risks and opportunities?	<p>Identify what should be asked at contract strategy and tender stages</p> <p>add to contract strategy / tender docs</p>	-	KA	03/12/19	-	Yes
L1(c)	Do buyers use Government Buying Standards or equivalent (where relevant)?	<p>Communication to team advising of Government Buying Standards - Add to Sustainability Passport</p> <p>Update Procurement Authorisation form, strategy etc.</p>	-	KA	03/12/19	-	Yes
L1(d)	Does the organisation apply a whole life cost approach to contract development?	Update to procurement documents with deeper reference to Whole life Costing	-	KA / AG	03/12/19	-	Yes
L2							

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L2(a)	Does the organisation have a process in place to enable consideration of relevant whole life costs in contract development?	Develop contract strategy to include Whole life cost. Project Management guidance currently being drafted	-	KA/AG	07/01/20	-	yes
L2(b)	Has a detailed category/commodity expenditure and risk / opportunity analysis been undertaken to inform contract/commodity procurement strategy?	Expenditure analysis required; how much we spend, who with, how often, where Key category areas require to be called out 07/01/20 - KA to get expenditure reports and review. Consultation with service areas to identify a plan of category commodities.	Expenditure codes obtained and 5 strategic areas have been agreed with service areas for indepth strategic analysis. Whole Council spend analysis can also begin.	KA/AG	07/01/20	28/02/21	Partial
L2(c)	Is sustainability considered at an early stage in the acquisition (pre-procurement and procurement) process for all contracts?	covered by contract strategy. Contract strategy requires update to develop the environmental questions.	Develop contract strategy to develop environmental questions.	KA/AG	07/01/20	-	Yes
L2(d)	Are environmental and socio-economic objectives and outcomes considered in the development of all tender and contract documentation?	contract strategy to be updated to include sustainability test.	contract strategy to be updated to include sustainability test.	KA/AG	07/01/20	-	Yes
L2(e)	Is project/contract governance in place to ensure that intended relevant sustainable outcomes are locked in?	Procurement procedures to be updated to reflect procurement toolkit and updated contract	Project implementation documents to be updated. Procurement procedures and procurement	JB KA/AG	07/01/20	28/02/21	Partial

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		strategy. Update to tender template.	toolkit templates to reflect criteria.				
	ENGAGING STAKEHOLDERS						
L1							
L1(a)	Has a risk and opportunity / prioritisation exercise been carried out?	Prioritisation tool to be completed	Expenditure codes obtained so whole Council spend analysis can begin.	KA	03/12 /19	28/02 /21	Partial
L1(b)	Have key internal and external stakeholders been identified for engagement and views on policy objectives/ sustainable outcomes sought?	Stakeholder map completed (get link to saved doc in objective), Procurement Board review of Sustainable procurement action plan.	Consult stakeholders on sustainability outcomes.	KA	03/12 /19	-	Yes
L1(c)	Have key internal and external stakeholders been notified of organisational sustainable outcomes sought /policy objectives?	Stakeholder map completed (get link to saved doc in objective) Procurement Strategy published - complete 2019 Procurement Policy to be consulted on.	Procurement board consulted on sustainable procurement action plan	KA	03/12 /19	-	Yes
L2							
L2(a)	Have the results of prioritisation exercise been cross-referenced with details of suppliers / providers within prioritised categories/commodities?	Prioritisation tool to be completed	Expenditure codes obtained so whole Council spend analysis can begin.	KA/ AG	07/01 /20	28/02 /21	Partial
L2(b)	Has a targeted programme of stakeholder engagement been initiated to include clarification of and views on sustainable outcomes sought (as articulated in Procurement Strategy) with senior manager involvement?	Consulted with DCE and HOCS re: whether to develop a policy. The Sustainable Procurement Action Plan is also regularly reported to the Procurement Board.	-	AG	07/01 /20	-	Yes

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MONITORING & REPORTING							
L1							
L1(a)	Has the organisation identified relevant reporting requirements relating to sustainable procurement activity?	<p>PI's reporting on through strategy - goes to WLAM, quarterly performance review (DCE), Procurement Board.</p> <p>Annual Procurement Report (CB's), PI's identified in procurement strategy</p>	<p>PIs to be reviewed. Procurement Strategy reported to the Procurement Board in July 2020. PIs to be reviewed. Meeting with Procurement Board on 9th September. Strategy also reported to Council Executive annually.</p>	KA/AG	03/12/19	-	Yes
L1(b)	Does the organisation have a process in place to determine relevant baselines against reporting requirements established in L1(a)?	<p>PI's reporting on through strategy - goes to WLAM, quarterly performance review (DCE), Procurement Board.</p> <p>Annual Procurement Report (CB's), PI's identified in procurement strategy</p> <p>See peter rogers</p>	<p>Baselines are established in Strategy scorecard.</p>	KA/AG	03/12/19	-	Yes
L2							
L2(a)	Has the organisation identified relevant sustainable procurement outcomes for specific contracts/ frameworks?	Develop Contract Strategy template	Develop Contract Strategy template	KA/AG	07/01/20	-	Yes
L2(b)	Is a process in place to monitor and report on the delivery of the organisation's Procurement Strategy?	<p>Procurement Board & Council Exec review.</p> <p>WLAM review panel.</p> <p>Manual Reporting Process.</p>	PIs to be updated.	KA/AG	07/01/20	-	Yes

DATA LABEL: OFFICIAL: INTERNAL ONLY

L2(c)	Have baselines relating to intended sustainable outcomes been established?	Baselines identified in Corporate Procurement Strategy	Baselines identified in Corporate Procurement Strategy	KA/AG	07/01/20	-	Yes
L2(d)	Have measures been implemented to monitor and report the identified high risk and opportunity impact areas?	Pentana (PI's) review required of measures we report on.	Prioritisation exercise to be completed.	KA/AG	07/01/20	-	Yes
L2(e)	Is delivery of sustainable outcomes through specific high risk and opportunity contracts regularly monitored and reported as part of the annual procurement report?	Annual procurement report and procurement strategy to be aligned to mirror outcomes. Currently reporting via annual procurement report reports to procurement board, procurement strategy review, annual procurement report submitted.	Environmental requirements to be developed. Results of PI Review to be implemented.	KA/AG	07/01/20	-	Yes

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

YOUTH PARTICIPATION

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

To update the Panel on the plan for engaging young people in the development of the Climate Change Strategy, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act: (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act; (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; (c) in a way that it considers is most sustainable.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	There are a number of performance indicators related to climate change and emissions reduction. Emissions are reported to the Scottish Government in November each year.
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)	Engagement will be carried out within exiting resource
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Community Education Worker (Youth Participation), West Lothian College, Developing Young Workforce, Children's Parliament

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details how young people will be engaged in the development of the new West Lothian Climate Change Strategy.

D.2 Youth Participation

Every child has the right to be heard in matters affecting them and to participate in the life of their family, community and society, under Article 12 of the United Nations Convention on the Rights of the Child (UNCRC). Children and young people often have fresh and unique perspectives on current issues as well as new ways of addressing them. By engaging with them, they have the opportunity to influence the community that they live in today and in the future.

Activities have already been carried out to engage our young people in issues around the Climate Emergency. Pupils from James Young High School attended the Community Planning Partnership's (CPP's) Climate Change seminar in October 2019 and took part in discussions, which informed a set of CPP actions which will help shape the new Local Outcomes Improvement Plan. The feedback will also be used to inform the new Climate Change Strategy.

A workshop was also held as part of West Lothian College's Sustainability Summit in early March 2020. As part of this, engagement was carried out using the Mentimeter survey tool. The feedback gathered will also inform the new Climate Change Strategy.

Youth participation actions will form part of a wider community engagement approach to developing the Climate Change Strategy.

D.2 Youth Participation Plan

It is important to be clear on the purpose of any engagement carried out. The purpose of the engagement set out in this report is to gain the views, attitudes and ideas of young people in relation to climate change, to inform the priorities and actions of the new Climate Change Strategy.

A youth participation plan has been developed and is set out in Appendix 1.

Discussion has taken place with the council's Community Education Worker (Youth Participation) to identify the most appropriate ways to effectively engage young people. Given the ongoing challenges of working in schools and engaging people face-to-face, it was agreed that an online survey would be developed in order to gather views. This is to be sent out to schools and the other groups highlighted in the plan in January 2021. Links have been made with Developing Young Workforce board, who have agreed to assist in distributing the survey to all relevant groups.

The survey will be focused on identifying young people's priorities in relation to the Climate Emergency. Additional questions will be included for secondary school pupils to complete, to gather views specifically on the future workforce and the green economy. The ISM model, a practical tool to examine the effectiveness of environmental behaviour change interventions, will be built into the survey. Discussion with one of the leads of the ISM model from SSN will inform how this will be used.

Young people will also be invited to attend online focus groups, to be held once the survey results have been analysed, in order to discuss the results and potential actions. All groups set out in the plan will be invited to attend. The number of sessions held will depend on interest. There is currently just one MSYP in West Lothian and they will be invited to complete the survey and take part in the online session.

Early discussions have taken place with West Lothian College on how to build better engagement with those taking subjects around the green economy/future green jobs. Engaging with those with an existing understanding on the subject and what actions are required will provide an additional layer of feedback.

Discussions have also been held with the Children's Parliament, who are currently supporting the participation and engagement of children under 16 in the Climate Assembly, to ensure their views, experiences and ideas are part of the discussions and calls to action going forward. To capture the diversity of children's views and experiences, and to echo the process of the Assembly, Children's Parliament is working with 100 children across Scotland from 10 schools, including Deans Community High School. The children are a mixed gender, income and ethnicity group representing both urban and rural communities. The initial results of the first survey already carried out are to be shared in order to inform the Climate Change Strategy. The full report of all of this work will also be shared with the council in March 2021. It is also proposed that the council's Energy Manager will meet with the three pupils involved in this work from Deans Community High School to share the work already going on locally in schools.

This report sets out the various mechanisms that will be used to engage young people in the development of the Climate Change Strategy. This will also allow us to build contacts to ensure ongoing youth participation in climate activity.

E. CONCLUSION

This report sets out the plan for engaging young people in the development of the Climate Change Strategy. This plan builds on activity already carried out to involve young people in discussions on the Climate Emergency, links in with partners and existing work underway and sets out further activity that will be carried out between January-April 2021. The Panel is asked to note the plans.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17

March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

Appendices/Attachments:

1. Youth Participation Plan

Contact Person: Joanna Anderson, Community Planning Development Officer,
joanna.anderson1@westlothian.gov.uk

Craig McCorriston

Head of Planning, Economic Development and Regeneration

2 February 2021

Appendix 1 – Youth Participation Plan

Method of engagement	Who	When
Online survey	Send to all secondary schools and P6/P7s, promote via Developing Young Workforce links/school websites, etc Send to CLD youth groups, mental health group, wider children and young people organisations (e.g. Children 1 st), MSYP Sent out via VSGWL and regeneration steering groups Link on Young Scot website, CLD Facebook page, WLC social media	January 2021
Online Focus group(s)	Invite out with online survey, to schools (secondary schools only), promote via Developing Young Workforce links, CLD youth groups, mental health group, wider children and young people organisations (e.g. Children 1 st), MSYP	To be held in April 2021
West Lothian College	Discuss appropriate mechanism to engage with students	TBC
Children's Parliament	Link in to activity already underway and use the results of the three surveys being carried out to inform the development of the Climate Change Strategy. The Energy Manager will also meet with the young people involved from Deans CHS.	From January 2021

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

WASTE AND RECYCLING FUTURE LEGISLATIVE INFLUENCES REDUCING ENVIRONMENTAL IMPACT

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To update the Panel on future, environmentally driven, legislative influences affecting the collection, transport and processing of the materials generated by West Lothian residents and businesses, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act: (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act; (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; (c) in a way that it considers is most sustainable.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	There are a number of performance indicators related to climate change, emissions reduction and waste related activities. Emissions are reported to the Scottish Government in November each year and recycling

performance is audited and presented by SEPA annually in September/October for the previous calendar year.

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)	Activities related to recycling & waste management are approved as a part of the councils revenue budget and the council's statutory duties are discharged by Recycling & Waste Services from Whitehill Service Centre and 5 Community Recycling Centres.
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Climate Change & Sustainability Working Group; Operational Services; Financial Management Unit.

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details the current high-level changes that are planned at a local and national level which will affect the emissions and environmental impact of the waste and recyclable materials generated by the residents and businesses of West Lothian. Emissions themselves are reported through council-wide carbon and emission reporting and calculating the specific impact of future changes is not a precise science, however, any activity that moves material up the waste hierarchy will have a positive impact on emissions and these changes and activities, at a local and national level, are the focus of this report.

D.1.2 The Waste Hierarchy

The Scottish Government issued numerous documents to support the introduction of the Waste (Scotland) Regulations 2012 to help to explain The Waste Hierarchy and how it forms the cornerstone of the Scottish Government's regulations and the wider zero waste agenda. The hierarchy as depicted in the Zero Waste Regulations: Policy Statement (14/10/11) is shown in the diagram on the following page.



Ideally waste should be prevented at the outset, be it through design or use. Where this is not possible the aim should be to move waste materials up through the hierarchy increasing their environmental sustainability. The quality of the waste material is fundamental to ensuring that materials can move up through the hierarchy. This can be achieved through sustainable design, to enhance the ability for material to be repaired, reused or recycled, but it is also achieved through the collection and handling process to keep high quality recyclable materials in a good condition for processing.

D.2 Recycling & Waste Services Mission Statement

Recycling & Waste Services role is to help the residents and businesses of West Lothian reduce waste generation and to avoid landfilling of waste where possible. waste. The service has a published Mission Statement which helps to explain why the service carries out its particular activities and how everyone has a role to play.

In order to understand the objectives of the mission statement it is important that sustainability, as a definition is understood. In order to be truly sustainable an act or undertaking must be social, environmentally and economically sustainable. Something that only meets one or two of those criteria is not fully sustainable.

The services mission statement was borne out of a need to demonstrate that landfill is expensive, damaging to the environment and come 2021 (at the time, but now 2025) the disposal of biodegradable materials will be banned. In 2014 the service analysed the contents of the average household grey landfill bin. An astounding 78% of the material by weight could have been recycled using existing services. Whilst this was environmentally significant if this was translated into financial terms, it equated to £2,260,000 (at the time) which was being spent on costly landfilling material rather than being directed to other services such as education, social work, roads etc, if residents had fully utilised the recycled systems offered by the council. The principles are the same today as they were in 2014 and the split of material has not changed drastically, however the technology used to separate material and the markets ability to accept and process more material, between 2015 and 2019 helped to increase recycling performance along with the efforts of residents to improve participation in the services offered.

In order to improve the performance, and by that measure reduce emissions, of waste related activities everyone needs to make the right waste choices to bring the waste of money and resources to an end for the benefit of all.

In simple terms Recycling & Waste Services are responsible for the collection of all household waste and the environmentally responsible management of waste in line with the government's Zero Waste Plan along with other pertinent legislation.

The service provide a collection service for recyclable and non-recyclable materials generated from over 81,000 households across West Lothian; operate 5 recycling centres and 130 glass recycling points. The service also carry out around 2450 bulky uplifts per year collect commercial recyclables and non-recyclables from council buildings. In order to improve participation and to help get the message about reducing the negative social, environmental and economic impacts of poor choices regarding waste the service visit schools, community groups and attends community events, along with maintaining informative webpages to communicate with customers. In total this amounts to more than 8 million physical service customer interactions per year.

All of the service's activities focus on leading West Lothian on the road towards sending zero waste to landfill.

The service activities fall within five key outcome areas:

- Providing effective environmental leadership
- Involving the community
- Reducing local and global environmental impacts
- Providing high quality, continually improving, effective and efficient service delivery
- Supporting economic development

By ensuring that service activities are designed, planned and delivered in alignment with the outcome areas, in a sustainable manner, the council ensures that material collected has the best opportunity to be diverted from landfill.

D.3 Recycling & Waste Services Customer Journey

Recycling & Waste Services customers have seen significant changes to their collection service and recycling services over the past 8 years. The service has had to introduce changes in order to comply with legislation, such as the Waste (Scotland) Regulations 2012, and in order to deliver operational savings through the Delivering Better Outcomes and Transforming Your Council process.

Customers have experienced changes to their service from the original paper and card collections through to the introduction of the alternate weekly service via the blue bin, in 2004.

The introduction of brown bin recycling in 2005 and in 2013 the start of the Food Waste Collection Service introduced further streams from which the separation of recyclable materials could be achieved. This culminated in 2014 with the full roll out of the Food Waste Collection Service and the acceptance of additional materials within the blue recycling bin.

In 2016 the service then optimised all collection routes, which involved day changes for the majority of residents and introduced a smaller 140 litre residual waste bin. In 2017/2018 changes occurred at the recycling centres through the introduction of reduced, seasonal, hours across the sites followed in 2019 by a further reduction of 3/5ths of the opening hours across the remaining 5 sites.

External commercial waste collections were also stopped in 2019 and towards the end of the year householders were moved onto the Food & Garden co-mingled service which saw around 80,000 households having their original Brown Bin or Food collection days changed at the time of service introduction.

In 2020 the service increased the opening hours of the Recycling Centres, following a budget motion in February 2020, and have prepared for the introduction of the measures detailed in this paper. The impact on these service introductions on the recycling rate is highlighted in the following table.

Year	Change introduced	Recycling Rate
2000/2001	Baseline	4.0%
2004/2005	Phased roll out of Blue & Brown Bins	17.9%
2005/2006	Further roll out of Blue & Brown Bins	27.0%
2008/2009	Full coverage of Blue & Brown Bins	41.8%
2013	Food Waste (design phase)	44.3%
2014	Food Waste (partial roll out)	45.4%
2016	140l Bin Roll (partial roll out)	48.5%
2017	Full roll out of 140l bins New residual treatment contract	61.3%
2018	Stable household service	65.2%
2019	Removal of commercial services Introduction of Food & Garden Collections Reduction in Recycling Centre hours	58.2%
2020	Recycling Centre hours increase CoVID19 Pandemic impacts	-

The reduction in recycling performance in 2019 from 2018 was caused by a variety of factors including an increase of materials, post processing, which were no longer accepted for recycling by external markets from the grey and blue bins, along with a reclassification of some compostable materials.

D.4 Future Guidance and Legislative Changes

The continual introduction of planned legislative and guidance changes over the next 4 years see a significant change in the way waste is presented, collected, processed and funded. With the Scottish Government endeavouring to continue to mirror, or better, European environmental legislation, post Brexit, Scotland will also see the introduction of a number of new regulations and systems.

The key pieces that will affect the way that recycling & waste services are delivered by the council are:

- The ban of biodegradable municipal waste being sent to landfill in 2025 (originally 2021)
- The introduction of the Deposit Return Scheme for beverage containers in Scotland in 2022
- The introduction of Extended Producer Responsibility in 2023
- Statutory BioWaste (Food and Garden materials) collections in 2023
- Statutory textile collections in 2025.

All of these instruments are legislative drivers to move materials further up the waste hierarchy.

In simple terms, the biodegradable municipal waste ban (bio ban) and the statutory collections of BioWaste and textiles will directly alter how material is collected from householders and businesses as well as how it is processed.

The bio ban will see authorities having to seek contracts for residual waste treatment, rather than disposal to landfill. In most cases this will be thermal treatment which requires pre-treatment to remove recyclable materials or a collections system that already achieves this at the kerbside. The BioWaste and textile collections will potentially see more materials collected from households where they do not have food, garden or textile collections at present.

The Deposit Return Scheme, is designed to achieve large scale behaviour change in public disposal habits by monetising the return of the container within which a product was sold. Similar to systems in existence in many other countries around the world the scheme will see high quality, separated materials, being returned to the point of sale for onward recycling. In doing so a large volume of materials that previously appeared as litter, within the blue household bin or incorrectly within the grey bin should be captured by the scheme, significantly changing the composition and volume the council collects from householders or picks up via public litter bins and through litter picking activities.

The packaging Extended Producer Responsibility (EPR) legislation has the potential to be the biggest game changer out of all of these national scale interventions. The purpose of EPR is to ensure producers pay for the costs of managing their products at end-of-life, more packaging is disposed of correctly, it is designed for recycling and is ultimately recycled at end-of-life. This includes household and household-like waste packaging services as well as that disposed of in public bins and discarded as litter.

The mechanism of the EPR scheme means that funding mechanism for Local Authorities will likely be revised i.e. Local Authorities will receive payment to manage packaging waste from 2023. The method of calculation/ allocation on how they will receive this is yet to be determined, but there is a requirement for this to be the necessary costs of an efficient and effective service that does not exceed costs that are necessary to provide waste management services. This also pertains to an element of the materials presented for collection by householders, albeit a significant element.

D.5 The current council position and opportunities

The council currently has a bio ban compliant residual waste disposal contract that can be extended up to 2024, which was in place to ensure the council met the requirements of the original timeline of 2021 for the ban coming into place. As an authority only 14.9% of our household waste was landfilled in 2019, the 5th lowest in Scotland and our CO₂ per Tonne equivalent was the 6th lowest in Scotland. Future contracts will also require to be bio ban compliant from the time at which they are awarded. The council also currently offers a comingled garden and food waste collection to the majority of households. The exact working of the legislation surrounding these collections will become clearer as they are transposed from the EU legislation into Scottish regulations and any alterations required to the existing services can be determined. The same approach will be required regarding textile collections as the council currently supports a number of charitable textile collection banks at Recycling Centres as well as alongside glass containers at many Recycling Points.

These bring sites are supplemented by collections independently carried out by 3rd sector organisations through 'rag bag' door step collections as well as via schools and community groups. The national level data on recycling performance and the amount of material that goes to landfill can be found on SEPA's Waste Data Reporting site which can be found via the following link: <https://www.sepa.org.uk/environment/waste/waste-data/waste-data-reporting/waste-data-for-scotland/>

The Deposit Return Scheme and its impacts are being modelled to determine the potential impact of the scheme on the activities of Recycling & Waste Services along with NETs, Land & Countryside Services, with respect to litter. The scheme, as presented, is not an area where the council has a direct input or influence to at this stage, with the systems being designed around point of purchase return of containers. There may be opportunities in terms of transportation or bulking of materials at council facilities but the scheme roll out is not at a stage where this can be known at this time.

With respect to the EPR, and the other changes noted, the council are directly involved in national and local government working groups to ensure that the specific circumstances and experiences of West Lothian are heard when drafting guidance or designing the systems being implemented. EPR in particular will prove to be a significant departure from the current funding approach with money provided directly from the producer to cover the life costs of their packaging. At a very minimal level this could involve direct auditing and accounting with the EPR administrator to demonstrate efficient and effective systems are being used by the council to receive the funding for the cost of the collection and disposal of packaging. At the other extreme it could see packaging producers undertaking their own collections of materials directly to fulfil their obligations, changing the composition of materials collected by the council.

E. CONCLUSION

Regardless of the legislative instrument or guidance change introduced at a national level, the council, through Recycling & Waste Services, will ensure that any material collected by the council is handled in a manner that is compliant with legislation and ensures that the material has the best chance of moving up the waste hierarchy. The council will continue to encourage householders and businesses to make the right choices when disposing of waste materials through the provision of suitable collections at the kerbside and via bring sites as well as through engagement activities. In doing so this directly helps to support the drive for sustainability and therefore a reduction in the environmental footprint of the residents of West Lothian.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17 March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

Appendices/Attachments: Nil

Contact Person: David Goodenough – Fleet, Recycling & Waste Services Manager

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Jim Jack, Head of Operational Services

Date of meeting: 2 February 2021

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

DECARBONISING THE COUNCIL'S FLEET

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To update the Panel on opportunities and methods through which the council can move towards decarbonising the council's fleet, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act: (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act; (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; (c) in a way that it considers is most sustainable.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	There are a number of performance indicators related to climate change, emissions reduction and waste related activities. Emissions are reported to the Scottish Government in November each year.
V	Relevance to Single	Outcome 8 - We make the most efficient and

	Outcome Agreement	effective use of resources by minimising our impact on the built and natural environment
VI	Resources - (Financial, Staffing and Property)	Activities related to the council's vehicles fleet are approved as a part of the councils revenue budget and support the council's statutory and discretionary duties which are discharged by all of the council's services.
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Climate Change & Sustainability Working Group; Operational Services; Financial Management Unit.

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details a current high-level summary of the council's vehicle fleet, how it is replaced and future opportunities to decarbonise the fleet.

D.2 National targets

The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 places interim targets on Scottish Ministers to ensure that the net Scottish emissions for the year -

(a) 2030 is at least 75% lower than the baseline, and

(b) 2040 is at least 90% lower than the baseline.

Before reaching net zero in 2045

Both the Scottish and United Kingdom governments have set target dates for the phasing out of conventional petrol and diesel cars and vans – Scotland by 2032 with the rest of the UK 2 years ahead of that in 2030 for the general public.

Within 'Protecting Scotland's Future: The government's Programme for Scotland 2019-20' the measures ahead go further for public sector fleets. The government have stated that they will work with public bodies to phase out petrol and diesel cars, as well as phasing out the need for new petrol and diesel light commercial vehicles by 2025. There is an acknowledgement that heavy goods vehicle technologies are less developed but again the government will work with public bodies and the automotive sector to phase out the need for all new petrol and diesel vehicles in the public sector fleet by 2030.

D.3 Council Fleet

The council has a fleet asset register of over 1,100 vehicles, trailers, plant and equipment which are used across all services to deliver statutory and discretionary activities across West Lothian. When replacing vehicles or procuring new vehicles, many aspects are taken into account including the service need, the length of time the asset will be required for, the available budget, previous and projected utilisation along with whether any alternative approaches have or could be been considered in line with the councils Green Transport Policy.

The council's fleet replacement programme takes account of the upcoming legislative and guidance requirements to ensure that the most sustainable option to perform the requirements of the individual service needs are met, depending on the anticipated lifespan of the asset and its intended use.

The fleet currently has 35 fully electric cars and small vans within it, the majority of which are backed by grant funding to offset the initial high purchase price and to encourage the reduction of emissions from public sector fleets.

Further detail on maximising grant funding opportunities, alternative fuel technology development and the options particularly for large goods vehicles will form part of the Climate Change Strategy, which is due to be published in November 2021.

E. CONCLUSION

The council will be well positioned to support work towards the national net zero targets as well as decarbonising the councils fleet. The typical length of time that we keep an asset allows the flexibility required to meet these timescales and the pre-procurement screening process ensures that service needs, budget availability and environmental sustainability are all considered. Development of technologies and infrastructure is key to making this transition possible, particularly with respect to heavy goods vehicles. Significant amounts of work are being undertaken to map out the approach to achieving these targets and they will form a key part of the Climate Change Strategy for the council.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17 March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

Appendices/Attachments: Nil

Contact Person: David Goodenough – Fleet, Recycling & Waste Services Manager

Tel: 01506 280000

Email: david.goodenough@westlothian.gov.uk

Jim Jack, Head of Operational Services

Date of meeting: 2 February 2021

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

PLANS TO DEVELOP EV CHARGING INFRASTRUCTURE ACROSS WEST LOTHIAN

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To update the Panel on the existing Electric Vehicle (EV) charging infrastructure across West Lothian and outlining options for increasing and enhancing the charging network as part of our Climate Emergency response, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Note the contents of this report.
2. Reviews and comments on the proposals outlined, and;
3. Notes that the report will be presented to Council Executive, seeking approval to introduce tariffs for use of council operated charging facilities.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	Specific risk assessments and method statements covering the works will be agreed before they commence.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	There are a number of performance indicators related to emissions reduction. Emissions are reported to the Scottish Government in November each year.
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,	Financial – Budgets approved as part of

	Staffing and Property)	capital programme; Staffing – PM&D leading projects with Construction Services.
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Climate Change & Sustainability Working Group; Operational Services; Financial Management Unit.

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details the existing charging network, proposals and plans to allow for the future expansion and proposed tariffs for introduction across council operated charge points.

D.2 Existing Charging Network

West Lothian Council already operates 28 individual charge points at 10 locations across the area, with a further four units with capacity for 8 vehicles nearing completion. Details of these are set out in Appendix 1. In addition to those provided by the council, there are a number of charge points operated by others including at Bathgate, Uphall and West Calder railway stations. Funding for these has been provided by Transport Scotland and the network itself is operated by ChargePlace Scotland.

There are three types of charger installed:

- Rapid chargers. Providing power up to 50kW, these can provide around 80% of charge in 20-60 minutes. These are aimed at those requiring a quick charge, particularly when used as part of longer journeys and planned routes.
- Fast chargers. Providing power at 22kW, these are designed to provide sufficient charge over a period of 1-2 hours and are sometimes called "destination chargers" as they are often located near shops, leisure centres etc.
- Standard chargers. Providing power at 7kW, these are designed to provide sufficient charge over a period of 4-8 hours. Generally more suited to residential, long-stay and workplace settings due to the longer charge times involved.

Demand for the various types of charger varies, although rapid chargers are extremely popular due to the shorter charge times. ChargePlace Scotland recently published details of the most used charge points in 2020 which identified the rapid charger at Almondvale Stadium as the 7th most used in the country.

In the three months to 17 December, there were 5125 charging sessions on the council network, with a total electricity usage of 80,725kWh.

D.3 Increasing and Enhancing the Charging Network

Both the Scottish and United Kingdom governments have set target dates for the phasing out of conventional petrol and diesel cars and vans – Scotland by 2032 with the rest of the UK 2 years ahead of that in 2030. This presents a significant challenge in ensuring that there is sufficient charging capacity for the anticipated steep rise in EV ownership.

In 2019 the council was successful in applying for support as part of the Switched on Towns and Cities (SoTC) Feasibility Programme. Led by the Energy Saving Trust, the study focused on Livingston and surrounding area, forecasting EV uptake to 2025. While data gathering and mapping of charging locations was focused on Livingston the study also included information, recommendations and consumer surveys that are relevant to the wider West Lothian area. From the 11 SoTC areas, 3,282 survey responses were received including 291 from West Lothian.

Some of the key findings of the study are:

- By 2025, the study area would require an additional 30 slow, 12 fast and 8 rapid chargers to meet an anticipated 12% increase in EV ownership
- 75% of engagement survey respondents had access to off-street parking, making them less reliant on the public network
- 78% of respondents without access to off-street parking identified this as a key reason not to consider switching to EV
- 75% of taxi and private hire drivers surveyed across Scotland drive less than 150 miles per shift

The study makes it clear that the council will continue to play a critical role in the expansion and development of the EV charging network within West Lothian over the coming years. Actions already ongoing include:

- Maximising our use of Transport Scotland funding and investigating other options such as Switched on Towns and Cities and Office of Low Emission Vehicles grant schemes
- Identification of key locations for installation of charging facilities based on anticipated demand, surrounding facilities and availability of electrical supply.
- Focusing on filling any geographic gaps in the rapid and fast networks
- Integration of requirements for EV charging facilities within planning policy for both domestic and non-domestic sectors
- Leading by example, moving our own fleet to EV where possible and ensuring that charging infrastructure is included in new developments including schools at Calderwood and Winchburgh.

Future priorities include:

- Identifying an effective solution for on-street charging facilities in residential areas, particular where there is limited or no access to off-street parking
- Signposting those with off-street parking to sources of funding for the installation of charge points
- Introducing tariffs to council operated points to encourage good charging behaviours and recover the costs associated with operation and maintenance.
- Encouraging taxi and private hire drivers to shift to EV
- Working with the Scottish Power Energy Networks to identify key areas for development and ensure that capacity is available

It is important to note that while the council's role in providing charging facilities is key, it should not be seen as solely our responsibility. In the rest of the United Kingdom, development of charging networks is being driven by commercial operators such as Ecotricity and Chargemaster who are installing charge points at key locations including service stations and supermarkets. Commercial units which charge for use are already in place in West Lothian and further development of these should be encouraged. The introduction of tariffs to council operated charge points should help to create more favourable market conditions for private sector investment in network development. In addition, electric vehicle owners with off-street parking are able to access funding to install their own charge point and should be encouraged to do so where possible.

D.4 Introduction of Tariffs

As the uptake of electric vehicles and the use of council operated facilities has increased, so have the costs of operating and maintaining the network. In order to recover these costs, it is proposed that the council introduce tariffs for use of EV charging facilities. The details of these are set out in Appendix 2 and have been designed to be simple to understand and consistent with other local authorities including East Lothian and Midlothian. In order to maximise availability of rapid charging facilities and encourage good driver behaviour, an overstay charge will apply and will be triggered when a maximum stay period of 45 minutes has expired.

Where possible, contactless payment facilities will be fitted to existing charge points and all new chargers will have this included as standard. ChargePlace Scotland users can also set up an account that is automatically debited when the charge points are used.

D.5 New build Commercial and Residential Developments

There are a number of conditions attached to planning permissions through Development Management. These are attached as Appendix 3.

E. CONCLUSION

The number of council operated EV charge points in West Lothian has continued to increase in the last year, with more installations planned. Forecasts indicate a significant rise in EV ownership in the coming years, and to facilitate this we will continue to utilise and maximise funding opportunities to further enhance the

network, focusing on filling gaps in the rapid and fast networks as well as identifying a suitable on-street solution for residential areas. The introduction of tariffs for council operated charge points will allow us to recover the costs of operating the network, maximise availability of rapid chargers by improving driver behaviour and encourage private investment in the network, further increasing provision.

F. BACKGROUND REFERENCES

Climate Emergency Response Update – Report to EMT 4 November 2020

Appendices/Attachments: Appendix 1 – Existing charge point network
 Appendix 2 – Proposed EV Charing tariffs
 Appendix 3 – Development Management Planning Conditions

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Donald Forrest, Head of Finance and Property Services

Date of meeting: 2 February 2021

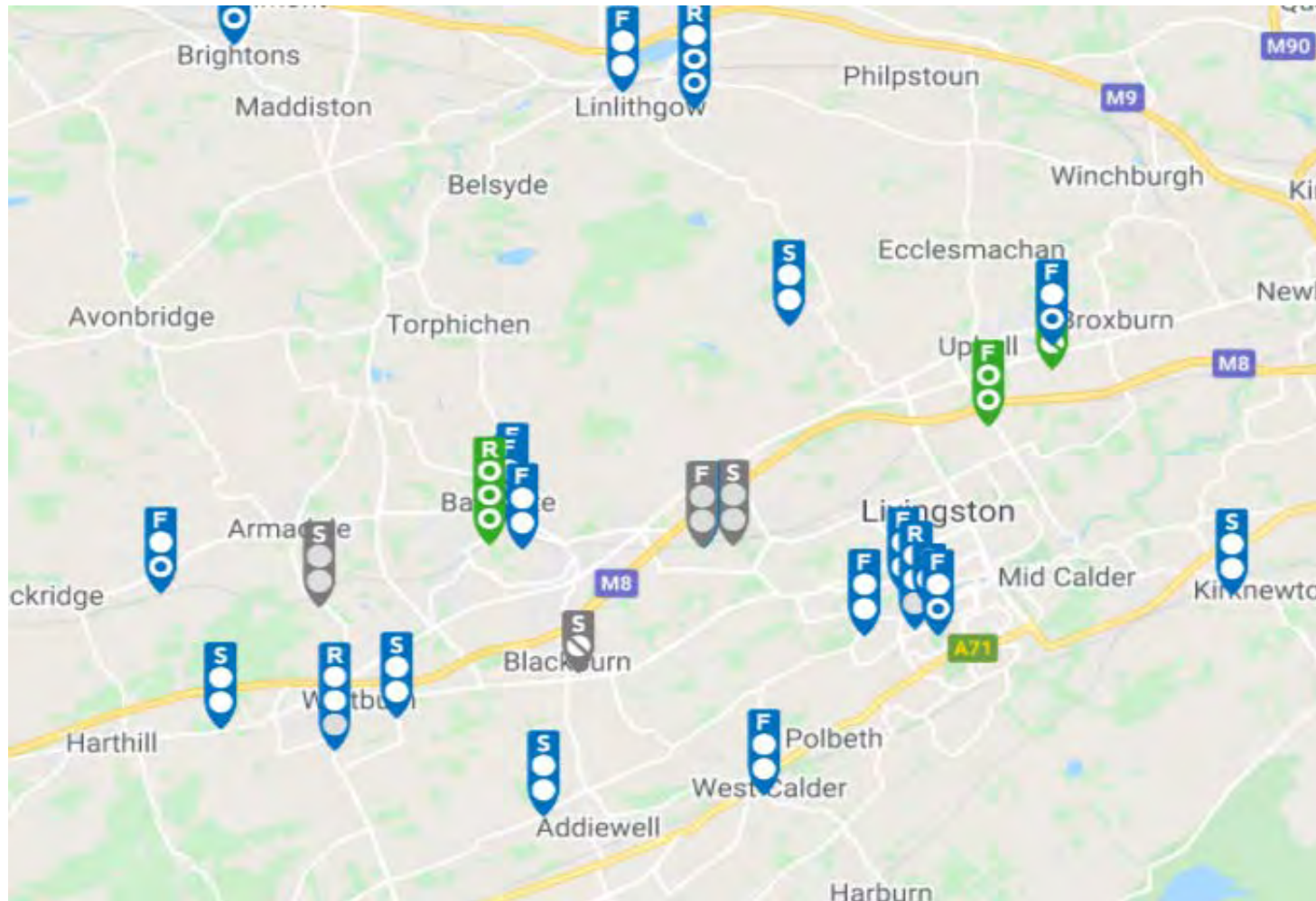
Appendix 1 – Existing Charging Network

West Lothian Council Charge Points:

Site	Charger Type	Vehicle Capacity
Acredale Car Park, Bathgate	1 x 22kW Dual Outlet	2
Almondvale Stadium, Livingston	1 x 22kW Dual Outlet	2
Almondvale Stadium, Livingston	1 x Triple Rapid Charger	2
Bathgate Partnership Centre	1 x 50kW Raption	2
Gideon Street Car Park, Bathgate	1 x 22kW Dual Outlet	2
Linlithgow Sports Club	1 x 50kW Raption	2
Lister Road, Livingston	2 x 22kW Dual Outlet	4
Morris Square, Livingston (in development)	2 x 50kW Raption	4
Morris Square, Livingston (in development)	2 x 22kW Dual Outlet	4
Polkemmet Country Park, Whitburn	2 x 7kW Dual Outlet	4
Strathbrock Partnership Centre	1 x 50kW Raption	2
Strathbrock Partnership Centre	1 x 22kW Dual Outlet	2
Water Yett Car Park, Linlithgow	1 x 22kW Dual Outlet	2
Whitburn Xcite	1 x Triple Rapid Charger	2

Appendix 1 – Existing Charging Network (Cont)

Map of West Lothian ChargePoint Scotland Locations



Appendix 2 – Proposed EV Charging Tariffs

Charger Type	Minimum Charge	Unit Rate/kWh	Maximum Stay Limit	Overstay Charge
Rapid Charger (over 43kW)	£1	£0.30	45 Minutes	£1/min for stays over 45 minutes
Fast & Standard Chargers (7-22kW)	£1	£0.16	None	None
Slow Chargers	£1	£0.16	None	None

Minimum charge will be waived if the session is interrupted.

Rates to be reviewed annually and adjusted for energy price inflation.

Appendix 3 – Development Management Planning Conditions

Examples of planning conditions Development Management attach to planning permissions which have an impact on climate change

Electric Vehicle Charging (50kW) – Commercial Sites

“One active ready to use 'rapid' electric vehicle charging point (50kW with CCS or CHAdeMO connector) shall be provided in a dedicated charging bay. The dedicated charging bay shall be physically identified for use by electric vehicles. Plans detailing who will be responsible for managing and maintaining charging infrastructure shall be submitted for the consideration and written approval of the planning authority. Details should include arrangements for managing access to EV charging spaces and arrangements for paying for the electricity used during charging.”

Reason: To comply with the council's policies and supplementary guidance on air quality.

Electric Vehicle Charging – Residential On-Street

Development shall not begin until details to meet the following requirements for electric vehicle charging have been submitted to and approved in writing by the planning authority:

(a) Where off-street parking is provided, one in every six residential units shall have an active ready to use electric vehicle charging point (7kw) located either in a garage or in close proximity to a dedicated car parking place within the driveway of the property and connected to the domestic electricity supply via a dedicated circuit. For all other residential units with off-street parking, passive provision (cabling and individual fuse boxes provided) shall be provided to enable easy conversion to an active charging point should demand manifest itself.

(b) For on-street parking (excluding adoptable visitor parking), one in every six spaces shall have a fully connected, active and ready to use electric vehicle charging point (7kw). Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.

(c) Details of who will be responsible for managing and maintaining charging infrastructure, including details of managing access to charging spaces and arrangements for paying for the electricity used during charging.

Thereafter the development shall be carried out in accordance with the details as approved”.

Reason: To enable full consideration to be given to those details which have yet to be submitted, in the interests of ensuring the provision of electric vehicle charging.

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

THE INTEGRATION OF NET ZERO CARBON TARGETS IN HOUSING STRATEGY

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

To update the Panel on the proposals for the integration of net carbon zero targets in housing strategy, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes the contents of this report.
2. Notes that for all proposed new Build Council houses it is recommended that the initial specification for the heating system should be for a system which produces zero direct emissions at the point of use or low carbon alternative, prior to the proposed introduction by Scottish Government in 2024
3. Notes that officers will investigate the feasibility of implementing The Committee on Climate Change recommendations that new homes must achieve 'ultra-high' levels of energy efficiency consistent with a space heat demand of 15-20 kWh/m²/yr.
4. Notes the recommendations for the existing stock to meet the Route Map regarding milestones for EESSH 2 compliance.

C. SUMMARY OF IMPLICATIONS

I Council Values	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>The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act:</p> <p>(a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act;</p> <p>(b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53;</p>

		(c) in a way that it considers is most sustainable.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	There are a number of performance indicators related to climate change and emissions reduction. Emissions are reported to the Scottish Government in November each year.
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)	Improving the energy efficiency of our housing stock will require significant capital investment. Reducing energy consumption will have a consequential impact on revenue costs.
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Consultation has taken place with Finance and Property Services and other service areas

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to the Environment PDSP and Council Executive. This report is one of those requested and details the integration of net zero carbon targets in housing strategy with a focus on options for decarbonising existing and future housing stock, including the use of renewable technologies where appropriate.

D.2 Scope and Limitations of Recommendations of The Report

The focus of this report is on West Lothian Councils own housing stock, both existing and new build, although the decarbonisation solutions that are appropriate for us are likely to be the same for others.

In reference to the sources of energy this report is limited to direct point of use emissions only, any indirect or upstream greenhouse gas emissions that are produced during the generation or distribution of purchased thermal or electrical energy would be considered out of scope. We would therefore propose that electricity and thermal energy from heat networks would, therefore, be considered 'zero-rated' (i.e. considered to produce zero direct emissions at the point of heat consumption).

D.3 Existing Stock and The Energy Efficiency Standard for Social Housing post 2020 (EESH2)

The Scottish Government Guidance for Social Landlords on the Energy Efficiency Standard for Social Housing (EESH) was introduced in March 2014 and encouraged landlords to improve the energy efficiency of social housing in Scotland. A first milestone for social landlords to meet for social rented homes was 31 December 2020.

A second milestone was confirmed in June 2019, for social rented houses to meet by December 2032 (EESH2). The EESH milestones are defined by the Standard Assessment Procedure (SAP) 2012 methodology recorded in Energy Performance Certificates (EPCs).

Decarbonising the existing housing stock and meeting the EESH2 milestones will present significant challenges for the council. It should first be noted that our existing housing stock, at least in the short to medium term, is unlikely reach a net zero-carbon position and that we will have to offset some emissions to achieve net-zero, and this is covered later in this report. That does not, however, prevent us from striving to reduce our energy consumption and therefore carbon emissions as much as possible.

The Capital Programme of works will focus on the elements in the Route Map below to meet the EESH2 standards. As time moves forward and as innovations in technology allow, further solutions may be investigated. Solutions to be explored will be around heat recovery technology, such as waste water, flue gas, and ventilation. Other elements which will be explored include floor insulation, Internal Wall Insulation where technically feasible, and provision of LED light bulbs and lighting.

D.4 WLC Route Map to EESH2 Compliance

Year	Lofts	Walls	Heating	Windows and Doors
2020	Minimum of 100mm insulation	All cavities filled and all solid wall to have External Wall Insulation (EWI)	Full central heating system	All are double glazed
2025	Minimum of 270mm insulation	All cavities filled and all solid wall to have External Wall Insulation (EWI)	Full central heating system	All are double glazed
2032	Minimum of 270mm insulation	All cavities filled and all solid wall to have External Wall Insulation (EWI)	Full central heating system A – rated boiler or low carbon alternative	Triple glazing windows. High performance doors
2040	Minimum of 270mm insulation	All cavities filled and all solid wall to have External Wall	Full central heating system A – rated boiler or low	Triple glazing windows.

		Insulation (EWI)	carbon alternative	High performance doors
2045	Minimum of 270mm insulation	All cavities filled and all solid wall to have External Wall Insulation (EWI)	Full central heating system A –low carbon system	Triple glazing windows. High performance doors

EESHH Milestones

Date	Description	WLC Property Upgrades Required
2020	SHQS EESHH1 – Integration; all properties meet SAP 60-64 Approx.	1,206
2023	Phasing out of Secondary Heat Sources, with heating upgrades	N/A
2024	No New Gas Connections (New Build and Existing Stock)	N/A
2025	EESHH2 – All properties to be minimum Band D or SAP 55-68 Approx.	2,915*
2030	Phasing out of Gas Central Heating to Air Source or other low carbon heating source	N/A
2032	EESHH2 – All properties to be Minimum of Band B Approx.	10,629
2040	Target is 90% Carbon Neutral	
2045	Net Carbon Zero	

*Of the 2,915 some will meet the EESHH2 milestone on completion of EESHH1 works, however 1,388 properties that currently meet EESHH1 are not programmed and works will be programmed between 2020 and 2025.

D.5 Costs to Upgrade Existing Stock

In order to meet the milestones highlighted above capital investment will span over multiple capital planning periods, and will include secondary replacement cycles. Broadly speaking the indicative total investment required will be in the region of £115 million; comprising of £73 million on heating upgrades, £20 million on insulation works, and £22 million on windows and door upgrades.

These figures assume that the cost of carbon neutral technologies in the future will reduce closer to the rates of the current installation costs for gas boilers. Should costs not reduce in line with current assumptions there is a risk in relation to the

affordability of the programme outlined above. Future capital investment planning will include further detailed analysis regarding the likely budget required and will be progressed as part of the future Housing Capital Investment Programme.

D.6 WLC Energy Standards for New Build Council Housing

Emissions from buildings are responsible for approximately 20% of Scotland's total greenhouse gas emissions. Energy efficient buildings reduce the demand for heat. Regardless of which system supplies a building's heating requirements, it is important that action is taken to limit the amount of energy that needs to be delivered to a new home to meet the heating demand to the best levels practicable. We also have to ensure that demand for heat in our housing stock is as low as possible, to meet our fuel poverty obligations and to protect consumers from high energy costs and cold homes.

The Scottish Government are reviewing the energy standards which are included in Building Regulations. These will improve the energy efficiency of new buildings and include measures in support of the move to low carbon and renewable heat

The council is aiming to make a strong commitment to ensuring that our future new build housing stock is as energy efficient as possible. It is proposed that all new build council housing stock are designed and constructed to meet the requirements to achieve an A – Rated Energy Performance Certificate (EPC) in terms of both the building's 'energy efficiency rating', and the building's 'environmental impact rating', which shows the buildings CO² emissions. In addition to this it is proposed that all future new build council housing stock should meet all 8 requirements to achieve the current Scottish Building Standards “Silver” Standard.

Future new build council houses should conform with the strict energy efficiency targets set out in the “The Committee on Climate Change” (CCC) has made recommendations in the “*Reducing emissions in Scotland – 2019 Progress Report to Parliament*” that new homes must achieve ‘ultra-high’ levels of energy efficiency consistent with a space heat demand of 15-20 kWh/m²/yr. This figure is similar to the space heating demand of a Passivhaus building – which is ≤15 kWh/m²/yr. Feasibility work is underway and costs will be reported to a future PDSP once determined

The South East City Deal Region in conjunction with The City of Edinburgh Council are currently progressing a demonstrator project for off-site construction and it is proposed that this project will deliver a new approach to briefing, design, procurement and construction. A main remit of this project is to achieve a Net Zero Carbon development and a pilot site of 100 units is due on site in 2021. West Lothian Council will monitor progress on these developments and implement recommendations and best practice as required.

Proposed Route Map

Year	Target
2021	Initial specification for the heating system should be for a system which produces zero direct emissions at the point of use or low carbon alternative
2021	All new houses to meet the full Silver Standard as set out by the Scottish Building standards

2021	All new houses to meet A-Rated EPC performance in terms of both Energy Efficiency and Carbon Emissions.
2024	No New Gas Connections in New Build for Primary heating source.
2025	All new houses to meet energy efficiency consistent with a space heat demand of 15-20 kWh/m ² /yr

D.7 2024: Alternative Heating Sources for New Build and Existing Stock

Emissions from buildings are responsible for approximately 20% of Scotland's total greenhouse gas emissions. Although significant headway has been made in the decarbonisation Scotland's homes and businesses (this figure represents a 24% reduction in emissions from 1990 the base reporting year for carbon dioxide emissions, Scotland cannot meet its legislated climate change targets unless virtually all emissions from heating (and cooling) buildings are eliminated. This means, in effect that by 2045, zero emissions heating will need to be deployed across Scotland's building stock.

Scottish Government are currently running a consultation on new regulations which are being developed to ensure all new buildings must use heating systems which produce zero direct emissions at the point of use from 2024.

Through the use of zero direct emissions at point of use heating systems - coupled with very high levels of energy efficiency in new homes – West Lothian Council have the opportunity to greatly reduce our emissions, and move towards our net zero carbon targets.

The route map to bring the current housing stock up to meet this standard is noted in D.3 above

For all future new build council houses it is recommended that the initial specification for the heating system should be for a system which produces zero direct emissions at the point of use or low carbon alternative. An A- Rated Boiler system should only be considered where current infrastructure does not allow for a non-fossil fuel system to be installed.

The costs of transitioning from fossil fuels for heating to low carbon and renewable sources will be a particular challenge and cognisance will need to be taken of this / officers will continue to work with the Scottish Government and others to identify potential funding streams.

It is important to address the likelihood that the capital and running costs of zero direct emissions heating may be higher than for the high greenhouse gas emitting systems they replace. This illustrates the importance of the need to reduce the demand for heat energy as far as possible within the fabric of the building. Feasibility work is underway and costs will be reported to a future PDSP once determined

D.8 Section 75 & Off the Shelf Purchases.

It is likely that any future new build Council House programme will consist of a mixture of houses designed and built by West Lothian Council, completed houses purchased "Off the Shelf" from developers and those acquired through a Section

75 Planning Obligation. It is proposed that all new build council houses regardless of developer should meet the energy efficiency and heating standards as set out in the revised Employers Requirements Design Guide.

D.9 Electric Vehicle Charging Provision for New Build Houses

The Scottish Governments have set a target date of 2032 for the phasing out of conventional petrol and diesel cars and vans. The UK government has set a date 2 years ahead of that in 2030. This presents a significant change in how tenants will use their vehicles and there is a need to start future proofing the new build stock to take account of this.

The current Employers Requirements Design Guide for all new build council houses require that all units are provided with the means for future provision of Charging Points for Electrical Vehicles via passive provision (cabling and individual fuse boxes) which are provided to enable easy conversion to an active charging point connected to the domestic electricity.

This is in line with West Lothian Council Supplementary Guidance: - Residential Development Guide (RDG) (Adopted April 2019).

D.10 Reducing Service and Tenant Users Impact

It is the intention of the Housing Strategy to reduce the emissions from the current and any new build housing stock to as close to a zero figure as is possible using the methods detailed above. It is nevertheless recognised that there will still be some emissions produced and that these will need to be offset for the Net Zero target to be achieved. The Housing Strategy will align with the updated West Lothian Climate Change Strategy when it is approved.

Going forward, officers will update and refresh the council's New Build Housing Design Guide with the aim to reduce the impact of the service and tenants through a variety of measures including but not limited to:

- Community allotments and orchards for new build developments and land within existing housing developments which will:
 - Improve community wellbeing
 - Teach skills
 - Reduce CO²
 - Assist in reducing food poverty
- Promote domestic composting by providing facilities for each new house either individually or within a community allotment
- Run a pilot domestic composting project across existing housing stock as part of the tenant environmental project programme.
- Improved cycling lanes and public transport and non-car methods of travel within new developments in line with West Lothian Active Travel Policy.
- Education of the tenants and residents regarding the benefits of renewables/retrofits (cost, health and wellbeing) and how to best use new technologies within the new properties to achieve optimum performance.

E. CONCLUSION

The strategy for council housing will have a significant role to play in achieving the council's net-zero carbon target. Achieving net-zero carbon emissions for our housing stock in the future will present a significant challenge, particularly in our existing building stock where substantial retrofit of measures will be required. A revised and updated Employers Requirements Design Guide will be produced as part of the Route Map to achieve Net Zero.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17 March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

<https://www.gov.scot/publications/new-build-heat-standard-scoping-consultation/>

Appendices/Attachments: None

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AnnMarie Carr
Head of Housing, Customer and Building Services

2 February 2021

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

IMPROVING THE ENERGY EFFICIENCY OF OPERATIONAL BUILDINGS

REPORT BY HEAD OF HEAD OF FINANCE & PROPERTY SERVICES

A. PURPOSE OF REPORT

To update the Panel on options for decarbonising existing and future non-domestic buildings, including the use of renewable technologies where appropriate as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes that emissions from our buildings have reduced considerably since our baseline year of 2013/14;
2. Notes that de-carbonising our buildings will present significant challenges, and;
3. Notes that officers will develop a Carbon Management Plan as part of the new Climate Change Strategy to be brought forward in 2021.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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)	The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act: (a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act; (b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; (c) in a way that it considers is most sustainable.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance	There are a number of performance indicators related to climate change and emissions

	Indicators	reduction. Emissions are reported to the Scottish Government in November each year.
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)	Improving the energy efficiency of our buildings will require significant capital investment. Reducing energy consumption will have a consequential impact on revenue costs.
VII	Consideration at PDSP	This is the report's first consideration at PDSP.
VIII	Other consultations	Climate Change & Sustainability Working Group members.

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details options for decarbonising existing and future non-domestic buildings, including the use of renewable technologies where appropriate.

D.2 Current Energy Use and Carbon Emissions

The council's most recent Climate Change Declaration Report, submitted to the Scottish Government in November 2020, highlighted an overall emissions figure of 36,635 tonnes for reporting year 2019/20. Energy consumed in our buildings accounted for 19,925 of the total amount, making our estate the largest contributor to our overall emissions. This can be broken down into:

Utility	Energy use (kWh)	Carbon Emissions (tonnes)
Electricity	29,205,804	8,099
Gas	64,317,929	11,826

Emissions from council buildings have been on a continued downward trend since our emissions baseline year of 2013/14, falling from 30,808 tonnes. A chart detailing this trend can be found in Appendix 1. There are a number of direct actions that have contributed to our emissions reductions including the implementation of energy efficiency projects and investment in renewable and low carbon technologies such as biomass boilers and solar photovoltaic (PV) panels. Another key driver has been a reduction in the emissions factor for grid electricity. This factor is applied to our consumption figure to establish our emissions and has reduced considerably over time as the carbon intensity of the grid has reduced. This has been a result of the shift from the use of traditional carbon-based fuels such as coal and gas for electricity generation to cleaner sources such as wind and solar.

It is anticipated that the emissions factor for electricity will continue to reduce, with targets for the grid to be net-zero carbon by 2050. It is this de-carbonisation that is driving the transition from fossil fuels to electricity for heating and transport.

D.3 Improving Energy Efficiency & Decarbonising Existing Buildings

Decarbonising the existing building stock will present significant challenges for the council. It should first be recognised that our existing buildings, at least in the short to medium term, will never reach a zero-carbon position and that we will have to offset some emissions to achieve net-zero. That does not, however, prevent us from striving to reduce our energy consumption and therefore emissions as much as possible. To enable us to prioritise energy efficiency investment, short, medium and long-term options for decarbonising our existing building stock are outlined in the table below:

Short Term	Medium Term	Long term
Upgrade lighting to low energy/LED equivalents	Install cavity or external wall insulation where possible	Large scale replacement of gas boilers with heat pumps or other low carbon alternatives
Improve heating and lighting controls	Consider heat pumps or other low carbon alternatives when existing gas boilers reach end of usable lifespan	Consider developing district heating networks or connecting to existing networks where available
Install/improve insulation in accessible roof and floor spaces	Install renewable electricity generation in conjunction with other technologies such as EV charging and heat pumps	Consider investment in large scale renewables and private wire supply arrangements
Improve building air tightness and prevent draughts by identifying and repairing issues with external walls, doors and windows		
Insulate heating pipes, valves and pumps where possible		
Ensure that IT equipment is as energy efficient as possible		

The Scottish Government's Climate Change Plan 2018-2032 Update, published in December 2020, sets out plans for a fund of at least £95 million for heat decarbonisation and energy efficiency in the public sector to support efforts in reducing heat demand and replacing existing heating systems with low carbon and renewable alternatives.

D.4 Improving Energy Efficiency & Decarbonising Future Buildings

The council is already demonstrating a strong commitment to ensuring that our future buildings are as energy efficient as possible. This has been demonstrated recently with the development of the first public Passivhaus early learning and childcare facility in Blackridge. Future education buildings will conform with the strict energy efficiency targets set out in the Scottish government's Learning Estate Investment Programme (LEIP) and the BB101 (2018) standards for ventilation, thermal comfort and indoor air quality. The LEIP targets set out a challenging objective of achieving a measurable total energy consumption of 67kWh/m² in operational use, far lower than current averages.

In the Climate Change Plan Update, the Scottish Government has also committed to work collaboratively with the public sector to introduce a net-zero public buildings standard and the council will monitor progress on these developments and implement as required.

D.5 Implementation of Measures

The council has been investing in projects to improve energy efficiency and reduce carbon emissions for some time. Recent examples include measures implemented through the Non-Domestic Energy Efficiency Framework, significant investment in LED lighting across our estate and enhancements to our Building Management Systems, providing better control to heating plant across 80 sites. There are budget allocations within the 10 year capital programme to continue this work, but long term investment at an increased scale will be required to fully implement the necessary range of measures across the estate. The costs of transitioning from fossil fuels for heating to low carbon and renewable sources will be a particular challenge and officers will continue to work with the Scottish Government and others to identify potential funding streams.

The implications on revenue budgets will also require consideration. The unit rate of gas is currently around five to six times lower than that of electricity, so even with the use of efficient heat pumps it is likely, at least in the short term, that installing these technologies to reduce heating emissions would have a negative impact on revenue costs.

As part of the development of the new Climate Change Strategy, officers will update and refresh the council's Carbon Management Plan, outlining future projects and initiatives that will impact on our carbon emissions, both positively and negatively. This will provide us with a clear position regarding future emissions in the short to medium term, which when allied with offsetting projections will allow us to estimate when the council's building estate will achieve a net-zero position.

E. CONCLUSION

The council has made significant progress in reducing emissions from our buildings since our baseline year of 2013/14 and has implemented a wide range of measures to achieve this. Achieving net-zero carbon emissions for our buildings in the future will present a significant challenge, particularly in our existing building stock where substantial retrofit of measures will be required. For our future properties, the council is already leading the way on development of energy efficient buildings and will continue to do so. A revised Carbon Management Plan will be developed as part of the new Climate Change Strategy, giving a clearer picture of the path to net-zero.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17 March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

Scottish Government Climate Change Plan 2018-2032 Update -
<https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/>

Appendices/Attachments:

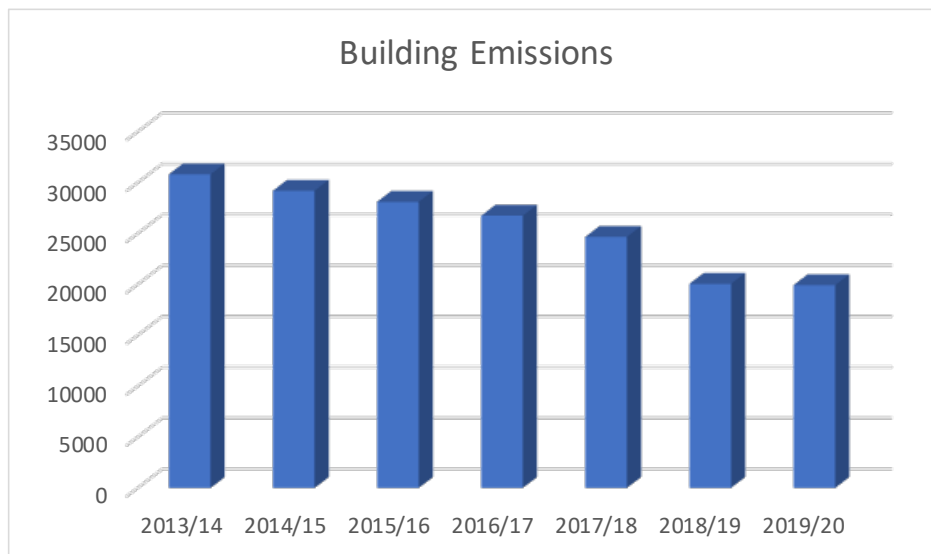
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Donald Forrest, Head of Finance and Property Services

Date of meeting: 2 February 2021

Appendix 1 – Emissions Trends

Emissions From Buildings 2013/14 – 2019/20



DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

CARBON OFFSETTING

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

To update the Panel on carbon offsetting requirements, as agreed at a meeting of West Lothian Council on 17 March 2020.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes that carbon offsetting and sequestration should be considered only where actual emissions have been reduced to as low as possible;
2. Notes that officers will investigate the current status of all council land assets to establish the current amount of carbon being sequestered and what future opportunities for enhanced carbon offsetting are, and;
3. Notes that these findings will be included in the net-zero forecasts within the new West Lothian Climate Change Strategy to be published in 2021.

C. SUMMARY OF IMPLICATIONS

I	Council Values	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>The council is legally bound to comply with duties for public sector bodies within the Climate Change (Scotland) Act 2009. The duties require that the council must, in exercising its functions, act:</p> <p>(a) in the way best calculated to contribute to the delivery of the targets set in or under Part 1 of the Act;</p> <p>(b) in the way best calculated to help deliver any programme laid before the Scottish Parliament under section 53; and</p> <p>(c) in a way that it considers is most sustainable.</p> <p>There are no equality or SEA issues at this stage.</p>
III	Implications for Scheme of Delegations to Officers	None

IV	Impact on performance and performance Indicators	There are a number of performance indicators related to climate change and emissions reduction. Emissions are reported to the Scottish Government in November each year.
V	Relevance to Single Outcome Agreement	Outcome 4 – We live in resilient, cohesive and safe communities 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)	Offsetting schemes will require funding. Staff resources required to manage council owned woodlands and other semi-natural habitats.
VII	Consideration at PDSP	This is the first consideration at PDSP.
VIII	Other consultations	Climate Change & Sustainability Working Group

D. TERMS OF REPORT

D.1 Background

Following West Lothian Council's declaration of a Climate Emergency in September 2019, a short term, Cross-Party Working Group was established to formulate a way forward which involves the wider public, business and other public bodies. The Working group reported back to Council on 17 March 2020 with a set of recommendations and proposals, including a number of reports to be presented to Environment PDSP and Council Executive. This report is one of those requested and details options for carbon offsetting in order to achieve net-zero emissions.

D.2 Carbon Offsetting and Emissions Reduction

Carbon offsetting is defined as an action or activity (such as the planting of trees or carbon sequestration) that compensates for the emission of carbon dioxide or other greenhouse gases to the atmosphere. It should be recognised that through its operations the council will continue to produce some emissions and it is these that will require to be offset or sequestered to achieve the net-zero targets. While carbon offsetting has a significant role to play in achieving net-zero, it should only be considered where all other avenues to reduce our emissions have been investigated and implemented where feasible. The priority should be to ensure that our overall emissions are reduced to a figure as near to true zero emissions as possible. The council's emissions have been on a significant downward trend for a number of years with the latest Climate Change Declaration Report highlighting a reduction of 40% from the 2013/14 baseline year.

D.3 Current Position

The council owns and manages significant land assets including agricultural land managed in-house and leased out to farmers, circa 1000 hectares of woodland, other semi-natural habitats such as grassland and peatland bogs (including at Easter Inch between Blackburn and Seafield and Black Moss, Armadale) as well as thousands of individual trees and shrubs within more formal park areas and along roads and streets.

These are already sequestering (locking up) atmospheric CO² but as this is a relatively new area of focus the scale of current sequestration and the potential for future enhancement and expansion of offsetting is not clearly understood. Officers will investigate this further in 2021 by reviewing existing public assets with the assistance of specialist consultants, and will present the findings, including a sequestration baseline, as part of the Climate Change Strategy.

D.4 Carbon Offsetting/Sequestration Options

There are a number of available options to offset emissions locally. These include:

- Changing the way we manage public land and water assets to take account of all ecosystem services including carbon sequestration, provision of sustainable products and renewable energy
- Removing emissions from the atmosphere through pro-active management of existing trees and woodland and, where appropriate, more extensive tree planting
- Restoring peatlands
- Significantly expanding existing and creating new wildflower meadows and other semi-natural grassland.

As part of the review of council assets mentioned in section D.3, each of these options will be considered to establish how they can best contribute to achieving our net-zero targets. All of the above options also provide additional benefits including improved biodiversity and contributing to climate change adaptation.

There are other offsetting options including involvement in accredited schemes outwith the local area such as investment in national and international renewable energy and afforestation projects. The priority, however, should be developing local projects to maximise the benefits and opportunities within West Lothian. Only once all these options have been exhausted should other initiatives be considered.

E. CONCLUSION

Carbon offsetting will have a significant role to play in achieving the council's net-zero carbon target, compensating for any remaining emissions produced by our activities. The extent of current offsetting from council owned land and the opportunities for enhancement and expansion will be established in early 2021 and included in the new West Lothian Climate Change Strategy.

F. BACKGROUND REFERENCES

Climate Emergency Working Group Recommendations – West Lothian Council 17 March 2020

Climate Emergency Declaration Motion – West Lothian Council 24 September 2019

Scottish Forestry Strategy 2019-29 - <https://www.gov.scot/publications/scotlands-forestry-strategy-20192029/>

Appendices/Attachments: None

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Craig McCorriston, Head of Planning, Economic Development & Regeneration

Date of meeting: 2 February 2021

Environment Policy, Development and Scrutiny Panel

Workplan 2020/2021

1.	Scotland's Climate Change Declaration – Annual Report 2019/20	The purpose of this report is to inform the Panel of West Lothian's annual Scottish Climate Change Declaration Report for 2019/20. Report to be submitted to the PDSP on 10 November 2020	Peter Rogers	10 November 2020	Yes
2.	Petition - Request for Speed Reduction Measures in Falside, Bathgate	The purpose of this report is to inform the Panel of the receipt of a petition from the residents in the Falside area, Bathgate. This petition was remitted to the Environment PDSP from the Council Executive at its meeting on the 18 August 2020. Report to be submitted to the PDSP on 10 November 2020	Gordon Brown/Stuart Geddes	10 November 2020	Yes
3.	Consultation on Cycle 2 Of the Forth Estuary Flood Risk Management Strategies and Plans	The purpose of the report is to update the Panel on the forthcoming public consultation for the Draft 2021 - 2027 Forth Estuary Flood Risk Management Strategy and the Draft 2022-2028 Forth Estuary Local Flood Risk Management Plan. Report to be submitted to the PDSP on 10 November 2020	Graeme Hedger/Shona Collins	10 November 2020	Yes
4.	Environment PDSP Performance Report – Quarter 2	To report the current levels of performance for all indicators which are the responsibility of the Environment Policy Development and Scrutiny Panel Report to be submitted to the PDSP on 10 November 2020	Jim Jack	10 November 2020	No
5.	Travelling Funfairs (Licensing)(Scotland) Bill – Call for Views	To make the Panel aware of the Scottish Parliament's call for views on the Travelling Funfairs (Licensing) (Scotland) Bill and to invite the Panel to consider the draft response appended to this report. Report to be submitted to the PDSP on 10 November 2020	Audrey Watson	10 November 2020	Yes

6	Active Travel Plan for West Lothian 2021 To 2026	The purpose of this report is to inform the Panel that the current Active Travel Plan for West Lothian requires to be reviewed and a new five-year plan developed for the period 2021 to 2026. Report to be submitted to the PDSP on 10 November 2020	Ronnie Fisher	10 November 2020	No
7.	Dealing with the Presence of Coal Tar in Roads and Footways	The purpose of this report is to inform the Panel of the impacts of the presence of coal tar when found in roads and footways. Report to be submitted to the PDSP on 10 November 2020	Ronnie Fisher	10 November 2020	No
8.	Accessibility Improvement Schemes to The Road and Footway Network 2020/21 And 2021/22	The purpose of this report is to inform the Panel of officers' recommendations for the programme of works for accessibility schemes (2020/21 and 2021/22). Report to be submitted to the PDSP on 10 November 2020	Ronnie Fisher	10 November 2020	Yes
9.	School Crossing Patrol Guides - Recruitment Difficulties	The purpose of this report is to advise the Panel of the current vacancy levels in the Street Crossing Patrol Guides service and the steps being taken to recruit staff to mitigate this shortfall. Report to be submitted to the PDSP on 10 November 2020	Jamie Fisher	10 November 2020	No
10.	Consultation Response to Scotland's Road Safety Framework to 2030	Report to be submitted to the PDSP on 10 November 2020	Graeme Malcolm	10 November 2020	Yes
11.	Operational Services Management Plan 2020/21	To advise the panel of the purpose, scope and content of the Operational Services Management Plan for 2020/21 Report to be submitted to the PDSP on 10 November 2020	Jim Jack	10 November 2020	No
12.	Planning, Economic Development and Regeneration Management Plan 2020/2021	The purpose of the report is to make the panel aware of the Planning, Economic Development and Regeneration Management Plan 2020/21. Report to be submitted to the PDSP on 10 November 2020	Craig McCorriston	10 November 2020	No

13.	Open Space Plan 2020 – 2024	<p>The purpose of this report is to make the panel aware of the content and adoption of the Open Space Plan for the period 2020-2024 and highlight to the panel the plans for the document going forward. Also, to seek approval for submission of the plan to Council Executive for approval.</p> <p>Report to be submitted to the PDSP on 10 November 2020</p>	David Cullen	10 November 2020	Yes
14.	Petition - Request for The Removal of The Spaces for People Temporary 20mph Speed Limits	<p>The purpose of this report is to inform the Panel of the receipt of an electronic online petition from Lorenzo F. This petition was remitted to the Environment PDSP from the Council Executive at its meeting on the 15 December 2020.</p> <p>Report to be submitted to the PDSP on 2 February 2021</p>	Gordon Brown	2 February 2021	Yes
15.	2020/21 Financial Performance – Month 6 Monitoring Report	<p>To provide the Panel with an update on the financial performance of the Environment portfolio.</p> <p>Report to be submitted to the PDSP on 2 February 2021</p>	Robert Young	2 February 2021	Yes
16.	Consultation on Cycle 2 Of the Forth Estuary Flood Risk Management Strategy and Plan – Update on West Lothian Council's Actions	<p>The purpose of this report is to advise the Panel of the proposed Flood Risk Management Actions for the Council, for Cycle 2 of the Flood Risk Management (Scotland) Act 2009, and to inform the Panel of the launch of the full public consultation on the Draft 2021-2027 Forth Estuary Flood Risk Management Strategy and the Draft 2022-2028 Forth Estuary Flood Risk Management Plan.</p> <p>Report to be submitted to the PDSP on 2 February 2021</p>	Shona Collins	2 February 2021	Yes
17.	Broxburn Flood Protection Scheme – Review of Flood Event	<p>The purpose of this report is to update the Panel, following preliminary review by officers and subsequent technical review, of the event which took place on 27 August 2020 and flooded 21 properties in Nicol Road and Pyothall Court, Broxburn and the implications that this has for any future flood protection scheme.</p> <p>Report to be submitted to the PDSP on 2 February 2021</p>	Graeme Hedger	2 February 2021	No

18.	West Lothian Statutory Return to Scottish Government on Public Body Reporting on Biodiversity Duty: 2018 - 2020	Report to the panel to advise on the proposed statutory return to the Scottish Government on how West Lothian Council has implemented its biodiversity duty over the 3-year period 2018-2020. Report to be submitted to the PDSP on 2 February 2021	Chris Alcorn	2 February 2021	Yes
19.	Easter Inch Moss & Seafield Law Local Nature Reserve – Review of Habitat Management Plan (2011 - 21)	To inform the Panel of the review of the LNR Habitat Management Plan (2011-21) for the site between Blackburn & Seafield. Report to be submitted to the PDSP on 2 February 2021	Chris Alcorn	2 February 2021	No
20.	Climate Emergency Update, Reporting & Timescales	The purpose of this report is to update the panel on progress made in the response to the Climate Emergency and to present proposals for revised reporting timescales. Report to be submitted to the PDSP on 2 February 2021	Peter Rogers	2 February 2021	Yes
21.	The Role of Planning in tackling Climate Change	The purpose of the report is to make the panel aware of the role of planning in tackling climate change. Consideration of the role was a matter considered by West Lothian Council at a meeting on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Chris Alcorn	2 February 2021	No
22.	Sustainable Procurement Duty	This report provides an update to the Environment Policy Development and Scrutiny Panel on progress in the council's progress in implementing the Sustainable Procurement Duty. Report to be submitted to the PDSP on 2 February 2021	Angela Gray	2 February 2021	No
23.	Youth Engagement on Climate Emergency	To update the Panel on the plan for engaging young people in the development of the Climate Change Strategy, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Joanna Anderson	2 February 2021	No

24.	Waste and Recycling Future Legislative Influences Reducing Environmental Impact	To update the Panel on future, environmentally driven, legislative influences affecting the collection, transport and processing of the materials generated by West Lothian residents and businesses, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	David Goodenough	2 February 2021	No
25.	Decarbonising the Council's Fleet	To update the Panel on opportunities and methods through which the council can move towards decarbonising the council's fleet, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	David Goodenough	2 February 2021	No
26.	Plans to develop EV charging infrastructure across West Lothian	To update the Panel on the existing Electric Vehicle (EV) charging infrastructure across West Lothian and outlining options for increasing and enhancing the charging network as part of our Climate Emergency response, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Peter Rogers	2 February 2021	Yes
27.	The Integration of net zero carbon targets in Housing Strategy	To update the Panel on the proposals for the integration of net carbon zero targets in housing strategy, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Ann Marie Carr	2 February 2021	No
28.	Improving the energy efficiency of council buildings	To update the Panel on options for decarbonising existing and future non-domestic buildings, including the use of renewable technologies where appropriate as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Peter Rogers	2 February 2021	No
29.	Carbon Offsetting	To update the Panel on carbon offsetting requirements, as agreed at a meeting of West Lothian Council on 10 March 2020. Report to be submitted to the PDSP on 2 February 2021	Peter Rogers	2 February 2021	No

30.	Climate change issues and actions identified by service areas	Report to be submitted to the PDSP on 30 March 2021	Peter Rogers	30 March 2021	
31.	Section 7 Agreements – Sewerage Scotland Act 1968	Report to be submitted to the PDSP on 30 March 2021	Graeme Hedger	30 March 2021	
32.	Environment PDSP Performance Report – Quarter 3	To report the current levels of performance for all indicators which are the responsibility of the Environment Policy Development and Scrutiny Panel Report to be submitted to the PDSP on 30 March 2021	Jim Jack	30 March 2021	No
33.	Pentland Hills Regional Park – funding 2021/22 & updated Minute of Agreement.	Report to the panel to advise on the requested from City of Edinburgh Council as management organisation for PHRP and the revision and proposed update of the Minute of Agreement between CEC and Midlothian Council to operate the Regional Park. Report to be submitted to the PDSP on 30 March 2021	Chris Alcorn	30 March 2021	Yes
34.	Easter Inch Moss & Seafeld Law Local Nature Reserve - update of Habitat Management Plan and wind up of local residents' habitat management group.	Report to the panel to advise on the revision of the EIM&SL LNR Habitat Management Plan from 2014 and the decision to wind-up the local residents habitat management groups after c15 years due to lack of local interest. Report to be submitted to the PDSP on 30 March 2021	Chris Alcorn	30 March 2021	No
35.	Operational Services Management Plan 2021/22	To advise the panel of the purpose, scope and content of the Operational Services Management Plan for 2021/22 Report to be submitted to the PDSP on 1 June 2021	Jim Jack	1 June 2021	No
36.	Food Growing Strategy – Plan for Approval	Report to be submitted to the PDSP on 1 June 2021	David Cullen	1 June 2021	Yes

37.	Licensing of Sexual Entertainment Venues	Report to advise the panel of the outcome of public and stakeholder consultation regarding whether West Lothian should introduce an SEV licensing scheme and to seek comments on proposals	Audrey Watson	To be confirmed	Yes
38.	Hire Car Licensing	Report to advise the panel of the outcome of public and stakeholder consultation regarding the proposed review of the hire car licensing scheme and to seek comments on priorities for the review	Audrey Watson	To be confirmed	Yes
39.	Contaminated Land Supplementary Guidance, including the Contaminated Land Inspection Strategy	The purpose of this report is to advise the panel of preparation of Supplementary Guidance (SG) on contaminated land in support of the West Lothian Local Development Plan (LDP) and a contaminated land inspection strategy.	Fiona McBrierty	To be confirmed	Yes
40.	Broxburn Flood Protection Scheme - Property Level Protection	Report to advise the Panel of the progress being made delivering property-level protection	Graeme Hedger/Shona Collins	To be confirmed	Yes. Info only
41.	Reservoir Safety	Report to advise the Panel of the measures being taken to ensure the safety of Beecraigs Reservoir in the context of ageing infrastructure, a changing climate and recent dam failures elsewhere in the UK	Graeme Hedger	To be confirmed	Yes. Info only
42.	Communication protocol in respect of wastewater treatment in the Almond Valley		Graeme Malcolm	To be confirmed	Yes

Jim Jack
Head of Operational Services
 2 February 2021