DATA LABEL: Public

Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

3 June 2021

A meeting of the **Council Executive** of West Lothian Council will be held within the **MS Teams Virtual Meeting Room** on **Tuesday 8 June 2021** at **10:00am**.

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, declarations of interest in any urgent business and consideration of reports for information.

   The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. Confirm Draft Minutes of Meeting of Council Executive held on Tuesday 18 May 2021 (herewith)

Public Items for Decision

5. Food Service Plan 2021/22 - Report by Head of Planning, Economic Development and Regeneration (herewith)

6. Health and Safety Service Plan 2021/22 - Report by Head of Planning, Economic Development and Regeneration (herewith)

7. UK Community Renewal and Levelling Up Funds - Project Update - Report by Head of Planning, Economic Development and Regeneration (herewith)

8. Scotland Loves Local - West Lothian Gift Card Initiative - Report by Head of Planning, Economic Development and Regeneration (herewith)

9. Regeneration Capital Grant Fund Bathgate Reconnect Regal - Report by Head of Planning, Economic Development and Regeneration (herewith)

10. Community Transport Provision Update - Report by Head of Operational Services (herewith)

11. 1 Drovers Road, Broxburn - Proposed Extension to Lease to JWR Holdings Limited - Report by Head of Finance and Property Services (herewith)

12. The Lanthorn Centre, Livingston - Update - Report by Head of Finance and Property Services (herewith)

13. Beatlie School Campus - Learning Estate Investment Programme Update - Joint Report by Head of Education (Learning, Policy and Resources) and Head of Finance and Property Services (herewith)

14. East Livingston and East Calder Local Government By-Election - Report by Chief Executive (herewith)

Public Items for Information

15. Bus Partnership Fund - Report by Head of Operational Services (herewith)

16. Action taken in terms of Standing Order 31 (Urgent Business) - Education Quality Assurance Committee Meeting Timetable - Report by Depute Chief Executive (herewith)

NOTE **For further information please contact Anastasia Dragona on tel. no. 01506 281601 or email anastasia.dragona@westlothian.gov.uk**

West Lothian Council

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

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

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

NAME	MEETING	DATE

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

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

Other key terminology appears on the reverse.

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

March 2019

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

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

The General Exclusions

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

Particular Dispensations

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

The Specific Exclusions

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

Categories of "other persons" for financial and non-financial interests of other people

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

MINUTE of MEETING of the COUNCIL EXECUTIVE held within MS TEAMS VIRTUAL MEETING ROOM, on 18 MAY 2021.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Frank Anderson, Tom Conn, David Dodds, Damian Doran-Timson, Peter Heggie, Chris Horne, Charles Kennedy, Cathy Muldoon and George Paul

Apologies – Councillors Janet Campbell and Harry Cartmill

At the start of the meeting, the Chair allowed participants a minute of reflection on Councillor Dave King, following his recent passing.

1 DECLARATIONS OF INTEREST

Agenda item 9 - Former Library, 6-7 The Vennel, Linlithgow - Proposed Lease

Councillor Tom Conn declared an interest as a Trustee of Linlithgow Community Development Trust. He would not participate in this item of business.

Councillor Chris Horne declared an interest as a Trustee of Linlithgow Community Development Trust. He would not participate in this item of business.

2 ORDER OF BUSINESS

The Chair ruled in terms of Standing Order 8 that agenda item 9 (Former Library, 6-7 The Vennel, Linlithgow - Proposed Lease) would be considered as the last item of business.

The Council Executive noted that agenda items 16 (Covid-19 Support Payments - Timescales and Process), 17 (Publication of Elected Members Remuneration, Expenses and Allowance Information 2020/21) and 18 (Action taken in terms of Standing Order 31 (urgent business) - West Lothian Applications to Scottish Government Vacant & Derelict Land Investment Programme) were for information only. Members intimated they wished to ask questions on agenda item 18. Therefore, agenda items 16 and 17 were to be taken as read, with their recommendations noted.

3 MINUTES

The Council Executive approved the minute of its meeting held on 20 April 2021.

4 EQUALITY MAINSTREAMING AND EQUALITY OUTCOMES

The Council Executive considered a report (copies of which had been

circulated) by the Head of Corporate Services providing an update on progress on delivering the Council's Equality Outcomes and Mainstreaming Progress Report 2019–2021 and presenting the draft Equality Outcomes and Mainstreaming Framework 2021–2025.

It was recommended that the Council Executive:

1. Note the terms of the Council's Equality Outcomes and mainstreaming Progress Report 2019-2021; and

2. Approve the draft Equality Outcomes and Mainstreaming Framework 2021–2025.

Decision

To approve the terms of the report.

5 THE PUBLIC RECORDS (SCOTLAND) ACT 2011 AND SUBMISSION OF THE COUNCIL'S RECORDS MANAGEMENT PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services providing an update on the changes to the Public Records (Scotland) Act 2011 (PRSA) Model Records Management Plan and presenting a draft of the Council's updated Records Management Plan for approval.

It was recommended that the Council Executive:

1. Note the changes made to the Public Records (Scotland) Act 2011 Model Records Management Plan;

2. Approve the draft of the Council's updated Records management Plan; and

3. Note that the council's updated Records Management Plan would be submitted to the Scottish Government agent the Keeper of the Records of Scotland (the Keeper) for agreement.

Decision

To approve the terms of the report.

6 REVISED COMPLAINT HANDLING PROCEDURE

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive presenting the council's revised Complaint Handling Procedure for approval.

It was recommended that the Council Executive approve the revised Complaint Handling Procedure.

Decision

To approve the terms of the report.

7 SCOTTISH POLICE AUTHORITY - REVIEW OF POLICE SCOTLAND'S PERFORMANCE

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services providing the response to questions posed by the Scottish Police Authority regarding the review of Police Scotland Performance in 2020/2021.The response would inform the Scottish Police Authority in their assessment process for the development of their Annual Report and Accounts 2020/2021.

It was recommended that the Council Executive approve the report and submit to the Scottish Police Authority by 1 June 2021.

Decision

To approve the terms of the report.

8 PROPOSED LEASE - 36A INCHMUIR ROAD, WHITEHILL INDUSTRIAL ESTATE, BATHGATE TO WEST LOTHIAN FOODBANK

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval of the proposed lease of premises at 36A Inchmuir Road, Whitehill Industrial Estate, Bathgate to West Lothian Foodbank.

It was recommended that the Council Executive:

1. Approve the lease of the property at 36A Inchmuir Road, Bathgate to West Lothian Foodbank on the terms set out in the report; and

2. Authorise the Head of Finance and Property Services to undertake further negotiations and to vary the terms of the lease, provided that variations were not material and continued to represent best value.

Decision

To approve the terms of the report.

9 PROCUREMENT APPROVAL REPORT

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services seeking approval to enter into contracts where Committee authorisation was required by Standing Orders.

It was recommended that the Council Executive approve:

1. A direct award of a contract to Wellbeing Scotland for independent counselling for a period of 2 years from 1 June 2021 to 31 May 2023, with an estimated value of £222,000;

2. A direct award to Real Life Options for Day Care Provision for a period of 18 months from 01/10/2021 to 31/03/2023, with an estimated value of £557,820;

3. A direct award of a contract to Northgate for a 2-year contract for support and maintenance of the GLAMIS system from 1 July 2021 to 30 June 2023 with a total estimated cost of £31,000;

4. A direct award of a contract for 5 years to Northgate for support and maintenance of the COINS system from 1 August 2021 to 31 July 2026 with a total estimated cost of £40,000;

5. A direct award of a contract for an upgrade of the IKEN system, together with 2 years support and maintenance of the IKEN system to IKEN Business Ltd from 1 November 2021 to 31 October 2023 with a total estimated cost of £30,000; and

6. a) An extension to the Large Vehicle School Transport Framework for a period of 12 months from 1 July 2021 to 30 June 2022, with an estimated value of £2.9m; and

   b) An extension to the Taxi and Minibus School Transport Framework for a period of 12 months from 1 July 2021 to 30 June 2022, with an estimated value of £4.7m.

Decision

To approve the terms of the report.

10 REVIEW OF THE PLANNING ENFORCEMENT CHARTER

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning. Economic Development and Regeneration seeking approval of the proposed revisions to the Planning Enforcement Charter. The charter set out the duties and responsibilities of the planning enforcement service within Planning Services.

It was recommended that the Council Executive:

1. Note that enforcement was a discretionary power and that formal enforcement action should be seen as a last resort in terms of dealing with unauthorised development and activities;

2. Note the detail of the proposed Planning Enforcement Charter (Appendix1);

3. Agree the proposed responses to the comments received during consultation on the revised charter (Appendix 2); and

4. Approve the content of the reviewed Enforcement Charter.

Decision

To approve the terms of the report.

11 NATIONAL PLANNING FRAMEWORK (NPF4) - CALCULATING THE 10-YEAR MINIMUM ALL-TENURE HOUSING LAND REQUIREMENT (MATHLR)

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising members of the Scottish Government's intimation of initial Default Estimates of Minimum All-tenure Housing Land Requirement (MATHLR) figures for West Lothian, the starting point for establishing the housing allocation figures to be set out in the forthcoming National Planning Framework (NPF4), and seeking approval of the council's response.

It was recommended that the Council Executive:

1. Note the terms of the engagement from the Scottish Government's Chief Planner and Director for Housing and Social Justice, as set out in Appendix 1 to the report; and

2. Approve and agree to submit the Response Template to Scottish Government as the council's response to the engagement exercise, as set out in Appendices 2 and 3.

Decision

To approve the terms of the report.

12 SUPPLEMENTARY GUIDANCE: RENEWABLES AND LOW CARBON ENERGY DEVELOPMENT (EXCLUDING WIND ENERGY)

Councillor Frank Anderson did not participate in the remainder of the meeting following a general technical issue at agenda item 13.

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising members of the outcome of a consultation on draft Supplementary Guidance for Renewable & Low Carbon Energy Development (excluding Wind Energy) and seeking approval of the guidance.

It was recommended that the Council Executive:

1. Agree the responses to the comments received during consultation on the draft Planning Guidance (Appendix 1);

2. Approve the content of the Supplementary Guidance 'Renewables & Low Carbon Development (excluding wind energy)' (Appendix 2);

3. Approve the 'Screening Report' which was to be submitted to the SEA Gateway and the Consultation Authorities and which set out the council's justification that the guidance was exempted from additional Strategic Environmental Assessment because it would not in itself have any significant environmental effects and there were no additional environmental effects not previously considered in the SEA for the LDP;

4. Delegate authority to the Head of Planning, Economic Development and Regeneration to timeously issue a 'Screening Determination' in the event that the SEA Gateway and the Consultation Authorities confirm their agreement that the guidance would not in itself have any significant adverse environmental effects, and to report the outcome of the SEA screening process to a future meeting of the Council Executive for information; and

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

Decision

To approve the terms of the report.

13 DELAY OF INTEGRATION SCHEME REVIEW

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy revisiting the conduct of the review of the Integration Scheme required under legislation relating to the integration of health and social care services.

It was recommended that the Council Executive:

1. Note the requirement of the Public Bodies (Joint Working) (Scotland) Act 2014 to fully review the Integration Scheme for the West Lothian Integration Joint Board every five years, by 16 June 2020;

2. Note that on 21 January 2020 Council Executive had agreed an indicative timetable and procedure for the review which could then not be met due to the risks, precautions and legal restrictions arising from COVID-19;

3. Note that subsequently Council Executive agreed to delay the review process, most recently until Spring 2021;

4. Note that discussions between council officers and NHS Lothian

colleagues had now recommenced to plan for the review process; and

5. Agree a further delay to the review until Summer 2021 due to COVID-19 pressures and that a further report would be brought to Council Executive in August 2021 with a view to setting an indicative timetable.

Decision

To approve the terms of the report.

14 COVID-19 SUPPORT PAYMENTS - TIMESCALES AND PROCESS

The Council Executive Considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on Covid Support Payments and the proposed timescales and process for delivery of the payments.

It was recommended that the Council Executive note:

1. That two £100 Family Pandemic Payments would be paid in summer and winter 2021 and that it was estimated 6251 children/young people would benefit;

2. The Low-Income Pandemic Payment (LIPP) of £130 which was payable by the end of October 2021, with 16,003 West Lothian households potentially benefitting from the LIPP payment; and

3. the challenging timescales for delivering the LIPP payments given the complex nature of the criteria and the volume of payments.

Decision

To note the terms of the report.

15 PUBLICATION OF ELECTED MEMBERS REMUNERATION, EXPENSES AND ALLOWANCE INFORMATION 2020/21

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services informing members of the levels of Elected Members Remuneration, Allowances and Expenses paid from 1 April 2020 to 31 March 2021 and providing details of training undertaken during this period.

It was recommended that the Council Executive note the terms of the report and display the schedules attached to the report as Appendices on the council's website.

Decision

To note the terms of the report.

16 ACTION TAKEN IN TERMS OF STANDING ORDER 31 (URGENT BUSINESS) - WEST LOTHIAN APPLICATIONS TO SCOTTISH GOVERNMENT VACANT & DERELICT LAND INVESTMENT PROGRAMME

The Council Executive noted the action taken in terms of Standing Order 31 (Urgent Business) to approve the terms of the report as outlined by the Head of Planning, Economic Development and Regeneration.

As previously agreed members of the Council Executive proceeded to ask questions of the Head of Finance and Property Services on the matters contained in the report.

Decision

To note the action taken in terms of Standing Order 31 (Urgent Business).

17 FORMER LIBRARY, 6-7 THE VENNEL, LINLITHGOW - PROPOSED LEASE - LINLITHGOW COMMUNITY DEVELOPMENT TRUST

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval to enter into a lease agreement for the former library at 6-7 The Vennel, Linltihgow with Linlithgow Community Development Trust (Linlithgow CDT) for use as a community and business support hub.

It was recommended that Council Executive:

1. Note that Council Executive on 6 October 2020 had instructed officers to engage with local community groups to explore leasing the former library property as a community hub;

2. Approve the granting of community benefit lease in favour of Linlithgow CDT on the basis of the heads of terms set out within the report; and

3. Delegate authority to the Head of Finance and Property Services to negotiate and conclude the lease agreement on the basis that the terms still represented best value for the council.

Decision

To approve the terms of the report.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

FOOD SERVICE PLAN 2021/2022

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to make the Council Executive aware of the obligation upon the council to approve an annual Food Service Plan, and to seek approval for the Food Service Plan 2021/2022.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the content of the report and accompanying Food Service Plan; and

2. approves the Food Service Plan 2021/2022.

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)**	The Food Law Code of Practice (Scotland) determines the requirements upon local authorities for the delivery of food safety and public protection activities. The statutory requirements outlined in section 1 of the code are to be brought to the attention of local authority officials and or elected members responsible for agreeing budgets or other service arrangements relevant to the delivery of official controls. The Public Health (Scotland) Act 2008 places a duty on the NHS Lothian to produce a joint health protection plan in collaboration with relevant local authorities. The Drinking Water Quality Regulator (DWQR) maintains an overview and direction for local authority duties in regard to private water supplies. The plan does not require a strategic

		environmental assessment. The plan deals with issues of equality and risk.
III	**Implications for Scheme of Delegations to Officers**	There are no implications for the scheme of delegation. In terms of the Food Law Code of Practice (Scotland) the designated lead food officer is the Environmental Health Manager.
IV	**Impact on performance and performance Indicators**	The Food Service Plan identifies how work will be prioritised to ensure a high level of performance in work that has greatest impact on protecting public health. Performance indicators are reported internally and publically through covalent.
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 7 We live longer, healthier lives and have reduced health inequalities.
VI	**Resources - (Financial, Staffing and Property)**	The service plan has been developed to be delivered within current resources. This requires prioritisation and changes to the extent and method of service delivery. This means not all aspects of the service can be delivered in line with all external requirements and expectations.
VII	**Consideration at PDSP**	The plan was presented to the Environment PDSP on the 1 June 2021. The panel were advised the plan would be reported to Council Executive with a recommendation for approval. This was agreed by the panel. No changes to the service plan were required following consideration by the panel.
VIII	**Other consultations**	None.

D. TERMS OF REPORT

D1 Background

Since the 1 April 2015, Food Standards Scotland (FSS) has been responsible for all strategic and policy aspects of food standards, food safety and feed safety in Scotland. This is a responsibility previously undertaken for the whole of the UK by the Food Standards Agency.

There are specific legal obligations placed on local authorities in regard to delivering food safety official controls. Section 1 of the Food Law Code of Practice (Scotland) requires the statutory obligations covered to be brought to the attention of local authority officials and or elected member bodies responsible for agreeing budgets or other service arrangements relevant to the delivery of official controls.

The obligations that apply to the delivery of official controls by local authorities include ensuring:

- The effectiveness and appropriateness of official controls.
- That controls are applied at an appropriate risk-based frequency.
- That they have a sufficient number of suitably qualified and experienced competent staff and adequate facilities and equipment to carry out their duties properly.
- That staff are free from conflicts of interest.
- That they have access to an adequate laboratory capacity and capability for testing.

The Food Service Plan outlines how these and other official control obligations are being met and pursued within West Lothian. Appendix 1 to this report gives a summary of these obligations and approach taken.

FSS is responsible for ensuring that appropriate and adequate arrangements are in place to meet official control obligations in Scotland. This role includes the production of statutory Codes of Practice approved by Ministers setting standards for the delivery of official controls by local authorities and the monitoring of service delivery through annual returns and audit of relevant local authority services

D2 Purpose of the Plan

Safe food and drink is something which the vast majority of the population take for granted. The safety of this fundamental human need relies on a competent, trustworthy and properly regulated and managed supply monitored mainly by environmental health professionals working within local authorities. This essential work often goes unnoticed. The consequences of a failure in the safety of the food and drink we consume can be catastrophic in costs to human health, the food industry, governments, reputation, public confidence and trust. One of the purposes of the Food Service Plan is to outline how such controls are delivered in West Lothian within current resources.

The plan, however, also incorporates other closely linked elements of public health protection undertaken by officers within the environmental health service including infectious disease control and the regulation of private water supplies and recreational water quality and safety.

Although elements of the food service will be reflected in the service management plan for Planning, Economic Development and Regeneration, the creation of a detailed food service plan is a distinct requirement. The structure of the service plan is determined by guidance contained within the framework agreement, and a copy of the proposed plan for 2021/2022 is attached for review and consideration.

D3 Protection

The key role of the service is public health protection. The service plan gives an overview of how this is delivered in West Lothian. The mission statement for the service is – "*To protect public health and contribute to a healthy community in West Lothian by ensuring the safety, wholesomeness and quality of food and water through education and enforcement*."

The service plan identifies the different aspects and approaches of service delivery to ensure a rounded, balanced and effective approach to public health protection.

The plan reflects the risk based prioritisation of the service and recognises that not all aspects can be delivered in line with the requirements of the Food Law Code of Practice (Scotland). For example, not all food safety inspections can be targeted by their due date. This and other aspects have been outlined in previous service plans.

The service plan reflects a number of positive outcomes over recent years in terms of improvements to food safety standards within West Lothian food establishments including increasing levels of compliance and maintaining high levels of customer satisfaction from business operators. It also reflects a very unusual and challenging year in 2020/2021 in responding to the COVID pandemic.

D4 Performance and Performance Management

The Food Service Plan details important elements of performance by presenting statistics and case studies to illustrate the balance between the output and outcomes of service delivery.

Everyone working within the service has a responsibility for ensuring the delivery of the best service possible. To help deliver a positive and productive performance culture the service ensures targets are established which focus on outcomes and outputs.

Performance is monitored and assessed by various methods and reported internally and publically. Performance expectations and standards are outlined and reported in the following ways:

- Public reporting through Pentana.
- Audit by Food Standards Scotland (formerly Food Standards Agency).
- Legislation, enforcement and technical guidance.
- Internal working documents and procedures.
- Food Service Plan.
- Internal monitoring of performance.
- Appraisal and Development Review (ADR) process.
- Training and professional development of officers and management.
- Reporting to external agencies.
- Internal reporting to elected members and corporate management.

The changing nature of demands upon the service requires a flexible approach to balancing often competing priorities. Food safety and public health protection will always provide challenges. Officers and managers continue to take a constructive and professional approach to such matters, and through prioritisation, effective work planning and delivery, the service has ensured good performance in a number of areas.

The most significant impact on the service during 2020/2021 was the COVID pandemic and the response required by the service to address the public health concerns and issues resulting. The focus of the commercial team within the service had to move from food safety controls in businesses to public health controls in terms of COVID control regulations.

However, even in challenging times it is important to acknowledge the positive aspects of team work addressed and delivered during 2020/2021. These include:

- The response by the service and officers to the COVID pandemic and adapting to new working methods, and new enforcement and regulatory responsibilities. Points to note include:
    - Developing new knowledge and skills in addressing ever changing public health and regulatory controls for dealing with the pandemic.
    - Providing significant support to businesses and members of the public in understanding the requirements of regulations and guidance being issued.
    - Keeping elected members aware of the requirements to help assist with constituent enquiries.
    - Working with NHS Lothian colleagues in managing incidents and outbreaks.
    - Training and developing staff to work as contact tracers in the early stages of the pandemic before more structured approaches could be put in place nationally.
- Working with Food Standards Scotland to develop a strategy for re-starting of food safety inspection plans and programmes impacted by the pandemic.
- Working with Food Standards Scotland and other local authority colleagues to address issues around export and import of food as a consequence of the UK departure from the EU.
- Securing a new contract for provision of public analyst and food examiner laboratory services.

D5 Challenges

Dealing with risks to public health along with an increasing workload remains a significant challenge for the service, as does capacity and resilience in the event of a major incident. However, the challenge and demand continue to be positively managed and also supported by officers. This is achieved through established work priorities, improved efficiency and effectiveness in work planning and actions, ensuring appropriate and balanced enforcement action, supporting businesses where possible to work safely, and supporting officers in dealing with difficult and complex public health protection work. The priority focus remains on outcomes and not just output. This approach has been in place for many years with some adjustments and refinements over time.

The plan for 2021/2022, and beyond, is to ensure the service focuses resources at priority areas of work, and takes correct action to protect public health when risks are identified.

E. CONCLUSION

The Food Service Plan 2021/2022 aims to reflect the ongoing work of Environmental Health & Trading Standards in protecting food safety and public health in West Lothian.

F. BACKGROUND REFERENCES

1. Report to Council Executive – Food Service Plan 2020/2021, 23 June 2020.

2. Report to the Environment Policy Development and Scrutiny Panel – Food Service Plan 2021/2022, 1 June 2021.

Appendices/Attachments: Two

Appendix 1 Summary of official control obligations.

Food Service Plan 2021/2022.

Contact Person: Craig Smith, Environmental Health & Trading Standards Manager, 01506 282385, craig.smith@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development & Regeneration

8 June 2021

Appendix 1

The Food Service Plan 2021/2022 deals with the following matters in more detail and depth. However the following outlines the main operational obligations on competent authorities in terms of Regulation (EC) 882/2004 and the measures for delivery within West Lothian.

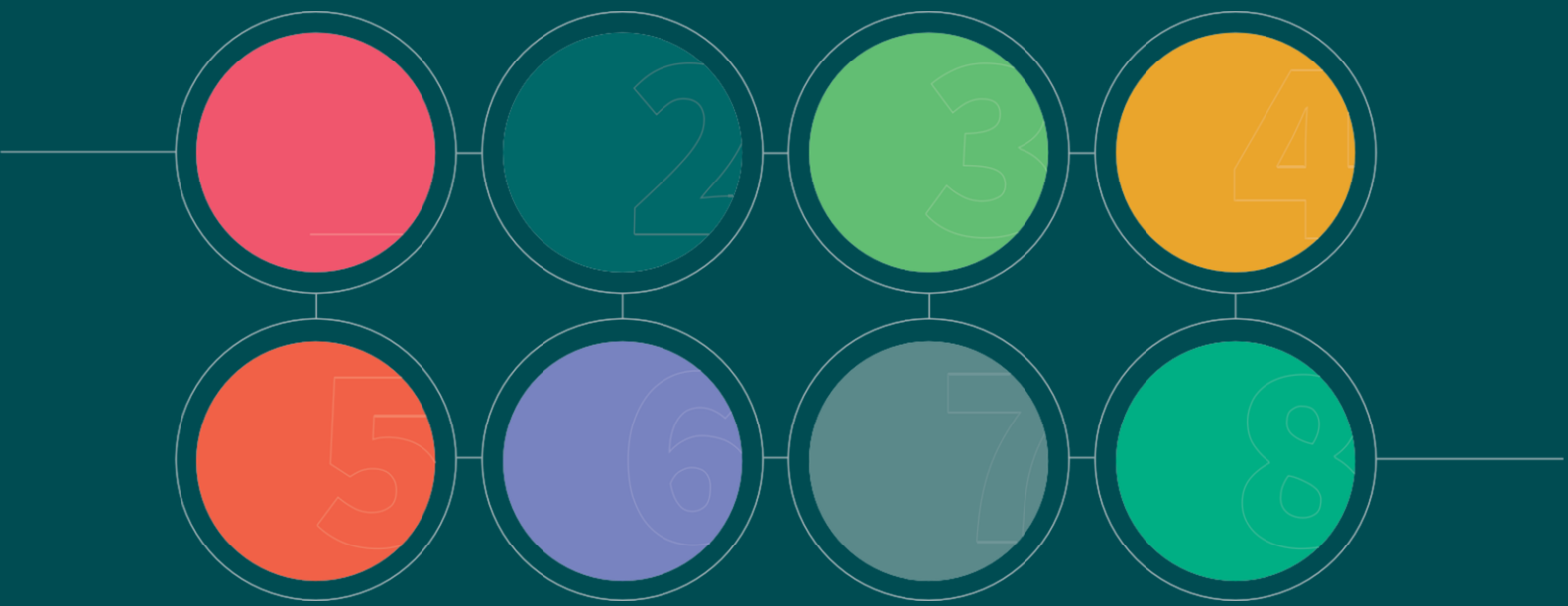
Obligation on local authorities	Summary of service delivery in West Lothian
Official controls are applied at an appropriate risk-based frequency. (Article 3, (1))	It has been highlighted in previous food service plans that not all controls are completed in accordance with the timescales determined within the Food Law Code of Practice (Scotland). Prioritisation is given to the highest risk premises for inspection. There was an impact on service delivery from vacancies within the service. There was an issue with attracting suitably qualified staff to advertised posts. This impact is ongoing. Recruitment to vacant posts will be pursued through 2021/2022. In 2020/2021: • The inspection plan was impacted in order to give priority to the public health response to the COVID pandemic. There were no routine proactive food safety inspections completed. • There were a significant number of business engagements in response to the pandemic and which included review and discussion of food safety practices with the business operator. • There were a large number of service requests received. 97.8% were responded to by the due date.
The effectiveness and appropriateness of official controls. (Article 4, (2)(a))	The service has been audited by Food Standards Agency Scotland (now Food Standards Scotland). No major concerns were highlighted during audits. There is a balanced approach to enforcement and education, and a high level of business compliance, and business satisfaction with the approach taken by officers. The enforcement policy for the service is cited as a good example in the Scottish Regulators Code of Practice. In 2020/2021: • For all risk rated food establishments in West Lothian, 96.6% were broadly compliant in terms of food law requirements. • 97.8% of relevant establishments within the food hygiene information scheme held a Pass award.
Staff carrying out official controls are free from conflicts of interest. (Article 4, (2)(b))	This is addressed through the councils' code of conduct for employees.
They have access to an adequate laboratory capacity and capability for testing. (Article 4, (2)(c))	Edinburgh Scientific Services have been appointed to provide laboratory services. They are an official control laboratory and meet the necessary requirements. A food sampling plan is included within the service plan. Sampling outcomes are recorded on a national database – SFSS.

They have a sufficient number of suitably qualified and experienced competent staff and adequate facilities and equipment to carry out their duties properly. (Article 4, (2)(c) & (2)(d))	There is no official standard provided for determining sufficient numbers of staff. However, in recent years the service has delivered a high standard of output and outcomes. The professional development requirements for officers in terms of the code of practice are being met, and officers have the necessary facilities to complete their work. It is recognised within the service plan that work is not easily quantifiable and impacts on workload delivery will vary depending on circumstances. Resources available to support service delivery continue to be kept under review. Vacancies within the service have impacted on official control delivery. These vacant posts will continue to impact in 2021/2022 as recruitment is pursued. There are no reductions in staffing from previous service plan. West Lothian has the third lowest costs per 1,000 population for environmental health (Scottish average is £13,771, and West Lothian is £8,061 – figures from Local Government Benchmark Framework 2019/2020). Although there is some variability in the levels of service provision there is no real evidence of serious detriment to food safety and public health in West Lothian at this time.
They have legal powers to carry out official controls. (Article 4, (2)(e))	Officers carrying out official controls are authorised in terms of the Council's scheme of delegation. Authorisation documents are available for officers. Officers will be authorised in terms of legislation applicable and appropriate to level of professional competence and grading.
They have contingency plans in place, and are prepared to operate plans in event of emergency. (Article 4, (2)(f))	The service will implement emergency plans as appropriate. There are different national and regional incident management plans for purposes of consistency. Staff have been involved in testing these plans. There is a service wide business continuity plan which is tested and reviewed appropriately. There are also internal procedures and information to assist officers involved in emergency situations.
They shall ensure efficient and effective co-ordination between all competent authorities involved. (Article 4, (3))	The service will liaise and co-operate appropriately with Food Standards Scotland. The service is also involved with other regional local authority colleagues in the Lothian & Borders Food Liaison Group which provides regular links to ensure consistency of approach and sharing of intelligence. Officers are also involved in national networks and working groups. The service also has access to MEMEX for food crime intelligence sharing. The service also uploads official control data to the Scottish National Database. It will work with primary and home authority local authorities in ensuring consistent food law enforcement.
They shall ensure the impartiality, quality and consistency of official controls at all levels. (Article 4, (4))	Officers will follow national guidance and internal policies and procedures to ensure consistency of approach. Officers will regularly discuss issues of concern with colleagues and will come forward for consideration at

	monthly team meetings. Issues for clarification or opinion can also be shared with regional liaison group colleagues, and if necessary taken to national groups for determination. Concerns of interpretation will also be raised with Food Standards Scotland. The service has a Council approved and publically available enforcement policy which demonstrates a graduated and transparent approach to enforcement. It is recognised within the Scottish Regulators Code of Practice as a good example. All inspection reports and guidance issued will direct customers and business operators to the process of raising concerns which might arise from the implementation of official controls. Customer survey information with business customers has always reported high levels of satisfaction with officers and official control activity.
They shall carry out internal audits or may have external audits carried out to ensure the objectives of the regulation are being achieved. (Article 4, (6))	Internal monitoring procedures are in place. These will include performance management – with internal and public performance standards being made available. Monitoring will also involve accompanied visits, case review, 1-2-1 meetings and performance appraisal in compliance with the Council's ADR process. External audits are carried out by Food Standards Scotland. Annual returns have been made (LAEMS and SFEAR). Official control data is uploaded to Food Standards Scotland – Scottish National Database.
They shall ensure staff performing official controls receive appropriate training for area of competence, and have aptitude for multidisciplinary cooperation. (Article 6, (a)-(c))	Ongoing training and development is essential, and the food law code of practice anticipates at least 10 hours CPD will be provided annually. Training records are kept, and training opportunities are provided for all staff. Training and development needs will be discussed and considered as part of 1-2-1 and ADR discussions. A number of staff are involved with internal and external partners, working groups and represent the service competently in such circumstances. This is a key element of succession planning within the service.
They shall carry out activities with high level of transparency and make relevant information publically available. The public will have access to information on control activities and their effectiveness, and information relating to product withdrawls. (Article 7, (1))	An annual food service plan is developed and approved by Council Executive. This is a public document and is available on the council website. A lot of other information has been made available on the council website. The service participates in the Food Hygiene Information Scheme to ensure appropriate public information is available regarding food hygiene compliance in local food establishments. The service will also encourage businesses to pursue Eat safe awards, which are also publically available information regarding standards of compliance. The service will issue media information appropriately. It will also ensure provision of information in terms of freedom of information. Food Standards Scotland co-ordinate product withdrawls. Information will be shared with the public and businesses appropriately.
They shall ensure staff maintain professional secrecy in regard to certain information obtained in carrying	Staff are made aware of legal obligations. Staff will also complete internal council training sessions on data protection and information security. These are regularly

out official controls. This includes confidential investigation and legal proceedings, and personal data. (Article 7, (2) &(3))	completed by staff to ensure awareness is maintained.
They shall carry out official controls in accordance with documented procedures containing information and instruction for staff performing official controls. (Article 8, (1))	Staff will have access to and will be aware of national standards and guidance, e.g. Food Law Code of Practice. All staff have access to internal systems or web access for necessary documents. There are also internal policies and procedures which staff are made aware of and are expected to follow. These are openly available, and contain appropriate cross referencing to other relevant guidance. Internal monitoring will consider compliance with procedures.
They shall have in place procedures to verify the effectiveness of official controls carried out and ensure that corrective action is taken when needed. (Article 8, (3)(a) & (b).	Internal monitoring, including accompanied visits will take place appropriately. Performance management processes are also in place. For example, a monthly report considers the premises which have been inspected and require a revisit based on the rating for compliance. It will ensure that officers are following up issues of concern. Reports are also provided which identify improving standards within food establishments over time, and through food hygiene information scheme. The outcomes and information is collected and stored on CIVICA APP system. The service is also audited by Food Standards Scotland.
They shall provide reports on official controls carried out and ensure business operators are provided with a copy of the report. (Article 9)	It is standard procedure to ensure that a report is left with a business operator after official control inspections and interventions. A written report will be left at time of visit, and if necessary followed up by a more detailed typed report. Guidance is also left to explain purpose of visit and also direct to sources of further information. Reports are designed to ensure compliance with the requirements within the Food Law Code of Practice.
They shall carry out official controls using appropriate control methods and techniques such as monitoring, surveillance, verification, audit, inspection, sampling and analysis. (Article 10, (1))	Various methods and techniques for official controls are used and are reflected in internal policies and procedures, and information recording on CIVICA APP system. Methods and techniques are considered appropriately in context of the hazard and risk activity of business operation or process. There is a prioritisation of work activities which is also included in the food service plan.

Planning, Economic Development and Regeneration
Environmental Health & Trading Standards
Food Service Plan 2021/2022



West Lothian Council

OVERVIEW:

In order to follow the recommendations of the Food Law Code of Practice (Scotland) and the obligations on competent authorities contained in Regulation (EC) 882/2004, West Lothian Council is required to develop and approve an annual food service plan. The structure of the food service plan is determined by the guidance contained within the Framework Agreement on Local Authority Food Law Enforcement.

The plan outlines how food safety will be monitored and controlled. The plan also covers other public health functions undertaken by the commercial team within environmental health. In Scotland the vast majority of establishments handling, producing and selling food are inspected, monitored and regulated by local authority environmental health teams.

The service plan covers six sections:

- food service aims and objectives;
- authority background;
- service delivery;
- resources;
- quality assessment;
- service plan and operational plan review; and

Safe food and drink is something which the vast majority of us take for granted. The safety of this fundamental human need relies on a competent, trustworthy and properly regulated and managed supply, monitored mainly by environmental health professionals working within local authorities. This essential work often goes unnoticed. The consequences of a failure in the safety of the food and drink we consume can be catastrophic in costs to human health, the food industry, governments, public confidence and trust. The purpose of this service plan is to outline how such controls are delivered in West Lothian.

SECTION 1 – SERVICE AIMS AND OBJECTIVES

1.1 Mission Statement

To protect public health and contribute to a healthy community in West Lothian by ensuring the safety, wholesomeness and quality of food and water through education and enforcement.

1.2 Corporate Plan & Single Outcome Agreement Links

Priority 6: Delivering positive outcomes on health.
Priority 8: Protecting the built and natural environment.
SOA6 We live longer, healthier lives and have reduced health inequalities.
https://www.westlothian.gov.uk/article/33026/Corporate-Plan

1.3 Aims and Objectives

Our priority customers for the work we undertake are the public and businesses within West Lothian. We support the following objectives of Food Standards Scotland Strategic Priorities:

1. Food is safe.
2. Food is authentic.
3. Consumers have healthier diets.
4. Responsible food businesses flourish.

1.4 Official Control Obligations

There are specific legal obligations placed on local authorities in regard to delivering food safety official controls. Section 1 of the Food Law Code of Practice (Scotland) requires the statutory obligations covered to be brought to the attention of local authority officials and or elected member bodies responsible for agreeing budgets or other service arrangements relevant to the delivery of official controls.

The obligations are outlined in different articles of Regulation (EC) 882/2004. Appendix 7 gives details of these obligations and how they are met within West Lothian.

1.5 Our priorities

The food service has to be delivered on a priority basis alongside other public health and safety priorities within the environmental health service. This reflects the nature of the work undertaken and that the service cannot be divided up into uniform time units for completing tasks. Each inspection or service request will have its own complexity and issues which determine the amount of work and time required to address.

The priorities are based on both reactive and proactive work and the potential public health impact of each. Delivery of service priorities will be within the context of resources available

and staff skills, knowledge, experience and capacity. A basic overview of environmental health service priorities and staff contribution is given in Appendix 1.

Service priorities have been established to ensure the best practical service in addressing the food safety and public health needs of our communities. They also reflect guidance issued by the Scottish Food Enforcement Liaison Committee and Food Standards Scotland in regard to prioritising food inspections. Health and safety enforcement and public health priorities have been included to reflect the combined work undertaken by officers. (A separate health and safety service plan is also prepared and published). Food service priorities are outlined in Appendix 5.

The purpose of the service is to intervene and prevent the human and financial costs of foodborne illness impacting downstream on society, businesses, health care services etc. The financial costs are estimated to impact substantially on the UK economy, individuals, businesses and NHS (£9.1 billion annually), with 180 deaths, and 16,300 hospital admissions*. Food borne illness has a significant impact on lost working days and, for small food businesses, it can be financially disastrous. The focus of the food service in West Lothian is to do everything possible within available resources to prevent and minimise the impact of foodborne disease.

*Food Standards Agency – The Burden of Foodborne Disease in the UK 2018

SECTION 2 - AUTHORITY BACKGROUND

2.1 Profile

West Lothian is a mixed rural and urban authority covering a geographical area of 42,504 Ha. The population is approximately 183,100*. The Environmental Health & Trading Standards service is located in Linlithgow Partnership Centre, Linlithgow. There are 1840** food premises within the area ranging from farms, retailers and caterers, to large manufacturers. (*National Records of Scotland mid-year estimate 2019, **As of 01/04/2021)

2.2 Organisational Structure

The service structure is as per appendix 1.

The commercial team is part of the Environmental Health & Trading Standards service which is part of Planning, Economic Development and Regeneration.

The authority has appointed Edinburgh Scientific Services (City of Edinburgh Council) to provide analytical and food examination services.

2.3 Scope of the Food Service

The scope of the food service enforcement is set out in appendix 2.

2.4 Demands on the Service

Services are available from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00pm Friday. The team, however, has to accommodate working out with these times due to operating times of businesses. Routine evening and early morning working is necessary to carry out the inspection and sampling programmes. Emergency contact details have been provided to appropriate partner agencies in regards to incident management and food alerts, should these occur out with normal working hours. However, the arrangements are limited to point of contact notification only.

There are 9 approved premises in West Lothian in terms of Regulation (EC) 853/2004 (premises dealing with manufacture of food products of animal origin). A number of premises currently meet the exemption criteria for approval but may well require to be approved in the future.

There is a regular turnover in many of the catering businesses with new owners and changes in operation of the business. In the last 10 years there has been a 28% increase in registered food businesses.

In line with the enforcement policy, officers are required, when necessary, to take appropriate enforcement action. This may include service of notices, closure of premises, and reports to the Procurator Fiscal leading to prosecutions and time in court. The level of action required has been relatively consistent in recent years. Previous case studies of enforcement action showed the time spent dealing with one problematic food business equated to approximately five routine inspections.

The principles of better regulation have been a key aspect of how the food service is delivered for a number of years. As well as food safety, officers in the commercial team will also carry out a number of workplace safety and smoking enforcement inspections. This is done to ensure best use of resources and avoid unnecessary additional visits to premises. It is encouraging to note the positive feedback from business consultation exercises in relation to their experience of inspections and enforcement activities.

The service cost per head of population has remained constant in recent years even though West Lothian's population continues to increase. Most recent government figures (2018/2019)[1] estimate that the UK public spend £46.60 per person per week on food and drink. There is no specific budget for the food service plan only. However, the inspecting, sampling, monitoring, enforcing and all other services through this service plan and the health and safety service plan cost the West Lothian population £0.06 per person per week.

[1]Family food 2017/2018 – A national statistics publication by DEFRA.

https://www.gov.uk/government/statistics/family-food-201819/family-food-201819

It is, however, vitally important to remember that the principal purpose of the food service in West Lothian is public health protection. In previous years a number of changes were made to the approach taken to inspections e.g. prioritisation of workload, changes in inspection reporting and recording, changes to inspection and workload allocation and geographical distribution, better use of flexible working and council buildings. Further adaptation of the service will be required during 2021 and beyond. We will ensure that attention continues to be given to positive outcomes irrespective of the breadth of service provision in future. Some of these issues are highlighted in 6.3.

Consumer Expectations

National surveys continue to show the importance of food safety for consumers. The top four food safety issues for consumers are:

- **Chemicals from the environment, such as lead, in food (32%)**
- **Food hygiene when eating out (31%)**
- **The use of pesticides to grow food (31%)**
- **Food poisoning (28%)**

45% of respondents reported concern about food safety in UK restaurants, pubs, cafes and takeaways. 40% of respondents reported concern about food safety in UK shops and supermarkets.
84% of respondents reported being aware of the hygiene standards in places they eat out at or buy food from.
61% of respondents trusted that people who produce and supply food make sure it is safe, honest and ethically approved.

FSA Biannual Public Attitudes Tracker Report – November 2019.
https://www.food.gov.uk/about-us/biannual-public-attitudes-tracker

2.5 Enforcement Policy

In terms of the framework agreement on food law enforcement the service has a written enforcement policy which has been approved by the council. The policy has undergone an equality impact assessment, and is followed by officers. The policy has also been cited as a good example in the Scottish Regulators Code of Practice. A copy of the policy is available to anyone on request and is also available on the West Lothian Council website. (http://www.westlothian.gov.uk/environmental-health)

Alternative enforcement arrangements are allowed within the code of practice for certain risk rated food safety inspections. Visits and alternative interventions will be carried out in accordance with internal procedures outlined in Appendix 5.

SECTION 3 - SERVICE DELIVERY

All officers in the commercial team contribute to the development and implementation of this plan. This section outlines areas of work to which they contribute.

In order to meet ever changing demands, the service is always looking at ways of working most effectively. Performance management is a key factor in ensuring this can be achieved (see section 4.4). The quality of the service delivered is essential in protecting public health, and the service is working to ensure that everyone plays a part in delivering the best service possible.

3.1 Food Premises

There are currently 1840 food premises within West Lothian which require to be inspected by the team. Food safety inspections will be carried out to assess food hygiene and food standards (composition, labelling etc.) compliance. Inspection frequencies are determined by the nature of the business and performance against specific criteria set out in the food law code of practice.

In 2019 the food law code of practice was updated in Scotland. Previously there were two inspection programmes which separated food hygiene and food standards compliance. In Scotland these have now been combined into one inspection plan for most food establishments. There are a few exceptions which will still receive separate food hygiene and food standards inspections. This change in approach will ensure that appropriate attention is given to all key elements of food safety at every visit made to a food establishment.

Food premises profiles, inspection targets and revisit information are outlined in Appendix 3.

The approach to premises inspections has been reviewed and new procedures have been introduced to ensure better recording of activities following inspection and also ensure that significant failures are followed up appropriately. This allows officers to target problem premises. An overview of the “Food Safety Interventions Policy” can be found in appendix 5.

The service participates in the Food Hygiene Information Scheme. This is a national scheme to advise customers at point of use of the food hygiene performance of the food businesses they use. Each business is rated following the routine hygiene inspections completed by officers. Information on whether the business receives a Pass or Improvement Required award will be published to the website hosted by the Food Standards Agency, and a certificate is provided for the business to display on the premises.

3.2 Food Complaints and Food Fraud

The commercial team receives a number of complaints about unsatisfactory food or food premises. These are investigated in line with our procedures on dealing with complaints.

Investigating food complaints can be quite involved and often requires working with colleagues in other local authorities. This, along with the time taken to receive reports from the public analyst etc., can increase the time taken to resolve the complaint. Complaints about food very rarely result in formal action, mainly due to the lack of evidence which could be relied on in court. However, they do help identify failings in food processing and handling which require to be rectified to prevent further problems occurring in the future, and can be the starting point of food recalls.

Food fraud and food crime came to public attention during the discovery of undeclared horse meat in various meat products in early 2013. During routine inspections and sampling, officers are looking for evidence of any attempts to mislead consumers or provide food which is dangerous. Food Standards Scotland have established a food crime investigation unit to work more closely with local authorities in improving intelligence, detection and enforcement in regard to food fraud and criminal activity. The expectations, focus and demands of this work are likely to increase. The Food Standards Agency and Food Standards Scotland published a baseline report on food crime in the UK. This can be found on the Food Standards Agency web site. The service receives and provides intelligence reports on potential food crime through MEMEX which is a secure data sharing system.

3.3 Home Authority Principle / Primary Authority Partnership

West Lothian Council has no arrangements in place for being home authority or primary authority (not relevant in Scotland at this time) with any business activity.

These are formal arrangements made between local authorities and large scale business operating regionally or nationally. The intention is to reduce the regulatory burden on the business and agree a consistent application of legal interpretation by focusing concerns raised by other local authority enforcement officers through the local authority rather than the business. It is fair to say there are a number of concerns with these arrangements and the burdens placed on the home or primary authority.

3.4 Advice and support to Business

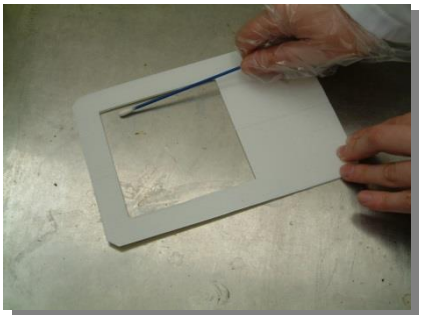
All officers will be involved in giving advice to businesses on food safety and workplace safety issues. This is an important aspect of work as it helps to ensure that businesses which request help can be set up complying with the necessary legal requirements. It has been established as one of our priorities for higher risk food establishments and fits the model of targeting upstream intervention.

The service recognises that a well run and viable business will most likely be a safe business. Officers will direct business owners to support and help from colleagues working through Business Gateway. Information sheets are left at every inspection with details of where businesses can get further help and support in this and other aspects of food safety and workplace safety. This all works towards protecting public health and reducing the financial impact of compliance on businesses.

The ongoing work with established businesses is assisted by a number of helpful information sheets, guidance booklets, and other educational resources. Much of the information used is produced within the team and aims to give businesses the necessary information for complying with the law and improving hygiene and safety standards. We aim to include all new premises in our inspection programme within three months of registering. It is recognised that this is out with the timeframe expectations of the food law code of practice. We are looking at ways of improving these timeframes during 2021/22 where this can be achieved in accordance with other priorities. Part of this approach is to rate lowest risk businesses within the minimal inspectable risk category. This means there will be no inspection carried out, which allows officers to focus on higher risk businesses. Appendix 3 shows a comparison of enquiries received over recent years. Business satisfaction survey results are also found in Appendix 3

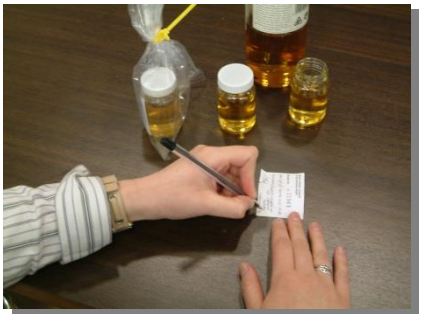
3.5 Sampling – Food and Drink

The team develops an annual sampling plan. Sampling is necessary to monitor the quality and safety of food and drink being produced and sold within West Lothian. Sampling of food prior to a hygiene inspection is a useful indicator of how the business is operating.



The range of samples taken is split into chemical and microbiological. The current target for chemical samples is 0.8 samples per 1000 population and for microbiological the target is 1.1 samples per 1000 population.

Samples can fail for various reasons and require to be followed up by officers. A national report on sampling by Scottish local authorities identified a failure rate of 5.4% for chemical*, and 20.7% for microbiological* during a 12 month period. Scottish local authorities are now working in a more co-ordinated way in terms of sampling priorities. This is being done in association with Food Standards Scotland (FSS).
(*Local Authority Food Sampling in Scotland 1st July 2018 to 30th June 2019 Report)



As all local authorities are facing similar challenges work has been done to target local resources towards even more focused national sampling initiatives. The targeted sampling is based on data collected over recent years for all samples taken in Scotland and means that each year all local authorities will contribute to providing better information on existing and emerging food safety issues. Local sampling targets still form part of each local authority sampling plan and remain useful for a limited range of issues.

This joint focused approach will have some potential impact on local sampling as, overall, smaller numbers of samples may be taken due to costs of focused sampling activities. It is however a good example of how environmental health professionals are trying to ensure a public health focus in achieving the best results in difficult times.

Appendix 3 has details of samples taken during 2020/2021, and also the sampling plan for 2021/2022.

Case Study 1

Helping to shape the future of food safety

Officers within the service will contribute to the many developments in food safety and public health protection being considered at a national level. Food Standards Scotland have identified a significant change in staff resources allocated to food safety throughout Scotland and along with local authorities are looking at new ways of providing public health protection and new priorities for attention. Whilst our main focus will always be the impacts of food safety at a local level we also recognise the importance of helping to shape future developments to ensure we can maintain the best level of protection for the people of West Lothian. We have been actively involved in developing a new national approach to food safety inspections, and inspection rating systems for businesses. Officers have also been involved in groups working on issues relating to food exports, and official control charging, which may have significant impacts in years to come.

3.5.1 Sampling – Water Quality

Sampling of drinking and recreational water is also undertaken. This involves sampling mains and private water, as well as swimming pools, spa pools etc. The private water regulations place a requirement upon local authorities, and those responsible for private supplies, to ensure drinking water standards meet those of public water. The team is

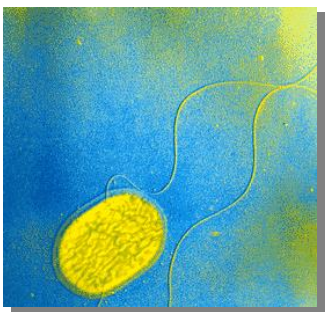
involved in sampling and monitoring local private supplies and undertaking risk assessments on them. Sampling is required on an ongoing annual basis. An annual return on sampling, enforcement and water quality standards is made to the Scottish Government (Drinking Water Quality Regulator). These results are then published in a publically available report on the DWQR web pages http://dwqr.scot/information/annual-report/ .

During 2018/2019 DWQR introduced an online risk assessment system which the team has to enter data onto regarding local supplies.

There is no routine sampling of mains water supplies with any concerns being directed to Scottish Water and the Drinking Water Quality Regulator. This is necessary to accommodate other workload and sampling plan priorities. The council does however retain the statutory right to sample if required.

The sampling of swimming pools, spa and recreational waters will be reactive to any concerns or incidents. The safety and quality of water should be part of the routine management and monitoring carried out by facility operators. Management controls of such environments are assessed during routine inspections by officers.

3.6 Control and Investigation of Outbreaks of Food Related Infectious Disease



Controlling and preventing the further spread of infectious disease is a key part of the service provided by the commercial team. This work is done in partnership with NHS Lothian and the Consultant in Public Health Medicine. Notifications of food poisonings and infectious diseases such as, *Salmonella, Campylobacter, Cryptosporidium, E. coli O157* etc., are passed to the team by NHS Lothian. The role of the service is to investigate cases looking for possible sources, or outbreaks, and in doing so take preventative measures to stop the further spread of infection. Recent statistics are shown in appendix 3.

A major outbreak plan has been developed by NHS Lothian and the local authorities of West Lothian, Edinburgh, Midlothian and East Lothian. Procedures for dealing with sporadic cases are also in place. As part of the review of sporadic procedures it has been agreed that cases of campylobacter will no longer be investigated routinely by this service. Notified cases will be sent guidance and information about the illness by NHS Lothian, Health Protection Team. Statistics will be reported to the team annually by NHS Lothian. Case numbers will be reviewed regularly and any issues will be discussed between NHS Lothian and the local authorities.

3.7 Food Emergencies and Safety Incidents

Food safety emergencies and incidents which pose a serious risk to public safety are identified as a priority issue for the commercial team. Procedures are in place to ensure that warnings issued by Food Standards Scotland (FSS), and local incidents which need to be reported to FSS, are dealt with properly.

Most alerts are for information only but a number of press releases and trade notifications have to be completed by the team in relation to the warnings. As well as food alerts, FSS has a system for notifying local authorities of allergy alerts. These were previously part of the main alert scheme. The main reasons for such alerts is the failure to declare the presence of one of the many allergens now listed in the food information regulations.

Emergency contact details for the service have been provided to FSS to allow notification of any incidents.

3.8 Liaison with Other Organisations

It is important to realise that the food team does not work in isolation from other internal services or external organisations. Internally, the team works with planning, building standards, economic development, licensing, legal, education, occupational health, corporate communications, and social policy to provide a joined up service.

The food law code of practice requires local authorities to work together and with national bodies to contribute to consistency of enforcement. Externally, the team works with other local authorities, through Lothian and Borders Food Liaison Group, and Scottish Food Enforcement Liaison Committee's Food Safety sub–group and Food Standards sub–group. The team maintains links with NHS Lothian and Scottish Water through the Health Protection Liaison group. A Joint Health Protection Plan has been developed and approved by Council Executive. A positive working relationship has been developed with the Procurator Fiscal service. The service is audited by FSS.

Appendix 4 lists the team's main customers, partners and stakeholders.

Case Study 2

Dealing with irresponsible food business operators

Although the levels of compliance within West Lothian food businesses are high and have improved over the years, there are still a small percentage of food business operators who fail to operate safely and this requires serious action to be taken to protect public health. Officers often have to take action in serving notices on establishments to stop the preparation and sale of food. On many occasions these actions are required when we discover new businesses who have not registered and are operating dangerously, or businesses which have moved from low risk to high risk food preparation without notifying this service, and are doing so in premises which are not suitable. Very often we only become aware of these situations through complaints or concerns received.

Thankfully such poorly performing businesses remain in the minority.

3.9 Food Safety and Standards Promotion

It is clear that inspection of premises and enforcement of the law will not in itself bring about the necessary improvements in public health. There needs to be a balance of education with enforcement. Although limited, the team's input to education and promotion of food safety is recognised as an important tool and will be provided as resources permit.

Officers are the main source of support for most small businesses within West Lothian. They have a key role during inspections of ensuring business operators and food workers understand all the necessary requirements placed upon them. Feedback from businesses as part of our annual survey is very positive and is one of the publically reported key performance indicators for the service.

Officers will promote the Healthy Living Awards, as appropriate, within catering businesses. This is likely to be a significant issue in terms of public health as the costs of treating poor health caused by poor diet rise substantially in years to come.

30 businesses in West Lothian hold the Eat safe award for hygiene standards. We hope more businesses will be able to meet these requirements in coming years.

Our food hygiene training programme "Food Safety is Everybody's Business" continues to be used with catering businesses to help them train staff. It is currently available in English, Polish, Italian, Urdu, Punjabi and Cantonese. The materials have been provided through the council website with video material uploaded and available on the food safety web pages.

Case Study 3

Food hygiene information scheme – improving food safety

During 2019 we started to actively monitor the impact the food hygiene information scheme was having on West Lothian businesses. Whilst the service continues to promote the scheme with consumers it is clear that improvements in business compliance are evident as a result of the scheme being in operation. Since the scheme was introduced in West Lothian the percentage of businesses achieving a Pass rating has increased (currently around 96%). It was also clear where inspections found issues of non-compliance the significant majority of those businesses (81%) were taking appropriate action to achieve a Pass rating.

SECTION 4 - RESOURCES

4.1 Financial Allocation

There is no specific budget allocation for delivery of the food service plan. The service delivery is shared by officers within the commercial team along with delivery of other environmental health functions. This includes delivery of the health and safety service plan. A full time equivalent staff figure is provided in appendix 3.

A budget has been set for food, drink and water sampling as follows:

	Budget 20/21	Budget 21/22
Sampling	£22,000	£22,000

West Lothian has the third lowest costs per 1,000 population for environmental health (Scottish average is £13,771*, and West Lothian is £8,061* – figures from Local Government Benchmark Framework 2019/2020). There will, however, be some variability between local authorities in terms of the level of service delivered. (*The framework definition of environmental health includes the operation of public conveniences which are not an operational or service function of Environmental Health & Trading Standards in West Lothian but still get counted against costs of service.)

4.2 Staffing

The service is staffed as per the structure indicated in appendix 1.

Food safety is only one element of the role of environmental health. The pressures on the whole service increase year on year with changes in legislation, increasing population and demand on the service having to be managed on a priority basis. We are therefore identifying and targeting priority areas of work, delivering aspects of the service differently, reducing or removing aspects previously delivered, and continuing to work as effectively as possible to protect public health.

Appendix 1 gives an overview of staff contribution across the service areas and priorities.

4.3 Staff Development Plan

The Food Law Code of Practice (Scotland) requires a minimum of 10 hours food safety training to be completed by every officer annually. Officers who are members of the Royal Environmental Health Institute of Scotland are also required to complete 20 hours training and development every year as part of the Continuous Professional Development scheme.

Training and development needs are assessed during individual Appraisal and Development Review meetings held in accordance with the council's Investor in People accreditation. Monthly 1-2-1 performance meetings are also held with officers.

A competency framework for the food service has been developed to help give more detail to skills and knowledge pertinent to the different work areas. This was produced in support

of national guidance which provided a simple framework but lacked detail. It will provide officers with links to necessary legislation, guidance, technical information, scientific papers etc. and will continue to develop over time. The framework is also being extended to other areas of the environmental health service.

Recruiting suitably qualified and competent staff is becoming an increasing problem within the environmental health profession. Appendix 1 has details of current age profiles within the environmental health service. Planning for the future is a key element to ensure sustainability and resilience. Developing our own officers and trainee plans will be a key part of this going forward in the next 5 to 10 years.

4.4 Performance Management

Everyone working within the service has a responsibility for ensuring the delivery of the best service possible. To help deliver a positive and productive performance culture the service ensures targets are established which focus on outcomes and outputs.

Performance is monitored and assessed by various methods and reported internally and publically. Performance expectations and standards are outlined and reported in the following ways:

- Legislation, enforcement and technical guidance.
- Internal working documents and procedures – e.g. framework policies and procedures, enforcement policy, customer service standards, council HR policies and procedures etc.
- Food service plan.
- Internal monitoring of performance – e.g. team meetings, one to one discussions, monthly reporting to senior officers, public reporting of performance through Pentana, accompanied visits, customer survey and service complaints.
- Appraisal and Development Review (ADR) process.
- Training and professional development of officers and management.
- Reporting to external agencies – e.g. Food Standards Scotland, Scottish Government.
- Internal reporting to elected members – performance committee, Environment PDSP, Council Executive.
- Audit by Food Standards Scotland.

SECTION 5 - QUALITY ASSESSMENT

5.1 Quality Assessment

The Environmental Health & Trading Standards service participates in the West Lothian Assessment Model. This is West Lothian Council's adaptation of the European Foundation for Quality Management. This is being used to help deliver continuous improvement of the service in years to come. The service is assessed as part of the corporate Customer Service Excellence award.

CUSTOMER SERVICE EXCELLENCE The Government Standard

The food safety work is subject to audit by the Food Standards Scotland. All audit reports can be found at https://www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/audit-and-monitoring . The service was last subject to an onsite core audit in February 2014. Audit reports are sent to the Chief Executive and are reported to appropriate elected member forums. Routine remote audit questionnaires are completed and returned Food Standards Scotland, although no Council specific reports are provided.

The environmental health team were also recognised as best performers for 2019 in the APSE Performance Networks Awards. This is a benchmark network of around 250 local authorities throughout the UK.

Internal monitoring of procedures and customer feedback regarding food safety inspections and food complaints is also used to assess the quality of the service provided. Customer consultation is a key development issue and a customer and business consultation survey is carried out once a year.

SECTION 6 - SERVICE PLAN AND OPERATIONAL PLANS REVIEW

6.1 Review against Service Plans and Team Plans.

The food service plan will be reviewed in six months.

Internal plans, policies and procedures are reviewed annually, or as and when required.

6.2 Identification of any Variance from the Service Plan

The changing nature of demands upon the service requires a flexible approach to balancing priorities. Food safety and public health protection will always provide challenges. Officers and managers continue to take a constructive and professional approach to such matters, and through prioritisation, effective work planning and delivery, the service has ensured good performance in a number of areas.

The most significant impact on the service during 2020/2021 was the COVID pandemic and the response required by the service to address the public health concerns and issues resulting. The focus of the commercial team within the service had to move from food safety controls in businesses to public health controls in terms of COVID control regulations.

There was an acceptance and agreement from Food Standards Scotland that the nature of response required to the COVID pandemic by local authorities was significant and that it would not be reasonable or practical for local authorities to follow normal expectations of the Food Law Code of Practice for programmed food safety interventions. On site food safety engagement with businesses has been limited to give priority to our response to COVID management, and has been mainly through remote contact and providing guidance on maintaining food safety standards in establishments.

COVID demands also impacted on the food sampling, and private water sampling programmes during 2020/2021.

Staffing and recruitment continues to provide challenges within the service. The pandemic has impacted on opportunities for training and developing new staff, but there were some positive developments with the service receiving additional funding to recruit two new staff to deal with COVID and related public health issues in the year ahead. This will provide much needed assistance within the service as attempts are made to train and recruit new staff into vacant posts and address work demands.

During 2020/2021 the animal feeding stuff work carried out by trading standards colleagues was transferred to Food Standards Scotland due to changes in legislation. Food Standards Scotland are now legally the competent authority for such work. This is minor impact issue within West Lothian with very few establishments requiring to be regulated and higher priority work demands requiring attention by the trading standards team.

However, even in challenging times it is important to acknowledge the positive aspects of team work addressed and delivered during 2020/2021. These include:

- The response by the service and officers to the COVID pandemic and adapting to new working methods, and new enforcement and regulatory responsibilities. Points to note include:
    - Developing new knowledge and skills in addressing ever changing public health and regulatory controls for dealing with the pandemic.
    - Providing significant support to businesses and members of the public in understanding the requirements of regulations and guidance being issued.
    - Keeping elected members aware of the requirements to help assist with constituent enquiries.
    - Working with NHS Lothian colleagues in managing incidents and outbreaks.
    - Training and developing staff to work as contact tracers in the early stages of the pandemic before more structured approaches could be put in place nationally.
- Working with Food Standards Scotland to develop a strategy for re-starting of food safety inspection plans and programmes impacted by the pandemic.
- Working with Food Standards Scotland and other local authority colleagues to address issues around export and import of food as a consequence of the UK departure from the EU.
- Securing a new contract for provision of public analyst and food examiner laboratory services.

Performance and workload comparisons are made in Appendix 3.

6.3 Areas for Improvement / Challenges.

In addition to the challenges from workload and staffing resource which would have impacted the service in normal circumstances, the COVID pandemic has continued the delay in being able to carry out the inspection and sampling plans for 2021/2022. The impact on

the inspection plan has been acknowledged by Food Standards Scotland nationally, and there are ongoing discussions to determine how local authorities can address plans, backlogs and future demands going forward.

The following have been identified as the key challenges for 2021/2022 and ongoing:

- Ongoing demands on officers from challenging premises and incidents in terms of food safety, workplace safety and public health issues.
- Responding to challenges, consequences and work demands from the COVID pandemic.
- The developing and changing regulatory landscape as the UK addresses and adapts to the impact of future trade agreements with the European Union and other parts of the world.
- Ensuring that officers are supported, developed and capable of dealing with challenging, time consuming and high risk workload. Maintaining capacity in skills and knowledge, as well as officer resource.
- Establishing and targeting workload priorities with available resources which deliver and maintain the best achievable levels of public health protection.
- Resolving vacancies and staffing availability to ensure continuation of service delivery.

There are no specific projects identified for attention in 2021/2022.

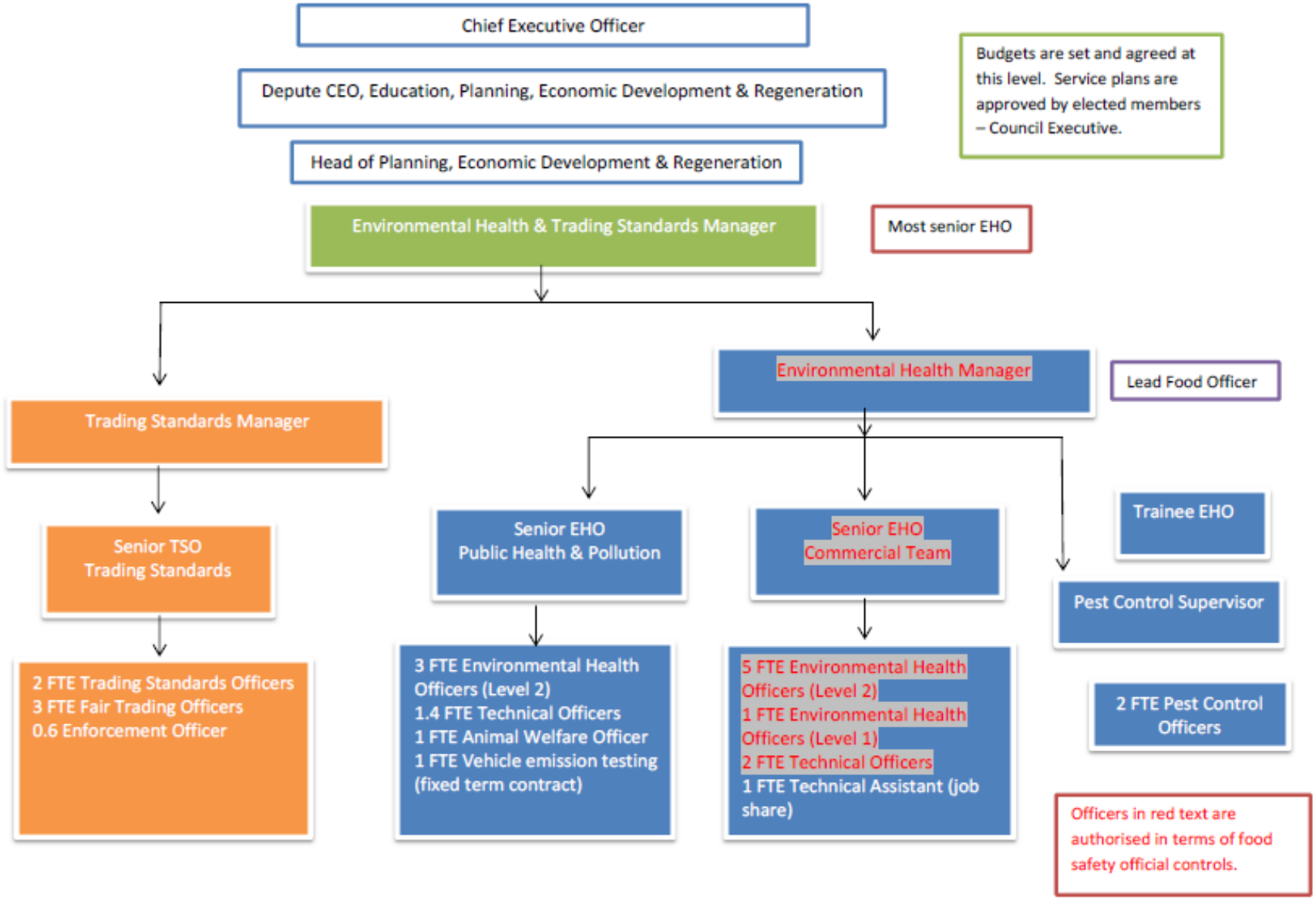
The biggest demand on the food service remains dealing with risks to public health balanced against an increasing workload. These challenges will be significant in the year ahead. However any challenge and demand continues to be positively managed and also supported by officers. This is pursued through established work priorities, improved efficiency and effectiveness in work planning and actions, ensuring appropriate and balanced enforcement action, supporting businesses where possible to work safely, and supporting officers in dealing with difficult and complex public health protection work. The priority focus remains on outcomes and not just output. This approach has been in place for many years with some adjustments and refinements over time.

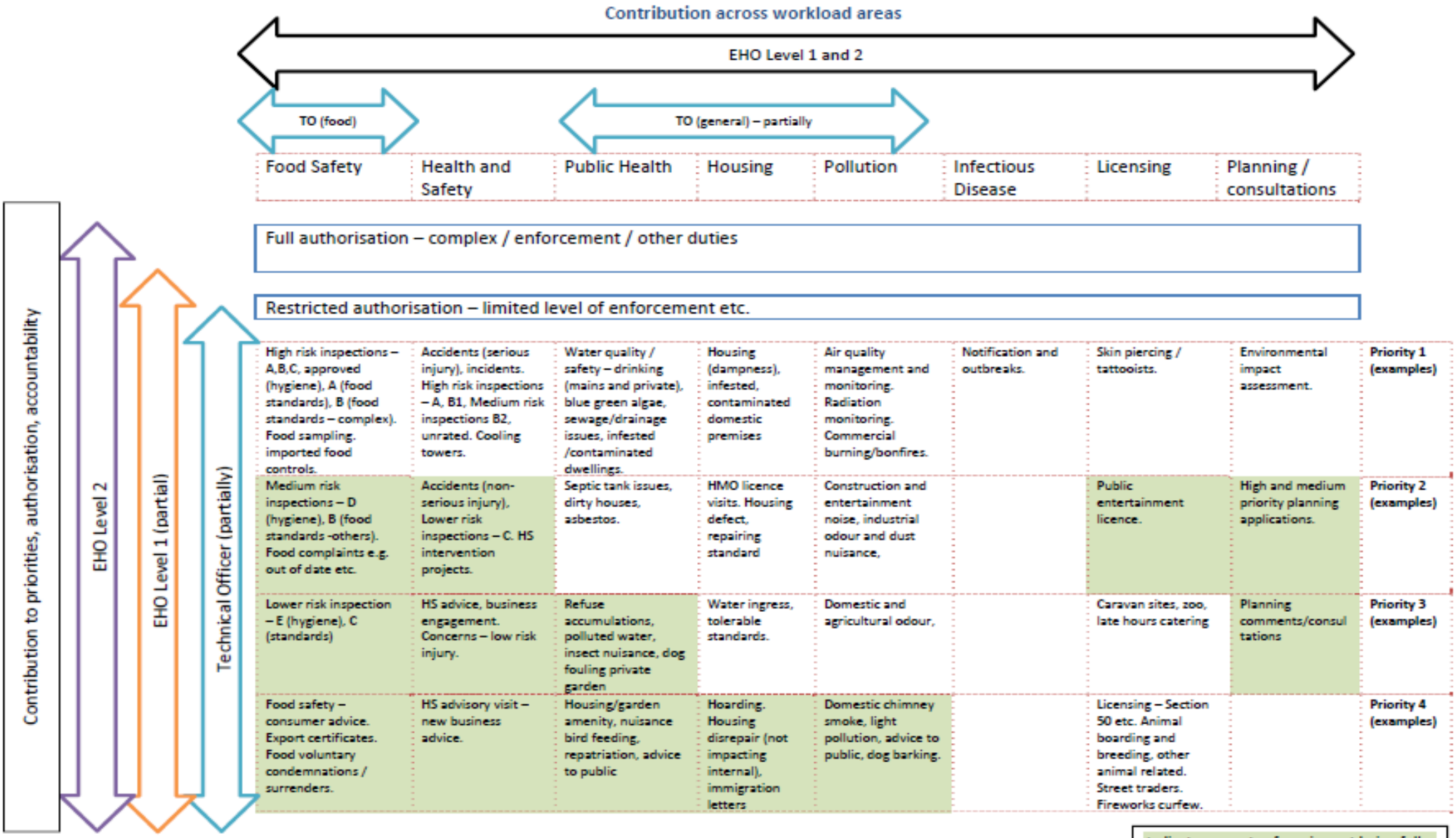
The plan for 2021/2022, and beyond, is to ensure the service focuses resources at priority areas of work, and takes the correct action to protect public health when risks are identified.

Appendices:

Appendix 1 – Service structure.
Appendix 2 – Scope of food service.
Appendix 2a – Extended public health links from food safety controls.
Appendix 2b – Objectives of the food service.
Appendix 3 – Workload and performance comparisons.
Appendix 4 – List of customers / partners / stakeholders.
Appendix 5 – Overview of food interventions policy.
Appendix 6 – Service requests / complaints – service standards and prioritisation.
Appendix 7 – Official control obligations

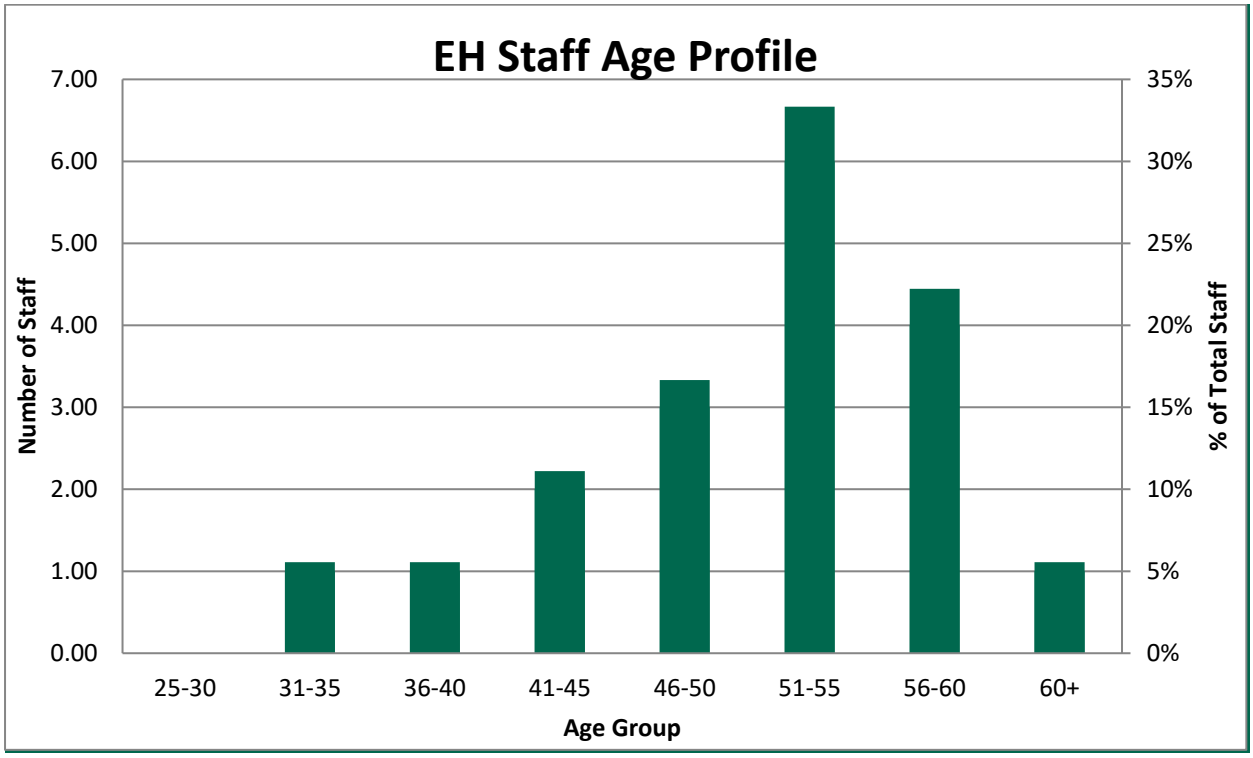
Appendix 1 – Environmental Health and Trading Standards Structure (April 2021)




Contribution across workload areas
EHO Level 1 and 2
TO (food)
TO (general) – partially
Food Safety
Health and Safety
Public Health
Housing
Pollution
Infectious Disease
Licensing
Planning / consultations
Full authorisation – complex / enforcement / other duties
Restricted authorisation – limited level of enforcement etc.
Contribution to priorities, authorisation, accountability
EHO Level 2
EHO Level 1 (partial)
Technical Officer (partially)
High risk inspections – A,B,C, approved (hygiene), A (food standards), B (food standards – complex). Food sampling. imported food controls.
Accidents (serious injury), incidents. High risk inspections – A, B1, Medium risk inspections B2, unrated. Cooling towers.
Water quality / safety – drinking (mains and private), blue green algae, sewage/drainage issues, infested /contaminated dwellings.
Housing (dampness), infested, contaminated domestic premises
Air quality management and monitoring. Radiation monitoring. Commercial burning/bonfires.
Notification and outbreaks.
Skin piercing / tattooists.
Environmental impact assessment.
Priority 1 (examples)
Medium risk inspections – D (hygiene), B (food standards -others). Food complaints e.g. out of date etc.
Accidents (non-serious injury), Lower risk inspections – C. HS intervention projects.
Septic tank issues, dirty houses, asbestos.
HMO licence visits. Housing defect, repairing standard
Construction and entertainment noise, industrial odour and dust nuisance,
Public entertainment licence.
High and medium priority planning applications.
Priority 2 (examples)
Lower risk inspection – E (hygiene), C (standards)
HS advice, business engagement. Concerns – low risk injury.
Refuse accumulations, polluted water, insect nuisance, dog fouling private garden
Water ingress, tolerable standards.
Domestic and agricultural odour,
Caravan sites, zoo, late hours catering
Planning comments/consultations
Priority 3 (examples)
Food safety – consumer advice. Export certificates. Food voluntary condemnations / surrenders.
HS advisory visit – new business advice.
Housing/garden amenity, nuisance bird feeding, repatriation, advice to public
Hoarding. Housing disrepair (not impacting internal), immigration letters
Domestic chimney smoke, light pollution, advice to public, dog barking.
Licensing – Section 50 etc. Animal boarding and breeding, other animal related. Street traders. Fireworks curfew.
Priority 4 (examples)
Indicates aspects of service not being fully provided, not hitting response targets etc.

Appendix 1

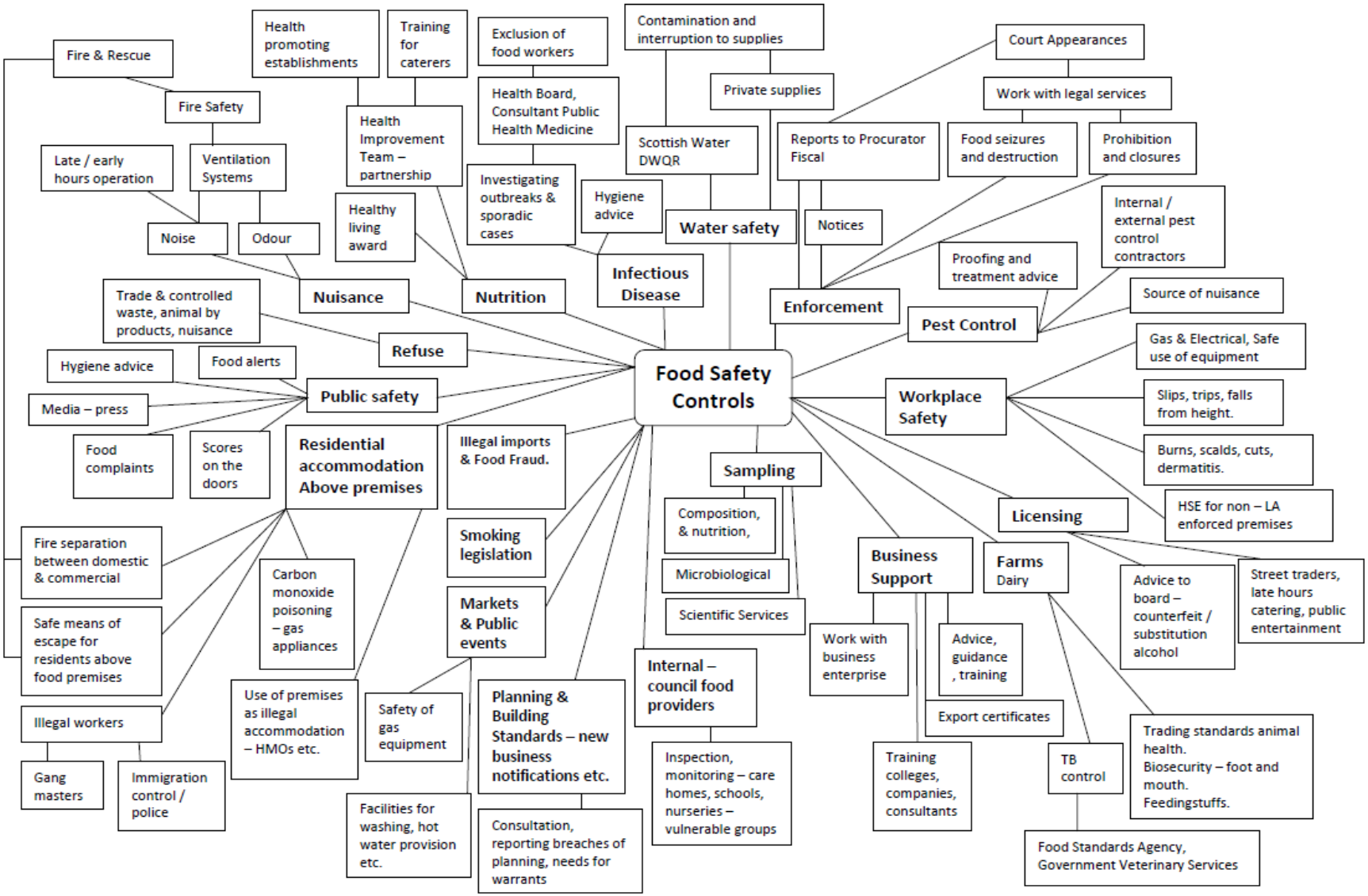
Environmental Health staff age profile (at 01/04/2021)



Appendix 2 – Scope of Food Service

Function	Activities
Food safety (hygiene and standards)	To inspect premises in line with The Food Law Code of Practice (Scotland) and prioritise the inspection of premises on a basis of high to low risk. To adhere to relevant team policies and procedures. To ensure compliance with the law by means of education, training, motivation and enforcement. To ensure that re – visits are made to premises when necessary, and in line with our inspection procedures. To ensure compliance with legal requirements in terms of licensing and approval of premises. To ensure that a sampling programme is devised and followed.
Food enquiries and investigations	To react to emergencies and immediate threats to public health. React to and investigate, where appropriate, enquiries and complaints relating to food safety and quality, and hygiene in food premises. React to and respond appropriately to food alerts. To adhere to team policies and procedures. When necessary seize, detain and arrange for condemnation of food not meeting food safety requirements. Respond to requests for verification of voluntary surrender of food for condemnation. Respond to requests for export certificates.
Business and consumer advice	Carry out visits to premises to give guidance or to follow up complaints. Provide guidance and advice to new businesses to help comply with food law. Provide training and education for trade and other groups in West Lothian. Deal with general enquiries for help and guidance on relevant food matters.
Reporting and liaison – working together	To ensure that policies and procedures are in place and followed as per the Framework Agreement on Food Law enforcement. Prepare reports and returns to various groups and agencies. Work together with others to improve food safety and the service provided. Work together as a team.
Water quality and safety	To ensure that a sampling plan is in place and carried out to measure the safety and quality of private and public drinking water supplies in West Lothian. To ensure that a sampling plan is in place and carried out to measure the safety and quality of recreational water, such as swimming pools, spas etc. To ensure that appropriate follow up action is taken when problems are identified with water safety and quality. To respond to requests, where appropriate, from people concerned about the safety and quality of water in West Lothian.
Infectious disease control	To investigate notified cases of food poisoning, and food or water – borne disease. To notify Public Health Medicine of possible outbreaks / cases for exclusion. To adhere to relevant team policies and procedures. To provide good advice to patients and public to prevent further spread of infection. To be involved in any incident or outbreak control team.
Support activities and miscellaneous	To manage the work of the food service. To provide technical and administrative support. To instigate special projects and initiatives to tackle particular food related issues. To use and maintain a system database to manage the inspection programme and process service requests. To maintain the competence of inspection staff and develop their skills and knowledge, by means of peer review, training and monitoring. To ensure that premises files are updated with appropriate information.

Appendix 2a –Extended public health links from food safety controls



Appendix 2b – Objectives of food service

- ***To ensure the safety of food by means of a programme of inspections designed to check compliance with current laws and codes of practice, and to educate, train and motivate all parts of the food industry. To enforce the law when necessary in the interests of public health.***
- ***To protect the public and ensure the quality and safety of food and drink in West Lothian by inspection and sampling for analysis and examination. To inspect premises to ensure food standards legislation is being applied and improve compliance through a balance of education and enforcement.***
- ***To react to emergencies and immediate threats to public health. To investigate food related enquiries and complaints. Reacting to food safety alerts issued by FSS and other bodies to secure the withdrawal of any suspect foods from premises within West Lothian. To ensure that food not meeting food safety requirements is removed from sale to the public. To issue appropriate export certification in relation to food being exported to countries out with the UK.***
- ***To provide guidance and raise awareness of food safety within the business community and general population of West Lothian to ensure compliance with food law and help develop a better educated population.***
- ***To work together with colleagues in West Lothian Council, other local authorities, professional bodies, central government and other interested parties to ensure a co – ordinated approach to food related matters. To provide relevant reports and statistics as required regarding the operation of the food service.***
- ***To ensure the wholesomeness, safety and quality of drinking and pool waters in West Lothian.***
- ***To be proactive and reactive in controlling and investigating instances of food or water – borne diseases and infections within West Lothian. To provide appropriate information to patients and work with partners in public health medicine to control the further spread of infection.***
- ***To ensure activities which are necessary to support, compliment and develop the work of the food service are carried out (e.g. staff development and health and safety, performance monitoring and reporting service prioritisation, balancing better regulation and public health protection).***

Appendix 3 – Workload Comparisons

Activity	2017/2018		2018/2019		2019/2020		2020/2021	
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food Law Inspections (combine food hygiene and food standards from July 2019)	-	-	-	-	386	30	-*	803
(By alternative enforcement)	-	-	-	-	204	0	1286	0
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food hygiene inspections	781	72	723	47	156	278	-	-
(By alternative enforcement)	208	0	63	0	125	0	-	-
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food standards inspections	769	52	247	35	56	75	-	-
(By alternative enforcement)	94	4	70	1	47	0	-	-
Revisits / other visits	714		666		213		-*	
Number of premises	1713		1733		1737		1756	
Broadly Compliant Hygiene	92.0%		93.5%		-		-	
Broadly Compliant Standards	99.6%		99.7%		-		-	
Broadly complaint food law	-		-		96.8%		96.6%	
Highest Priority Inspections completed by due date.	97.4%		97.9%		85.0%		-*	
Number of enquiries	671		670		741		872	
% Enquiries responded to on time (Target 85%)	95.1%		95.2%		93.3%		97.8%	
Number of food complaints	106		53		41		48	
Number of premises complaints	63		139		184		95	
Food alerts	11		2		20		9	
Advisory visits	41		23		5		-*	
Infectious disease investigations/ notifications	47		63		73		31	
Export certificates	38		35		47		40	
Food condemnations	0		0		0		0	
Workplace safety interventions (food establishments)	198		177		110		-*	
Samples taken	Type	No.	Type	No.	Type	No.	Type	No.
	Food Chem	151	Food Chem	146	Food Chem	171	Food Chem	0
	Food micro	201	Food micro	175	Food micro	212	Food micro	0
	Water mains	0	Water mains	0	Water mains	0	Water mains	0
	Water private	32	Water private	12	Water private	17	Water private	0
	Swimming pool	0	Swimming pool	0	Swimming pool	0	Swimming pool	0
Reports to fiscal	0		0		0		0	
Hygiene improvement notices	16		10		3		0	
Remedial action notices	15		10		8		0	
Emergency Closures (including voluntary)	0		0		0		0	
Number of staff available	7.1		7		6		7.3	
£ Cost / Head of population / year (Per Week)	£2.39 (£0.05)		£3.31** (£0.06)		£3.27** (£0.06)		£2.83** (£0.05)	

*Inspection / intervention programme halted by COVID pandemic response and priorities. Approved by FSS.
**Costs now include food service pland and health and safety service plan delivery. No specific food service plan budget.

Appendix 3 - Inspection Workload Targets

Inspection Workload 2021/2022

Table 1. Food Safety Inspections 2021/2022

Priority Group	Total Number in Group	Planned Inspections / Interventions due for 21/22
1	92	81
2	552	519
3	1327	941

During 2019/2020 the Food Law Code of Practice was changed to bring in a new inspection programme and risk rating scheme for food establishments in Scotland. This brought together the previous inspection programmes for food hygiene and food standards into one inspection. There are a small minority of establishments that will not be covered e.g. approved establishments. In previous service plans the inspection workload has been set out in terms of food hygiene and food standards plans with risk categories A to E and unrated in each. Exisiting establishments will only transfer to the new risk rating scheme following inspection and this process may take a few years to complete. The new scheme has categories A to E within 3 business groupings. Under the previous scheme A rated premises were highest risk and priority, but under the new scheme they are lowest risk and priority (but that depends on the business group). Therefore, in order to simplify the inspection plan, premises have been categorised in terms of priority groupings based on the different inspection rating schemes priorities.

Note for 2021/22 – due to impact of COVID on inspection programme for 2020/21 and ongoing there will be a revision of this inspection plan once agreement has been established with Food Standards Scotland on how inspection plans are to be resumed and missed inspections dealt with.

Appendix 3 – Sampling Performance Measures

Sampling Outcomes 2020/2021

Sample Type	% Pass
Food microbiology	-
Food Chemical	-

Due to COVID pandemic response there were no routine samples taken during 2020/21.

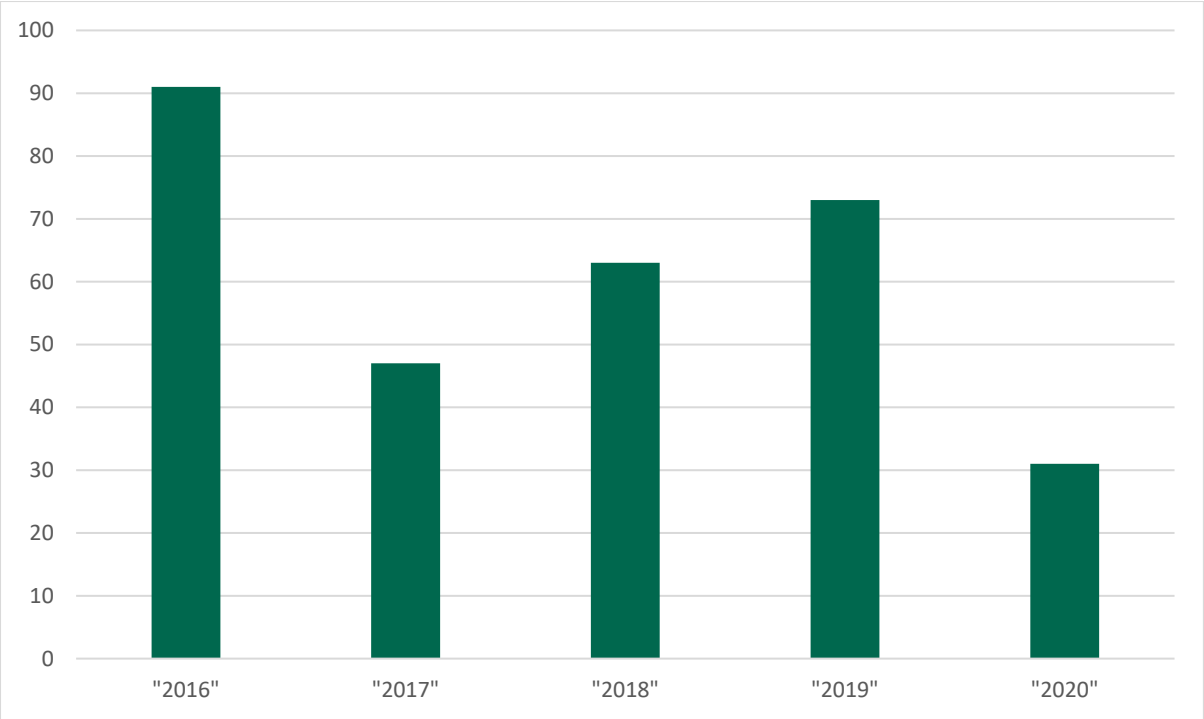
Sampling Plan 2021/2022 (Draft)

The sampling plan for 2021/2022 will be completed at a later stage in the year. At the beginning of 2021/2022 the restrictions and controls in place for COVID pandemic contiune to direct priorities to other aspects of work.

Normal annual sampling targets are outlined in table below but these will also be revised in accordance with other work demands and the COVID landscape.

Sample Type	**Number**
Food Microbiological	200
Food Chemistry	170
Private Water Supply (PWS) Regulated Micro	11
PWS Regulated Chemical	11

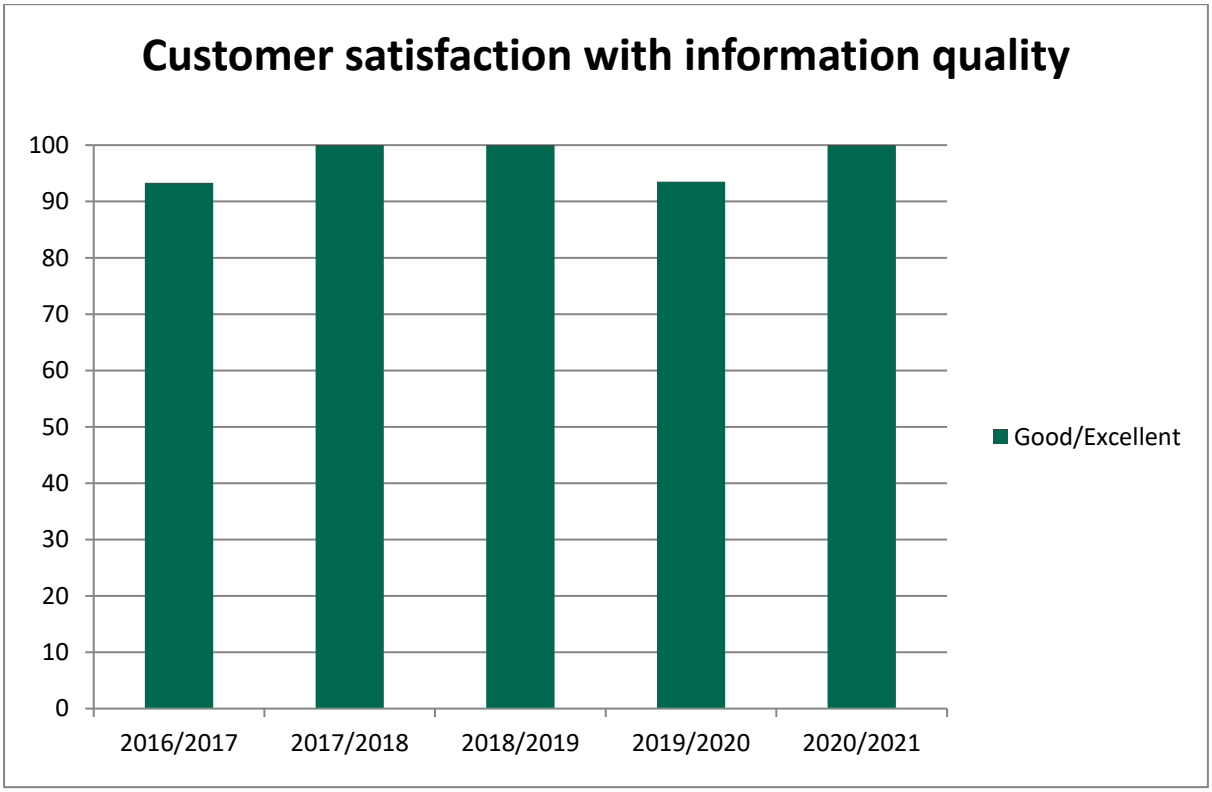
Appendix 3. Infectious Disease Investigations – West Lothian



Previous service plans included data for Campylobacter. These are not routinely investigated, and are only reported by NHS Lothian colleagues at the end of the year. The information in the graph above reflects the number of cases of other specified infectious diseases which are reported and followed up by this service.

Appendix 3 – Business Customer Satisfaction

Business Customer Satisfaction. (Percentage of businesses who rated officer's explanation of how to comply with legislation as good or excellent)



Overall customer satisfaction remains high. It is encouraging to note that officers input to business visits is viewed so positively. Business customers are surveyed annually to help us ensure that officers are providing the best service possible. It remains a difficult balance when officers are having to take enforcement action and convey challenging information. Other information gathered in our annual surveys is highlighted in the table below.

	2020/2021	2019/2020	2018/2019
Staff overall knowledge and professionalism (good/excellent)	96%	95.8%	100%
Overall level of service (good / excellent)	96.2%	95.8%	100%
Treated fairly at all times	96.2%	97.5%	100%

This feedback would tend to support the view that local businesses support the visits to their premises and the assistance offered by officers.

Appendix 4 – Customers / Partners / Stakeholders

GROUP	RELATIONSHIP	COMMUNICATION EXAMPLES	PROPOSED FOR 2021/2022
Businesses within West Lothian	Inspections; application of legislation; advisory activities; investigation into incidents, sampling, education, training, enforcement, motivation. New business support.	Provide guidance, training materials online, technical information, guidance notes, information leaflets, Use of Interpretation and Translation for ethnic languages as appropriate, press releases, mail shots etc. Improved web content and links to other sources of information.	No change to current approach.
Public	We protect them. We investigate complaints on their behalf. We provide guidance and information.	Press releases, infectious disease information sheets. Customer feedback on food complaints. Food hygiene information scheme. Web information on food safety issues.	No change to current approach.
FSS	They provide direction and guidance on a partnership basis. We report to them annually. They audit our performance.	Audit reports. We consult them on technical guidance and policy. They consult with us on legal, policy and technical matters. Will engage through working groups and similar. Upload of data to Scottish National Database.	No change to current approach.
Elected Members (Councillors)	We respond to complaints and enquiries and provide information as required.	Reports to Environment PDSP, and Council Executive. Advice to licensing board.	No change to current approach.

		Annual Service Plan is presented to Council Executive for approval. Email local members when premises in area is closed.	
Other LA Services – Planning, Building Standards, Economic Development, Legal & Licensing, Facilities Management, Education services, Integration Joint Board, Social policy.	Act as statutory consultee. Provide and receive guidance and support. Work in partnership in specific areas of interest.	Planning and building warrant application comments. Licensing applications and comments. Reports as required. Meetings with facilities management, as required, to discuss common issues from inspections. Developed social policy food safety and infection control procedures document.	Ongoing communication where changes in legislation or policy likely to impact on services.
Lothian NHS	We work together on investigation and control of infectious diseases.	EHO/HPT meetings. Sporadic and outbreak plans. Agreed joint health protection plan.	No change to current approach.
Other local authorities	Share information and best practice. Sampling initiatives. Developing guidance and working standards to ensure consistency of approach. Contribution to national policies and legislation development.	Liaison groups. Scottish Food Enforcement Liaison Committee. National working groups.	No change to current approach.
PF and legal system.	Take legal action based on reports sent by us.	We send reports. Work together on content of report. We provide technical guidance. Send reports electronically.	No change to current approach.

Care Inspectorate	Act as Consultee / Advisor	Written reports and telephone calls to Care Inspectorate Officers	No change to current approach.

Appendix 5

Overview of food interventions policy:

The Interventions Food Law Code of Practice (Scotland) advocates achieving compliance through the use of a range of interventions and allows local authorities some flexibility in the type of intervention used at a food business.

West Lothian Council recognises that different approaches are required to ensure a business complies with the law in terms of food hygiene and food standards. It is however important to recognise that the approach used by officers will be determined by the circumstances identified at the time of a visit and not in advance.

It is recognised that the code of practice expects a risk based approach to inspections is put in place by local authorities. With this in mind West Lothian Council has always established a priority basis for workload, as follows:

Priority	Category	Description
1	Emergencies and threats to public health	• Food alerts for action (issued by Food Standards Scotland) – high threat to public health. • Fatalities / serious accidents. • Communicable disease outbreaks and public health incidents. • Communicable disease investigations. • Revisits to secure compliance. • Formal action to protect public health (remedial action notices, hygiene emergency prohibition, seizure and detention of food, prohibition notice etc.) • High priority food and water concerns and monitoring. • Serious workplace safety concerns.
2	Highest consequence proactive	• Routine priority 1 group inspections.
3	Medium consequence proactive / reactive	• Routine priority 2 group inspections. • Guidance to potentially high risk new establishments. • Project / support activities to address high consequence public health issues. • Routine high risk / unrated health and safety interventions. • Street traders certificates of compliance, and Section 50 certificates (Licensed establishments). • Export certificates. • Project / support activities to support service delivery and customer / business information access.
4	Lower consequence proactive / reactive	• Routine priority group 3 inspections. • Consultations / comments – licensing of events, planning etc. • Guidance to low risk new establishments. • Low priority food and water concerns.

The priorities reflect the combined work areas of food safety, workplace safety and public health.

Food Safety Inspections

Category	Inspection target	Intervention
Priority 1	By due date (+ 28days)	Inspection
Priority 2	By due date (+ 28days)	Inspection*
Priority 3	Within financial year	Inspection /Alternative enforcement**
853/2004 establishment	By due date (+ 28days)	Inspection
*Priority being given to premises where there is potential cross contamination issues. **Includes premises with no inspectable risk (already categorised as alternative enforcement)		

Priority	Inspection categories (risk ratings before inspection)
1	Food hygiene Annex 5 – A, B, approved establishments (not cold stores) Food standards Annex 5 – A Food law rating scheme – 1D, 1E, 2D, 2E, 3D, 3E.
2	Unrated premises. Food hygiene Annex 5 – C Food hygiene Annex 5 – approved establishments (cold stores). Food standards Annex 5 - B Food law rating scheme – 1A, 1B, 1C, 2C.
3	Food hygiene Annex 5 – D, E Food standards Annex 5 – C Food law rating scheme – 2A, 2B, 3A, 3B, 3C Primary Production Holdings (All premises rated alternative enforcement / minimal inspectable risk)

Inspections and Interventions

All inspections and interventions will be carried out in accordance with West Lothian Council's inspection procedures and enforcement policy. Inspections will be conducted in accordance with the Interventions Food Law Code of Practice (Scotland) and will utilise the appropriate West Lothian Council inspection aide memoire. Not all inspections are able to be targeted by the due date as required by the code of practice.

Alternative Enforcement – Food Hygiene & Food Standards

In line with the principles of the Food Law Code of Practice (Scotland) West Lothian Council ensures that priority is given to food premises which present a greater risk to public health and food safety. In order to do this a hierarchical approach to inspections and visits has been established. In order to ensure the best use of the staff resources we have available and also ensure that we maintain a level of intelligence regarding premises within our area

it has been appropriate to remove a number of food premises from our routine inspection programme and target them through an alternative enforcement approach.

Premises which are subject to alternative enforcement have been identified above. Alternative enforcement will be considered as follows:

Alternative enforcement visits

Officers undertaking alternative enforcement visits within such premises will not need to be qualified as per code of practice requirements. The purpose of this approach will be to establish the operating arrangements of such premises and distribute appropriate guidance to food business operators. A record of such visits will be completed and held electronically. Should there be a change in the business operation likely to change the inspection rating of the premises then such matters will be referred back for a qualified officer to pursue.

The purpose is to link in with work already being done by other non-food officers and ensure a better system for gathering information and maintaining business contact.

Where the premises is deemed to be operating in a way which requires no further intervention by a qualified officer then a rating will be applied to maintain the premises within its current category (or comparable if considered under food law rating scheme) and ensure a further visit is made within the time frame for such premises outlined in the code of practice.

Premises which are visited by a non-qualified officer in terms of this approach cannot be included within the scope of the food hygiene information scheme.

Premises which are allocated to qualified officers due to link with higher risk inspection, can be inspected as normal.

Alternative enforcement – non-visit business contact

Premises identified as falling within the alternative enforcement strategy which are not linked to a higher risk inspection, and where other workload activities prevent site visit will be contacted by letter or email. The purpose will be to provide basic food safety guidance, and request that the business operator advises this service of any material change in business ownership or operation. Any notified change in ownership or significant change in business operation will be followed up by a visit by a qualified officer in due course.

This approach will be kept under review.

Non – Broadly Compliant Premises

Following an inspection any business that does not meet the broadly compliant criteria should be subject to further intervention. Such action should normally be implemented no later than 1 month after the initial inspection (dependant on nature of non-compliance).

Officers will determine the most appropriate action giving consideration to the West Lothian Council enforcement policy and inspection procedures.

Interventions will be recorded by officers, and may include:

- further inspection and audit;
- verification and surveillance;
- advice and education; and
- formal sampling.

Change of Ownership / Premises

An officer will inspect a changed business for food law compliance, and health and safety (where appropriate) irrespective of what the initial planned inspection was for. Risk ratings will be applied against the new premises details.

Food Hygiene Information Scheme

Officers will ensure that they follow nationally issued guidance and internal procedures when inspecting businesses and assessing in terms of the FHIS. Only businesses which have been inspected and rated by a qualified officer will be included within the scope of the scheme.

Officers will be mindful of the response times for visit requests in terms of the scheme and ensure these are met.

Appendix 6

Service Requests and complaints – service standards and prioritisation:

Response times and updates:

We will aim to respond to 85% of enquiries within 2 working days of receipt. We will aim, if required, to update customers of progress within 28 days of receipt. Our response may be by phone, mail or email.

New business advice

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

Further assistance such as review of plans, or site visits will no longer be possible for routine new business work due to other workload demands.

Licensed premises – Section 50 Certificates

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

There will be no routine site visits. Final site visits will be carried out only after notification that the appropriate building warrant has been issued and premises are in finished condition ready for operation. The site visit will be carried out within 15 working days of request by the customer to the appropriate officer. If the premises is visited and not complying with requirements then further visits will be carried out. Revisits will be carried out within 15 working days of notification by the customer that works have been completed.

The timeframes reflect the need to balance other higher priority workload within the service.

Street trader application – Vehicle inspections – New Licences

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

Inspections of new vehicles to issue a hygiene certificate will be carried out within 15 working days of the customer requesting a visit with the appropriate officer. These inspections will only take place on a specified afternoon or morning once a week.

The timeframes reflect the need to balance other higher priority workload within the service.

Investigation of consumer concerns – food and drink, premises etc.

Concerns will be prioritised and addressed relevant to the nature of the concern.

The following types of concern are examples of those considered high priority:

- Cases of confirmed food poisoning linked to food establishment or food stuff.
- Numbers of unconfirmed illness associated with food establishment or food stuff.
- Foods subject to serious contamination or in a condition likely to be a risk to public health.
- Concerns regarding poor hygiene conditions within premises likely to give rise to contamination of food being prepared.
- Concerns regarding illness or infection associated with drinking or recreational water.

The following types of concern are examples of those considered low priority. They are likely to be subject to referral to a future inspection or other intervention:

- Notification of out of date food being sold. Unless there is a poor history within the premises, or after a number of similar complaints in a short period of time.
- Concerns about front of house hygiene conditions in premises. Unless there is a poor history within the premises, or after a number of similar notifications in a short period of time.
- Concerns about drinking and recreational water not linked to illness or infection. Concerns about mains water will be referred to Scottish Water and the Drinking Water Quality Regulator.
- Concerns regarding quality and nature of food and drink sold in food premises. Unless there is a poor history within the premises, or after a number of similar notifications in a short period of time.

Appendix 7 – Official Control Obligations

The following outlines the main operational obligations on competent authorities in terms of Regulation (EC) 882/2004 and the measures for delivery within West Lothian Council.

Obligation on local authorities	Summary of service delivery in West Lothian
Official controls are applied at an appropriate risk-based frequency. (Article 3, (1))	It has been highlighted in previous food service plans that not all controls are completed in accordance with the timescales determined within the Food Law Code of Practice (Scotland). Prioritisation is given to the highest risk premises for inspection. There was an impact on service delivery from vacancies within the service. There was an issue with attracting suitably qualified staff to advertised posts. This impact is ongoing. Recruitment to vacant posts will be pursued through 2021/2022. In 2020/2021: • The inspection plan was impacted in order to give priority to the public health response to the COVID pandemic. There were no routine proactive food safety inspections completed. • There were a significant number of business engagements in response to the pandemic and which included review and discussion of food safety practices with the business operator. • There were a large number of service requests received. 97.8% were responded to by the due date.
The effectiveness and appropriateness of official controls. (Article 4, (2)(a))	The service has been audited by Food Standards Agency Scotland (now Food Standards Scotland). No major concerns were highlighted during audits. There is a balanced approach to enforcement and education, and a high level of business compliance, and business satisfaction with the approach taken by officers. The enforcement policy for the service is cited as a good example in the Scottish Regulators Code of Practice. In 2020/2021: • For all risk rated food establishments in West Lothian, 96.6% were broadly compliant in terms of food law requirements. • 97.8% of relevant establishments within the food hygiene information scheme held a Pass award.
Staff carrying out official controls are free from conflicts of interest. (Article 4, (2)(b))	This is addressed through the councils' code of conduct for employees.
They have access to an adequate laboratory capacity and capability for testing. (Article 4, (2)(c))	Edinburgh Scientific Services have been appointed to provide laboratory services. They are an official control laboratory and meet the necessary requirements. A food sampling plan is

	included within the service plan. Sampling outcomes are recorded on a national database – SFSS.
They have a sufficient number of suitably qualified and experienced competent staff and adequate facilities and equipment to carry out their duties properly. (Article 4, (2)(c) & (2)(d))	There is no official standard provided for determining sufficient numbers of staff. However, in recent years the service has delivered a high standard of output and outcomes. The professional development requirements for officers in terms of the code of practice are being met, and officers have the necessary facilities to complete their work. It is recognised within the service plan that work is not easily quantifiable and impacts on workload delivery will vary depending on circumstances. Resources available to support service delivery continue to be kept under review. Vacancies within the service have impacted on official control delivery. These vacant posts will continue to impact in 2021/2022 as recruitment is pursued. There are no reductions in staffing from previous service plan. West Lothian has the third lowest costs per 1,000 population for environmental health (Scottish average is £13,771, and West Lothian is £8,061 – figures from Local Government Benchmark Framework 2019/2020). Although there is some variability in the levels of service provision there is no real evidence of serious detriment to food safety and public health in West Lothian at this time.
They have legal powers to carry out official controls. (Article 4, (2)(e))	Officers carrying out official controls are authorised in terms of the Council's scheme of delegation. Authorisation documents are available for officers. Officers will be authorised in terms of legislation applicable and appropriate to level of professional competence and grading.
They have contingency plans in place, and are prepared to operate plans in event of emergency. (Article 4, (2)(f))	The service will implement emergency plans as appropriate. There are different national and regional incident management plans for purposes of consistency. Staff have been involved in testing these plans. There is a service wide business continuity plan which is tested and reviewed appropriately. There are also internal procedures and information to assist officers involved in emergency situations.
They shall ensure efficient and effective co-ordination between all competent authorities involved. (Article 4, (3))	The service will liaise and co-operate appropriately with Food Standards Scotland. The service is also involved with other regional local authority colleagues in the Lothian & Borders Food Liaison Group which provides regular links to ensure consistency of approach and sharing of intelligence. Officers are also involved in national networks and working groups. The service also has access to MEMEX for food crime intelligence sharing. The service also uploads official control data to the Scottish National Database. It will work with primary and home authority local authorities in ensuring consistent food law enforcement.
They shall ensure the impartiality, quality	Officers will follow national guidance and internal policies and

and consistency of official controls at all levels. (Article 4, (4))	procedures to ensure consistency of approach. Officers will regularly discuss issues of concern with colleagues and will come forward for consideration at monthly team meetings. Issues for clarification or opinion can also be shared with regional liaison group colleagues, and if necessary taken to national groups for determination. Concerns of interpretation will also be raised with Food Standards Scotland. The service has a Council approved and publically available enforcement policy which demonstrates a graduated and transparent approach to enforcement. It is recognised within the Scottish Regulators Code of Practice as a good example. All inspection reports and guidance issued will direct customers and business operators to the process of raising concerns which might arise from the implementation of official controls. Customer survey information with business customers has always reported high levels of satisfaction with officers and official control activity.
They shall carry out internal audits or may have external audits carried out to ensure the objectives of the regulation are being achieved. (Article 4, (6))	Internal monitoring procedures are in place. These will include performance management – with internal and public performance standards being made available. Monitoring will also involve accompanied visits, case review, 1-2-1 meetings and performance appraisal in compliance with the Council's ADR process. External audits are carried out by Food Standards Scotland. Annual returns have been made (LAEMS and SFEAR). Official control data is uploaded to Food Standards Scotland – Scottish National Database.
They shall ensure staff performing official controls receive appropriate training for area of competence, and have aptitude for multidisciplinary cooperation. (Article 6, (a)-(c))	Ongoing training and development is essential, and the food law code of practice anticipates at least 10 hours CPD will be provided annually. Training records are kept, and training opportunities are provided for all staff. Training and development needs will be discussed and considered as part of 1-2-1 and ADR discussions. A number of staff are involved with internal and external partners, working groups and represent the service competently in such circumstances. This is a key element of succession planning within the service.
They shall carry out activities with high level of transparency and make relevant information publically available. The public will have access to information on control activities and their effectiveness, and information relating to product withdrawls. (Article 7, (1))	An annual food service plan is developed and approved by Council Executive. This is a public document and is available on the council website. A lot of other information has been made available on the council website. The service participates in the Food Hygiene Information Scheme to ensure appropriate public information is available regarding food hygiene compliance in local food establishments. The service will also encourage businesses to pursue Eat safe awards, which are also publically available information regarding standards of compliance. The service will issue media information appropriately. It will also ensure provision of information in terms of freedom of information. Food Standards Scotland co-ordinate product withdrawls. Information will be shared with the public and businesses appropriately.
They shall ensure staff maintain professional	Staff are made aware of legal obligations. Staff will also complete

secrecy in regard to certain information obtained in carrying out official controls. This includes confidential investigation and legal proceedings, and personal data. (Article 7, (2) &(3))	internal council training sessions on data protection and information security. These are regularly completed by staff to ensure awareness is maintained.
They shall carry out official controls in accordance with documented procedures containing information and instruction for staff performing official controls. (Article 8, (1))	Staff will have access to and will be aware of national standards and guidance, e.g. Food Law Code of Practice. All staff have access to internal systems or web access for necessary documents. There are also internal policies and procedures which staff are made aware of and are expected to follow. These are openly available, and contain appropriate cross referencing to other relevant guidance. Internal monitoring will consider compliance with procedures.
They shall have in place procedures to verify the effectiveness of official controls carried out and ensure that corrective action is taken when needed. (Article 8, (3)(a) & (b).	Internal monitoring, including accompanied visits will take place appropriately. Performance management processes are also in place. For example, a monthly report considers the premises which have been inspected and require a revisit based on the rating for compliance. It will ensure that officers are following up issues of concern. Reports are also provided which identify improving standards within food establishments over time, and through food hygiene information scheme. The outcomes and information is collected and stored on CIVICA APP system. The service is also audited by Food Standards Scotland.
They shall provide reports on official controls carried out and ensure business operators are provided with a copy of the report. (Article 9)	It is standard procedure to ensure that a report is left with a business operator after official control inspections and interventions. A written report will be left at time of visit, and if necessary followed up by a more detailed typed report. Guidance is also left to explain purpose of visit and also direct to sources of further information. Reports are designed to ensure compliance with the requirements within the Food Law Code of Practice.
They shall carry out official controls using appropriate control methods and techniques such as monitoring, surveillance, verification, audit, inspection, sampling and analysis. (Article 10, (1))	Various methods and techniques for official controls are used and are reflected in internal policies and procedures, and information recording on CIVICA APP system. Methods and techniques are considered appropriately in context of the hazard and risk activity of business operation or process. There is a prioritisation of work activities which is also included in the food service plan.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

HEALTH AND SAFETY SERVICE PLAN 2021/2022

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to make the Council Executive aware of the obligation upon the council to approve an annual Health and Safety Service Plan, and to seek approval for the Health and Safety Service Plan 2021/2022.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. notes the content of the report and accompanying Health and Safety Service Plan; and

2. approves the Health and Safety Service Plan 2021/2022.

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)**	Health and Safety at Work etc. Act 1974, Section 18, National Local Authority Enforcement Code requires local authorities to develop and approve an annual health and safety service plan. The Public Health (Scotland) Act 2008 places a duty on the NHS Lothian to produce a joint health protection plan in collaboration with relevant local authorities. The plan does not require a strategic environmental assessment. The plan deals with issues of equality and risk.
III	**Implications for Scheme of Delegations to Officers**	There are no implications for the scheme of delegation.
IV	**Impact on performance and performance Indicators**	The Health and Safety Service Plan identifies how work will be prioritised to ensure a high level of performance in work that has greatest impact on protecting public health.

		Performance indicators are reported internally and publically through covalent.
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 7 We live longer, healthier lives and have reduced health inequalities.
VI	**Resources - (Financial, Staffing and Property)**	The service plan has been developed to be delivered within current resources.
VII	**Consideration at PDSP**	The plan was presented to the Environment PDSP on the 1 June 2021. The panel were advised the plan would be reported to Council Executive with a recommendation for approval. This was agreed by the panel. No changes to the service plan were required following consideration by the panel.
VIII	**Other consultations**	None.

D. TERMS OF REPORT

In order to meet the requirements of the National Local Authority Enforcement Code (national code), West Lothian Council is required to develop and approve an annual health and safety service plan. The national code is given legal effect under Section 18 of the Health and Safety at Work etc. Act 1974.

D1 Purpose of the plan

The plan outlines how health and safety will be monitored and enforced within West Lothian businesses and other regulated activities. Whilst the main responsibility for ensuring health and safety remains with the businesses and individuals who create the risk, environmental health officers have a statutory duty in ensuring effective risk management, supporting businesses, protecting the West Lothian community, and contributing to the wider public health agenda.

Although elements of health and safety activity will be reflected in the service management plan for Planning, Economic Development and Regeneration the creation of a detailed health and safety service plan is a distinct requirement. The proposed plan for 2021/2022 is attached for review and consideration.

D2 Protection

The key role of the service is public health protection. The service plan gives an overview of how this is delivered in West Lothian. The mission statement for the service is – "*To protect and enhance the health, safety and welfare of people living and working in West Lothian by ensuring risks in the changing workplace are properly controlled* ."

The service shares enforcement and regulatory responsibilities for health and safety with the Health and Safety Executive (HSE). The main demands on the service are driven by routine risk rated inspections and interventions, accident reports and investigations, and concerns and requests for service regarding health and safety. The term health and safety has taken on a very negative and trivialised interpretation due to risk averse and claims conscious organisations using it as a broad brush excuse for avoiding certain activities. However, the real issues which officers have to address in protecting public health include:

- Prevention of serious and fatal accidents.
- Preventing injuries from falls from height, slips, trips and falls, manual handling and upper limb disorders.
- Preventing exposure to harmful substances (chemicals, asbestos, fine particulates, carbon monoxide etc.)
- Preventing injuries from vehicles and machinery (e.g. fork lift trucks).
- Preventing health impact issues (e.g. asthma, dermatitis, infectious diseases, legionella, stress, violence, skin piercing / tattooing etc.)

Service priorities have been established to ensure the best practical service in addressing the safety and public health needs of our communities. They also reflect guidance issued by the HSE in regard to prioritising safety inspections and enforcement activity. Service priorities are outlined in the plan.

The financial and human costs of work related illness and injury are vast and impact individuals, businesses and taxpayers. In 2018/2019 the cost to the UK was £16.2 billion. The largest costs impact on the individuals effected, not just in terms of financial cost but quality of life or loss of life. The individual impact is valued at £9.6 billion. The cost to employers is £3.2 billion, and the tax payer costs are £3.5 billion.

D3 Performance and Performance Management

Everyone working within the service has a responsibility for ensuring the delivery of the best service possible. To help deliver a positive and productive performance culture the service ensures targets are established which focus on outcomes and outputs.

Performance is monitored and assessed by various methods and reported internally and publically. Performance expectations and standards are outlined and reported in the following ways:

- Legislation, enforcement and technical guidance.
- Internal working documents and procedures.
- Health and Safety Service Plan.
- Internal monitoring of performance.
- Appraisal and Development Review (ADR) process.
- Training and professional development of officers and management.
- Reporting to external agencies.
- Internal reporting to elected members and corporate management.
- Public reporting through Covalent.

The changing nature of demands upon the service requires a flexible approach to balancing priorities. Workplace safety and public health protection will always provide challenges. Officers and managers continue to take a constructive and professional approach to such matters, and through prioritisation, effective work planning and delivery, the service has ensured good performance in a number of areas.

The most significant impact on the service during 2020/2021 was the COVID pandemic and the response required by the service to address the public health concerns and issues resulting. The focus of the commercial team within the service had to move from proactive health and safety interventions in businesses to public health controls in terms of COVID control regulations.

Staffing and recruitment continues to provide challenges within the service. The pandemic has impacted on opportunities for training and developing new staff, but there were some positive developments with the service receiving additional funding to recruit two new staff to deal with COVID and related public health issues in the year ahead. This will provide much needed assistance within the service as attempts are made to train and recruit new staff into vacant posts and address work demands.

In addition to the challenges from workload and staffing resource which would have impacted the service in normal circumstances, the ongoing COVID situation has created a delay in being able to carry out the inspection plans for 2021/22. As the service continues to regulate COVID restriction controls in premises and workplaces it is likely that any on-site activity will be focused on these aspects of welfare and safety. There is likely to be a significant reduction in proactive interventions to sites and an increased use of alternative enforcement strategies to ensure businesses and sites maintain health and safety controls and measures.

D4 Challenges

The following have been identified as the key challenges for 2021/2022 and ongoing:

- Ongoing demands on officers from challenging premises and incidents in terms of workplace safety and public health issues.
- Ensuring that officers are supported, developed and capable of dealing with challenging, time consuming and high risk workload.
- Establishing and targeting workload priorities with available resources which deliver and maintain the best achievable levels of public health protection, whilst balancing a business friendly and supportive culture.
- Managing customer expectations for service requests, accidents and incidents in line with service priorities.
- Further development of alternative approaches to business engagement to attain maximum benefit for the council and businesses.

The plan for 2021/2022, and beyond, is to ensure the service focuses resources at priority areas of work, and takes correct action to protect public health when risks are identified.

E. CONCLUSION

The Health & Safety Service Plan 2021/2022 aims to reflect the ongoing work of environmental health officers in protecting safety and public health in West Lothian.

F. BACKGROUND REFERENCES

1. Report to Council Executive – Health and Safety Service Plan 2020/2021, 23 June 2020.

2. Report to the Environment Policy Development and Scrutiny Panel – Health and Safety Service Plan 2021/2022, 1 June 2021.

Appendices/Attachments: Health & Safety Service Plan 2021/2022

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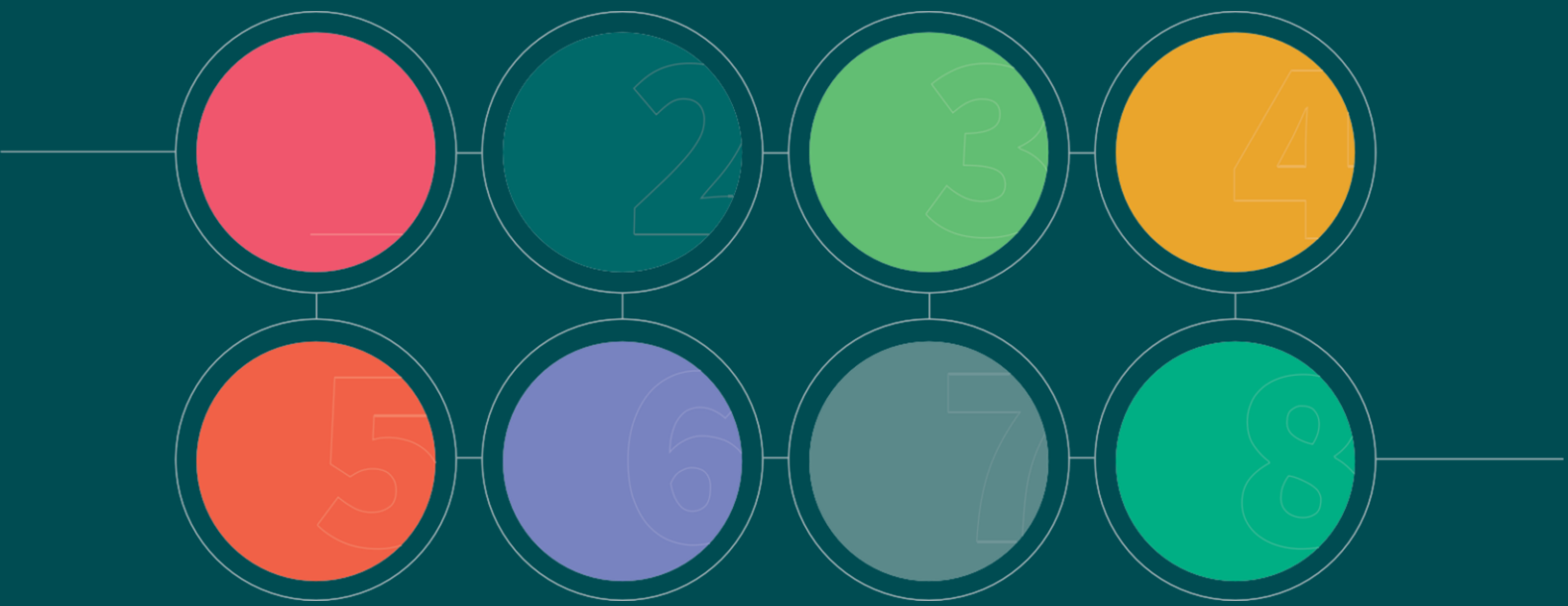
Craig McCorriston
Head of Planning, Economic Development & Regeneration

8 June 2021

Planning, Economic Development and Regeneration
Environmental Health & Trading Standards
Health and Safety Service Plan 2021/2022



West Lothian Council

West Lothian Council 2021/2022

Health and Safety Service Plan

OVERVIEW

In order to meet the requirements of the National Local Authority Enforcement Code (national code), West Lothian Council is required to develop and approve an annual health and safety service plan. The national code is given legal effect under Section 18 of the Health and Safety at Work etc. Act 1974.

The plan outlines how health and safety will be monitored and enforced within West Lothian businesses. Whilst the main responsibility for ensuring health and safety remains with the businesses and individuals who create the risk, environmental health officers have a statutory duty in ensuring effective risk management, supporting businesses, protecting the West Lothian community, and contributing to the wider public health agenda.

The service plan covers:

- service aims and objectives;
- authority background;
- service delivery;
- partnership and working with others;
- staff development and performance management;
- quality assessment; and
- service plan review.

A safe working environment is something many would take for granted. There is unfortunately significant confusion created by those who use health and safety as an excuse to avoid any type of risk. Very little of this has any bearing on real issues of health and safety and the necessary controls which should be in place to protect workers and members of the public. Ridiculous health and safety excuses grab headlines whilst essential work in protecting workers and the public goes largely unnoticed. Local authority enforcement officers and the Health and Safety Executive have shared responsibility for ensuring public and worker protection throughout the UK. The consequences of workplace accidents, ill health and fatalities are a significant burden on public health and the economy. Sensible, proportionate and firm management of health and safety is essential for everyone's benefit.

West Lothian Council 2021/2022

Health and Safety Service Plan

SECTION 1 ~ SERVICE AIMS AND OBJECTIVES

1.1 Corporate Plan & Single Outcome Agreement Links

Priority 6: Delivering positive outcomes on health.
Priority 8: Protecting the built and natural environment.
(web link https://www.westlothian.gov.uk/article/33026/Corporate-Plan)
SOA7 We live longer, healthier lives and have reduced health inequalities.

1.2 Commitment

Our commitment is to protect and enhance the health, safety and welfare of people living and working in West Lothian by ensuring risks in the changing workplace are properly controlled.

In delivering this service plan we acknowledge and contribute across the six strategic themes of '*Helping Great Britain Work Well*' – HSE, Health and Safety Strategy:

- Encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses;
- Continuing to promote the risk-based, goal-setting regulatory regime that has served health and safety in Great Britain so well;
- Working with partners in the system to make workplaces safer and healthier, providing a level playing field for responsible employers with regulators and co-regulators, by advising, promoting, and where necessary, enforcing good standards of risk control;
- Using proportionate, risk-based regulation to support better outcomes, innovation and the safe use of new technologies;
- Developing services and products that contribute to improved management and control of risks, sharing our knowledge, and
- Continuing the dialogue and conversation with stakeholders to make the system better, always looking to provide simple, pragmatic advice and support.

A safe and healthy working environment also contributes to the health and wellbeing of the population within West Lothian. This is recognised within the Joint Health Protection Plan for Lothian agreed by NHS Lothian, and West Lothian Council, City of Edinburgh Council, East Lothian Council and Midlothian Council.

1.3 Our priorities

The service has to be delivered on a priority basis. This reflects the nature of the work undertaken and that the service cannot be divided up into uniform time units for

completing tasks. Each inspection, accident, and service request will have its own complexity and issues which determine the amount of work and time required to address.

The priorities are based on both reactive and proactive work and the potential public health impact of each. Delivery of service priorities will be within the context of resources available and staff skills, knowledge, experience and capacity.

Service priorities have been established to ensure the best practical service in addressing the safety and public health needs of our communities. They also reflect guidance issued by the Health and Safety Executive in regard to prioritising safety inspections, interventions and enforcement activity. Service priorities are outlined in Appendix 3.

The Costs of Health and Safety

The financial and human costs of work related illness and injury are vast and impact individuals, businesses and taxpayers. In 2018/19 the cost to the UK was £16.2 billion. The largest costs impact on the individuals effected, not just in terms of financial cost but quality of life or loss of life. The impact is valued at £9.6 billion. The cost to employers is £3.2 billion, and the tax payer costs are £3.5 billion.

http://www.hse.gov.uk/statistics/cost.htm

SECTION 2 ~ AUTHORITY BACKGROUND

2.1 Profile

West Lothian is a mixed rural and urban authority covering a geographical area of 42,504 Ha. The population is approximately 183,100*. The Environmental Health & Trading Standards service is located in Linlithgow Partnership Centre, Linlithgow. There are 2442** premises within the area ranging from offices, retailers, service sector, warehouses, leisure and public events. (*National Records of Scotland mid-year estimate 2019, **As of 01/04/21)

2.2 Organisational Structure

The service structure is as per appendix 1. The plan will be delivered by officers within the commercial team.

The commercial team is part of the Environmental Health & Trading Standards service which is part of Planning, Economic Development and Regeneration.

West Lothian Council 2021/2022

Health and Safety Service Plan

2.3 Scope of the Service

The scope of the service is outlined as follows:

- *To inspect business premises within West Lothian, in accordance with recognised inspection frequencies in order to secure a safe and healthy workplace environment in accordance with relevant legislation, approved codes of practice, and other initiatives;*

- *To investigate accidents, work-related diseases and dangerous occurrences reported to the service, as required by the local accident investigation criteria, taking enforcement action where necessary and giving advice as appropriate;*

- *To react to public and business complaints and enquiries in relation to health, safety and welfare within West Lothian workplaces;*

- *To provide health, safety and welfare advice and guidance and to ensure compliance of new business and businesses transferred to new owners;*

- *To ensure activities that are necessary to support, compliment and develop the work of the health and safety service are carried out; and*

- *To prepare relevant reports, statistical, and other relevant information to local businesses and other service units within West Lothian Council, Central Government, professional bodies and any other interested parties as appropriate.*

2.4 Demands on the Service

The service shares enforcement and regulatory responsibilities for health and safety with the Health and Safety Executive. The main demands on the service are driven by routine risk rated inspections and interventions, accident reports and investigations, and concerns and requests for service regarding health and safety. The term health and safety has taken on a very negative and trivialised interpretation due to risk averse and claims conscious organisations using it as a broad brush excuse for avoiding certain activities. However, the real issues which officers have to address in protecting public health include:

- Prevention of serious and fatal accidents.
- Preventing injuries from falls from height, slips trips and falls, manual handling and upper limb disorders.
- Preventing exposure to harmful substances (chemicals, asbestos, fine particulates, carbon monoxide etc.)
- Preventing injuries from vehicles and machinery (e.g. fork lift trucks).

- Preventing health impact issues (asthma, dermatitis, infectious diseases, legionella, stress, violence etc.)

Services are available from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00pm Friday. The team, however, has to accommodate working out with these times due to operating times of businesses. On occasion evening and early morning work is necessary to carry out the inspection and intervention programmes. There is generally no proactive work for events at weekends. Emergency contact details have been provided to appropriate partner agencies in regards to incident management should these occur out with normal working hours. However, the arrangements are limited to point of contact notification only.

There is a regular turnover in many of the businesses with new owners and changes in operation of the business. In the last five years there has been a 6% increase in registered food businesses (28% in the last 10 years). However, the overall business profile for health and safety enforcement has reduced by 4.9%.

In line with the enforcement policy, officers are required, when necessary, to take appropriate enforcement action. This may include service of notices, prohibition of activities and equipment, and reports to the Procurator Fiscal leading to prosecutions and time in court.

The principles of better regulation have been a key aspect of how the service is delivered for a number of years. As well as workplace safety inspections and interventions, officers in the commercial team will also carry out a number of food safety and smoking enforcement inspections. This is done to ensure best use of resources and avoid unnecessary additional visits to premises. It is encouraging to note the positive feedback from business consultation exercises in relation to their experience of inspections and enforcement activities.

It is, however, vitally important to remember that the principal purpose of the service in West Lothian is public health protection. In previous years a number of changes were made to the approach taken to inspections e.g. prioritisation of workload, changes in inspection reporting and recording, changes to inspection and workload allocation and geographical distribution, better use of flexible working and council buildings. Further streamlining of the service will be required during 2021 and beyond. We will ensure that attention continues to be given to positive outcomes irrespective of the breadth of service provision in future. Some of these issues are highlighted in 6.3.

West Lothian Council 2021/2022

Health and Safety Service Plan

The Importance of Health and Safety to Business

A survey of employees and employers by the Health and Safety Executive highlighted the importance of health and safety in the workplace. Employers tended to see the importance more acutely than employees in many cases (where other work considerations were a higher priority) – however this may be reflective of the general sense that workplaces are in the main safe and controlled environments. There were however a number of responses from employees which raised concerns that their current working environments were not safe. Although a smaller percentage it still amounts to a significant number of workplaces if translated across the whole of the UK.

The majority of employers say that health and safety requirements benefit their company as a whole (73%), save money in the long-term (64%) and defend them against unjustified compensation claims (57%). Most employers also disagree with the contentions that health and safety requirements hamper their business (78%) and are biased against small businesses (54%).

The response from West Lothian business customers has always been favourable for any contact with officers from this service. Customer survey responses are outlined in appendix 5.

https://www.ipsos.com/sites/default/files/migrations/en-uk/files/Assets/Docs/Archive/Polls/hse.pdf

2.5 Enforcement Policy

In terms of the national local authority enforcement code the service has a written enforcement policy which has been approved by the Council. The policy has undergone an equality impact assessment, and is followed by officers. The policy has also been cited as a good example in the recently approved Scottish Regulators Code of Practice. A copy of the policy is available to anyone on request and is also available on the West Lothian Council website. (http://www.westlothian.gov.uk/environmental-health)

SECTION 3 ~ SERVICE DELIVERY

Officers in the commercial team contribute to the development and implementation of this plan. This section outlines areas of work to which they contribute.

In order to meet ever changing demands, the service is always looking at ways of working most effectively. Performance management is a key factor in ensuring this can be achieved (see section 4.4). The quality of the service delivered is essential in protecting public health,

and the service is working to ensure that everyone plays a part in delivering the best service possible.

3.1 Inspections and interventions

There are currently 2442 businesses and work places within West Lothian which are allocated to the service for the purpose of monitoring and enforcing health and safety. Inspections and interventions are determined in line with the national local authority enforcement code and LAC 67/2 (rev 9) issued by the Health and Safety Executive. An annual inspection and intervention policy is outlined in appendix 2 and is based on national and local priorities for health and safety.

To ensure best use of resources, inspections and interventions are linked, where possible, to the food safety inspections due and are set as an internal performance indicator. Non-food premises will be targeted in a way which is proportionate to the relevant risk nature of the business. This will range from full and unannounced inspections, to targeted issue specific interventions, interventions for officer development purposes, and general advisory letters / communications to the very lowest risk establishments.

Officers will also have an input to on site safety at public events. There will be input through discussion with organisers, the licensing process and meetings with other council services.

Premises profiles and intervention information is outlined in appendix 3.

3.2 Accidents – investigation / prevention

There is a statutory duty on employers to report injuries, diseases and dangerous occurrences within certain criteria and timeframes. A risk based and proportionate approach is taken by the service to the investigation of any reports received. It is often said that accidents just happen, however that is not true and the reality is that every accident has a cause. The nature and frequency of the issues reported is used to help identify local priorities for intervention, and any more immediate follow up response required.

A key part of any inspection or intervention is to identify the approach being taken by business operators and staff to reduce the likelihood of accidents and address any issues resulting from these engagements with businesses.

Information on accidents reported in West Lothian is found in Appendix 3.

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Health and Safety Service Plan

3.3 Requests for service and concerns regarding safety

Officers will investigate concerns raised by employees or others regarding health and safety in West Lothian premises. The nature of concerns can vary from failure to provide basic welfare provisions for staff, to serious concerns regarding dangerous working practices.

These will be responded to on a priority basis. Appendix 4 has a breakdown of business types and risk bands in relation to service requests received. This information will help inform local elements of the health and safety intervention policy.

3.4 Advice and support to Business

All officers will be involved in giving advice to businesses on workplace safety issues as part of routine visits. Advice can also be given to new businesses. This is an important aspect of work as it helps to ensure that businesses which request help can be set up complying with the necessary legal requirements. It has been established as one of our priorities for higher risk businesses and fits the model of targeting upstream intervention.

The service recognises that a well run and viable business will most likely be a safe business. Officers will direct business owners to support and help from colleagues working through Business Gateway. Information sheets are left at every inspection with details of where businesses can get further help and support in this and other aspects of workplace safety. This all works towards protecting public health and reducing the financial impact of compliance on businesses.

The ongoing work with established businesses is assisted by a number of helpful information sheets, guidance booklets, and other educational resources. A great deal of useful information is available on the Health and Safety Executive website, and through organisations such as Healthy Working Lives. The service web pages provide links to these and other web sites.

3.5 Primary Authority Partnership

West Lothian Council has no formal agreements in place to act as a primary authority partner.

There are however a number of national companies trading in West Lothian who have made such arrangements with an appropriate local authority, and due consideration is given to the context of these partnership arrangements in terms of our interventions and potential enforcement activity.

3.6 Liaison with Other Organisations

It is important to realise that the commercial team does not work in isolation from other internal services or external organisations. Internally, the team works with planning, building standards, economic development, licensing, legal, occupational health, and media to provide a joined up service.

The national code requires local authorities to work together, liaise and carry out appropriate peer review in terms of ensuring consistent application of statutory requirements and aspects of the national code itself. West Lothian Council is part of the Lothian and Borders Health and Safety Liaison Group. This group meets approximately 4 times a year and group members will continue discussion through email and other forms of communication to ensure shared understanding and consistency of application on various issues. The group also has representation from the Health and Safety Executive, and discussions can take place with the designated local authority unit staff as and when required.

SECTION 4 ~ RESOURCES

4.1 Financial Allocation

There is no specific budget allocation for delivery of the health and safety service. The service delivery is shared by officers within the commercial team along with delivery of other environmental health functions. This includes delivery of the food service plan.

West Lothian has the third lowest costs per 1,000 population for environmental health (Scottish average is £13,771*, and West Lothian is £8,061* – figures from Local Government Benchmark Framework 2019/2020). There will, however, be some variability between local authorities in terms of the level of service delivered. (*The framework definition of environmental health includes the operation of public conveniences which are not an operational or service function of Environmental Health & Trading Standards in West Lothian but still get counted against costs of service.)

4.2 Staffing

The service is staffed as per the structure indicated in appendix 1.

The current FTE allocation available for service delivery is 1.25 officers. However, currently 7 members of staff are authorised and contributing to the workload along with other environmental health functions.

Health and safety is only one element of the role of environmental health. The pressures on the whole service increase year on year with changes in legislation, increasing population

and demand on the service having to be managed on a priority basis. We are therefore targeting priority areas of work, delivering aspects of the service differently, reducing or removing aspects previously delivered, and continuing to work as effectively as possible to protect public health.

4.3 Staff Development Plan

As per the national code and the Health and Safety at Work etc. Act 1974, the service has a statutory duty to "make adequate arrangements for enforcement" and to legally appoint suitably qualified officers. The service has to ensure that officers have suitable and ongoing competence in order to exercise duties and powers in terms of the Act.

'Section 26 of the Health and Safety at Work etc. Act 1974' allows local authorities to indemnify inspectors appointed under that Act under specified circumstances. It is the policy of this authority to indemnify inspectors appointed under that Act against the whole of any damages and costs or expenses which may be involved, if the authority is satisfied that the inspector honestly believed that the act complained of was within their powers and that their duty as an inspector entitled them to do it, providing the inspector was not wilfully acting against instructions.'

Training and development needs are therefore assessed during individual Appraisal and Development Review meetings held in accordance with the council's Investor in People accreditation, and during monthly 1-2-1 meetings with line manager.

It is also recognised that knowledge and awareness of different sectors, work activities and processes needs to be maintained. As the national focus for inspections and interventions has changed this has reduced the onsite activity of officers to maintain familiarity and experience in a number of areas. This has potential consequences for competence of officers in addressing serious issues should they arise. Therefore the interventions plan for West Lothian will aim to ensure that interventions within different business sectors and activities continue to ensure officer skills, knowledge and competence is not lost.

A health and safety competency framework for officers is being developed to help give more detail to skills and knowledge pertinent to the different work areas. This was produced in support of national guidance – the Regulators Development Needs Assessment (RDNA). It will provide officers with links to necessary legislation, guidance, technical information, scientific papers etc. and will continue to develop over time. The framework is also being extended to other areas of the environmental health service.

West Lothian Council 2021/2022

Health and Safety Service Plan

4.4 Performance Management

Everyone working within the service has a responsibility for ensuring the delivery of the best service possible. To help deliver a positive and productive performance culture the service ensures targets are established which focus on outcomes and outputs.

Performance is monitored and assessed by various methods and reported internally and publically. Performance expectations and standards are outlined and reported in the following ways:

- Legislation, enforcement and technical guidance.
- Internal working documents and procedures – e.g. enforcement policy, customer service standards, council HR policies and procedures etc.
- Health and safety service plan.
- Internal monitoring of performance – e.g. team meetings, one to one discussions, monthly reporting to senior officers, public reporting of performance through Pentana, accompanied visits, customer survey and service complaints.
- Performance review and personal development planning.
- Training and professional development of officers and management.
- Reporting to external agencies – e.g. LAE1 to HSE.
- Internal reporting to elected members – performance committee, Environment PDSP, Council Executive.

SECTION 5 ~ QUALITY ASSESSMENT

5.1 Quality Assessment

The Environmental Health & Trading Standards service participates in the West Lothian Assessment Model. This is West Lothian Council's adaptation of the European Foundation for Quality Management. This is being used to help deliver continuous improvement of the service in years to come. The service is assessed as part of the corporate Customer Service Excellence award.

CUSTOMER SERVICE EXCELLENCE The Government Standard

The environmental health team were also recognised as best performers for 2019 in the APSE Performance Networks Awards. This is a benchmark network of around 250 local authorities throughout the UK.

Internal monitoring of procedures and customer feedback is also used to assess the quality of the service provided. Customer consultation is a key development issue and a customer and business consultation survey is carried out once a year.

SECTION 6 ~ SERVICE PLAN AND OPERATIONAL PLAN REVIEW

6.1 Review against Service Plan

The service plan will be reviewed in six months.

Internal plans, policies and procedures are reviewed annually, or as and when required.

6.2 Identification of any Variance from the Service Plan

The most significant impact on the service during 2020/2021 was the COVID pandemic and the response required by the service to address the public health concerns and issues resulting. The focus of the commercial team within the service had to move from proactive health and safety interventions in businesses to public health controls in terms of COVID control regulations.

There was a significant increase in the number of service requests responded to by the team which were mainly driven by the COVID control regulations. A significant amount of business engagement was undertaken to assist businesses understand the public health controls and this is evidenced in the increase in alternative intervention activity recorded by the team.

Staffing and recruitment continues to provide challenges within the service. The pandemic has impacted on opportunities for training and developing new staff, but there were some positive developments with the service receiving additional funding to recruit two new staff to deal with COVID and related public health issues in the year ahead. This will provide much needed assistance within the service as attempts are made to train and recruit new staff into vacant posts and address work demands.

There was an improvement in performance within the team in responding to service requests. This has been facilitated by a lack of demand from other regulatory interventions during the COVID pandemic, but is also reflects a significant effort by officers within the team to deal with this workload.

There was a reduction in accidents reported to the service from the previous year. This would normally be welcomed as a marker of improvement in business safety performance,

but is perhaps more reflective of significant changes in the business operations during the lockdown response to the pandemic.

The business satisfaction responses for those businesses we engage with remains very positive.

Performance and workload comparisons are made in appendix 3.

6.3 Areas for Improvement / Challenges.

In addition to the challenges from workload and staffing resource which would have impacted the service in normal circumstances, the ongoing COVID situation has created a delay in being able to carry out the inspection plans for 2021/22. As the service continues to regulate COVID restriction controls in premises and workplaces it is likely that any on-site activity will be focused on these aspects of welfare and safety. There is likely to be a significant reduction in proactive interventions to sites and an increased use of alternative enforcement strategies to ensure businesses and sites maintain health and safety controls and measures.

The following have been identified as the key challenges for 2020/21 and ongoing:

- Ongoing demands on officers from challenging premises and incidents in terms of workplace safety and public health issues.
- Ensuring that officers are supported, developed and capable of dealing with challenging, time consuming and high risk workload.
- Ensuring workload priorities are appropriately aligned with available resources to deliver and maintain the best achievable levels of public health protection, alongside a culture of positive business engagement.
- Managing customer expectations for service requests, accidents and incidents in line with service priorities.
- Further development of alternative approaches to business engagement to attain maximum benefit for the council and businesses, including improving web content information and links to assist local businesses.

All inspections and focused interventions for 2021/22 are outlined in appendix 3.

The plan for 2021/22, and beyond, is to ensure the service focuses resources at priority areas of work, and takes the correct action to protect public health when risks are identified.

West Lothian Council 2021/2022

Health and Safety Service Plan

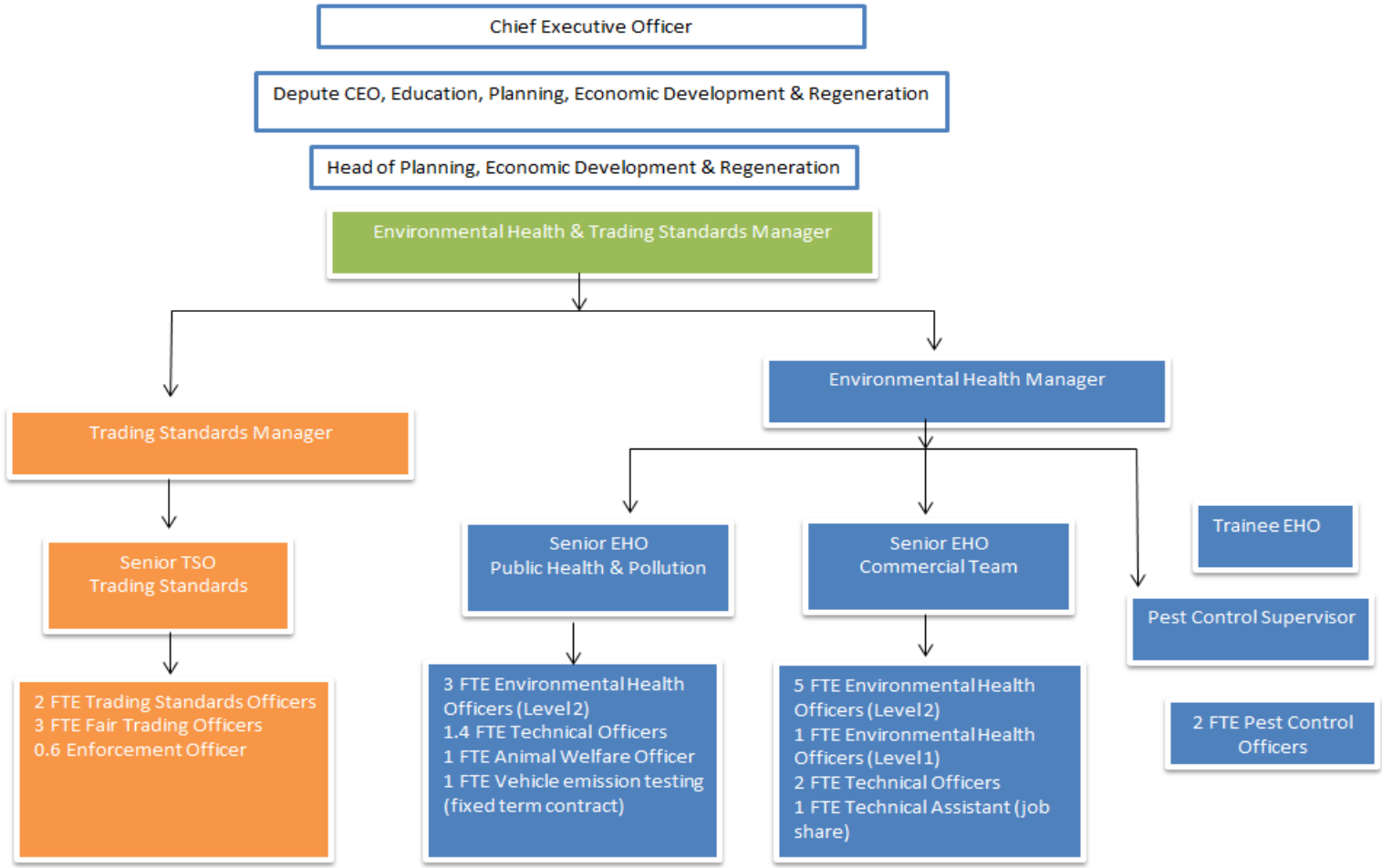
Appendices:

Appendix 1: Environmental Health and Trading Standards Structure
Appendix 2: West Lothian Health and Safety Intervention Policy and Matrix
Appendix 3: Workload comparison and priorities
Appendix 4: Accident reports and service request review
Appendix 5: Business customer satisfaction
Appendix 6: Customers / partners / stakeholders

West Lothian Council 2021/2022

Health and Safety Service Plan

Appendix 1 – Environmental Health and Trading Standards Structure (April 2021)



Appendix 2

EH&TS West Lothian Council
Health & Safety Intervention Policy & Matrix

Introduction

The purpose of this document is to outline how officers will engage with businesses on health and safety matters whilst following LAC 67/2 (Revision 9) and the National Local Authority Enforcement Code (the code). The objective is to promote safe and healthy workplaces by encouraging compliance with health & safety legislation through various interventions, taking enforcement action where appropriate and proportionate.

Local Authorities are required to visit premises under various pieces of non-health & safety legislation. Where West Lothian Council also enforces health and safety in these premises it will be an opportunity review the level of health & safety compliance, having regard to current guidance. Officers are expected to deal with matters of evident concern or other major health & safety issues. Advice or guidance on general health & safety matters may also be given. Additionally where a visit coincides with the due date under the risk rating scheme, the risk rating will be reviewed and where necessary re-rated.

West Lothian Council is also required to keep its premises database as accurate and up to date as possible. Regular contact with businesses is therefore essential and as such all premises due for review under the risk rating scheme will receive a mailshot as a minimum intervention.
In line with the National Local Authority Enforcement Code new business will be provided with an advisory visit.

West Lothian Council, and its officers, will use health & safety powers appropriately and not abuse powers of entry to gain access to premises, or information, to follow up non-health and safety issues.

National Local Authority Enforcement Code

The Code sets out what is meant by ‘adequate arrangements for enforcement’. It replaces the existing S18 Standard and concentrates on the following four objectives:

- Clarifying the roles and responsibilities of business, regulators and professional bodies to ensure a shared understanding on the management of risk;

- Outlining the risk-based regulatory approach that LAs should adopt with reference to the Regulator’s Compliance Code, HSE’s Enforcement Policy Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk;

- Setting out the need for the training and competence of LA H&S regulators linked to the authorisation and use of HSWA powers; and

- Explaining the arrangements for collection and publication of LA data and peer review to give an assurance on meeting the requirements of this Code.

LAC 67/2 (Revision 9)- Targeting local authority interventions

Summary of Appropriate Interventions

Proactive Inspections

Proactive inspection should only be used for:

- Specific projects/programmes of inspection identified by HSE for LA attention
- High risk premises /activities within the specific LA enforced sectors published by HSE (See List of activities/sectors for proactive inspection by LAs); or
- Locally identified potential poor performers. This is where specific local intelligence indicates that risks are not being effectively managed.

Intervention Types (Details in LAC 67/2 (Revision 9) – Annex D)

All premises will be reviewed at the beginning of the financial year, and based on nature of establishment, local intelligence and other elements of LAC 67/2 (Revision 9), will be allocated a suitable intervention utilising appropriate elements from those outlined below;

Intervention	Description
Partnerships (Non inspection intervention)	Strategic relationships between organisations or groups who are convinced that improving health and safety will help them achieve their own objectives. This may involve duty holders or trade unions, regulators, other Government departments, trade bodies, investors.
Motivating Senior Managers (Non inspection intervention)	Encouraging the most senior managers to enlist their commitment to achieving continuous improvement in health and safety performance as part of good corporate governance, and to ensure that lessons learnt in one part of the organisation are applied throughout it (and beyond).
Supply Chain (Non-inspection intervention)	Encouraging those at the top of the supply chain (who are usually large organisations, often with relatively high standards) to use their influence to raise standards further down the chain, e.g. by inclusion of suitable conditions in purchasing contracts.

Design and Supply (Non-inspection intervention)	"Gearing" achieved by stimulating a whole sector or an industry to sign up to an initiative to combat key risks, preferably taking ownership of improvement targets.
Intermediaries	Enhancing the work done with people and organisations that can influence duty holders. These may be trade bodies, their insurance companies, their investors or other parts of government who perhaps are providing money or training to duty holders.
Working with other regulators and Government departments	Where appropriate work with other regulators (including HSE, DVSA other LA regulators, the Police etc.) to clarify and set demarcation arrangements; promote cooperation; coordinate and undertake joint activities where proportionate and appropriate; share information and intelligence.
Encouraging and recognising compliance	Encouraging the development of examples with those organisations that are committed to performance and then using these examples to show others the practicality and value of improving their own standards.
Proactive Inspection	Alongside the Code, HSE publishes a list of higher risk activities falling into specific LA enforced sectors. Under the Code, proactive inspection should only be used for the activities on this list and within the sectors or types of organisations listed, or where there is intelligence showing that risks are not being effectively managed. The list is not a list of national priorities but rather a list of specific activities in defined sectors to govern when proactive inspection can be used. However, if a business carries out an activity on this higher risk list, it does not mean that it must be proactively inspected: LAs still have discretion as to whether or not proactive inspection is the right intervention for businesses in these higher risk categories.
Incident and Ill Health Investigation (Reactive)	Making sure that the immediate and underlying causes are identified, taking the necessary enforcement action, learning and applying the lessons.
Dealing with Concern and Complaints(Reactive)	Encouraging duty holders to be active and making sure that significant concerns and complaints from stakeholders are dealt with appropriately.

Enforcement (WLC, EH&TS Enforcement Policy)	Inspection and investigation provides the basis for enforcement action to prevent harm, to secure sustained improvement in the management of health and safety risks and to hold those who fail to meet their health and safety obligations to account. Enforcement also provides a strong deterrent against those businesses who fail to meet these obligations and thereby derive an unfair competitive advantage.
Revisit	To follow up on earlier interventions to check their impact and efficacy

List of activities/sectors for proactive inspection by LAs – only these activities falling within these sectors or types of organisation should be subject to proactive inspection			
No	**Hazards**	**High Risk Sectors**	**High Risk Activities**
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures, including premises that have: • Not yet demonstrated the ability to manage their legionella risk in a sustained manner, includes new cooling towers/evaporative condensers, or • Relevant enforcement action in the last 5 years and have not yet demonstrated sustained control of legionella risk.
2	Explosion caused by leaking LPG	Communal/amenity buildings on caravan/camping parks with buried metal LPG pipework	Caravan/camping parks with poor infrastructure risk control/management of maintenance
3	E.coli/ Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution	Poorly managed workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries	Industrial retail/wholesale premises	Poorly managed workplace transport/ work at height/cutting machinery /lifting equipment
6	Industrial diseases (occupational deafness/ occupational lung disease - silicosis)	Industrial retail/wholesale premises	Exposure to excessive noise (steel stockholders). Exposure to respirable crystalline silica (Retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops)
7	Occupational lung disease (asthma)	In-store bakeries and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not baking pre-made products.	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.
8	Musculoskeletal Disorders (MSDs)	Residential care	Lack of effective management of MSD risks arising from moving and handling of persons
9	Falls from height	High volume Warehousing/Distribution	Work at height
10	Manual Handling	High volume Warehousing/Distribution	Lack of effective management of manual handling risks
11	Unstable loads	High volume Warehousing/Distribution Industrial retail/wholesale	Vehicle loading and unloading

		premises4	
12	Crowd management & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue
13	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances
14	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign
15	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators	Poorly managed fusing of fireworks

Table 1 - Intervention Planning & Approach

Category	Comments	Intervention	Re-rate Y/N
Category A	Suitable for proactive inspection where: a) Activities within the specific LA enforced sectors published by HSE, or b) Where there is intelligence showing that risks are not being effectively managed.* May also be considered for other interventions.	Identify the risk and consider the use of **all** interventions to address that risk, including proactive inspection. Where a food safety inspection or other visit is combined, officers will have regard to matters of evident concern or matters of potential major concern. Interventions for officer development purposes.***	**Y**
Category B1	Premises in this category are generally not suitable for proactive inspection, however a combination of the remaining interventions in Annex C may be used. May be suitable for proactive intervention where: a) Activities within the specific LA enforced sectors published by HSE, or b) Where there is intelligence showing that risks are not being effectively managed.*	Where a food safety inspection or other visit is combined, officers will have regard to matters of evident concern or matters of potential major concern. Where that inspection or visit coincides with the due date under the risk rating scheme, the risk rating will be reviewed and where necessary re-rated. Where no visit, for non health & safety purposes, or other intervention is planned and local intelligence shows risk concerns then a focused advisory visit will be allocated. In other circumstances the business will be subject to the other intervention strategy**. The premises will be re-rated with the previous risk score for the date of intervention. Interventions for officer development purposes.***	**Y**
Category B2	Premises in this category are generally not suitable for proactive inspection, however a combination of the remaining interventions in Annex C may be used.	Where a food safety inspection or other visit, officers will have regard to matters of evident concern or potential major health & safety concerns. Where that inspection or visit coincides with the due date under the risk rating scheme, the risk rating will be reviewed and where necessary re-rated.	**Y**

	May be suitable for proactive intervention where: a) Activities within the specific LA enforced sectors published by HSE, or b) Where there is intelligence showing that risks are not being effectively managed.*	Where no visit, for non health & safety purposes, or other intervention is planned and local intelligence shows risk concerns then a focused advisory visit will be allocated. In other circumstances the business will be subject to the other intervention strategy**. The premises will be re-rated with the previous risk score for the date of intervention. Interventions for officer development purposes.***	
Category C	Premises in this category are generally not suitable for proactive intervention, however a combination of the remaining interventions in Annex C may be used. May be suitable for advisory visit where there is intelligence showing that hazards and risks are not being effectively managed.*	Where a food safety inspection or other visit, officers will have regard to matters of evident concern or potential major health & safety concerns. Where that inspection or visit coincides with the due date under the risk rating scheme, the risk rating will be reviewed and where necessary re-rated. Where no visit, for non health & safety purposes, or other intervention is planned and local intelligence shows risk concerns then a focused advisory visit may be allocated. In other circumstances the business will be subject to the other intervention strategy**. The premises will be re-rated with the previous risk score for the date of intervention. Interventions for officer development purposes.***	**Y (where premises was due or significant change to business or fall in standards)**
New Business	LAs are able to rate a new premise by desktop assessment, an advisory visit, or in exceptional cases a proactive inspection. Often the information available in relation to the new premises will be minimal and as such a visit is usually necessary.	Advisory Visit. Any matters of evident concern, or matters of potential major concern will be addressed in line with enforcement policy.	**Y**
Revisits	Used to follow up enforcement action and advisory visits	All enforcement activity will be followed by a revisit to confirm compliance or institute further action. Where requested or agreed, and where appropriate, further visits may	**Y (where significant**

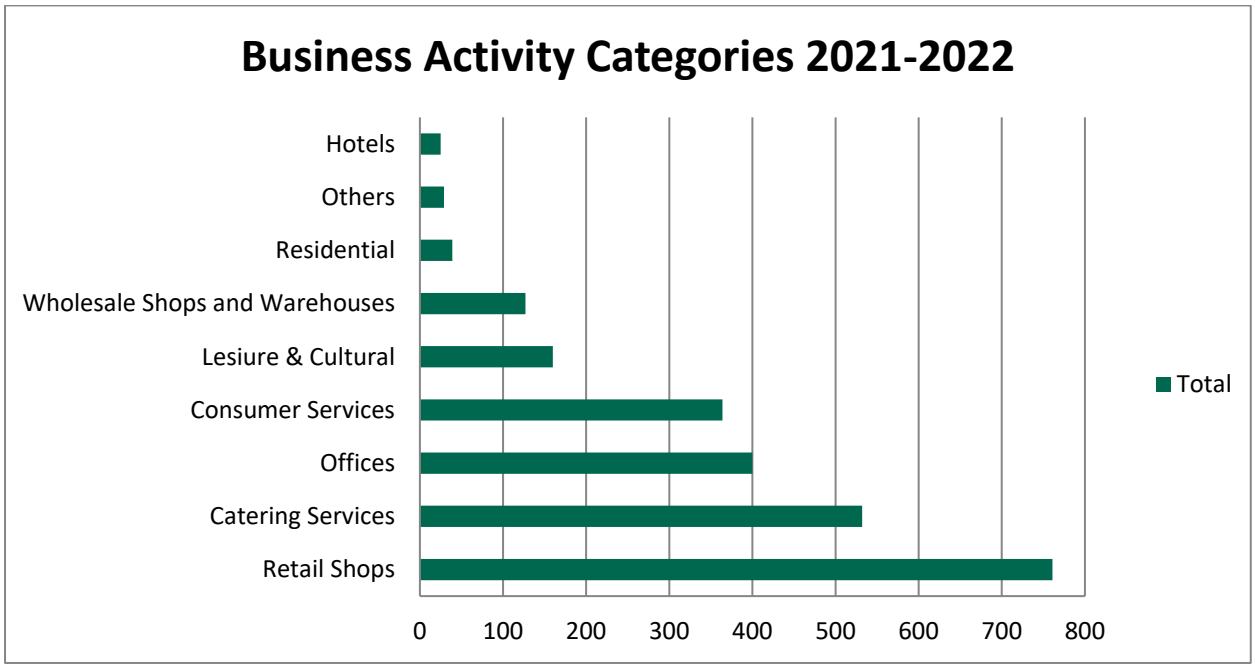
		be made to follow up advisory visits and other interventions.	**improvement in standards)**
Accidents and service requests (premises complaints, etc)	In relation to RIDDOR reports, follow the HSE Accident selection criteria. Where there is intelligence showing that hazards and risks are not being effectively managed.*	All accidents recorded, reviewed. Investigations as appropriate. All service requests are recorded, reviewed and investigated in line with council policies, but having regard to the code. Interventions for officer development purposes.***	**N**

**for local planning purposes business sectors identified as more significant in terms of accident reports, and service request demands will be focus of proactive inspection or intervention visit.*
*** Other intervention strategy can include visits (project / advisory), but mainly will consist of non-visit communication and information provision.*
**** Officer development visits will be appropriate to certain business types and activities. These visits will most likely be pre-announced.*

Appendix 3 – Workload Comparisons and Priorities

Activity	2017/2018	2018/2019	2019/2020	2020/21
On site inspections / interventions completed	205	177	110	-*
Alternative interventions (non-site visit)	303	142	272	936*
Revisits and other visits	78	119	86	35
Number of enquiries (not licensing)	74	60	94	651
Number of licensing enquiries	216	200	132	28
Enquiries responded to on time (Target 85%)	87.2%	84.6%	90.9%	97.1%
Number of registered premises	2521	2443	2402	2397
Reports to Procurator Fiscal	0	0	0	0
Improvement Notices	1	0	6	0
Prohibition Notices	2	2	4	0
Accident reports	108	90	73	54

*Routine interventions impacted by COVID restrictions and response to COVID regulatory controls.



Inspection and InteverventionWorkload

Table 1. 2021/2022 Planned Interventions

Risk Category	Premises Category	Intervention Description	Number planned
A	All categories	Visit	1
B1	Wholesale shops & warehouses	Visit	0
	Retail shops	Visit	3
	Catering services	Visit	2
	Other categories	Other intervention strategy	1
B2	Wholesale shops & warehouses	Visit*	7
	Retail shops	Visit*	23
	Catering services	Visit*	21
	Other categories	Other intervention strategy	39
C	Wholesale shops & warehouses	Visit*	0
	Retail shops	Visit*	11
	Catering services	Visit*	14
	Other categories	Other intervention strategy	31
Newly registered	All categories	Visit* / other intervention strategy	259

*For 2021/22 will visit only if allocated with other type of higher risk food safety intervention, or consider appropriate for officer development purposes. Otherwise will be subject to other intervention strategy. All interventions will be determined by ongoing response to COVID pandemic.

Workload Priorities

Priority	Category	Description
1	Emergencies and threats to public health	• Fatalities / serious accidents. • Public health incidents. • Revisits to secure compliance. • Formal action to protect public health (prohibition notices etc.) • Serious workplace safety concerns.
2	Highest consequence proactive	• Routine workplace safety inspections: • Risk band A and B1.
3	High consequence proactive / reactive	• Guidance to potentially high risk new establishments. • Project / support activities to address high consequence public health issues.

4	Medium consequence proactive / reactive	• Routine health and safety interventions:
		  • Unrated.
		  • Risk band B2.
		• Street traders certificates of compliance, and Section 50

		certificates (Licensed establishments). • Project / support activities to support service delivery and customer / business information access.
5	Lower consequence proactive / reactive	• Alternative enforcement interventions: • Risk band C. • Consultations / comments – licensing of events, planning etc. • Guidance to low risk new establishments.

Appendix 4 – Accident Notifications and Requests for Service Review

A review of accidents reported and requests for service to the team between 2016 – 2019 was used to identify issues for consideration as part of the intervention policy and matrix. A review of the nature of accidents and injury types was considered against business types and risk grades for businesses. The three year period was felt appropriate in order to get enough data to do a meaningful assessment. It will therefore form part of the intervention policy for the next three years (2020 – 2023), and thereafter on a rolling 3 year assessment and plan.

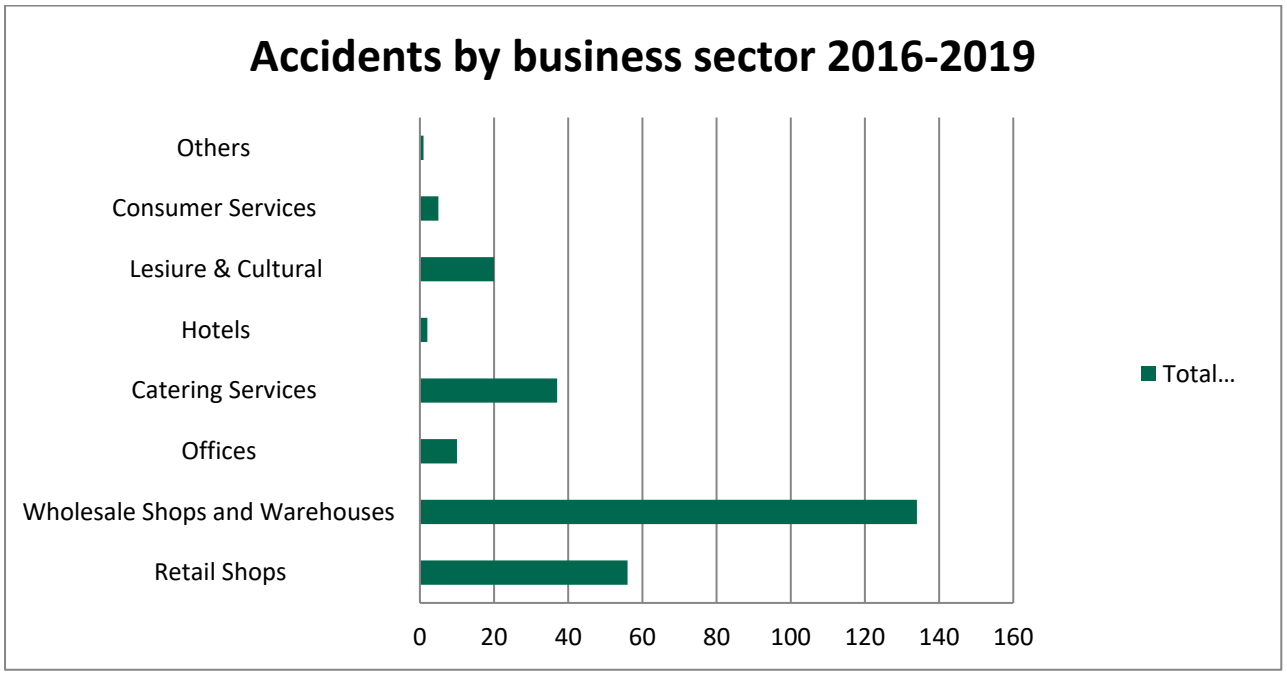


Table 1.

Of the accidents reported most came from the wholesale shops and warehouses, and retail shops sectors (see table 1). Catering services sector was the next highest reporter.

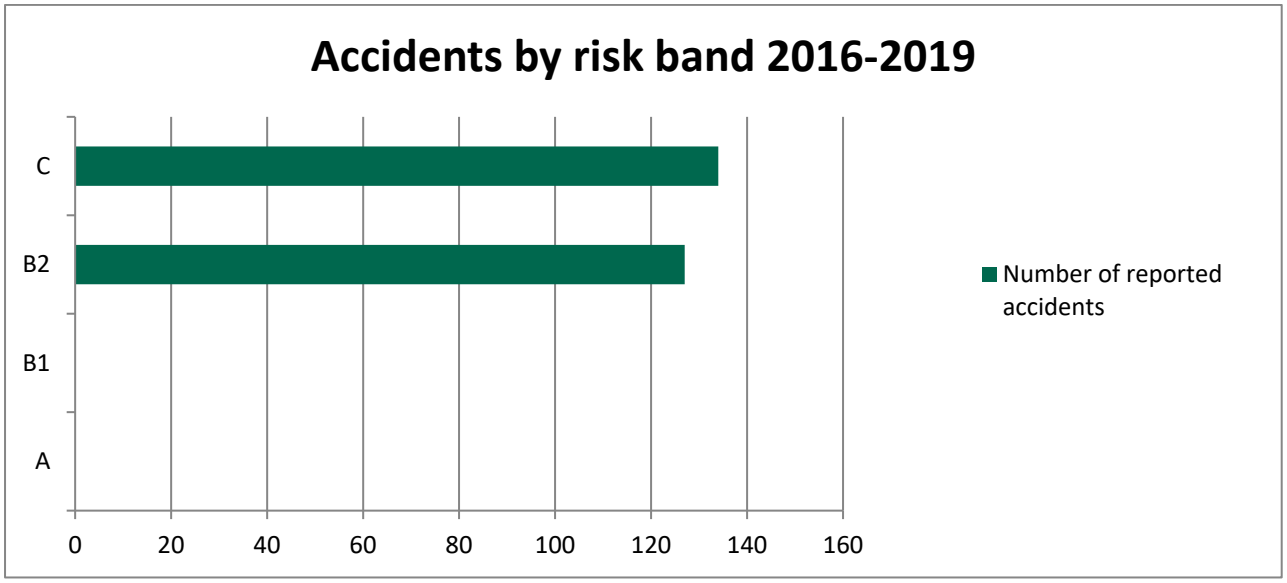


Table 2.

The highest number of reported accidents came from businesses within risk band C. (Table 2) These are generally the premises rated as lowest risk following inspections. These along with B2 rated premises (next highest reported) are not highlighted within HSE guidance as routinely requiring inspection. However, this local data would suggest further intervention and consideration is required.

The types of accident being reported and types of injury resulting were also analysed for all premises and those within risk bands B2 and C. The results highlight the same 3 prominent issues for accident types and for injury types in all cases. See table 3 and 4 below.

3 most reported accident types (Table 3):

- Slips, trips and falls (same level)
- Handling / lifting etc.
- Hit by moving / flying object.

3 most reported injury types (Table 4):

- Contusion / bruising.
- Fracture.
- Cut or abrasion.

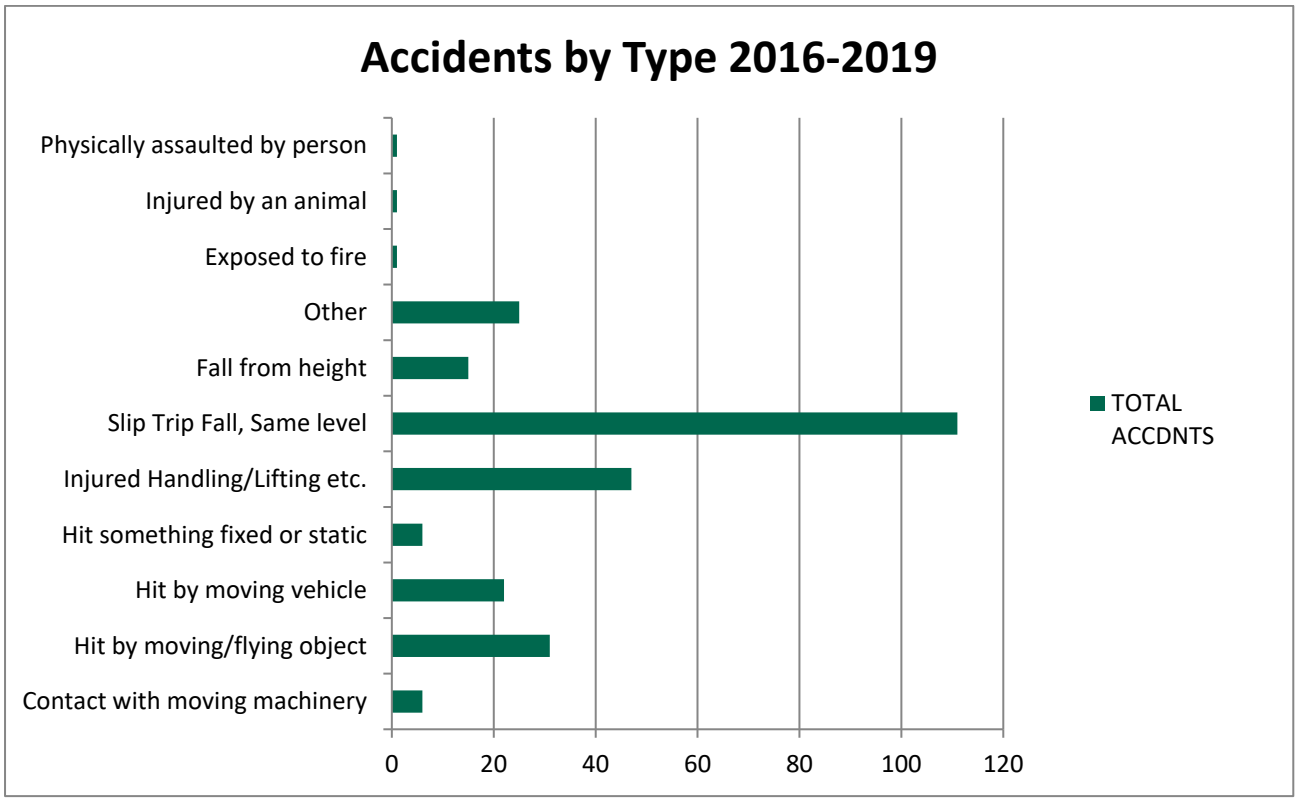


Table 3.

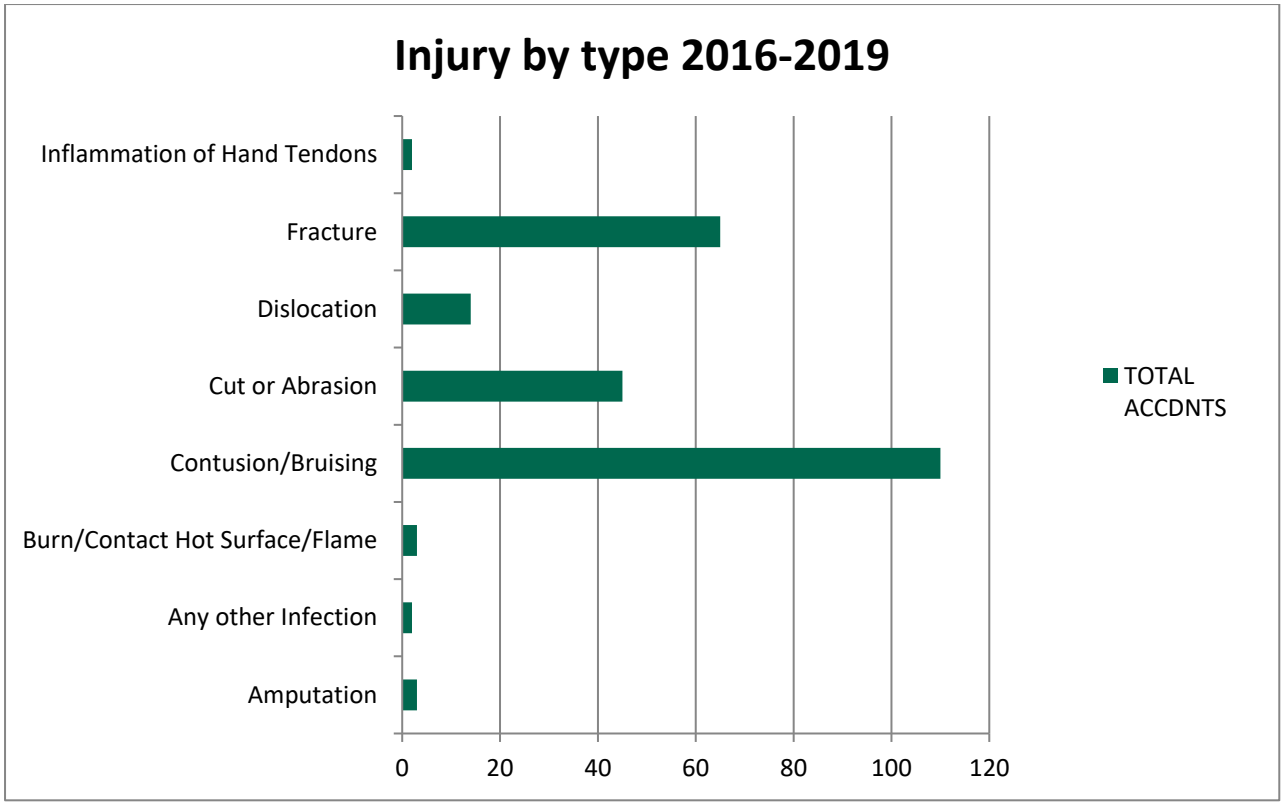


Table 4.

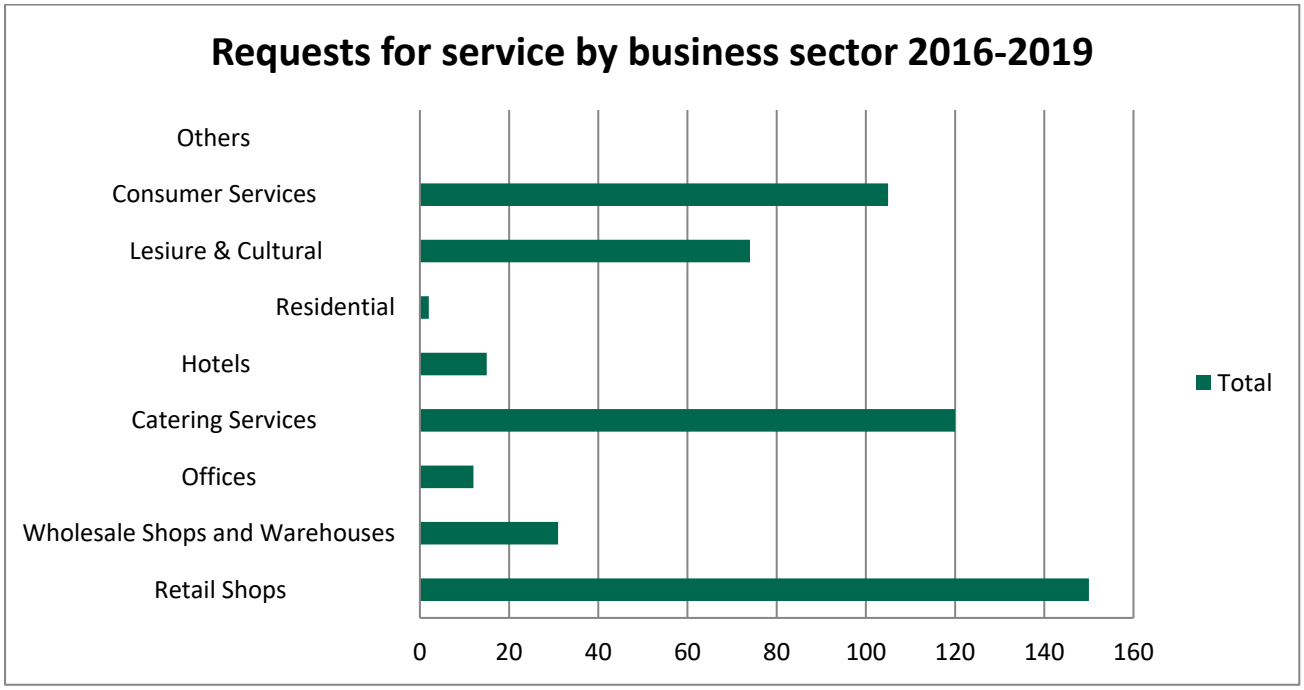


Table 5.

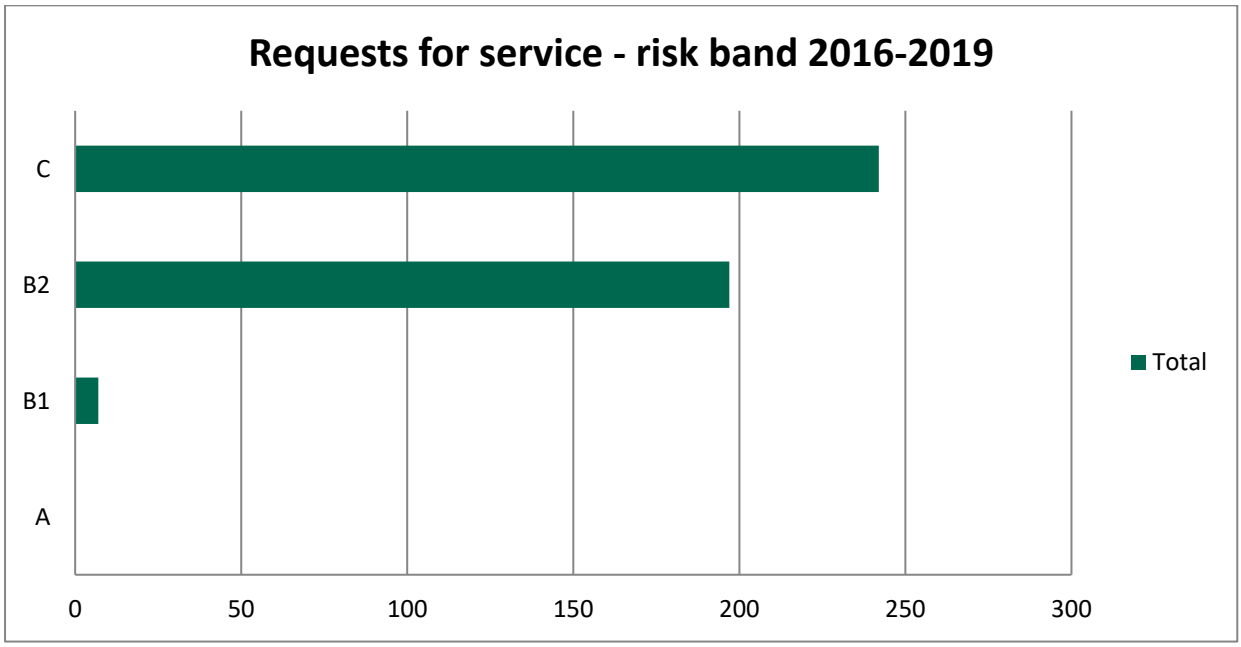


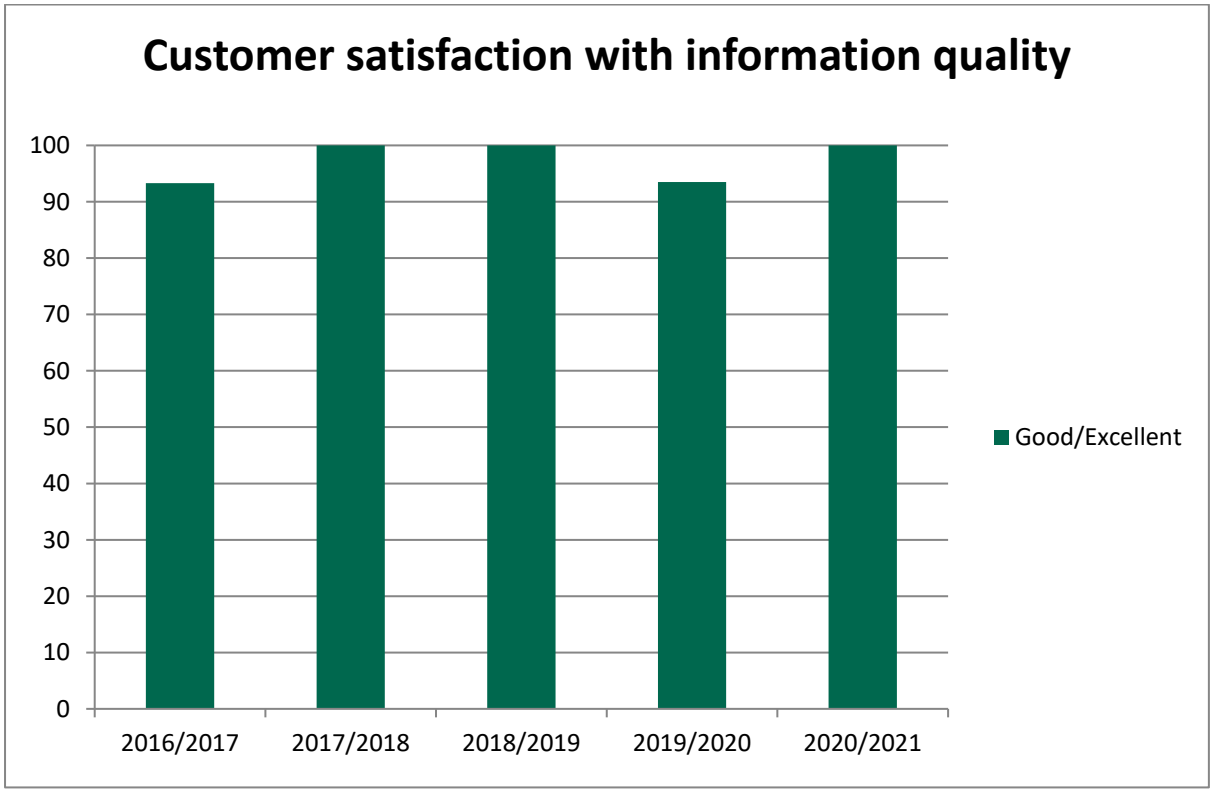
Table 6.

Table 5 and 6 look at the requests for service received by business sector and risk band. A large number of requests dealt with by the service did not have an allocated business type. However, the information generally supports the data in regard to the top 3 business sector categories and risk banding for accidents outlined above.

This data helps provide a focus for the local intervention strategy within West Lothian.

Appendix 5 – Business customer satisfaction

Business Customer Satisfaction. (Percentage of businesses who rated officer's explanation of how to comply with legislation as good or excellent)



Overall customer satisfaction remains high. It is encouraging to note that officers input to business visits is viewed so positively. Business customers are surveyed annually to help us ensure that officers are providing the best service possible. It remains a difficult balance when officers are having to take enforcement action and convey challenging information. Other information gathered in our annual surveys is highlighted in the table below.

	2020/2021	2019/2020	2018/2019
Staff overall knowledge and professionalism (good/excellent)	96%	95.8%	100%
Overall level of service (good / excellent)	96.2%	95.8%	100%
Treated fairly at all times	96.2%	97.5%	100%

This feedback would tend to support the view that local businesses support the visits to their premises and the assistance offered by officers.

Appendix 6 – Customers / Partners / Stakeholders

GROUP	RELATIONSHIP	COMMUNICATION EXAMPLES	PROPOSED FOR 2021/2022
Businesses within West Lothian	Inspections; application of legislation; advisory activities; investigation into incidents, accidents, education, training, enforcement, motivation. New business support.	Provide guidance, training, technical information, guidance notes, information leaflets, talks, seminars. Use of mail shot to lowest risk establishments.	Improve email contact details for businesses. Improve web content on relevant health and safety issues.
Public	We protect them. We investigate concerns on their behalf. We provide guidance and information.	Customer feedback on requests for service / accidents etc. Production of health and safety service plan and publication on website.	No change to current approach.
HSE	They provide direction and guidance on a partnership basis. We report to them annually (LAE1 return)	We consult them on technical guidance and policy. They consult with us on legal, policy and technical matters. Representation on local liaison and national working groups.	No change to current approach.
Elected Members (Councillors)	We respond to concerns and enquiries and provide information as required.	Reports to Environment PDSP, and Council Executive. Advice to licensing board. Annual Service Plan is presented to Council Executive for approval.	No change to current approach.
Other LA Services – Planning, Building Standards, Economic	Act as statutory consultee. Provide and receive guidance and support. Work in partnership in specific areas	Planning and building warrant application comments. Licensing applications and comments.	No change to current approach.

Development, Legal & Licensing, Education services, Operational services.	of interest.	Reports as required. Highlight issues of concern as required.	
Lothian NHS	We work together on investigation and control of infectious diseases.	EHO/HPT meetings. Sporadic and outbreak plans. Agreed joint health protection plan.	No change to current approach.
Other local authorities	Share information and best practice. Sampling initiatives. Developing guidance and working standards to ensure consistency of approach. Contribution to national policies and legislation development.	Liaison groups. National working groups.	No change to current approach.
PF and legal system.	Take legal action based on reports sent by us.	We send reports. Work together on content of report. We provide technical guidance. Send reports electronically.	No change to current approach.
Care Inspectorate	Act as Consultee / Advisor	Written reports and telephone calls to Care Inspectorate Officers	No change to current approach.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

UK COMMUNITY RENEWAL & LEVELLING UP FUNDS – PROJECT UPDATE

REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT

A. PURPOSE OF REPORT

The purpose of this report is to seek Council Executive's agreement on the projects to be progressed as applications to the UK Government's Community Renewal & Levelling Up Funds.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Agrees the proposed projects as detailed within the report as the council's bids into the funds;
2. Delegates the Head of Planning Economic Development & Regeneration to consider any external applications following the given assessment process and ensure applicants are informed of the outcome;
3. Delegates the Head of Planning, Economic Development & Regeneration to complete and submit applications by the deadline of 18 June 2021.

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; working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The UK Community Renewal Fund and Levelling Up Fund were announced by the Chancellor of the Exchequer in March 2001. The report itself does not raise any strategic environmental assessment, equality or risk issues. However, some elements of the project will require regulatory consents and specific assessments will be considered at that stage.
III	**Implications for Scheme of Delegations to Officers**	Responsibility for the submission of the applications will be delegated to the Head of Planning Economic Development & Regeneration.
IV	**Impact on performance and performance Indicators**	None.

V	**Relevance to Single Outcome Agreement**	Supports outcomes 1, 2, 3 & 4 of the Single Outcome Agreement.
VI	**Resources - (Financial, Staffing and Property)**	Applications are being made for approx. £1.8m to the Renewal Fund and £23m to the Levelling up fund. £15m for Town Centres & Regeneration theme and £8m on Transportation.
VII	**Consideration at PDSP**	Not required following council Executive on 23 March to report back to Council Executive with proposed projects.
VIII	**Other consultations**	Finance & Property Services, Operational Services. The scheme was published on the council's website and shared with partner organisations

D. TERMS OF REPORT

D.1 Background

In March 2021 the UK Government launched two investment funds and invited bids into the funds. The funds are a Community Renewal Fund (CRF) which will be a one-year pilot ahead of the Shared Prosperity Fund which will replace the EU structural funds, and a Levelling Up Fund.

At Council Executive on 23 March it was agreed that proposed projects would be brought to this Council Executive for approval to allow for completed applications to be submitted by the deadline of 18 June 2021.

D.2 UK Renewal Fund Proposed Projects

The UK Community Renewal Fund (CRF) is providing £220 million of investment and is open to local authorities across the whole UK – although additional support is being given to the top 100 places. West Lothian is not included within the 100 prioritised places.

The CRF is looking for a flexible and innovative approach to: -

- Investment in skills
- Investment in local business
- Investment in communities and place
- Supporting people into employment

Following the 23 March Council Executive officers sought out projects which would meet the criteria of the CRF. As per the assessment and technical guidance, notification of the fund was advertised through the council's website and raised through partner channels.

Officers have worked in partnership with West Lothian College and a number of other stakeholders to confirm a proposal which will enable local people and businesses to seize new opportunities within growth sectors in West Lothian. Investment support will include work-based skills development.

By collaborating with key economic partners, the project will avoid duplication of existing provision. Activities include:

Skills

- College cyber graduates
- Under/unemployed STEM Graduates
- Career Climber – leadership
- Career Climber – Business Improvement

Green & Life Sciences

- Low carbon Zero champions
- NPA – external wall insulation
- Future Scientists

Employability Pathways

- Women Returners
- Prevention in social justice/prison
- Health and care

These activities will be delivered through a variety of mechanisms to meet the needs of the clients and businesses which will include:

- Face to face engagement with clients and businesses both through one to ones and meetings
- Group sessions for clients
- Blended learning through workplace and college
- Classroom and online based provision with West Lothian College

Current programmes such as those delivered by DWP, SDS and A2E will support clients to engage with the additional provision whilst Business Gateway will support with the engagement with businesses.

Engagement with both clients and businesses through existing provision will enable delivery of the additional provision within the project through upskilling in participating businesses.

In total over 80 businesses and a minimum of 280 people will be supported through this additional activity.

The total value of the application is approximately £2.4 million with £500,000 match funding from the Jobs Task Force which will leave an ask from CRF of £1.8 million.

In addition to the preferred bid outlined above interest was received from partners and one external private company. The external private company bid failed to meet any the criteria.

D.3 The UK Levelling-Up Fund

The Levelling Up Fund will focus on capital investment in local infrastructure. Three broad categories are identified as follows:

- Transport investments
- Regeneration and town centre
- Cultural

Further to the details set out in the Council Executive paper on 23 March 2021 it has now been clarified that the council can make the following applications:

- One application in its own right (up to £20m)
- One application to cover the joint parliamentary constituency with Falkirk Council (up to £20m)
- On application for a strategic transportation project (up to £50m)

It has also been clarified that applications can made in each year of the fund but if an application is successful in one of the categories above no further applications will be possible under that category, but further awards will still be possible under the other categories.

Given this it will be important to ensure that any bids going forward maximise the opportunity for funding as a low value, successful bid at this stage would prohibit higher value projects being the subject of future bids in that category.

Any successful bid from the 2021/22 funding round must be capable of commencing implementation this financial year with completion expected in 2024. Officers have considered a number of unfunded capital projects and are recommending the following bids.

D.4 Levelling Up Fund Year 1 – West Lothian Future Skills & Innovation Hub

A joint bid with West Lothian College to establish a Skills and Innovation Hub in West Lothian which would be linked with the university sector to provide a university presence in West Lothian.

A successful bid would provide the capital to compliment the delivery of the activities and outcomes set out in the Community Renewal fund bid on an on-going basis. In addition, it would provide the business and education community with state-of-the-art training facilities to meet the needs of the growth sectors.

This bid would be submitted as the bid for the Livingston Parliamentary Constituency with a value of around £15m

D.5 Levelling UP - Year 1 – All-ways Sliproads at Junction 3 of the M9 and Associated Improvement Works on Linlithgow High Street

Provision of an all-ways slips at Junction 3 on the M9 (Linlithgow) is a long standing, but currently unfunded, project would provide west facing slips at this junction. Transport studies have been undertaken to demonstrate the positive benefits the all-ways slips would have on traffic flows on the High Street. Improvements to key junctions at either end of the High Street would further improve traffic flows with associated environmental benefits including improved air quality in the vicinity of the High Street which is designated as an air quality management area.

The council has approved a policy on developer obligation towards the motorway junction and the other roads improvements in the town but the Scottish Ministers are requiring changes to that policy. Discussions on this matter are ongoing but the stance put's the council's ability to secure the necessary funding via that route at risk. Funding through the UK Levelling-Up fund would remove that risk.

The eastbound-off slip is in Falkirk Council area and communities in the Falkirk Council area, particularly around Bo'ness would benefit from the investment so it fits neatly as a joint bid with Falkirk Council. Falkirk Council has indicated that it is likely to be supportive of the proposal as part of a wider strategic network improvement bid as summarised in the section on future bids.

This bid would be submitted as West Lothian's bid for the joint parliamentary constituency – Linlithgow and East Falkirk Constituency- with Falkirk with a value of around £8m.

D.6 Other Bids

Interest in the funds have been received from other outside bodies. These mainly relate to the cultural theme and include suggested applications relating to the Regal Theatre, Almond Valley Heritage Centre and a small number of smaller applications. These applications were assessed by officers as not meeting the terms of the fund; being unlikely to attract wider support and / or being less strategic in terms of meeting identified priorities. However, officers will continue to work with the promoters of these application to sign-post the groups to alternative funding solutions or to progress them as potential future applications to the Levelling-Up Fund if the proposed bids set out in this report are unsuccessful.

D.7 Future Bids

The Levelling Up Fund allows for bids of up to £50 million for larger scale transportation projects. The proposal for a bridge at the Avon Gorge and other improvements to the A801 would appear to fit the project criteria.

It would not be possible to commence delivery of this project this year and, consequently, it is proposed that a proposal is progressed with a view to submitting an application to a future bidding round. Discussion have taken place at officer level with Falkirk Council. These discussions were positive and have paved the way for a potential joint bid into the fund for 2022/23.

D.8 Next Stages

Subject to approval by Council Executive officers will complete the application forms and submit them by the 18 June deadline.

In parallel officers will ensure that the requirements of both funds are met including progressing discussions with MPs to secure their support.

E. CONCLUSION

The above projects will be required to be submitted to UK Government in the application template by noon on the 18 June 2021. Successful applicants will be informed by mid to end July will commencement on projects to start immediately.

F. BACKGROUND REFERENCES

The Community Renewal Fund Prospectus and related papers

The Levelling Up Fund prospectus and related papers

Appendices/Attachments:

Contact Person: Alice Mitchell, Economic Development & Regeneration Manager, alice.mitchell@westlothan.gov.uk

Craig McCorriston
Head of Planning Economic Development & Regeneration

8 June 2021

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

SCOTLAND LOVES LOCAL – WEST LOTHIAN GIFT CARD INITIATIVE

REPORT BY HEAD OF PLANNING ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to detail the proposed creation of a localised gift card initiative across West Lothian, with support from the Scottish Government and the Scotland's Towns Partnership. This will form an integral part of the Scotland Loves Local national gift card campaign scheduled to launch from mid-June 2021.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the scope and remit of the proposed West Lothian gift card;
2. Note the anticipated timing for the national launch and the subsequent local launch within West Lothian;
3. Approves participation in this initiative, and delegates authority to the Head of Planning, Economic Development and Regeneration, to provide support and sign appropriate concordat agreement, on behalf of the council;
4. Agrees that the council should continue to participate in the scheme provided that the approach continues to receive support from the Scotland's Town Partnership; that all costs are met externally and the scheme continues to demonstrate positive benefits; and
5. Agrees that where the tests in Recommendation 4 are not met the Head of Planning , Economic Development & Regeneration is delegated to withdraw the council from the scheme unless a further report agreeing on-going participation on a different basis is agreed by Council Executive.

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; working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The Scotland Loves Local Gift Card is part of a package of assistance which has continued to be made available by Scottish Government and Scotland's Towns Partnership to respond to economic and social challenges presented by the ongoing Covid-19 pandemic; and to further support recovery within our towns, town centres and communities.

III	**Implications for Scheme of Delegations to Officers**	The report details a specific proposed one-off delegation to the Head of Planning, Economic Development & Regeneration.
IV	**Impact on performance and performance Indicators**	None
V	**Relevance to Single Outcome Agreement**	Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.
VI	**Resources - (Financial, Staffing and Property)**	There are no staffing, property or financial implications arising for the council in year one of the scheme. If successful, and the intention is to continue participation in the scheme after year one, there will be an ongoing cost of around £600 per month. This includes participation, fulfilment, promotion, e-commerce and platform access. The costs will be met from external funding sources to be identified and targeted by council officers, in collaboration with local partners.
VII	**Consideration at PDSP**	The matter has not been considered by a PDSP due to the short timescale within which to secure approval prior to the planned launch of the national initiative
VIII	**Other consultations**	None.

D. TERMS OF REPORT

D.1 Scotland Loves Local - Background

As part of a package of continued assistance which has been made available by the Scottish Government and the Scotland's Town Partnership, to respond to the economic and social challenges presented by the COVID-19 pandemic, there has been specific funding support provided towards the resilience, and now recovery of our towns, town centres and communities here in West Lothian.

The 'Scotland Loves Local' national campaign (https://lovelocal.scot/), led by the Scotland's Towns Partnership with support from the Scottish Government, was launched in the Summer 2020. This has formed an integral component of the recovery process for our local places, businesses and our communities as our towns have gradually re-opened.

The Coronavirus pandemic has caused significant challenges for our town centres, high streets and local businesses, with many losing vital trade and income having had to close, firstly in March 2020, and then subsequently later in 2020 when there were further closure and restrictive measures put in place for businesses.

D.2 West Lothian Gift Card

The proposed gift card scheme will compliment and contribute to the 'Think Local First' national message being led by Scotland's Towns Partnership, which in turn is part of the Scotland Loves Local marketing campaign, referred to in Section D.1.

This will provide West Lothian with the opportunity to work with the identified suppliers (Miconex) to feature a local branding, for the 'West Lothian Gift Card' which could fit with subsequent 'Shop West Lothian' local marketing campaign that could coincide with the prospective future launch period.

The objective of the initiative is to encourage consumers to think local first and spend money locally, in turn supporting local businesses that are re-awakening from the immediate impact of the Covid-19 restrictions, protecting local jobs and making our communities stronger. A gift card, when purchased, can be seen as not simply being a present for someone, but an investment in their local community. The purchase value of any gift card, will be the redemption value of the card. For example, if you buy £50 then the card will be worth £50 to spend.

Research shows that two-thirds of the money spent in the local economy is then re-spent locally with the multiplier effect worth millions of pounds to Scotland's economies. There is also evidence from schemes that indicate that recipients of a gift card, their spending using cards is up to an additional 65% over its actual value.

The West Lothian gift card will be a localised product only able to be spent within West Lothian, thus a true grassroots and gift initiative supporting our area. The success of the scheme will be driven by collaboration between the council, local businesses, BIDs and other trade groups, to help promote it and keep community spend local and for longer period. Businesses register to accept the gift card - a quick and simple process, that is free of charge therefore likely to be accepted by both small independent businesses as well as national retailers.

D3 Process and Next Steps

In taking forward this gift card initiative, there will be a requirement for the council to confirm its participation, by signing an appropriate local authority concordat. This gives the support of West Lothian Council and will allow:

- Use of the gift card in our communities: in so doing, allowing the sale, use and circulation of gift cards in West Lothian.
- Promotion of registration and onboarding to the Scotland Loves Local Gift Card scheme amongst outlets, merchants and attractions in West Lothian.
- Working with national and regional partners to launch the West Lothian Gift Card, through provision of external support with communications activities, including provision of launch packs, drafting and distribution of news releases, and local photographer support; and
- Provision of content for a West Lothian landing page to encourage the use of the gift card. The content will likely include the Council logo and suitable introductory content to the initiative.

It is noted that there is no financial cost implication to the council for the first year of the gift card scheme operation, which allows for an initial stock run of 5,000 gift cards. This cost is met by Scottish Government and Scotland's Town Partnership.

If successful, and the council wish to continue scheme participation after year one, then the minimal ongoing cost will be £600 per month (or £7,2000 per annum). This cost includes for continuing participation in the scheme, fulfilment, promotion, e-commerce, customer/business support and platform access. This on-going cost will be met from external funding sources to be identified and prioritised by council officers in collaboration with local business partners.

The relative success of the local gift card initiative will be monitored by officers (and local partners) during the first year of operation, with the aim and purpose of reviewing its effectiveness and value. Monthly reports to be made available by the supplier will provide a breakdown of sales and spend at participating businesses, including information on geographic locations of any gift card purchases.

It is proposed that the council will continue to participate in the scheme so long as the scheme is supported by the Scotland's Town Partnership; that all costs are met externally and the scheme continues to demonstrate positive benefits in the local economy. Where these tests are not met it is proposed that the council would withdraw support for the scheme unless alternative arrangements are agreed by Council Executive.

E. CONCLUSION

The report details the proposed creation of a local gift card initiative in West Lothian, which will form an integral part of the Scotland Loves Local national gift card campaign scheduled to launch from mid-June 2021 onwards. A local launch would likely take place in the period between July and September 2021

F. BACKGROUND REFERENCES

None

Appendices/Attachments: None

Contact Person: Nairn Pearson, BID & Town Centre Manager;
Email: nairn.pearson@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development & Regeneration

8 June 2021

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

REGENERATION CAPITAL GRANT FUND – BATHGATE RECONNECT REGAL

REPORT BY HEAD OF PLANNING ECONOMIC DEVELOPMENT & REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to outline the proposal to submit a Stage 1 application to the Scottish Government Regeneration Capital Grant Fund (RCGF) 2022/23 for the potential redevelopment of the Reconnect Regal Theatre, in Bathgate.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the background, application process and eligibility for the proposed stage 1 application;
2. Notes the prescribed short timing and date for submission of the proposed stage 1 application; and
3. Approves preparation and submission of Stage 1 application, and delegates authority to the Head of Planning, Economic Development and Regeneration, to finalise the Stage 1 application, on behalf of the council.

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; working in partnership.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	There are no policy, legal (equality, health, SEA or risk assessment) issues associated with this particular report.
III	**Implications for Scheme of Delegations to Officers**	The report details a specific one-off delegation to Head of Planning, Economic Development & Regeneration.
IV	**Impact on performance and performance Indicators**	None.

V	**Relevance to Single Outcome Agreement**	Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.
VI	**Resources - (Financial, Staffing and Property)**	There are no staffing, property or financial implications arising for the council.
VII	**Consideration at PDSP**	Due to short timescale for submission of the application it has not been possible for consideration of this matter by Development and Transport PDSP.
VIII	**Other consultations**	Economic Development and Regeneration, and Finance and Property.

D. TERMS OF REPORT

D1 Background

The Regeneration Capital Grant Fund is delivered annually in partnership with the Scottish Government, COSLA and local authorities. This is one strand of the Scottish Government's regeneration strategy, which focuses on making the most of Scotland's communities' economic potential through targeted funding.

The Regeneration Capital Grant Fund supports the delivery of locally developed place-based regeneration projects that involve local communities, helping to tackle inequalities and deliver inclusive growth in deprived, disadvantaged and fragile remote communities across Scotland.

In many instances the projects previously receiving funding, are supporting or creating jobs, refurbishing and bringing back into use a number of historic and landmark buildings, creating business space, and supporting numerous community facilities and services across Scotland.

D2 Application Process and Eligibility

The Regeneration Capital Grant Fund operates on a competitive bidding basis, and is open to applications received from all 32 Scottish local authorities and urban regeneration companies.

There is a two-stage assessment. Applicants must submit a summary of their project on the prescribed form provided at Stage 1. Successful projects at this stage will be invited by the panel to then complete a full Stage 2 application. The deadline for Stage 1 submissions (for 2022-23 funding) is Thursday 17 June 2021.

All applications will be subject to scrutiny by the independent Regeneration Capital Grant Fund Investment Panel which will make final recommendations on projects to be funded and offered grant support.

Applications are not restricted in geography, size or type of project, but should demonstrate that the project(s) fit with the aims and objectives of the fund and can demonstrate clear regeneration outcomes in line with the Scottish Government strategy document 'Achieving a Sustainable Future' and local area plans.

There is though, a particular project focus on those:

- that are primarily focused on areas that suffer from high levels of deprivation and disadvantage;
- that demonstrate clear community involvement;
- that will deliver large scale transformational change with strong regeneration outcomes; and
- that can encourage additional investment and address market failure

D.3 Reconnect Regal, Bathgate

The Regal Theatre is located in the heart of Bathgate town centre. It is an art deco building and former cinema, that was first designated as a listed building in the late 1990s, and has served as a venue for the community offering a range of activities from film, music, theatre, to comedy, children's events and workshops.

In March 2018, following a period of community consultation on proposals for the future use of the Regal Theatre, Council Executive approved a five-year lease of the Regal Theatre to Reconnect. The business plan proposed that Reconnect will operate the Regal as a community theatre space and use the venue to promote a range of art, music and drama related activities.

In October 2019, following initial discussion with council officers on future plans for the building, a successful funding application was made through the Town Centre Capital Fund 2019-20 by Reconnect. This along with committed funds previously secured (total £55,000) allowed significant investment in upgrading and improving the exterior of the Regal. This painting, lighting and replacement window work will all be complete by late Summer 2021, following COVID-19 delays.

The Stage 1 final application to the Regeneration Capital Grant Fund will outline the scope of the planned improvement works to upgrade and modernise the Regal facilities, thereby allowing it to operate to its maximum potential and to be attractive to touring entertainment events/audience, community and corporate groups.

Given that this council property is leased to Reconnect, then Property and Finance service would provide any necessary consent to implement any works; and advice and support will be provided by the wider Planning, Economic Development and Regeneration service, in relation to obtaining and carrying out relevant planning, building warrant and/or listed building consent.

The proposed works (theatre redevelopment and upgrade of facilities) can ideally be separated into three individual and directly interlinking capital components. The preference would be for all three components to be completed as a package

- Theatre Modernisation (Stage 1): This would comprise the redevelopment of the ground floor foyer/bar; the first, second and third floor renovations; and auditorium restoration. The estimated indicative costs for the improvement package would be around £1.08 million (plus VAT). This can be split as:

- Redevelopment of ground floor foyer and bar (£280,000)
- First and second floor renovations (£350,000)
- Auditorium restoration (£450,000)

Whilst not part of the planned Stage 1 application to the Regeneration Capital Grant Fund, it is noted that Reconnect have generated further detail on their aspirational, ambitious and achievable proposals for a Stage 2 phase of their redevelopment and build programme at the Regal in Bathgate. This is summarised below.

- The Beacon (Stage 2): Redevelopment of Auditorium and Creation of New part of the Building to the Rear. A new fly tower would also be added to make the Regal Theatre viable for national and international touring shows. The indicative costs for this advanced stage of works would be £8 million. This is clearly a vision for the venue's future which encompasses and builds on the planned development work in stage 1.

The Stage 1 application will fully consider the project work components and requirements, and their costings, as well as justification for their compliance with funding objectives, areas of priority focus and outcome. This will include, addressing local need for services and/or employment; areas of relative local deprivation, support from the wider local community and organisations; evidence of support and viable business plan; any financial contribution; bringing listed building into more productive use, and the ability to spend funding and begin ready on site between April 2022 and December 2022.

E. CONCLUSION

The report outlines the background to the Regeneration Capital Grant Fund, and details the timing for application submission, and the proposal being brought forward in collaboration with and by Reconnect Regal Theatre.

It is recommended that Council Executive approves preparation and submission of a Stage 1 application to the Regeneration Capital Grant Fund 2022/23, and delegates authority to the Head of Planning, Economic Development and Regeneration, to agree the finalised Stage 1 application, on behalf of the Council.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: None

Contact Person: Nairn Pearson, BID & Town Centre Manager; Planning Economic Development and Regeneration, Email: nairn.pearson@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development & Regeneration

8 June 2021

DATA LABEL: OFFICIAL - PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

COMMUNITY TRANSPORT PROVISION UPDATE

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to provide Council Executive with an update on the Community Transport Provision project and agree the approach for utilising the £300,000 fund allocated for 2021/22 for Community Transport within West Lothian.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Note the update on existing community transport operations;
2. Note the requirement to complete a wide scale community engagement exercise and TRACC analysis refresh;
3. Agree the recommended allocation of funding for 2021/22; and
4. Instruct officers to progress the next steps and associated timeline.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The council has a policy of supporting public transport services where resources permit. The Transport (Scotland) Act 1985 states that it is the duty of the council, in exercising their power, to conduct themselves as not to inhibit competition in the commercial market.
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	The council has a target PI for Public Transport of having 90% of residents with access to an hourly or better daytime service Monday to Saturday. It is possible that changes in the commercial and subsidised network could impact this PI.
V	**Relevance to Single Outcome Agreement**	The local bus network contributes to a number of outcomes by connecting communities with

		services and employment.
VI	**Resources - (Financial, Staffing and Property)**	Council agreed £600,000 for Community Transport provision; £300,000 available in 2021/22 and £300,000 in 2022/23.
VII	**Consideration at PDSP**	This report was considered at Development and Transport PDSP on 1 June 2021.
VIII	**Other consultations**	Financial Management Unit

D. TERMS OF REPORT

D.1 Background

At its meeting of 9 February 2021, Council Executive considered an update report on the impacts of COVID 19 on local bus contracts and the Total Transport Review (TTR). It was agreed that officers should progress with the community transport related outcomes of the TTR as a stand-alone project to explore community transport solutions which may be required to aid the recovery of the public transport network and ensure vital connections are available.

Additionally, as part of the revenue budget that was approved by Council on 28 February 2020, £600,000 time-limited funding has been allocated over 2 years to support Community Transport provision with £300,000 available in 2021/22 and £300,00 in 2022/23.

It was also agreed that officers should report back to committee in the new financial year (2021/22) with a proposal for utilising the one-off funding for transport provision.

D.2 Passenger Engagement and Gap Analysis

As previously reported, during the Total Transport Review passenger engagement was undertaken to seek views on the council's current transport strategy and the existing model of passenger transport services within West Lothian. This engagement highlighted that many passengers would consider using alternative transports models to improve community connections and frequency of services however Council Executive agreed that further community engagement was required prior to delivering community transport services to fully understand individual community requirements.

Additionally, the Total Transport Review also provided a TRACC analysis which measured the accessibility of postcode areas to set destinations by public transport to highlight communities where the alternative transport model could be implemented to improve connections to vital services and destinations. However, there have been a number of significant changes to the local bus network since the TRACC analysis was undertaken due to the market response to the pandemic resulting in the previous results becoming obsolete.

It is therefore recommended that a wide scale community engagement exercise and a TRACC analysis refresh is undertaken to provide a full understanding of community requirements and outline a gap analysis to determine suitable locations for community transport operations.

D.3 Pilot Transport Operations

The COVID 19 pandemic continues to have an impact on the public transport network however the number of passenger journeys are beginning to increase as restrictions ease and non-essential travel is permitted. Although mitigating factors such as physical distancing are still in place it is felt that the current rules no longer restrict the ability to implement community transport pilot operations.

Officers have therefore been investigating alternative public transport models which can be used to enhance the wider local bus network providing flexible and cost-efficient alternatives to fixed route bus services in areas where either passenger numbers or travel requirements do not fit with traditional bus service provision.

These alternative options include:

- Third Sector Community Bus Services
- Demand Responsive Transport/Small Vehicle Operations
- Internal Fleet Operations
- Community based transport

D.3.1 Third Sector Community Bus Services

The Community Bus Pilot of the Broxburn and Uphall Town Service (2A/2B) commenced on 5 April 2021. Paper timetables promoting the service were distributed amongst the community and at key retail spots in Broxburn in Uphall. The service has also been promoted via the council website and social media platforms and, more recently, HcL launched an online video for passengers providing more information on how the service operates including coverage areas to help advertise the pilot scheme.

In the first 6 weeks of operation, the service has covered approximately 5,500 miles and has carried a total of 657 passengers, providing vital links from residential streets to shopping, health and personal care facilities. Passenger uptake has shown a steady increase in journeys over the first 4 weeks, with more significant growth in weeks 5 and 6 following easing of lockdown restrictions and the reopening on non-essential retail services. Appendix 1 provides a breakdown of patronage and percentage of cash and concessionary ticket sales and daily passenger numbers.

Although the initial passenger figures and customer feedback are positive, at this stage it is difficult to predict and forecast the costs of such a service operating independently due to it's relatively new nature and in the setting of a pandemic recovery. Much of the service's success will be determined by on bus fares and concessionary revenue, however there are also performance indictors relating to community benefits and improvement to resident independence and accessibility. It is therefore suggested that the pilot should continue to operate to become fully established in order to allow officers to draw meaningful conclusions from the pilot's operation which will in turn be used to guide and inform recommendations on the services future role within the in the community transport landscape in West Lothian.

In the meantime, officers will continue to work in partnership with HcL to evaluate the performance of the pilot and fully understand the operational costs in order to establish the feasibility of other pilots of this model utilising the time-limited funds available. Officers will use the information from the passenger engagement exercise and gap analysis refresh to identify areas for additional Community Bus pilots and report back to committee after recess.

D.3.2 Demand Responsive Transport/Small Vehicle Operations

Demand-responsive transport (DRT) is a user-oriented form of passenger transport, characterised by flexible routes and smaller vehicles operating in shared-ride mode between pick-up and drop-off locations according to passengers' needs.

The council currently contracts DRT services using taxis as a transport solution for those living in remote rural areas, however, across Scotland DRT is increasingly being considered as an alternative way of providing more economically viable transport services in place of some traditional bus services. The commercial DRT sector is in its infancy in the UK however the impact of the pandemic has accelerated the need for commercial operators to consider 'more than bus' business models in order to respond to the post pandemic needs and travel patterns whilst remaining financially viable.

Recent studies surrounding the use of DRT and small vehicle operations have highlighted that technology is crucial to the success of demand led transport to allow customers to view and secure bookings as well as supporting operators in the efficient management of resources to match demand; however, this would require private sector investment.

The council has a role in supporting commercial operators in developing this new type of transport model however a pilot operation of this nature could not be met within the time-limited funds available. As such, officers are working with partner services and agencies to explore alternative funding options which would support a pilot operation to assess whether demand responsive bus services can work commercially within the council area and thus attract private sector investment into the concept and ultimately achieve continuation of any service.

D.3.3 Internal Fleet Operations

The Total Transport Review identified that, within West Lothian, internal fleet operations would be best utilised in areas where there is no commercial crossover such as town centre services. Once completed, the TRACC Analysis refresh and community engagement exercise will highlight additional opportunities for a more expansive network of community led journeys.

Officers will continue to progress costing models in preparation for the results of the gap analysis including the potential integration of school transport operations and include proposals in the next report to Council Executive after summer recess.

D.3.4 Community Based Transport

Community based transport is run by the community for the community. It provides a flexible and accessible community-led solution which is often directed towards the most isolated in the community.

Community based transport has not been permitted throughout the pandemic therefore this has restricted any pilot operations however the service has continued to benchmark potential schemes against similar registered services including the Linlithgow Link service provided in liaison with St Michael's Hospital.

Similar to the internal fleet operation, the TRACC Analysis refresh and community engagement exercise will highlight additional opportunities for community-based schemes.

D.4 Year 1 Transport Fund Allocation

It is recommended that year 1 of the time-limited funding should be used to pilot services in each of the transport model areas with a view to informing recommendations for funding in 2022/23 and also the wider subsidised network design process.

In order to complete the necessary community engagement and to establish pilot operations in each of the alternative transport model areas, the 2021/22 funding should be allocated as follows:

	Allocation
Passenger Engagement and Gap Analysis	£40,000
Third Sector Community Bus Services	£65,000
Demand Responsive Transport	£65,000
Internal Fleet Operations	£65,000
Community Based Transport	£65,000
	£300,000

D.5 Next Steps and Timeline

Task	**Date**
Community Engagement and TRACC Analysis Refresh	June 2021
Gap Analysis	July 2021
Options Appraisal and Costing/Tender Analysis	August 2021
Report to Council Executive	7 September 2021
Implementation	September/October 2021

D.6 Consideration at PDSP

This report was considered by the Development and Transport PDSP on 1 June 2021. The panel noted the importance of improving passenger confidence in using public transport following the pandemic and that publicity and messaging would be key to the success of any further community transport provision. The panel also noted that officers should draw on the knowledge of existing successful community transport operations such as the Bo'ness Community Bus to ensure that towns and villages with no or limited bus provision could benefit from improved journey connections.

E. CONCLUSION

As instructed by Council Executive, the Passenger Transport Service has been exploring options for pilot community transport operations in line with the outcomes of the Total Transport Review. It is essential that a wide scale community engagement exercise and TRACC analysis refresh is undertaken to provide a full understanding of community requirements and outline a gap analysis to determine suitable locations for community transport operations. Officers will report back to Council Executive after recess with the outcome of the gap analysis and recommendations for pilot schemes across West Lothian utilising the £300,000 time-limited funding for Community Transport provision.

F. BACKGROUND REFERENCES

Revenue Budget 2021/21 TO 2022/23 – Report by Head of Finance and Property Services to West Lothian Council on 28 February 2020

COVID 19 Impacts Local Bus Contracts and Total Transport Review – Report by Head of Operational Services to Council Executive on 23 June 2020

Local Bus Contracts and Community Transport Provision – Report by Head of Operational Services to Council Executive on 9 February 2021

SEStran Demand Responsive Transport Strategic Study – Systra Ltd March 2020

Appendices/Attachments:

Appendix 1 - Service 2a/2b Weekly Passenger Numbers

Contact Person: Nicola Gill, Interim Public Transport Manager, Tel: 01506 282317

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Jim Jack

Head of Operational Services

8 June 2021

Appendix 1 - Service 2a/2b Passenger Numbers

Weekly:

Week	Dates	Passengers	% of overall Fares taken in Cash	% of overall Fares taken in Concessions
1	5-9 April	62	27%	73%
2	12-16 April	68	35%	65%
3	19-23 April	82	34%	66%
4	26-30 April	85	40%	60%
5	3-7 May	118	31%	69%
6	10-14 May	242	33%	67%

Daily:

	No of Passengers Carried on:								
	Route 2A					Route 2B			
Date	09:00	11:00	13:00	15:00	17:00	09:55	11:55	13:55	15:55
05/04/2021	0	0	0	1	0	0	0	0	0
06/04/2021	2	4	2	0	5	0	0	0	0
07/04/2021	0	5	1	2	0	1	0	0	0
08/04/2021	4	4	0	0	0	7	0	0	0
09/04/2021	1	9	5	2	1	2	1	2	2
12/04/2021	2	1	1	0	1	0	0	1	3
13/04/2021	0	3	6	0	2	1	1	0	0
14/04/2021	2	4	4	3	0	5	2	0	0
15/04/2021	2	2	0	0	0	6	5	0	0
16/04/2021	1	4	1	1	1	2	1	0	0
19/04/2021	4	3	2	0	1	2	0	3	0
20/04/2021	3	2	1	1	0	4	1	0	0
21/04/2021	1	1	4	2	2	2	0	2	0
22/04/2021	3	5	2	2	0	3	2	0	1
23/04/2021	3	3	4	4	0	3	2	3	1
26/04/2021	1	3	1	2	1	4	1	5	0
27/04/2021	3	2	0	3	1	4	2	2	0
28/04/2021	5	5	1	3	2	4	0	4	0
29/04/2021	7	8	2	2	0	2	0	1	0
30/04/2021	2	1	1	3	2	4	0	0	0
03/05/2021	6	8	5	2	0	3	0	0	0
04/05/2021	2	1	1	3	1	1	1	3	0
05/05/2021	3	8	3	1	3	3	2	3	0
06/05/2021	3	8	7	5	2	2	2	1	0
07/05/2021	4	5	7	2	1	3	1	0	1
10/05/2021	7	10	8	3	0	6	1	0	1
11/05/2021	3	2	4	6	2	4	0	0	0
12/05/2021	4	4	5	2	2	7	0	1	0
13/05/2021	3	8	2	3	0	3	1	2	4
14/05/2021	3	2	6	2	2	2	0	1	0

DATA LABEL: Public

West Lothian Council

COUNCIL EXECUTIVE

1 DROVERS ROAD, BROXBURN - PROPOSED EXTENSION OF LEASE TO JWR HOLDINGS LIMITED.

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To seek Council Executive approval for the extension of the lease for 1 Drovers Road, Broxburn to JWR Holdings Ltd.

B. RECOMMENDATION

it is recommended that Council Executive:

1. Approves the extension of the lease of 1 Drovers Road, Broxburn to JWR Holdings Limited subject to the terms and conditions set out at D2 in this report; and

2. Agrees to provide delegated authority to the Head of Finance and Property Services to carry out any further negotiations and conclude the extension of the lease for the property, on the basis that any revised terms and conditions still represent best value for the council.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Being honest, open and accountable and making best use of our resources.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Disposal of property governed by S74 (2) of the Local Government (Scotland) Act 1973 and the Disposal of Land by Local Authorities (Scotland) regulations 2010.
III	**Implications for Scheme of Delegations to Officers**	The report seeks approval for delegation to the Head of Finance and Property Services to carry out any further negotiations and conclude the extension of the lease for the property, on the basis that any revised terms and conditions still represent best value for the council.
IV	**Impact on performance and performance Indicators**	Rental income as set out in the report will contribute towards the council's revenue budget targets for the Commercial Property Portfolio.
V	**Relevance to Single Outcome Agreement**	We make the most efficient and affective use of resources by minimising our impact on the

		built and natural environment.
VI	**Resources - (Financial, Staffing and Property)**	Rental income as set out in the report will contribute to the councils approved revenue budget targets. The transaction will be managed within existing staff resources.
VII	**Consideration at PDSP**	Not applicable.
VIII	**Other consultations**	The local elected members for the ward have received a copy of this report for information.

D. TERMS OF REPORT

D1 Background

The council lease land at Drovers Road, Broxburn on a ground lease to JWR Holdings Ltd (the tenant). The lease was initially granted in 2011 and is due to expire in 2026. The area concerned is highlighted on the plan within the Appendix. The site accommodates 1 Drovers Road, Broxburn which an is an open site enclosed with fencing and gates. The building and yard space were developed by the tenant and accommodates the operations of their sub-tenants.

To enable the tenant to secure a long-term subtenant, they have requested an extension to the ground lease. Officers have therefore negotiated a revised rental and lease terms to reflect the lease extension.

D2 Proposed terms

The negotiated terms of the lease extension proposed are as follows:

1. Lease Term: Extended by 14 years to March 2040

2. Rent: £28,000 per annum with effect from March 2021 (reflecting a £5,000 per annum increase)

3. Rent reviews: On 9 March 2025, 2030, 2035 and 2024. The rent will be to the higher of the passing rent or the market rent.

4. Minute of Variation: Will be entered into that records both parties agreement to recognise the tenant's alterations at rent review.

   On termination of the lease and at their expense, JWR Holdings Limited will remove all tenant's alterations, cap off all services, level the site surface and install a fence and lockable gate commensurate with the type and style that was in situ at the time of the original letting, should they be required by the council.

5. Fees: The council's legal and surveyors costs in relation to the transaction will be paid by JWR Holdings Limited along together with all appropriate consents, taxes and liabilities.

It is proposed that the Head of Finance and Property Services is authorised to carry out any further negotiations with the tenant in respect of the extension of the lease for the property, on the basis that any revised terms still represent the achievement of best value for the council.

E. CONCLUSION

It is considered to be in the council's best interests to extend the lease of 1 Drovers Road, Broxburn on the basis of the recommendations set out in the report as it will secure an increased long-term rental income, support economic development and support wider performance measures of the commercial property portfolio.

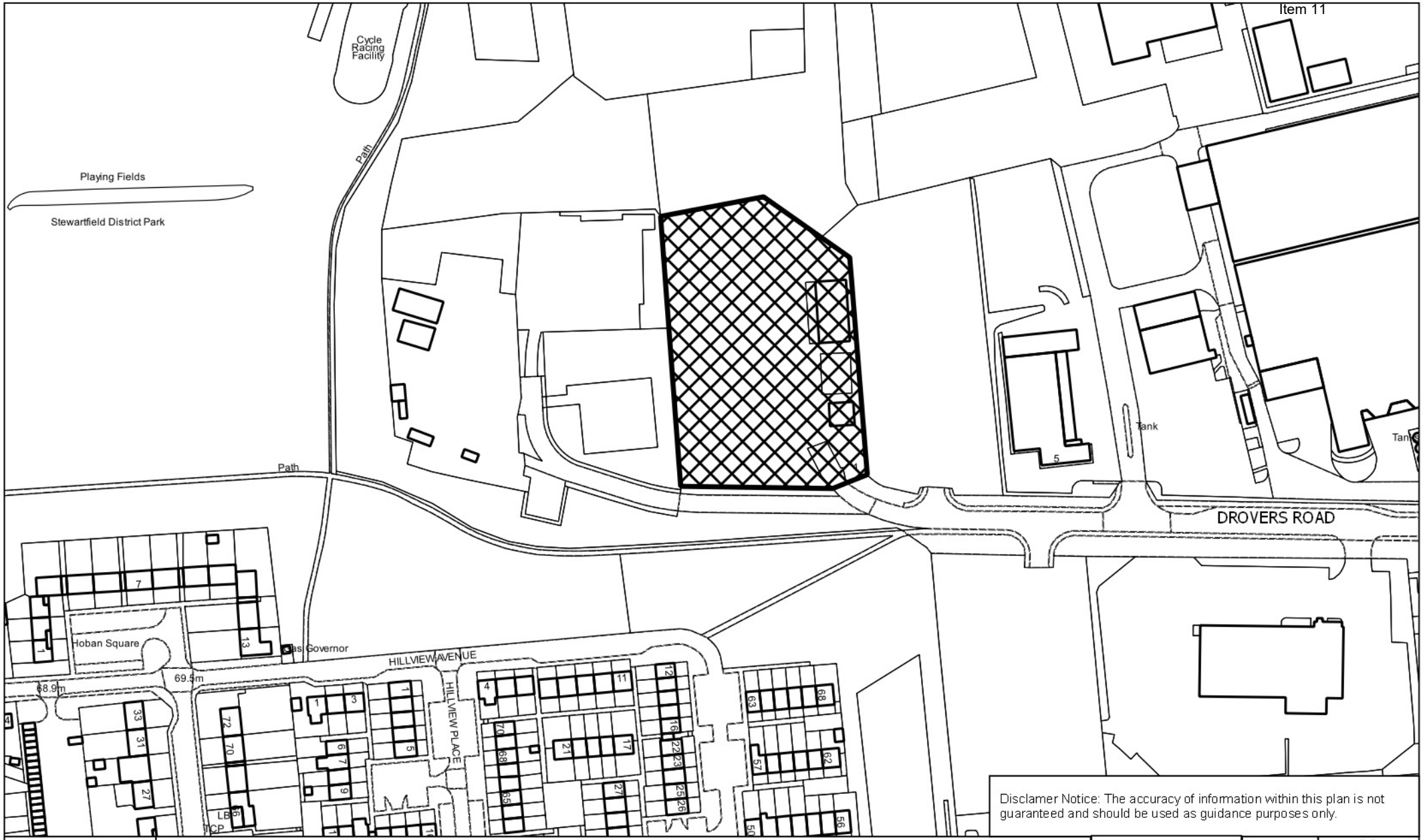
F. BACKGROUND REFERENCES

None.

Appendices/Attachments: Location Plan

Contact Person: Tracey W Thomson Commercial Property Surveyor,
Tel: (01506) 281834 email: tracey.thomson@westlothian.gov.uk

Donald Forrest
Head of Finance and Property Services
8 June 2021



West Lothian Council

1 Drovers Road, Broxburn

Not to Scale | A4 | N

Property Management, West Lothian Civic Centre, Livingston, EH54 6FF | 8/7/2020

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DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

THE LANTHORN CENTRE, LIVINGSTON – UPDATE

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To update Council Executive on the current position in relation to The Lanthorn Centre, Livingston and in particular the progress on the relocating of services and user groups, the engagement with community, funding support and governance and the timescales for reporting the development of the remedial works programme.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the ongoing engagement with the community and the establishment of a project steering group;

2. Notes the progress made in relation to the relocation of services and user groups;

3. Notes the council's provision of funding and logistical support to enable the provision of temporary storage and to temporarily relocate user groups;

4. Notes that officers are liaising with Lanthorn Community Education Association (LCEA) on their funding request; and

5. Agrees that a further update report that will include the remedial works scope and timescales will be presented to Council Executive on 22 June 2021 for consideration.

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)**	Health and Safety at Work Act 1974. Project actions will continue to comply with corporate code of governance and the principles of best value.
III	**Implications for Scheme of Delegations to Officers**	None.

IV	**Impact on performance and performance Indicators**	Performance in relation to the services delivered for The Lanthorn Centre may be impacted during the period of relocation.
V	**Relevance to Single Outcome Agreement**	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)**	The approved General Services Capital Programme for 2021/22 to 2027/28 includes £150,000 to undertake the necessary further intrusive investigations, design development options appraisal and initial relocation costs associated with user groups. Council Executive will be asked on 22 June 2021 to consider a report on the extent of remedial works required, the programme for implementation and associated costs. Revenue funding support has been requested by Lanthorn Community Education Association to enable provision of the Foodshop. Officers are liaising with the LCEA on aspects of this and will provide an update in the 22 June report.
VII	**Consideration at PDSP**	Not applicable.
VIII	**Other consultations**	Consultation has taken place with Housing, Customer and Building Services. Consultation has taken place with the Trustees, the Project Steering Group, Lanthorn Community Education Association and affected groups. Local elected members have been provided with a copy of the report for information.

D. TERMS OF REPORT

D.1 Background

As a consequence of structural issues identified in relation to the reinforced autoclaved aerated roof at The Lanthorn Centre, Council Executive, on 23 March 2021 approved the temporary closure of the centre and the Chapel Annex.

The building has been closed from 4 April 2021 and during, the intervening weeks officers have been working closely with the Trustees, Lanthorn Community Education Association (LCEA) and user groups to manage the situation effectively and efficiently.

D.2 The Lanthorn Centre

The Lanthorn Centre was developed collaboratively by Lothian Region Council, West Lothian District Council and Livingston Development Corporation together with local churches as a community centre and ecumenical facility. Whilst ownership of the property is predominately held by the council (82 percent) the two main churches also hold nine percent ownership each. Together the council and the churches form the Trustees, who are responsible for the property.

The Centre incorporates a range of services including the Library, Community Café, meeting rooms and halls for community use. The day to day operational management and letting at the centre is conveyed to the Lanthorn Community Education Association (LCEA).

D.3 Community Engagement and Project Steering Group

Wide and extensive engagement has been undertaken by officers, the LCEA and the Trustees to ensure that all user groups and the public are aware of the closure of the centre and the commitment to work collaboratively to see the centre open again.

A project steering group has been established with representatives including council officers, four local elected members, trustees, the LCEA and user groups. The group provides a forum for collaboration and will monitor the delivery of the project from the current demobilisation phase, through construction to the remobilisation phase and eventual re-opening.

To assist with communications, a dedicated page within the council's internet site has been established to provide responses and updates, access to project information and reports, frequently asked questions and any other matters that arise during the progression of the project.

D.4 Relocation of User Groups and Demobilisation of Building

Due to the circumstances of closing the centre, the number of groups who use the centre and the easing of lockdown restrictions, the initial priority for LCEA and officers has been the identification of alternative premises to relocate existing priority users. The priority users to be relocated included the Foodshop and Neil's Hugs who have been able to operate during the lockdown due to the nature of their operations.

The Foodshop has been temporarily relocated to the Paraffin Lamp, Public House in The Centre and has been able to continue operations as previously provided from the Lanthorn by being open two mornings per week. A permanent solution for the period the Lanthorn is closed has been agreed at Crofthead Community Centre. Neil's Hugs have also been successfully relocated to Crofthead Community Centre.

Recognising the challenge of relocating the number of groups and requiring to identify options within the council's existing estate (i.e. nearby community centres, village halls and the school estate) council officers are actively working on the relocation efforts. The table included within Appendix 1 highlights the groups previously using the centre and the current status of efforts to relocate them.

Options continue to be progressed to relocate groups who still require alternative venues. These include nearby council assets such as primary schools, community centres and village halls together with third party accommodation.

Given the nature of the groups and with some flexibility on activity times, and management arrangements it is likely that the vast majority (if not all) groups can be provided with viable alternatives. It is of course up to the groups themselves as to whether they wish to take up the accommodation identified.

The council has, as part of the demobilisation of the centre, and to enable the relocation of user groups, provided management support and engaged a specialist removal and storage contractor to facilitate moves. The costs associated with this have been met by the council and will be funded from within the existing budget provision. The estimated costs for all relocations and forecast temporary storage cost for a two-year period estimated at £50,000.

D.5 Lanthorn Community Education Association Funding Support

The LCEA has requested funding support to sustain some of their activities and in particular the provision of the Foodshop. Officers are currently considering the request and will report on the support that may be provided as part of the 22 June report to Council Executive on the wider delivery of the remedial works programme. The report will outline the total costs associated with not on the remedial works and any other associated costs relating to the project.

D.6 Next Stages and Updates

Officers will continue to engage with the LCEA, Trustees and Users to identify opportunities for users who remain to be successfully re-homed and will continue to provide logistical and management support. Engagement on the funding request from LCEA will continue and the outcome will be reported to Council Executive.

The design and scope of the remedial works, the total costs associated with project and the programme completion and re-opening of the centre is intended to be reported to Council Executive 22 June 2021 for consideration.

E. CONCLUSION

Following the temporary closure of the Lanthorn Centre were unfortunate and could not be planned, the effective collaboration and efforts of officers, LCEA, Trustees and users has successfully enabled the relocation of a large number of groups. A project steering group has been established to oversee the key stages of the project and there is confidence that the vast majority of user groups will be successfully offered viable alternative premises and relocated.

Support from the council has been provided to enable groups to relocate. This has included extensive logistical support and funding to support removal and temporary storage costs. The request from the LCEA for funding to primarily support the Foodshop and other associated management costs is currently being considered and will be reported to Council Executive 22 June 2021.

It is intended that a report on the wider project including proposals for the remedial works, the total project costs and the programme for implementation will be presented to Council Executive on 22 June 2021.

F. BACKGROUND REFERENCES

The Lanthorn Centre, Livingston – Significant Structural Issues. Report by Head of Finance & Property Services to Council Executive, 23 March 2021:

Appendices/Attachments:

Appendix 1 – List of user groups and relocation status

Contact Person: Paul Kettrick, Property Services Manager, Finance and Property Services. E-mail: paul.kettick@westlothian.gov.uk Tel: 07796 994930

Donald Forrest,

Head of Finance & Property Services

8 June 2021

APPENDIX 1 - GROUPS TO BE RELOCATED /

Group
Foodshop
Neils Hugs Foundation
St Philips
Bowlers
DGNN - Craft Club
DGNN - Lunch Club
DGNN Office
Galaxy Dance
Jo Jingles
Karate
Livingston South Community Church
Slimming World
WL History Society
LCEA Staff Office
Sha's Kettlercise
Boys' Brigade (Thurs)
Boys' Brigade (Fri)
Boys' Brigade Band (Sunday)
Dedridge Carers Support Gp
DGNN - Mother & Toddlers
Girls' Brigade
Kings Church
Lanthorn Mother & Toddlers
Lanthorn Music Makers (Lanthorn Mother and Toddlers)
LCEA Café
Art Club
Back Into Circulation
Badminton
Haven Love & Light
Livingston Battleground

Margaret Lothian (IT)
Margaret Lothian (Photoshoot)
Pink Ladies (Craft Group)
Ability Outreach (WLC)
Cllr Surgeries (WLC) - if required
Community Inclusion (Boccia) (WLC)
Community Inclusion (cooking) (WLC)
Community Inclusion (IT) (WLC)
Community Inclusion (Zumba) (WLC)
Zen Yoga

AND STATUS

Location Options Update (as at Tues 25 May 2021)
LIST OF GROUPS RELOCATED TO DATE
Paraffin Lamp, Crofthead
Crofthead
Currently at St Theresa's, East Calder / Schools being considered longer term
Braid Health & Wellbeing (Howden)
Crofthead
Crofthead
Crofthead
Murieston Scout Hall
Craigsfarm
Mid Calder Community Centre
Murieston Village Hall
Geddes House
Torridon House
Crofthead. Explore options for office space.
Venue unknown, confirmed relocated.
LIST OF GROUPS NOTIFIED TO WLC AS CURRENTLY SOURCING ACCOMMODATION
Schools
Schools
Schools
Crofthead, Bellsquarry, Murieston Scout Hall.
Crofthead
Schools
East Calder, Mid Calder, West Calder, Muirieston Scout Hall
Bellsquarry, Murieston Scout Hall
Bellsquarry, Murieston Scout Hall
None; Viaiblity to be considered further by LCEA.
LIST OF GROUPS STILL TO APPROACH WLC (CONSENT TO COMMUNICATION)
East Calder, Mid Calder
No communication received
Craigswood Xcite, East Calder Xcite, Blackburn PC, Stoneyburn CC, Armadale PC. Schools.
No communication received
Crofthead and Livingston Station

Forestbank
Forestbank, Almondbank Centre#
Crofthead - Tack Room
WLC GROUPS
Forestbank, Carmondean, Mid Calder (tbc)
Crofthead / On-Line
Various Options being considered
Livingston Station CC
Forestbank CC
Mosswood CC
NOT RELOCATING
Confirmed not looking for accommodation at this time

Average Attendee Numbers
40
8 meeting plus 1 to 1
200 for Sunday service / up to 50 for other activities
10
8
30
2
25
40 children plus adults
25
35
50
12
3
30
20 - 30
25
6 - 20
28
25 children plus adults
20 - 30
70
20 adults / 30 children
10 adults / 20 children
50
9
32
8
35
5

6
12
4
6
very low attendance often 0
6
4
6
7 - 25
8

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

BEATLIE SCHOOL CAMPUS – LEARNING ESTATE INVESTMENT PROGRAMME UPDATE

JOINT REPORT BY HEAD OF EDUCATION (LEARNING, POLICY AND RESOURCES) AND HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to update Council Executive on progress on delivery of the new, replacement, Beatlie School Campus, and to seek approval for the location of the new school and the formal submission of a New Project Request on the basis outlined in the report.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves progressing the development of a new Beatlie School Campus to the east of the Xcite Craigswood Leisure Facility off Grange Road, Craigswood Livingston;

2. Notes the inclusion of the NHS Child Development Centre (CDC) as part of the new school campus;

3. Notes that the current projected total cost and proposed affordability cap of the new facilities, including the CDC is £14.753 million (Fourteen Million, Seven Hundred and Fifty Three Thousand pounds);

4. Approves the formal submission of a New Project Request to Hub South East Territory Partnership (HUBco) for the delivery of the new school;

5. Notes the progress to date to develop the project including the selection of a Tier One Contractor and Design Team;

6. Notes the proposed delivery timescales including completion by September 2023;

7. Delegates authority to the Head of Finance and Property Services to approve progressing of the project through the next key stages, on the basis that there are no material changes to the project or its parameters as outlined in this report;

8. Approves the principles of the funding agreement with the NHS to finance their contribution towards the development cost of the CDC;

9. Notes that, prior to financial close and construction commencement a further update report will be presented to Council Executive for approval; and

10. Notes the ongoing separate statutory Education Consultation process

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.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The Local Government etc (Scotland) Act 1994. Education (Scotland) Act 1980 and related regulations. The Standards in Schools (Scotland) Act 2000. The School Education (Amendment) (Scotland) Act 2002 and School (Consultation) (Scotland) Act 2010.
III	**Implications for Scheme of Delegations to Officers**	Recommendation 7 seeks approval to delegate authority to the Head of Finance and Property to progress the project through key stages subject to there being no material changes to the project parameters as set out in this report, noting that final approvals at financial close and pre-construction will be subject to Council Executive consideration.
IV	**Impact on performance and performance Indicators**	The proposed project will support various performance measures contained in the Corporate Asset Management Strategy and Property Asset Management Plan, including those relating to Compliance, Condition, Suitability, Sufficiency, Sustainability and Accessibility. Terms and Conditions of the Learning Estate Investment Programme incentivise maintaining the buildings in a satisfactory or good condition, reducing energy consumption and enhancing digital performance. These indicators will be reviewed throughout the 25 year funding support period
V	**Relevance to Single Outcome Agreement**	Outcomes positively supported include: Our children have the best start in life and are ready to succeed; We are better educated and have access to increased and better quality learning and employment opportunities; People most at risk are protected and supported to achieve improved life chances; 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)**	The approved General Services Capital Programme includes approved budgets of £6.75m to deliver the project from 2021/22 onwards.

The additional funding for the school will be met over a 25-year period by the Scottish Government as part the Learning Estate Investment Programme (LEIP) outcomes based funding model.

The NHS will pay a pro rata contribution of construction and ongoing property costs for the lease of the CDC facility within the campus.

The project will be managed through existing staff resources and supported by funded internal staffing and external technical consultants from within the project's financial resources.

VII Consideration at PDSP

The statutory consultation for the relocation of Beatlie School will be considered by Education Policy Development and Scrutiny Panel and Education Executive approval will be sought for the consultation in November 2021.

VIII Other consultations

Planning, Economic Development and Regeneration Services, and Operational Services. The local elected members for the proposed development location have been provided with a copy of this report for their information.

D TERMS OF REPORT

D1 Background

West Lothian Council wishes to optimise the educational experience for every child and young person by providing the best possible education which meets the need of all learners. To achieve this, the council is committed to ensuring that children are provided with learning environments that enable them to reach their full potential. This means providing schools that are satisfactory or better in terms of condition, suitability, accessibility, sustainability and sufficiency.

A review of the delivery of Additional Support Needs (ASN) education in late 2017 identified the following key priorities:

1. The existing ASN education estate requires to provide opportunity to deliver additional capacity to meet rising roll demand if required;

2. An ASN school estate that delivers long term asset performance, and, in particular, addresses constraints on long term condition and suitability;

3. Options for future service delivery to be reviewed and the financial implications of these considered;

4. Statutory consultations and engagement to be undertaken on the future ASN school estate investment.

To deliver these priorities, changes to property assets such as Beatlie School which support the delivery of ASN education were considered with strategic outline business cases developed and initial funding approved as part of the General Services Capital Programme 2018/19 to 2027/28.

The business case for this project provided for a new school to be built utilising a bid for Schools for the Future to provide additional funding. The priorities for the business case highlighted that by replacing the existing school would provide a new modern purpose-built specialist profound support needs school and a specialist nursery for our most vulnerable children.

The update of the General Services Capital Programme for 2021/22 to 2027/28 approved by Council on 19 February 2019 incorporated a budget allocation of £6.75m for Beatlie School (excluding the CDC) which was based on a 50:50 support for construction costs by the Scottish Government through the LEIP.

The council was successful in its application for LEIP funding. The project continues to be based on the development of a new school but also now includes partner accommodation for the NHS Child Development Centre (CDC) which is currently located at the existing Beatlie Campus. The CDC accommodation is being funded entirely by the NHS.

D2 Site Selection

An extensive site appraisal exercise was carried out, with several sites identified for the potential relocation of the school. The preferred location that has been identified by officers for the new Beatlie School is on the existing playing fields to the east of Craigswood Xcite, West Lothian Leisure Sports Facility. Appendix 1 of this report contains the site plan showing the location of the preferred site and the adjacencies to the existing facility.

The principles of the site selection exercise were as follows:

1. Land must be owned by the council (or a partner organisation) and be sufficient for the delivery of the campus;

2. Preference for remaining within Craigshill, Livingston to maintain existing strong links with local community organisations;

3. The site should not if possible be technically challenging to develop in terms of topography and utilities to mitigate cost risks associated with abnormal development costs; and

4. The site should be in a location that is accessible for public transport and the road network. Proposed site is on a bus route (276 - Bathgate to Broxburn).

The site is currently used as open space and football pitches. The intention is that the pitches will remain with the new school sited with the southern portion of the site. Existing users can be accommodated on other pitches and open space to the west of Craigswood Xcite.

If the site proposed is approved for the new school, appropriate engagement with existing users and West Lothian Leisure will occur advising of the timescales for delivery.

D3 Inclusion of the NHS Child Development Centre

The NHS currently operate the CDC from the annex to the existing Beatlie School which formerly housed the Craigshill / Almondbank Library. This integrated facility, between Education Services and NHS Lothian is best practice and held up as an exemplar service for the assessment and development of children within West Lothian with additional support needs.

NHS Lothian have confirmed their preference for the new Beatlie School to have an integrated CDC as part of the project and have underlined their commitment with an initial payment of £1 million as a contribution to the CDC, with the balance of payment to be reconciled at Financial Close.

Heads of Terms for the lease of the facility and Funding Agreement principles have been agreed and will be finalised as part of concluding the financial close process.

D4 Technical and Design Development

Through the Strategic Support Framework with our delivery partners Hub South East, the council have procured a full design team and appointed Morrison Construction Scotland as tier one contractor.

The process has enabled the project to be developed to a mature position to provide a high degree of confidence around the cost, quality and programme, with reduced risks to the council.

Technical investigations and appraisal works have been completed and the site has been assessed as being the most suitable location for construction which meets the criteria outlined in section D2 with no abnormal ground or remediation works required.

The layout plan at Appendix 1, has been developed in consultation with Education Services, Beatlie School Senior Management Team, and NHS Lothian Estates and the CDC Management Team.

The School has been designed to accommodate Nursery, Primary and Secondary Pupils with a hydrotherapy pool and a fully integrated hoist system that is designed into the fabric of the building to enable all pupils to have full access to all appropriate areas that will provide maximum support to staff and carers for transitions between mobility aids.

The school is being designed with enhanced energy reduction measures in line with the LEIP funding outcomes and the councils drive towards net zero carbon.

D5 Project Costs

The approved General Services Capital Programme includes a budget of £6.750m to deliver the project from 2021/22 onwards.

The total projected cost of the project based on the operational dates, the current accommodation schedule, including the CDC, and the emerging material pallet has been advised as £14.753 million (Fourteen Million, Seven Hundred and Fifty Three thousand). This will form the basis of the council's new project request submission to HUB South East Partnership Ltd (HUBco).

Funding support through the LEIP will provide a maximum of 50% contribution towards the project, excluding the CDC facility, and will be paid annually over 25 years. This contribution is conditional on achieving the following outcomes;

1. Condition - The building must be maintained in a Good or Satisfactory Condition for the duration of the 25 years;

2. Energy Efficiency - The building must achieve energy consumption targets of between 67 and 83kWhr/m^2/annum;

3. Digitally Enabled Learning – The digital infrastructure must be capable of supporting 1Gbps in every learning space within the building;

4. Economic Growth – Evidence must be provided that the Construction Industry Training Board benchmark for jobs supported in education sector construction is achieved. A project of this size should support 10 new jobs.

It is anticipated that the project will meet all of the outcomes above and officers have no major concerns regarding achievement of the performance measures.

The NHS CDC portion of the projected is estimated to cost £1.464million and the NHS has confirmed for this this element.

The proposed affordability cap will be subject to the normal risks associated with projects of this scale. These include site condition / remediation, utilities and services and contractor performance. In addition, there are external project risks associated with material and contractor availability as a consequence of the pandemic, the UK exist from the EU and other factors that could materialise. At this stage, of the project the greatest risk is around the procurement and demand for materials This has been accounted for within the current affordability cap.

In delivering the project through HUBco, upon the project reaching financial close, all construction based risks transfer to the primary contractor as opposed to traditional procurement where these would be retained by the council.

D6 New Project Request

Progressing the project to its current stage of development has been undertaken under the HUBco Strategic Support Services Framework. This means that there is no commitment by the council to progress the project any further, with only costs incurred to date to be paid.

To progress the project to the next stage and to refine and finalise the total costs of delivery, together with confirming proposed contractual delivery timescales, the council requires to issue a formal New Project Request to HUBco. If accepted and agreed, this establishes the affordability cap, delivery timescales, accommodation brief and milestones for measuring progress. In addition, this part of the process notifies the supply chain that the project is confirmed for delivery and that detailed market testing and tendering will be undertaken in due course.

This report seeks approval to formally issue the New Project Request to HUBco on the basis of the estimated total costs and timescales outlined in the report. To date, under strategic support, a full design team and Principal Contractor (Morrison Construction Scotland) have been appointed and the design has been developed to a state of maturity that has been confirmed as meeting the needs of the pupils, parents and staff and, importantly that the project sits within the affordability cap. The proposed layout of the new school is shown within Appendix 1.

D7 Next Stages

If the project is agreed the following timescales are proposed:

Project Stage / Milestone	**Projected Date**
New Project Request Issued by the council Stage 1 Report Approved by the council	18 June 2021 25 June 2021
Stage 2 Report Submitted by HUBco Stage 2 Report Approved by the council	14 February 2022 8 April 2022
Financial Close (reported to Council Executive for approval)	13 May 2022
Construction Commencement	10 June 2022
Construction Completion	31 August 2023

It is proposed that the Head of Finance and Property Services is provided with delegated authority to approve the project progressing through stage two which, in summary, further refines costs, develops the designs and considers risks and their mitigation in greater detail. Delegate authority is sought on the proviso that the project parameters set out in this report are not materially different and that prior to financial close and construction commencement, Council Executive, is provided with a report for approval.

D8 Education Consultation

A separate report will be presented to Education Executive to consider the intention to commence formal public consultation on the proposal to relocate Beatlie School to the new purpose built facility at Craigswood based on Council Executive approving the proposed location.

It is anticipated that the outcome of the consultation will be prepared in October 2021 and will be presented to Education Executive for decision in November 2021.

E. CONCLUSION

The council is committed to investing in our learning estate to improve performance and to enhance the teaching environments. This includes supporting our most vulnerable children accommodated within our ASN estate.

The proposed project has been fully appraised and is now at the stage where commitment to proceed subject to statutory education consultation is required to enable it to progress further.

The proposed site meets the project requirements. If Council Executive approves progression of the project as outlined in the report the appropriate engagement and statutory consent applications will be made.

The delivery of the new Beatlie ASN Campus incorporating the CDC facility will enable the continued provision of highest quality facilities for the pupils, parents, stakeholders and the wider West Lothian community.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

Appendix 1 – Proposed Site/Location Plan

Appendix 2 – Proposed Floor Plan

Appendix 3.1 – Architect's Images - External

Appendix 3.2 – Architect's Image - Internal

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James Cameron, Head of Education (Learning, Policy and Resources)

Donald Forrest, Head of Finance and Property Services

Date of meeting: 8 June 2021

DATE	REVISION	REV	DRW	CHK
21.05.21	FIRST ISSUE	P01	GC	NR

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Keyplan

North Arrow

Detail Symbol

XX

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Client: WEST LOTHIAN COUNCIL

Project: BEATLIE CAMPUS

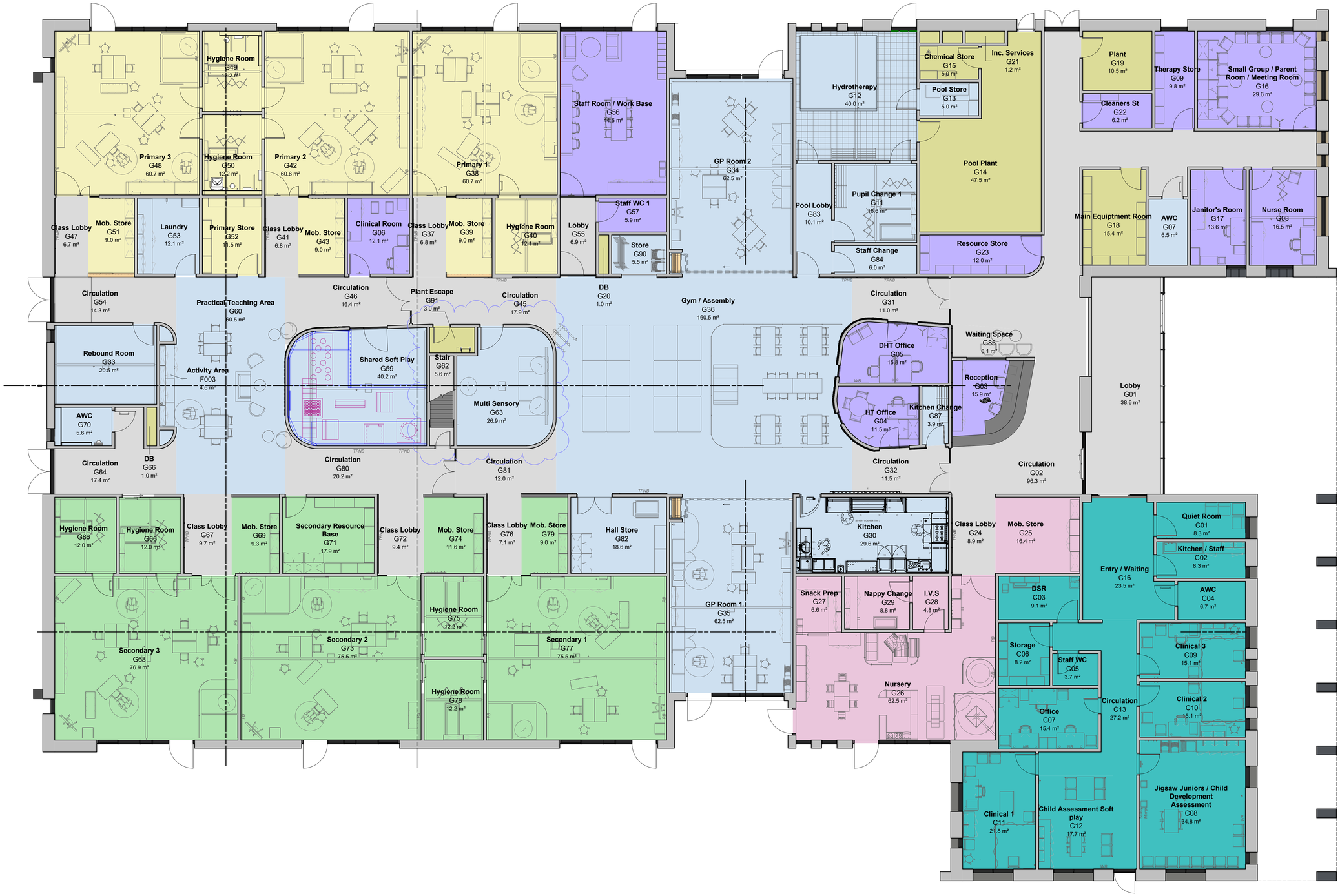
Drawing Title: SITE LOCATION PLAN

Sheet Status: S2 : SUITABLE FOR INFORMATION

Project No.: IAGG18-0141

Drawing No.: BASN-NOR-XX-XX-DR-A-90100

Rev.: P01



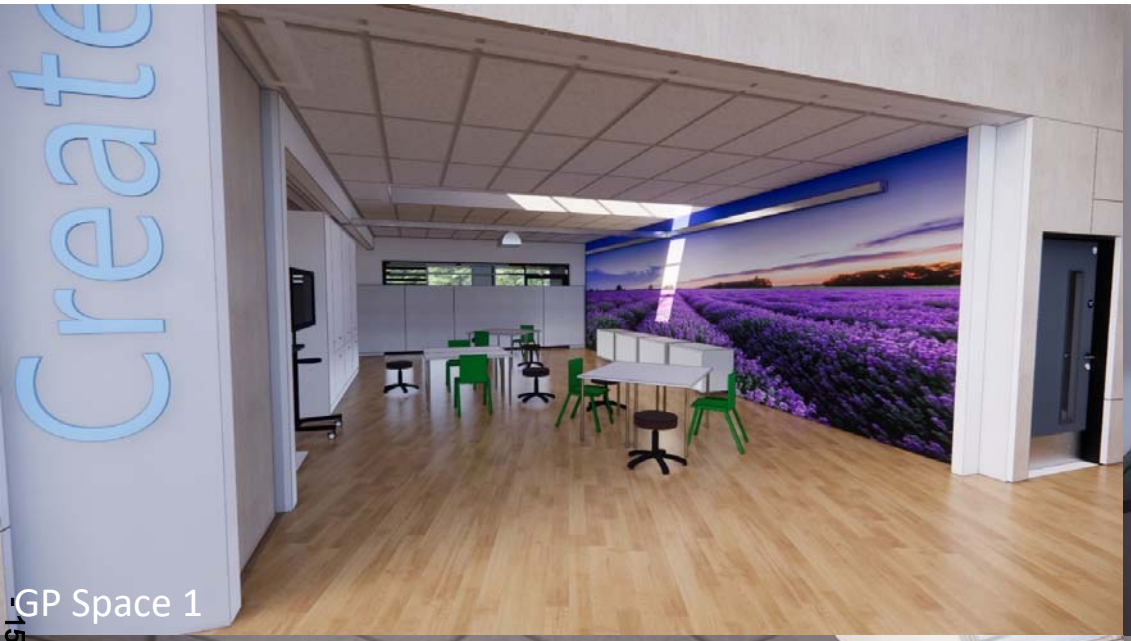
Appendix 2 - Proposed Floor Plan

Main Entrance

South Elevation

North Elevation

Appendix 3.1 Architect's Images, External



GP Space 1

Typical Classroom

Typical Classroom

GP Space 2

Appendix 3.2 Architect's Images, Internal

Official Sensitive

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

EAST LIVINGSTON AND EAST CALDER LOCAL GOVERNMENT BY-ELECTION

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

The purpose of the report is to advise the Council Executive of the Local Government By-Election to be held in the East Livingston and East Calder Ward and seek agreement on the polling scheme to be used.

B. RECOMMENDATIONS

It is recommended that the Council Executive:

1. Note the arrangements being made
2. Agree the polling scheme in the report
3. Agree that the Chief Executive have delegated authority to make any required changes (e.g. as a result of the loss of a polling place) in consultation with the Leader of the Council, Leaders of the other Political Groups, and local elected members.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs Providing equality of opportunities Working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Local Government (Scotland) Act 1973 Representation of the People Act 1983 Electoral Administration Act 2006 Electoral Registration & Administration Act 2013
III	**Implications for Scheme of Delegations to Officers**	No change
IV	**Impact on performance and performance Indicators**	
V	**Relevance to Single Outcome Agreement**	
VI	**Resources - (Financial, Staffing and Property)**	The cost of the by-election will be met from existing budgets
VII	**Consideration at PDSP**	

VIII Other consultations Leader of the Council, Leaders of the other Political Groups, Independent Councillor. West Calder and Harburn Community Council

D. TERMS OF REPORT

D1 Background

Following the death of Depute Provost Dave King, a casual vacancy has arisen in the East Livingston and East Calder ward and arrangements are being made to hold a by-election to fill this vacancy.

D2 Date of Poll

Section 37 of the Local Government (Scotland) Act 1973 requires that an election to fill the vacancy be held within three months of the date on which the vacancy is deemed to have occurred. Section 70 of the Coronavirus Act 2020, which allowed a date to be fixed outwith that period no longer applies, so the election must be held within the three month period.

The date of the poll is determined by the Returning Officer, and it will be held on Thursday 5 August.

As at the Livingston South by-election, the count will be an ecount and will be held the following day

D3 Polling Scheme

Council Executive is asked to agree the polling scheme in Table 1 below.

Table 1

Polling District	Polling Place	Comment
LVA5A	Uphall Station Institute Hall if available (or Uphall Station Bowling Club)	These venues are next door to each other, and both are suitable.
LVA5B	Pumpherston and Uphall Station Community Primary School	Schools will be closed for the summer break
LVA5C	Letham Primary School	Schools will be closed for the summer break
LVA5D	Riverside Primary School	Schools will be closed for the summer break
LVA5F	Mid Calder Institute Hall	
LVA5G	Mid Calder Primary School	Schools will be closed for the summer break
LVA5H	East Calder Primary School	Schools will be closed for the summer break. One ballot paper and a smaller number of polling stations will facilitate a more effective throughput of voters.
LVA5I	Centenary Hall	
LVA5J	Kirknewton Village Hall	
LVA5K	Harburn Village Hall	Harburn and West Calder Community Council consulted with local residents who expressed a preference to vote here rather than their usual polling place West Calder Community Centre, for this

		by-election. The building only requires to accommodate a very small number of voters and has been assessed as suitable.

D4 **Incorporating Guidance and Learning**

The experience and learning from both the Scottish Parliamentary Elections on 6 May 2021, and the Livingston South by-election will be used to ensure that the poll can delivered effectively and safely for all stakeholders, under all Scottish Government Covid Protection levels. The robust rsk assessment process in place for these polls will continue to be used for this by-election.

E. CONCLUSION

Arrangements are being put in place to allow the by-election to be delivered safely against what is likely to continue to be a dynamic and challenging backdrop. The Executive is asked to agree a polling scheme to allow arrangements to progress.
.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: None

Contact Person: Caroline Burton; 01506 281651; caroline.burton@westlothian.gov.uk

Name of CMT Member: Graham Hope, Chief Executive,

Date: 8 June 2021

DATA LABEL: OFFICIAL - PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

BUS PARTNERSHIP FUND

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform Council Executive of the launch of the Bus Partnership Fund (BPF) and update on the establishment of Transport Partnerships on both a regional and local level and advise on the next steps required in submitting a West Lothian submission to the fund.

B. RECOMMENDATION

It is recommended that Council Executive note the;

1. Launch of the Bus Partnership Fund and the timescales for applications;
2. Formation of the South East Scotland Partnership and the West Lothian Bus Alliance;
3. April submission of the South East Scotland Partnership bid to the BPF; and
4. Proposed timeline for reporting to committee on a West Lothian specific submission.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	The Bus Partnership Fund will complement the powers in the Transport (Scotland) Act 2019.
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	The council has a target PI for Public Transport of having 90% of residents with access to an hourly or better daytime service Monday to

		Saturday. It is possible that changes in the commercial and subsidised network could impact this PI.
V	**Relevance to Single Outcome Agreement**	The local bus network contributes to a number of outcomes by connecting communities with services and employment.
VI	**Resources - (Financial, Staffing and Property)**	None
VII	**Consideration at PDSP**	This report was considered at D&T PDSP on 1 June 2021.
VIII	**Other consultations**	Financial Management Unit

D. TERMS OF REPORT

D.1 Background

As part of its response to the climate emergency, the Scottish Government has announced a £500M fund for large-scale capital bus priority infrastructure projects, which aims to reduce the negative impacts of congestion on bus services and address the decline in bus patronage. This fund was originally due to be launched by Scottish Government in March 2020, but was delayed until November 2020 as a consequence of Covid-19.

The Bus Partnership Fund will complement the powers in the Transport (Scotland) Act 2019, enabling local authorities to work in partnership with bus operators, to develop and deliver ambitious schemes that incorporate bus priority measures. The Fund will focus on the evidence of how bus services will be improved by addressing congestion, but the partnership approach is also expected to leverage other bus service improvements to help tackle the climate emergency, reduce private car use and increase bus patronage.

The fund encourages ambitious proposals, including park and ride where it can be demonstrated to have a clear benefit in effecting modal shift, but all proposals will be considered in light of the evidence provided and how successful the interventions are expected to be in achieving the targeted outcomes of the fund.

It is expected that the first round of bidding for the BPF will facilitate feasibility studies to further develop business cases and proposals. The Scottish Government has provided two initial dates for applications to the fund:

- Phase 1 Deadline: 16 April 2021
- Phase 2 Deadline: 15 October 2021

It was anticipated that where formal partnerships were already established and therefore projects already identified the earlier deadline would be preferable by bidders however, should local authorities wish to identify new partnerships and projects which might require further time to scope, the second submission date in October 2021 is available.

D.2 Bus Service Improvement Partnership

Transport Scotland has stipulated that applications to the BPF must be from official partnerships working towards Bus Service Improvement Partnership (BSIP) status. Although it is understood that bidding for the BPF can be at individual local authority level, the Scottish Government has expressed a requirement of collaborative working forming an essential part of any bid for funding.

West Lothian Council has been working with SEStran authorities and local operators over the past 12 months looking at transport transition planning at national and regional levels to address the challenges presented by Covid-19, most particularly the pressures on limited public transport capacity during the phased emergence from lockdown. The region secured £1.8m for a range of temporary measures and interventions under the Scottish Government's Bus Priority Rapid Deployment Fund.

A regional bid for the Bus Partnership Fund has been developed following the governance structure and approach of the Edinburgh and South East Scotland City Region Deal (ESESCRD). The bid structure followed the successful 'corridor approach' utilised through transition planning which is based on strategic corridors into Edinburgh ensuring that packages of interventions for bus improvements that cross local authority boundaries can be identified in a systematic way whilst also working together as a holistic joined-up corridor route treatment.

West Lothian is represented on the West Corridor Group and interventions have been focussed on the A89 and A71 corridors into Edinburgh.

A phase 1 bid was submitted by the ESESCRD partners in April 2021 and a copy of the application can be found in Appendix 1. It is expected that decisions on the April submissions will be communicated in June 2021.

D.3 West Lothian Bus Alliance

In addition to the cross-boundary corridor-specific approach, a second partnership has been established which will focus on more localised West Lothian specific interventions. The West Lothian Bus Alliance (WLBA) has representation from council officers, SEStran and local transport operators and is independently chaired by Bus Users Scotland ensuring that bus travel and customer needs are at the heart of any bid submitted to the fund.

Since its formation in March 2021, the WLBA has met and agreed their Terms of Reference with a mission statement that seeks to create a smarter, more successful set of bus services that maximises the potential of the sector in the West Lothian area for the benefit of the area's people. More specifically, the WLBA will provide a forum for action to improve bus based public transport within the West Lothian area, increase customer growth, satisfaction and advocacy levels. The alliance will investigate and utilise available funding to improve bus infrastructure and the ways in which it can be best utilised to achieve the overarching goals. A copy of the Terms of Reference can be found in Appendix 2.

The group has agreed to develop proposals solely within West Lothian with a view to submitting a bid to the BPF to the phase two October deadline.

D.4 Next Steps

The WLBA will continue to meet on a 2 weekly basis to develop proposals for bus priority interventions within the West Lothian area.

Appendix 3 outlines a proposed timeline for reporting to D&T PDSP and Council Executive prior to a submission in October 2021.

D5 Consideration at PDSP

This report was be considered at Development & Transport PDSP on 1 June 2021. The panel noted that although bus priority infrastructure was important to the success of local bus operations it was vital that passengers have accessible bus services within the local communities. Additionally, the panel noted that key actions are required to improve passenger confidence in using public transport post pandemic and that this should be coordinated over a national, regional and local level.

E. CONCLUSION

Scottish Government has announced a £500M fund for large-scale capital bus priority infrastructure projects, for which formalised partnerships are required to be in place prior to submitting bids. West Lothian Council will hold a key role within two BSIPs; both focusing on a regional approach to interventions as well as a more localised, West Lothian-specific approach. Officers will progress with contributing to both groups with a view to reporting on the progress of the regional partnership application and the submission of a West Lothian-specific bid by 15 October 2021.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

Appendix 1 - South East Scotland City Region Deal - April Submission

Appendix 2 – WLBA Terms of Reference

Appendix 3 - WLBA Bid Submission Key Dates Timeline

Contact Person: Nicola Gill, Interim Public Transport Manager, Tel: 01506 282317

Email: nicola.gill@westlothian.gov.uk

Jim Jack

Head of Operational Services

8 June 2021

Appendix 1 - South East Scotland City Region Deal - April Submission

Bus Partnership Fund Application Form

Phase 1 – Capacity Funding

1. Applicant Details

Lead local authority	City of Edinburgh Council on behalf of the Edinburgh and South East Scotland City Region Deal (ESESCRD) partners.
Partners to the proposal	The Edinburgh and South East Scotland City Region Deal partnership is submitting this bid. The City Region Deal partnership comprises: The City of Edinburgh Council, East Lothian Council, Fife Council, Midlothian Council, Scottish Borders Council, West Lothian Council and the region's universities and colleges. Falkirk Council are also included in the partnership and Clackmannanshire Council are supportive of the bid but at this stage are not a formal partner. The bid is also supported by operators including Lothian Buses, First Bus, Stagecoach, Borders Buses and Prentice.
Contact name and job title	Jamie Robertson
Contact email	Jamie.Robertson@edinburgh.gov.uk
Contact telephone number	07754285381

2. Geography and Demographics

Max 1000 words, excluding maps

Describe the geography of the partnership and specifically that which will be impacted by the proposal, using maps to specify the area. Provide basic population information, to indicate the likely travel habits and therefore how people will be affected by the proposed development.
The Edinburgh and South East Scotland region is facing a period of unprecedented challenge and opportunity. There is a shared duty to address the interrelated challenges of climate change, sustainability, biodiversity loss, inequalities, health and well-being whilst also urgently addressing economic

recovery from the pandemic and a just transition to a net zero carbon economy. The transport network needs to support the rebuilding of the economy so that it works better for people, places and the environment, reflected in the title of our bid **– "Speeding up Recovery – Building on Success".**

The South East region is the fastest growing in Scotland, with the population expected to grow from 1.38 million in 2018 to 1.51 million in 2043, an increase of 9.1%. This will place additional pressure on an already successful public transport network.

Edinburgh is the largest economic centre within the region, attracting workers from within the city and surrounding local authority areas. According to the 2011 census around 95,000 people commute into Edinburgh to work each day – of those, 80,500 come from other SEStran authorities.

The total in-commuting by car (either as a driver or passenger) is around 63,300 per day (66%). Bus mode share is approximately 28%, considerably higher than the national average, and rail mode share is approximately 8%.

Figure 1 shows travel to Edinburgh by car, bus and train modes from the partnership authorities.

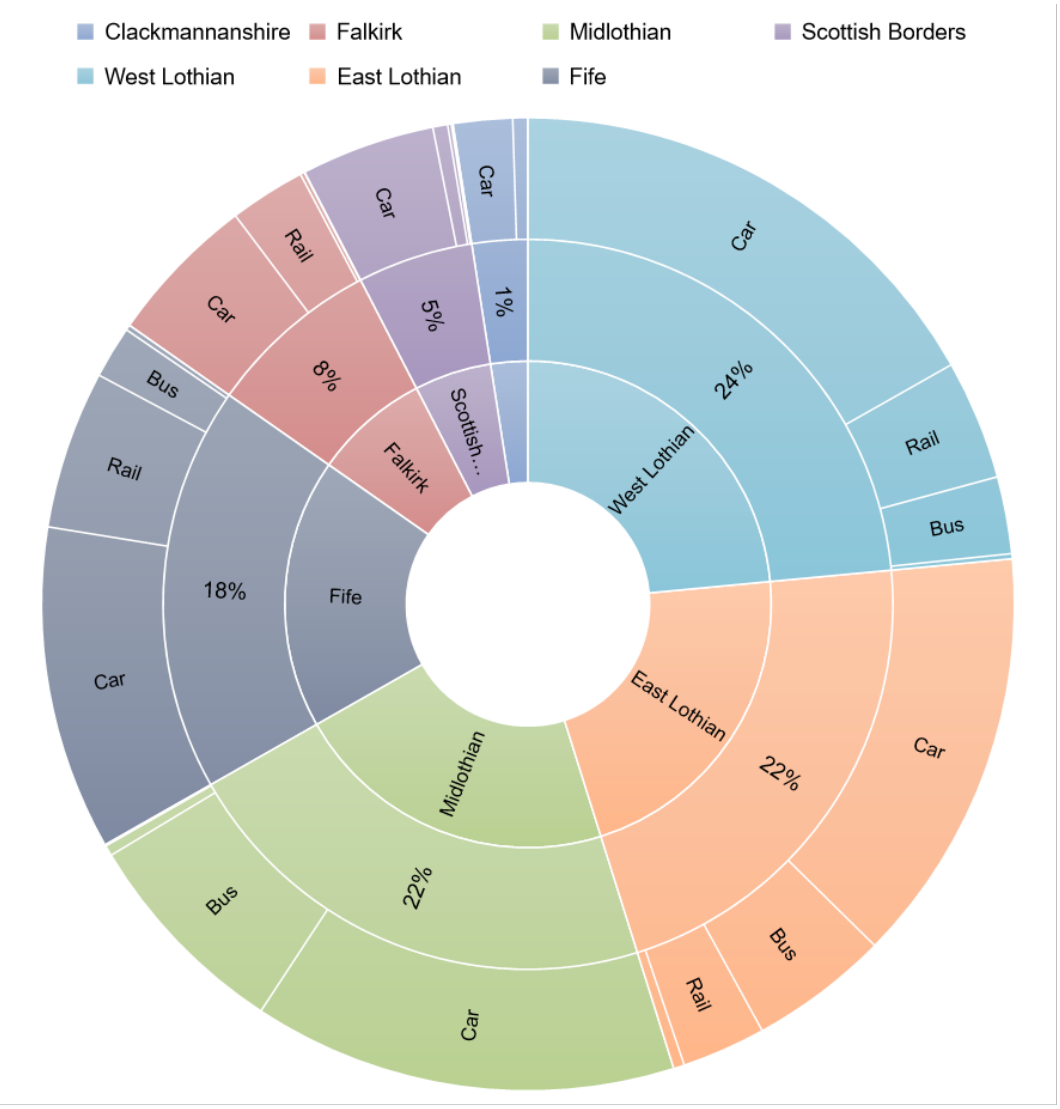


Figure 1: Travel to Work in Edinburgh from Neighbouring Authorities (Scotland's Census 2011)

Travel by car (approximately 65-70% of all trips) is the predominant motorised mode in all. Travel by bus for these movements is comparatively low illustrating the need and scope for improvement addressed by this bid. It should be noted that the 2011 census data pre-dates the opening of the Borders Railway.

Note that a high level of car commuting is undertaken by people who live within the city. Many of these in-city driven trips are made to places of work located outwith the city centre eg Edinburgh Park.

A growing population and limited housing availability are drivers of increasing house prices across the region. The range and affordability of housing is particularly challenging within Edinburgh, meaning that people (and young families in particular) often choose to live outside the city boundary, placing additional pressure on transport networks.

Good transport access strongly correlates to house prices across the region, as shown in Figure 2.

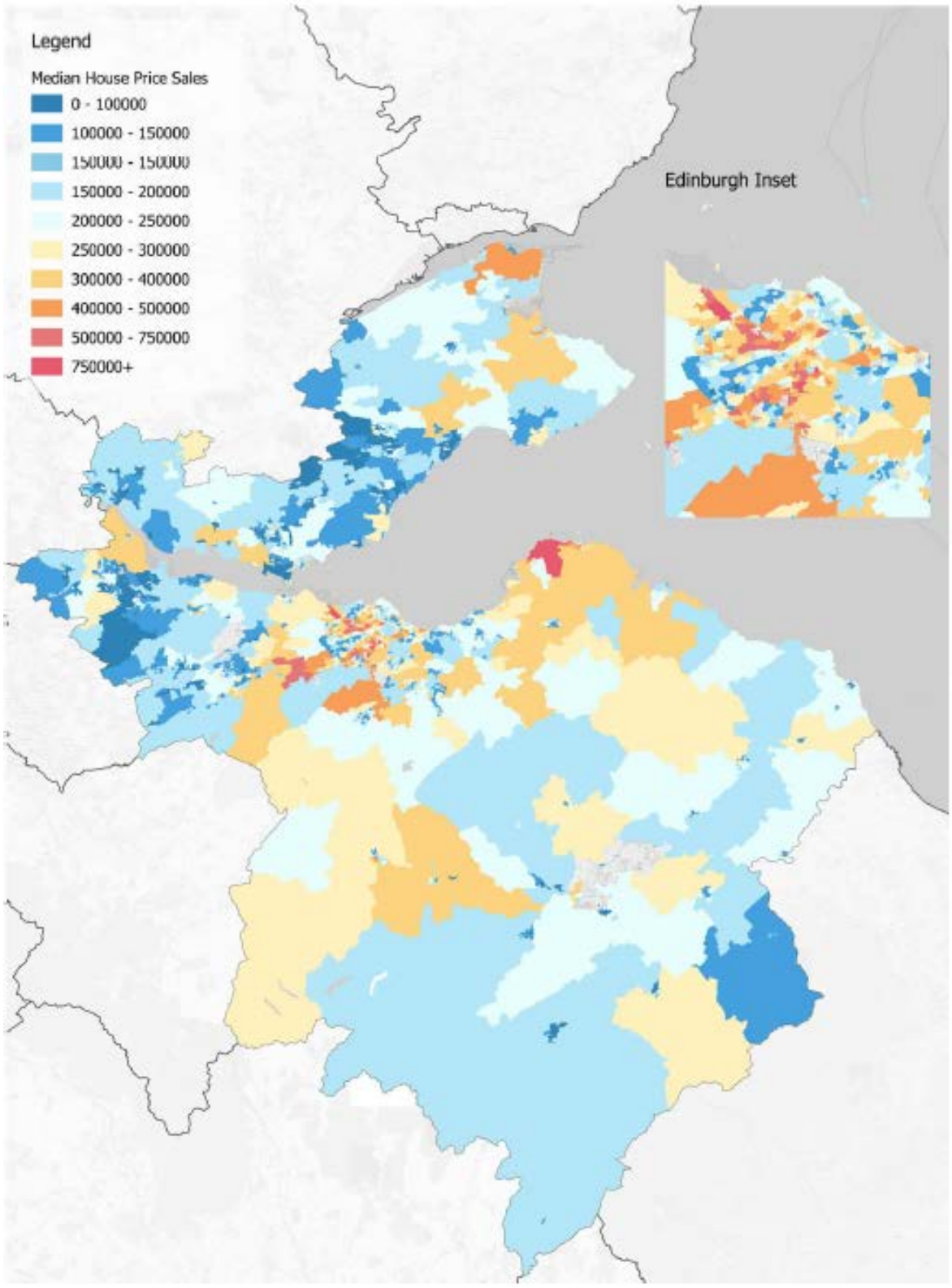


Figure 2: 2018 Median House Prices

Figure 3 shows the travel to work mode share, highlighting the key role of bus for many movements.

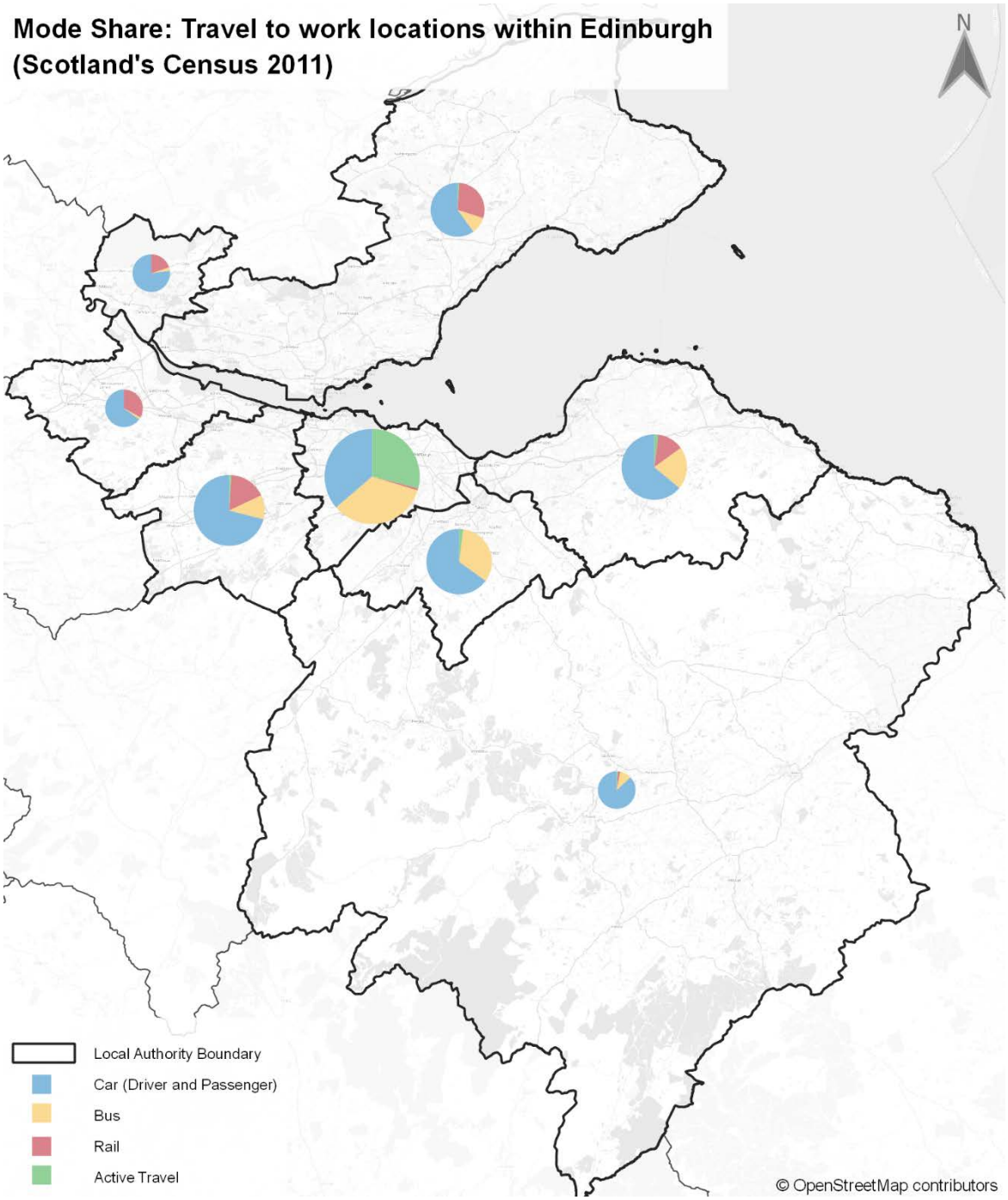


Figure 3: Travel to Work Mode Share

After housing, transport costs are the single biggest household expenditure, where rail services tend to be more expensive than bus. The lack of a comprehensive rail network across the whole region limits the potential for travel by rail for many and a lack of spare capacity on existing rail services, particularly at peak times, again limits potential patronage growth, further re-enforcing the key role of bus.

Scottish Index of Multiple Deprivation (SIMD) data shows that areas with higher levels of deprivation (ranked as Quintile 5 or above) are typically reliant on bus as the primary mode of public transport. Figure 4 illustrates this.

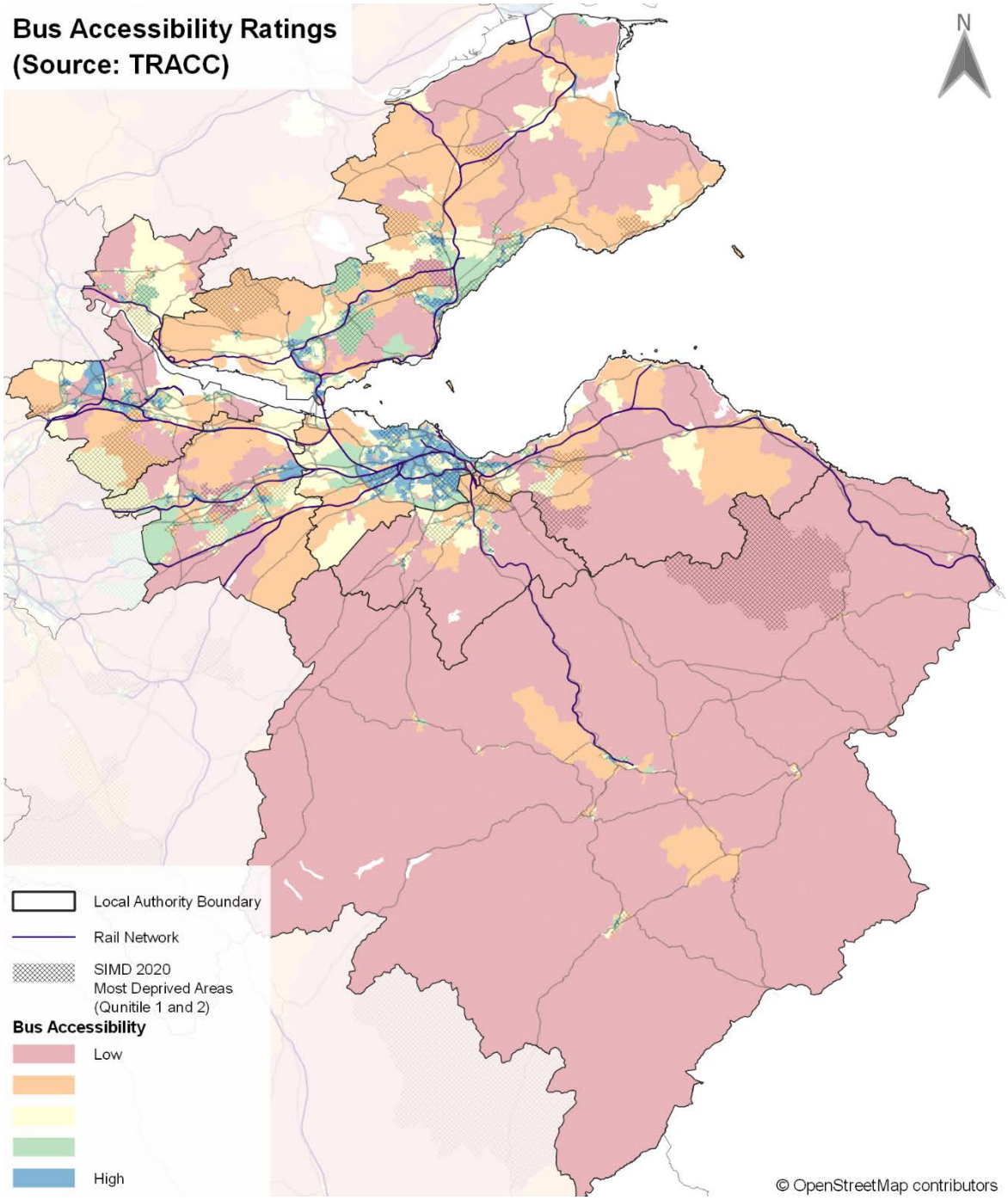


Figure 4: Movements of Trips to Edinburgh City from Regional Settlements by Public Transport Combined with SIMD Data

In these areas of higher deprivation, bus is often the only choice for travel given the limited rail network coverage across much of the region and lower car ownership levels. Where rail is a viable travel choice, high ticket costs can often discourage travel by rail for lower income households.

Given a reliance on bus, it is important that journeys are fast and reliable. Increasing congestion impacts bus travel times and reliability, making access to work and education unattractive. Reversing this trend could encourage increased

patronage, supporting investment in services, creating new journey opportunities for all and particularly for those in areas of higher deprivation. This will be vital in supporting public transport recovery following the pandemic and in reducing car based trips and emissions.

Figure 5 shows public transport travel times to Edinburgh city centre.

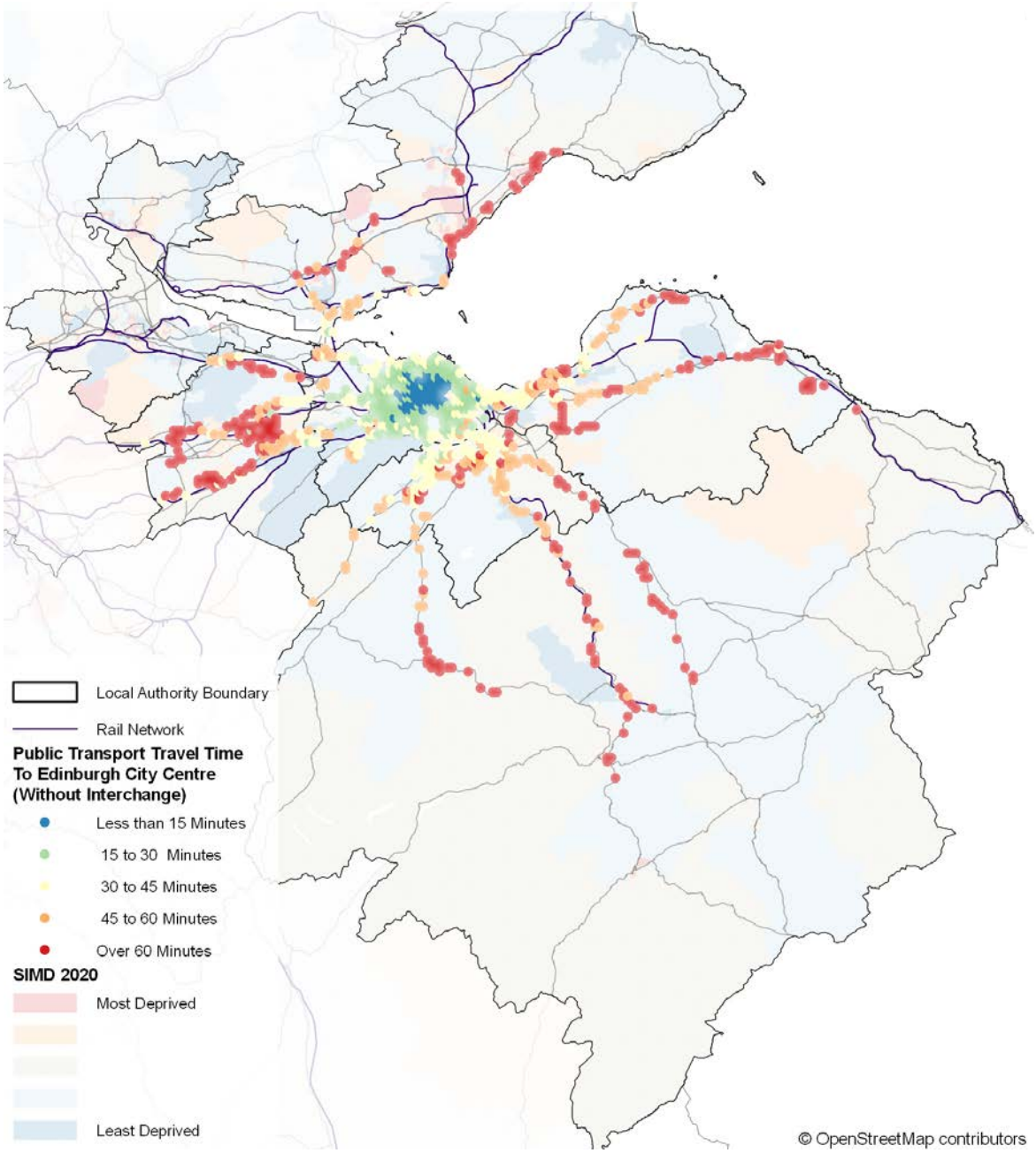


Figure 5: Public Transport Journey Times to Edinburgh City Centre

Public transport journey times to some settlements in the region can be very high when compared to travel by car. For example, a peak hour bus trip from Dalkeith to Edinburgh city centre can take over an hour whilst by car it would typically take 30 minutes. This situation is common to many other settlements in the region.

Strategic routes across the region are congested at peak times. The Queensferry

Crossing and A720 are critical connections; however diversion routes for each are long or limited in capacity, meaning that accidents or closures have a significant impact.

Arterial roads to and from Edinburgh are very congested in both morning and evening peaks. All key routes are affected, include the A90, A8, A71, A701, A702, A7, A68, A1 and A199. Morning peak congestion tends to occur at the first major junction on each corridor – eg Barnton, Newbridge, A720 junctions and the Jewel. Within the city, evening peak congestion is more significant; outbound delays on major arterial routes results in traffic displacement and rat-running, affecting bus routes away from primary corridors (eg Service 41 at Quality Street).

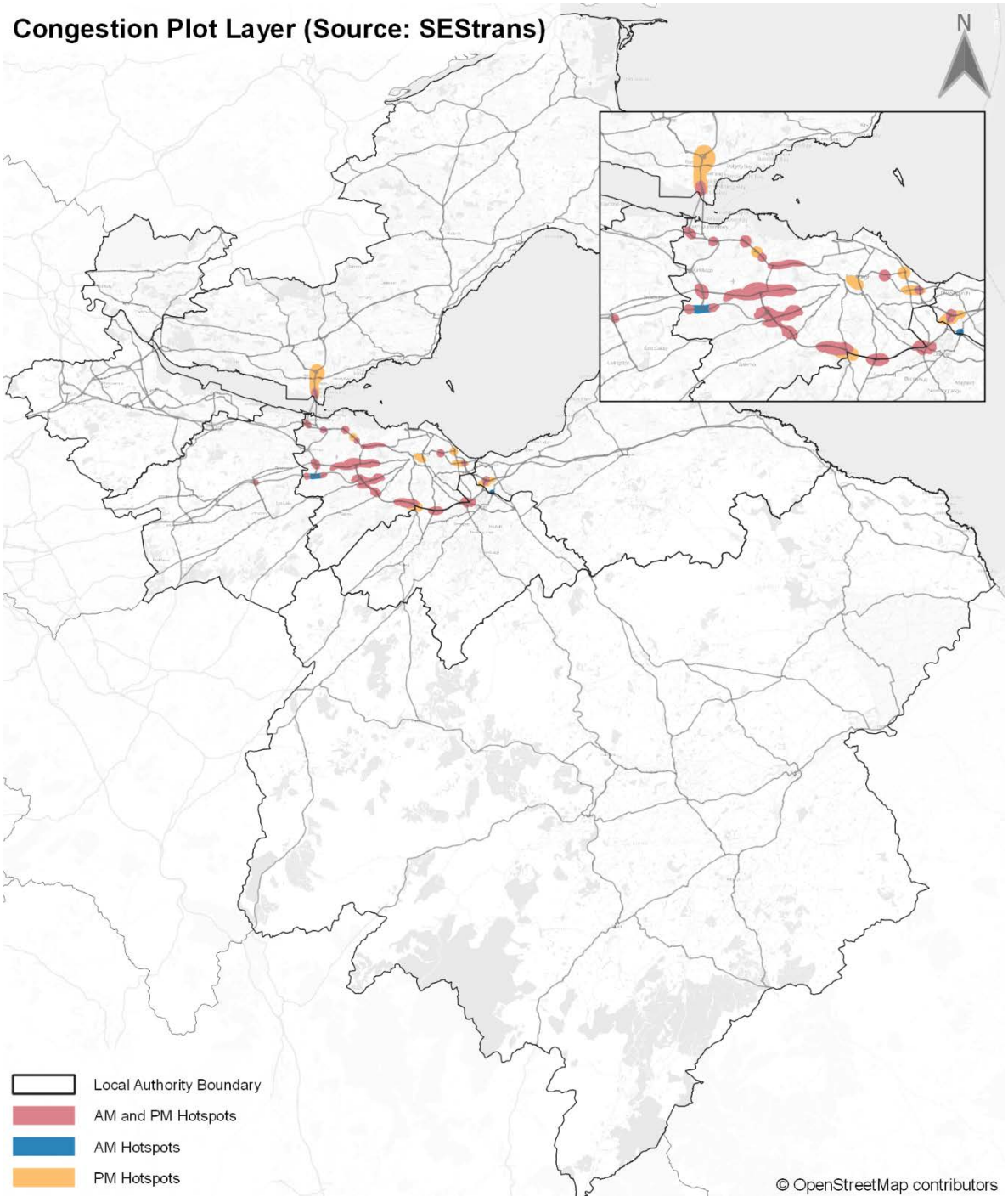


Figure 6: Peak Period Congestion Hotspots

Morning peak bus services travelling towards Edinburgh generally experience delays crossing the A720 City of Edinburgh bypass. Services are delayed by traffic waiting to join the A720 and by traffic rat-running on a parallel axis to the south (eg through Dalkeith, Bonnyrigg / Lasswade and Loanhead). As above, once inside the A720, traffic conditions improve with limited congestion on the A701, A768 and A772 corridors.

In the absence of a comprehensive rail network serving all major settlements, high quality, high speed and low-cost bus travel options are fundamental in increasing social mobility and delivering sustainable travel choices for the region.

3. Analysis of Problems and Opportunities

Max 3000 words, excluding diagrams and charts[i]

Outline the problems (to the extent you are able at this stage), evidencing areas where road congestion is particularly problematic for bus. The opportunities should relate to bus priority developments, which are the focus of the Bus Partnership Fund[ii], as part of a multi-modal approach to sustainable future mobility provision.

Introduction – building on a strong policy and delivery framework

Major strides have been made in the region in transport related policy and on the ground delivery designed to tackle major challenges related to climate change, health, equality and economic prosperity.

There is now a coherent policy framework from NTS2 at the national level with STPR2 and the emerging NPF4 and further policy support through bold new strategies at the regional and local level. This includes the SEStran Regional Transport Strategy, the emerging Regional Growth Framework, the recently published City Mobility Plan in Edinburgh and the East Lothian Climate Change Strategy.

Delivery of practical measures on the ground through effective regional co-ordination and action is well exemplified by the work developing and implementing the successful BPRDF bid to help tackle the impacts of the current pandemic.

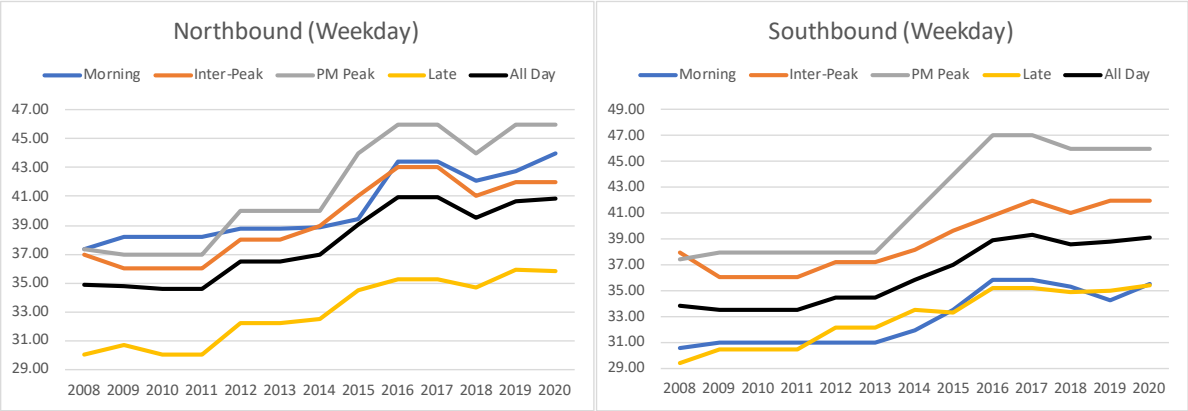
Strong collaborative working between the local and regional authorities, public transport operators and active travel organisations has been key to this progress. This bid builds on this to address key problems and opportunities for bus travel. Coordinated spatial planning and transport helps strengthen cross border public transport services while tackling the environmental and economic impacts of significant in-commuting across the city region.

Problem – unattractive journey times for many movements

Excellent public transport links are key in providing equitable access to jobs, education, health and recreational facilities. As noted previously, areas of high deprivation largely correlate with poor transport accessibility.

Improving public transport journey times and network connectivity has a direct and positive impact on the wider economy and peoples' everyday lives.

Public transport accessibility is mixed across the region. Within Edinburgh, bus is the primary mode but journey times continue to slow (by approximately 20% between 2008 and 2020) making services increasingly unattractive.



Lothian Buses

Figure 7: Increasing Journey Times Between Dalkeith and Edinburgh

As an example, the typical morning peak journey time from Portobello to the city centre is 50 minutes, a distance of only 5km. This is not competitive with European cities of a similar size, impacting on the economy.

While regional rail services are fast, these are not extensive and many communities are captive to bus. Although rail capacity has increased, particularly from West Lothian and the Borders, passenger growth has more than matched this. With limited further rail investment in the short term, the region's express bus network will need to grow (in a similar manner to that from Fife) in order to accommodate increases in demand.

Currently, many regional bus journey times from towns outside Edinburgh towards the city are slow and uncompetitive with the car. Example peak bus journey times include:

- Prestonpans to Edinburgh - 50-60mins (c11miles)
- Dalkeith to Edinburgh – 50mins-1hr (c7miles)
- Penicuik to Edinburgh – 1hr-1hr10mins (c10 miles)
- Broxburn and Kirkliston to Edinburgh - 45-50mins (c12 and c10 miles)

The South East Scotland labour market is constrained. Improved public transport links would help address this and result in immediate wider economic benefits and support economic recovery and growth. Better access to education supports the

economy in the medium term and is critical to a demographic largely captive to public transport and active travel. Improved access to health supports the economy in the longer term, with a more active population improving productivity and reducing costs.

Problem - Tackling more recent decline and the impact of Covid

While remaining successful, Lothian Buses has seen a recent small decline in patronage of (-0.6%) year on year between 2015 and 2019.

Although, East Coast Buses and Lothian Country services may have abstracted some patronage from city buses following similar routes, the trend is clearly no longer upwards. Development growth should be a driver of increased patronage yet a decline in bus use suggests reductions elsewhere.

Although increasing car ownership and a greater use of on-line services are known drivers of declining patronage, slower bus journey times are also a key factor in the downward trend. It is therefore critical to target congestion at key locations across the city and region, improving bus journey times relative to the car.

The current pandemic has had a very significant impact on bus travel across the region. A key aim of this bid is to encourage passengers back to public transport through competitive, reliable journey times, building on, and maintaining, many of the time savings achieved while traffic volumes have been lower.

A scenarios-based approach to ensure resilience in the light of the pandemic will be built into the OBC process.

Opportunity – Building on a strong modal share for bus in Edinburgh

A larger proportion of the population of the City of Edinburgh use bus as their main travel mode of travel to work than any other local authority in Scotland. Despite a historic trend of declining bus patronage across Scotland, data from Lothian Buses shows that between 2006 and 2014 patronage was increasing at an average of 1.1% per annum. Although Lothian Buses patronage has since decreased, this is partly as a result of tram and abstraction from East Coast and Lothian Country services.

Overall, public transport mode share remains high; however, investment is required to further increase bus use, particularly outside the city centre.

Problem – Poorer mode share for bus in wider region

Bus mode share across the wider region is significantly lower than within Edinburgh, however there are a number of successful corridors (particularly Stagecoach's Fife-Edinburgh network), which can act as a template for improvement elsewhere.

A key constraint is the level of congestion on arterial routes to the city, which prevents the delivery of fast and reliable bus services.

Operators highlight that access from adjacent Local Authority areas to Edinburgh is difficult. Barnton Junction is noted as a particular constraint on the A90 for journeys from the north and west including Fife and Clackmannanshire. The A720 City Bypass creates a barrier between Midlothian and the Scottish Borders and Edinburgh as does the volume of traffic on the A7 for services that cross this route.

Problem – Limited rail capacity across the region

There has been significant investment in the south east Scotland rail network to increase capacity. This has included the Airdrie-Bathgate Project, opening of Borders Railway, the Edinburgh Glasgow Improvement Programme and the . Levenmouth Rail Link due to commence construction in 2022.

Despite major capacity increases on central Scotland routes, the Borders Railway and North Berwick / Dunbar services, pre-Covid demand has continued to outstrip supply with congestion on all major rail corridors.

Limited network capacity and coverage, together with increasing fares, mean that improved regional bus services will be a vital component in delivering additional capacity through a network of regional express services as already exists from and to Fife.

Problems – Delay hotspots on the key radials into/out of Edinburgh

Below we highlight the key delay hot spots on the main radial corridors into and out of Edinburgh from/to the wider region. These have emerged from discussions with bus operators and local authorities via the BPRDF corridor groups, reinforced by delay data from operators.

A summary of the key problems in the corridors is set out below under the three corridor groupings set up to take forward BPRDF. This is followed by a more detailed examination of these problems and any opportunities.

Corridor	Issue
South/East (East Lothian, Midlothian and Borders to Edinburgh)	Congested Sheriffhall, A1 / Milton Link, Gilmerton, Straiton and Kaimes junctions result in public transport delays Traffic volumes on Melville Dykes Road result in morning peak public transport delays of up to 10 minutes Queues on the A1 approach to the Jewel roundabout result in public transport delays Delays on the A199 Musselburgh High Street
West (West Lothian, Falkirk, Clackmannanshire to Edinburgh)	Newbridge Roundabout - queuing in both Eastbound and Westbound directions from A8 and A89 A8 Gogar – Maybury - Buses get caught in general congestion approaching the Maybury Road junction from west through the underpass Access egress delays for buses at Park & Ride sites - eg Hermiston Poor bus journey times along A71 with delays at Lizzie Bryce Roundabout, Wilkieston and the A71 approach to Hermiston P&R roundabout. Delays of up to 30 minutes are experienced at Hermiston A70 and A71 stop spacing, bus priority and signal strategies are not optimized to minimize bus journey times
North (Fife to Edinburgh)	Temporary low usage of Halbeath and Ferrytoll Park & Ride Congestion on the approach to Barnton junction increases bus journey times Evening peak services from the city centre are delayed on the approach to Blackhall junction Rat-running via Davidson's Mains to avoid the A90

South/South East

Journey time data from Lothian Buses indicates that Service 47, which operates between Penicuik and Edinburgh along the A701 has been subject to increasing journey times in recent years. Northbound, journey times between Penicuik and the Park and Ride site at Straiton have increased between 2008 and 2020 by approximately 20% in the weekday morning peak and by approximately 12% at other times.

Issues at Straiton area are a result of individual development interventions. A comprehensive redesign of the corridor, prioritising public transport and active travel, could address many of the existing operational issues.

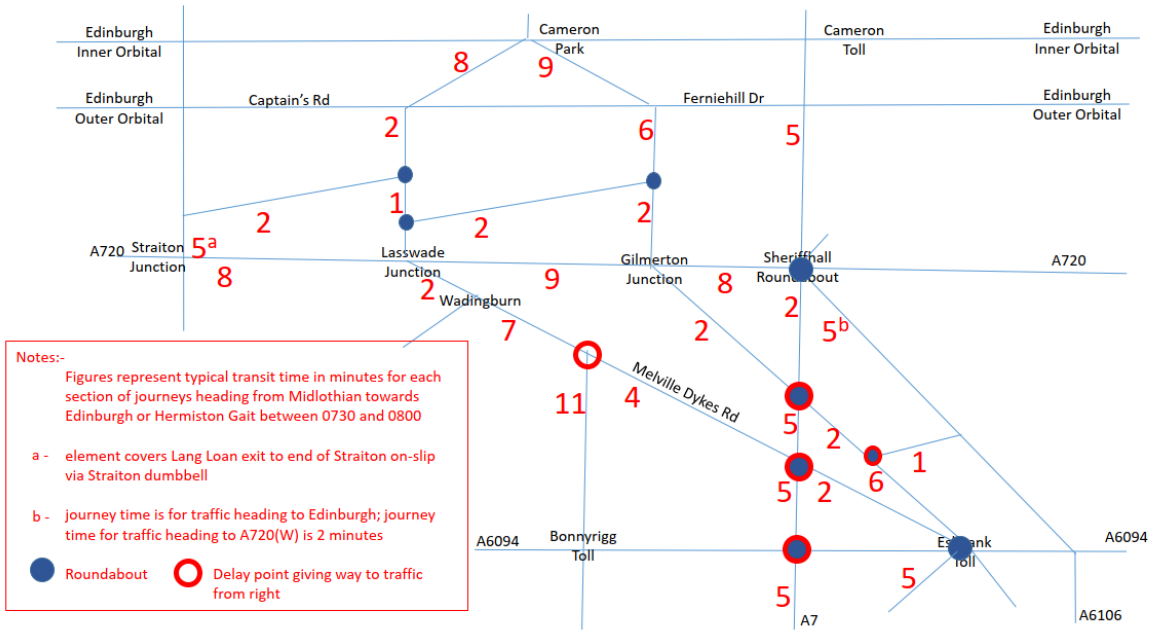
Enhanced (and potentially relocated) Park & Ride provision on the A701 requires faster and more frequent direct bus services, improving competitiveness relative to the car. Potential options could be integrated with future City Region Deal development at the Edinburgh Science Campus, Midlothian and Easter Bush.

Bus operators have advised of significant delays to services on approach to and crossing the A7. Problem junctions include:

- B6392 / Meville Gate Rd
- A7 / A768
- A7 / A6094
- A768 / Hillhead Rd

Services are also delayed at the A772 Gilmerton Road / B701 Ferniehill Drive signalised junction within Edinburgh.

Figure 8 shows typical morning peak transit times with major delay locations highlighted as a red circle.



Lothian Buses

Figure 8: AM Peak Traffic Flows around A720 between Sheriffhall and Straiton

The performance of the A720 is a major issue with incidents and accidents having a wide-ranging impact on network performance and bus reliability.

Operators refer to congestion in this area as the 'Midlothian Wall' where buses are delayed crossing the Midlothian boundary towards Edinburgh. A general reduction in bus delay in this area would support the development of an express bus

network, which would further improve bus journey times from Midlothian and the Scottish Borders into Edinburgh.

Delivery of major development sites in East Lothian, such as Blindwells, together with the proposed Haddington and Cockenzie employment zone will require a step-change increase in bus provision. Many new services will route via the A1, where the principal source of delay is the approach to The Jewel Roundabout.

The alternative route avoiding The Jewel is via Newcraighall / Niddrie Mains Road. Ad-hoc development along Newcraighall Road has resulted in a disjointed road network, focussed on providing car capacity. Niddrie Mains Road has been constrained with wider footways but there has been a piecemeal approach to placemaking. Public transport and active travel provision in the Newcraighall Road / Niddrie Mains Road corridor is relatively poor.

Data from Lothian Buses, indicates that journey times on Service 30, which operates along Niddrie Mains Road, have increased between 2003 and 2020 by over 20%. Increased journey times are also noted on Saturdays and Sundays, due to the effect of Fort Kinnaird Retail Park. Targeted measures to reverse this trend are required and improvements to the public transport and active travel infrastructure on Newcraighall Road would capitalise on the significant and successful investment in the Craigmillar / Greendykes area over recent years.

West

A8/A89

The A8/A89 corridor is a key strategic corridor providing links to and from Edinburgh to West Lothian and beyond to Falkirk and the Lanarkshires but also, via the M8 and M9 to the north and west of the Central Belt. It is also a key destination, serving Scotland's busiest airport and employment growth in West Edinburgh. Substantial further development is envisaged in the current Local Development Plan and emerging City Plan.

Significant development, and particularly residential development, is also taking place in West Lothian. This critical role of the A8/89 has already been recognised in the appraisal work undertaken in the WETA (West Edinburgh Transport Appraisal) study, including the refresh undertaken in 2016. Both reports highlighted the urgent need for bus priority measures and additional Park & Ride and interchange opportunities.

A subsequent successful bid as part of the Edinburgh City Region Deal allocated £20m for bus focused improvements with a further £16m from CEC for both bus and active travel improvements. OBC work is now underway in this corridor through WETIP (West Edinburgh Transport Improvement Programme).

The BPF will complement the City Region Deal in terms of the potential for P&R on the corridor and could support the delivery of an even more ambitious bus priority scheme.

A71

On the A71, principal locations where congestion and delays occur include:

- Lizzie Bryce Roundabout in Livingston
- Eastbound delays through Kirknewton junction
- Eastbound queueing in Wilkieston back to the B7015
- Delays on the approach to the A71 P&R at Hermiston and A720 roundabouts
- Congestion on Riccarton Mains Road towards Heriot-Watt University

Together, congestion increases journey times by up to 40 minutes in the morning peak, significantly increasing operating costs and impacting on the attractiveness of public transport.

Within the city, at Bankhead and City Bypass roundabouts, queuing on the roundabouts by north/south traffic blocks vehicles travelling east/west (including buses). Morning and evening peak queues also occur at the Chesser Avenue junction where existing bus lanes provide only limited benefit.

A70

The A70 corridor into the city provides links to and from West Lothian as well as from the villages of Balerno, Currie and Juniper Green, which are situated within the city boundary. Over recent years significant residential development has occurred within the villages, leading to an increase in congestion on the single carriageway section of the A70 that flows through them. An increase in single occupancy vehicles has meant that buses incur significant delays at junctions along the route. The principal source of delay is at Gillespie Crossroads, where, at peak times, the east and westbound approaches become saturated as the junction has to accommodate, not only, those travelling into and out of the city but also those travelling to the north or south west.

Bus priority on the A70 corridor is limited to a few short sections on Lanark Road (approx. 300m of bus lane) and Slateford Road (approx. 700m of bus lane). Due to the single carriageway nature of the route, measures to improve bus journey times will focus on stop rationalisation and technology to prioritise buses through junctions.

North

A90

The A90 is the busiest corridor into Edinburgh by a significant margin. It is the primary link between Fife and Edinburgh and peak period congestion frequently result in travel time unreliability.

Major investment in Park & Ride has been extremely successful to a point where, pre-Covid, Halbeath and Ferrytoll sites were operating close to capacity. In the year 2019-2019, passenger growth increased by 20% on the corridor.

This bid complements and supports the separate Fife Council Bus Partnership Fund applications to deliver increased Park & Ride provision and other bus network improvements, capitalising on existing and already successful investment in bus priority on the M90 / A90.

The principal source of morning peak delay on the A90 occurs citybound on the approach to Cramond Brig and Barnton. The existing Queue Management System is life-expired and operates with reduced functionality. The removal of the Dolphington Junction on-slip bus lane has additionally impacted on bus journey times and reliability from Queensferry.

Evening peak traffic, leaving the city, rat-runs to avoid congestion, creating safety and emissions issues away from the core arterial network.

Buses are delayed leaving Davidson's Mains on the approach to Quality Street. Delays also occur on the Telford Road approach to Queensferry Road due to the volume of traffic from Leith / North Edinburgh.

City centre network and stop capacity is a major constraint; evening peak congestion at Queensferry Street is a major source of delay and a limit on future growth.

Orbital Movements – the missing opportunity

As indicated earlier, not all regional movement is city centre focussed. Orbital bus service provision, linking key employment, education and healthcare sites, is extremely important yet currently comparatively poor. In order to reduce dependency on the car to access these locations, there is a strong desire to increase the frequency and attractiveness of orbital services. Nevertheless, existing orbital routes are often delayed on the approach to major junctions; buses arrive on the minor arm but the prioritised flow is the major radial route. New technology solutions, outlined below, as well as more traditional priority measures, could help address this this.

At key locations, the opportunity to interchange with tram and radial local and regional bus services could be much enhanced. Facilities need to be made more attractive in terms of place, shelter, information, personal security etc, helping overcome the acknowledged negative perception of interchange among many passengers. This would link with the best practice guidance and appraisal framework for mobility hubs in Scotland recommended in Phase 1 of STPR2.

New Technology – a major opportunity for bus priority across the region

The adoption of new technological solutions to bus priority is seen as the most likely solution at a significant number of junctions and bus operators are keen that delivery of an Urban Traffic Control (UTC) / Automatic Vehicle Location (AVL) is taken forward on a regional approach and that implementation is managed as a regional project to ensure that the interventions are seamless along routes crossing local authority boundaries.

Delivery of UTC / AVL technology is seen as critical by all operators in the region and delivery requires specialist knowledge. Work is required to consider the technical status of all junctions (and pedestrian crossings) to determine to the benefit in providing bus-signal communication and, how this might be successfully

applied. It needs to consider the different vehicle location detection systems and how priority requests from them will be best managed including protocols to avoid unintended consequences (eg gridlock), learning from experience in other cities.

4. Desired Outcomes

Max 1000 words

Describe the desired outcomes from the proposed bus priority developments. How do you plan to evaluate the achievement of these outcomes?

Speeding up Recovery – Building on Success

City Region Deal partners are preparing a Regional Growth Framework, to be published in June 2021. It articulates the long-term aspirational goals for the region and guides the future direction of economic, planning, housing and transport policy, setting an ambitious 20-year vision delivered across three main themes: flourishing, smart and adaptable.

Under the Adaptable theme, being better connected is key to adjusting to major economic and technological changes, and to helping respond to climate change challenges and opportunities.

The integrated package of improvements in this bid, will in particular support the following outcomes set in the Framework:

- increase workforce mobility, especially for residents of disadvantaged communities, primarily through the creation of a fully coordinated, integrated, flexible affordable network across the regions that helps reduce inequalities
- achieve modal shift to demonstrably address climate change and reduce emissions
- allow a flexible transport network to adapt to the differing transport needs of the region, offering multiple travel choices

Six more detailed outcomes for the bus priority, interchange and related improvements that are the subject of this bid are set out below:

- A region where bus becomes an **increasingly attractive** and important option in providing sustainable transport movements for a much wider range of journey purposes and destinations, benefiting residents, businesses and visitors
- A region in which bus travel **recovers quickly from the impacts of the pandemic** and then **continues to grow** in mode share along with other elements of public transport and active travel, thereby supporting economic growth and recovery

- A region in which bus travel plays a key role in addressing emissions and thus **tackling climate change and health agendas**.
- A region where **interchange** between different modes is as seamless as possible to maximise the use of sustainable modes
- A region where an effective bus public transport network supports **sustainable economic and population growth** across the Region.
- A region in which **equality for all** is at the heart of the transport system, promoting social mobility and helping address poverty within our most deprived communities

These outcomes are reflected in the objectives set below:

(a) **improving the attractiveness** of the bus, relative to the car, through improved journey times and interchange opportunities.

(b) in turn, **increasing bus patronage** and active travel and thereby reducing the number of car trips and resulting emissions.

(c) delivering **sustainable and integrated public transport** networks, providing access for all, and supporting economic recovery and growth.

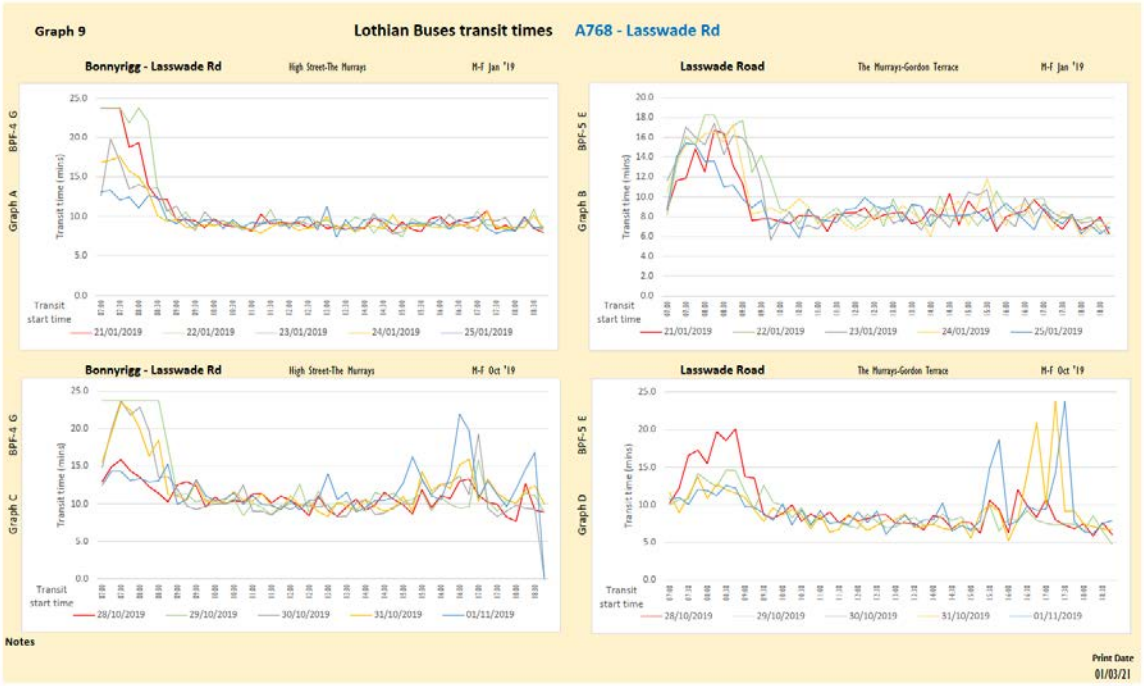
These objectives will be critical in framing the appraisal of options within the OBC work along with wider STAG criteria and they will also inform the key indicators and performance metrics used for monitoring and evaluating the success of the BPF funded interventions. In the shorter term this will focus particularly on the quick wins which build on the implemented BPRDF measures, in turn informing the OBC work. A comprehensive monitoring and evaluation framework will capture the detailed outputs and outcomes from the different components, building on that prepared for BPRDF. Examples of key metrics that will be captured and monitored are outlined below:

Bus journey times and journey reliability

Improved bus journey times and reliability, to and from town and city centres, but also other key destinations eg major employment and healthcare locations are key desired outcomes.

Building on data being captured for BPRDF measures, bus operators have agreed to provide journey time/reliability data (current and historical) allowing times to be monitored. This will cover journeys to and from town and city centres, but also other key destinations eg major employment and healthcare locations. Additional information could also be provided by third-party data providers (eg TomTom). The data will be used to identify baseline (i.e. Pre-Covid journey times) and future journey times (i.e. post Covid \ post BPF interventions). Temporal and spatial analysis of this data will provide information on the magnitude of journey time improvement over time and by time of day.

The diagram below shows an example of the data provided by operators for before and after implementation.



Lothian Buses

Figure 9: Example Bus Transit Times Monitoring

Operators data will be complemented by targeted observational surveys to examine how measures are working on the ground including impacts on active travel users and general traffic.

Service attractiveness, mode shift and network coverage

A key outcome is that bus service ridership is expected to recover and then increase as services become a more attractive travel choice as service journey times and network coverage and accessibility improves.

Numbers of ticket sales (data provided by bus operators) would be used as the primary metric for recording ridership levels. As bus services become more attractive, it is anticipated that ticket sales would increase.

Combining a spatial element of ticket sales will allow detailed analysis of where measures have been more / less successful and will in turn be used within the OBC's to consider and identify the location of where further improvement / investment is required.

Baseline ticket information would provide the pre-Covid situation and be compared with post Covid / post BPF scheme data.

To supplement this, a standardised region wide bus customer survey would be developed to provide qualitative information to better understand the customer experience, satisfaction and attractiveness of bus services benefitting from the measures. The survey will consider items such as quality of service, punctuality, satisfaction with destinations/routes served, perception of journey times, physical accessibility, on board facilities and ticket costs. This would be developed in

partnership with operators and bus user forums, building on operators existing customer feedback systems (e.g. bus stop QR codes).

In parallel, a key desired secondary outcome will be reduced dependency on travel by private car within the city region. The BPF funded measures would be a key element of an integrated approach of complementary measures being taken forward by the partners to reduce car use. To measure this, traffic data will be collected on routes (via count sites maintained by Transport Scotland and the constituent Local Authorities) to inform how volumes change over time.

5. Potential Options

Max 3000 words

Outline the ideas the partnership has for developing bus priority measures and an outline timescale for their delivery. Describe any quick wins i.e. developments which could be implemented within the financial year 2021/22[iii]. Outline how you plan to work in partnership, if that has been established. Describe what consultation has taken place to arrive at these high-level options[iv].

This bid **"Speeding up Recovery – Building on Success"** has been developed through very constructive working and governance arrangements set up by (ESESCRD) partners to tackle the impacts of the pandemic including the successful BPRDF bid and its subsequent delivery. Key to this have been three corridor groups, made up of bus operators and the appropriate authorities. These have been central to the development of this bid. Their initial focus on temporary measures has moved on to consider those that could be made permanent and much bolder interventions that could further reduce journey times, increase public transport mode share and deliver improved connectivity across the region.

Further workstreams have fed into the process including a strong interface with SEStran on supportive regional measures, including real time passenger information provision.

The enthusiastic involvement of operators has been critical. It is envisaged that this strong partnership approach will continue into formal BSIP (Bus Service Improvement Partnerships) arrangements to take forward the different elements of a successful bid.

1) Key strategic radial corridors - tackling delays to buses on the key radial corridors that link neighbouring authorities to Edinburgh and provide wider regional connectivity

2) Orbital movements within Edinburgh - the missing links between the key radial corridors and thus to key destinations other than the city centre

3) New technology – such as priority for buses at signal controlled junctions, in order to delivery bus priority at congestion hotspots across the entire south east Scotland region

Key elements of the bid are summarised below.

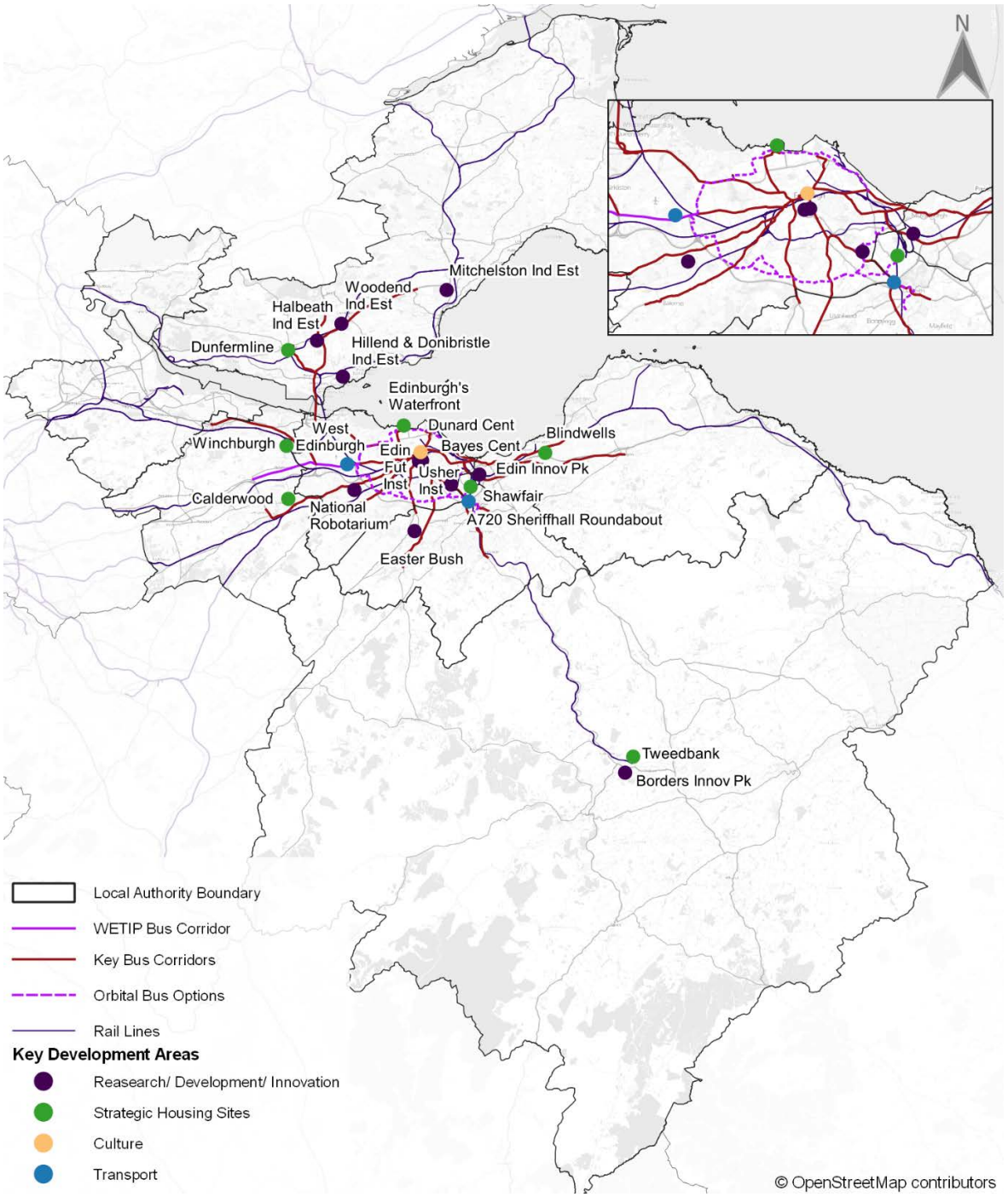


Figure 10: Key Development Areas and Strategic Radial Corridors

1) Key strategic radial corridors

Significant bus priority has been provided on a number of radial corridors into Edinburgh for many years. Nevertheless, buses continue to be delayed at critical congestion locations, particularly at major junctions on the periphery of the city. This element of the bid seeks to address these hotspots by making permanent measures trialled through the BPRDF and by investigating and developing

business cases for additional transformational measures which make journey times by bus more competitive with the car. Interventions will be combined with timetable improvements to deliver faster local and more express services. In combination with the other elements of this bid, measures will seek to promote recovery and future patronage growth.

This element of the bid is subdivided into the three sections, reflecting current regional working arrangements.

a) SOUTH/SOUTH EAST (addressing key bus movements between Midlothian, East Lothian, the Scottish Borders and Edinburgh).

Quick Wins – South East

It is proposed that the following measures would be taken forward as quick wins in 2021/22 subject to funding from BPF. Detailed monitoring and evaluation would help ensure designs were optimised before any necessary TRO process, including all relevant consultation.

Quick Wins – Potential Measures to be made permanent (from BPRDF)
Make permanent traffic signals at Melville Dykes Rd/B704 Hillhead junction
Gilmerton crossroads – parking restrictions on approaches to junction
Changed signal timings and yellow box markings at Straiton junction
Introduction of bus lane on A701 southbound approach to Kaimes Crossroads
Introduction of bus lane on Captain's Road westbound approach to Kaimes Crossroads
Extension of bus lane on Duddingston Park (A6106) approach to Milton Road (A1)
Olive Bank Road Roundabout, Musselburgh
Olive Bank Road at Eskview Terrace, Musselburgh
Olive Bank Road at Mall Avenue, Musselburgh
North High Street at South Street, Musselburgh

Business Case Work – South East

A701

The A701 business case would build on investment in the Easter Bush science park and earlier work undertaken to scope the development of a sustainable travel corridor. It would complement active travel interventions identified in the SEStran funded active travel study for the corridor.

Park & Ride provision would be reviewed with the potential to deliver a relocated site near Easter Bush or north of Penicuik. The new transport hub would be served by a network of faster services, more competitive with the car.

Proposals would be integrated with adjacent development and support continued regional growth and public transport provision in Midlothian and the Scottish Borders.

A7

This scheme would seek to improve public transport operation on and across the A7, improving regional journey times from the south of Midlothian and the Scottish Borders while addressing operational issues between Dalkeith and Edinburgh.

Midlothian Council's LDP proposes to 'urbanise' this route and contributions to a previously designed scheme are being taken from developers.

The OBC would review the previous scheme and further options in consultation with bus operators.

The scope of the study would be from the A7 Hardengreen Roundabout to Sheriffhall (taking in Gilmerton junction where local bus routes are delayed crossing the main direction of flow) and the A772 to and including Gilmerton Road / B701 Ferniehill Drive junction in Edinburgh.

Identified measures would help address what operators refer to as the 'Midlothian Wall' where buses are delayed crossing the boundary towards Edinburgh.

It is envisaged that the A7 interventions will support the development of an enhanced express bus network, further improving journey times from Midlothian and the Scottish Borders.

A1 / A199

BPF funding would support the scope, design and business case for new bus priority on the A1 approach to the Jewel Roundabout.

Pre-covid, morning peak express bus services on the A1 were being delayed by in excess of 5 minutes, reducing their attractiveness. Although commuting traffic is expected to remain supressed in the short term, major growth across East Lothian means that peak period congestion will return.

The delivery of development sites in East Lothian (e.g. Blindwells) will require a significant increase in local and regional bus capacity. New bus priority on the A1 would help ensure that services are able to bypass existing congestion, improving journey times relative to the car. Options to be explore included a segregated city-bound bus lane and technology based queue management systems.

Wallyford Park and Choose Site would be enhanced as part of the A1 scheme, creating an improved transport hub and interchange between express and local services.

Consideration will be given to improving bus priority on the A199 through Musselburgh. Many East Lothian services route through Musselburgh, a key local centre, and these local measures will help target areas of higher deprivation.

Newcraighall Road / Niddrie Mains Road

Piecemeal development along Newcraighall Road has resulted in a disjointed road network, focused on providing car capacity rather than local connectivity. Public transport services suffer from poor reliability due to congestion. Active travel facilities are limited and, despite significant investment, the route lacks a coherent sense of place.

Initial Bus Partnership Funding would help develop a sustainable travel corridor along Newcraighall Road / Niddrie Mains Road. Proposals would prioritise walking, cycling and public transport journeys. The scheme would involve the reallocation of road space, stop rationalisation, and technology to deliver faster and more reliable bus journeys.

Westbound, a new bus lane would be provided from Greendykes Road towards Craigmillar Castle Road / Duddingston Road West, with improved right turn provision at the junction. Eastbound, a bus lane would be delivered from Greendykes Road towards Niddrie Mains Crossroads. Bus signal priority would be implemented at all junctions, based on UTC / AVL technology.

Investment in public transport and active travel infrastructure on Newcraighall Road will capitalise on the successful regeneration of Craigmillar / Greendykes over the last 20 years and support further development growth and a higher non-car mode share.

b) WEST (addressing key movements from West Lothian, Falkirk and Clackmannanshire into and out of Edinburgh)

Quick Wins - West

It is proposed that making permanent the following measures would be taken forward as quick wins in 2021/22 subject to funding from BPF.

Quick Wins – Potential Measures to be made permanent (from BPRDF)
Bus lane (to junction with B800) on A89 eastbound approaching Newbridge
Short Bus Lane on citybound approach to Maybury
Signalisation of Riccarton Mains Road roundabout to aid egress from Hermiston P&R
Extended bus lane operating hours on A70 / A71
A70 westbound bus lane on approach to Gillespie Crossroads

A89

In addition, it is proposed to fast track delivery of an extended A89 eastbound bus lane from Broxburn to the start of the existing BPRDF scheme, west of Newbridge Roundabout. Work to improve the operation of the A71 bus lane at East Calder will also be explored.

A70

A series of quick-win improvements are proposed along the route of Service 44 following the Balerno-Wallyford corridor. These include:

- All day bus lanes
- Bus stop rationalisation
- Selected UTC upgrades to improve bus priority

Measures would be implemented over the next 6-12 months, with targeted journey time and reliability improvements agreed with operators. A comprehensive monitoring programme would review performance with further improvements identified where necessary to meet the service specification. Successful elements

of the package would act as a model for a full roll-out across the city and wider region.

Business Case Work - West

A71

This work will focus on the A71 corridor, Hermiston Park and Ride site and opportunities for wider interchange in this location.

A detailed study of bus priority options on the A71 was undertaken in 2005 for WLC. It included a review of the problems and opportunities and appraised some 18 initial interventions, ranging from individual signal and stop measures to on and offline bus lanes. The STAG based appraisal concluded that a comprehensive package of online measures was the preferred solution for the corridor.

Problems identified in the study remain (pre-Covid) and in many cases have been exacerbated. There has been significant development growth and more is proposed. The importance of Heriot Watt University as a major destination continues to increase and delivering fast and reliable public transport access to this site and neighbouring employment areas is a huge opportunity and challenge.

It is proposed to review previous options in a fresh light and develop an OBC for the corridor. Key measures to be considered include:

- Lizzie Bryce Roundabout
- Kirknewton traffic signal improvements including bus priority
- Wilkieston traffic signals
- Hermiston P&R – increased parking, improved bus egress, A71 bus priority and roundabout signalisation

WETIP – A8/A89

OBC work is already underway through WETIP (West Edinburgh Transport Improvements Programme) to further develop the business case and design work for measures identified in the WETA Refresh (West Edinburgh Transport Appraisal). These were the subject of a successful bid as part of the Edinburgh and South East Scotland City Region Deal.

Current work is reviewing the original proposals and much bolder measures, including segregated bus and active travel links. Whilst funding is already secured for the business case stage, this workstream could recommend larger scale interventions that would be taken forward through the BPF. This could be one element of an October BPF bid, based on the results of current appraisal work.

In addition, an October bid will support work to identify additional bus priority opportunities between Bathgate and Broxburn and Broxburn and Newbridge, including new bus lanes and traffic signal priority, and the potential for further Park & Ride / Mobility Hub at M8 J3 / A89 Dechmont.

c) NORTH (addressing key bus movements from Fife into and out of Edinburgh)

Quick Wins - North

It is intended that the following measures would be made permanent as quick wins in 2021/22 subject to funding from BPF.

Quick Wins – Potential Measures to be made permanent (from BPRDF)
Citybound A90 bus lane from Cramond Brig to Barnton
Extension of westbound bus lane on Hillhouse Road towards Blackhall
Craigleith Junction bus priority measures

Business Case Work - North

A90

South of the Forth, the key workstream on this corridor would be to identify options to replace the queue management system (QMS) on the approach to Cramond Brig at Barnton. Although successful, the existing system is now in excess of 20 years old, and equipment and technology is life expired.

A new system would link into both Edinburgh's UTC and the M90 VMS. It would link with operator AVL systems and cater for current and future public transport demand - which was increasingly rapidly pre-covid (over 25% growth on the Fife corridor between 2018 and 2019).

Delivery of increased QMS capacity, together with investment in new orbital movements (summarised below), supports new services from Fife to destinations in the north of the city, including Waterfront areas.

The westbound Blackhall bus priority scheme would also be reviewed. This smaller scheme would use the same technology as the citybound QMS and would be designed to prioritise buses on both the Queensferry Road and Telford Road approaches to the junction.

OBC work would also consider and on and off-route bus priority measures, the latter would help reduce rat-running which impedes bus movements through key residential areas – eg Davidson's Mains.

A BPF bid to increase bus capacity in the city centre will be made in October, following completion of Phase 2 of Edinburgh City Centre Transformation.

2) Orbital movements within Edinburgh

While bus priority on key radials to and from Edinburgh has improved, for those needing to travel between the radials and to destinations away from these, a step change in provision is required. Improving access to the regions health and education facilities has been highlighted in stakeholder discussions. Orbital bus has a key role to play in improving connectivity beyond Edinburgh's city centre.

There has been some improvement to orbital services, as exemplified by Lothian Buses 200, 300 and 400 routes. Nevertheless, journey times remain uncompetitive

with the car. Regional links across local authority boundaries and interchange opportunities from radial to orbital services are also poor.

A range of interventions are proposed to give priority to buses on a network of emerging orbital corridor routes within Edinburgh (not on the city bypass) including traffic signal detection, short bus lanes and improved interchange. These build on the new patronage opportunities generated by development sites identified within the existing LDP and forthcoming City Plan 2030.

Figure 11: Potential Orbital Bus Routes and Demand (07:00-09:00)

Quick Wins – Orbital Bus

Quick wins include bus stop rationalisation to improve existing service reliability and journey times.

Business Case Work – Orbital Bus

Working with bus operators, business case development would seek to identify key congestion hot-spots and measures to further reduce delay. These may include short sections of bus lane and UTC priority at key junctions.

In addition, work will seek to simplify routes and increase frequencies to better serve strategic catchments around the city.

Complimentary policies, including new Controlled Parking Zone areas around the Waterfront and in West Edinburgh, can further encourage public transport use.

Opportunities to improve multi-modal interchange at key nodes with be a further key element of the work.

The delivery of direct, frequent and competitive bus services, together with parking restraint, will improve the competitiveness of bus, relative to the car, supporting mode shift and reduced emissions.

3) New technology approaches

New technology has the potential to significantly improve bus journey times across the region.

Quick Wins

Initial Bus Partnership Funding would support the development of a strategy for the region. Work would include a review of the implementation of similar technology to identify best practice and lessons learned.

Analysis would identify a strategy for implementation including the technology used and required by operators and local authorities to maximise deliverability and affordability across the region.

Initial funding would support logic mapping to develop a strategy that maximises benefits to public transport while ensuring that the wider network operates with an acceptable level of performance. It would also enable a demonstrator project on a small number of key junctions.

Business Case Work

Future business case work would further develop the technology requirements, costs and benefits of the scheme, together with the most efficient route to delivery.

Note that delivery of UTC / AVL technology is seen as critical by all operators and delivery must be taken forward as a regional project to maximise cross local authority boundary benefits.

Project Management, Monitoring and Evaluation, Consultation and Communications

Essential to the delivery of the package is Project Management, Consultation and Stakeholder Engagement, Communications and Monitoring and Evaluation work. A summary of each is provided below:

Project Management

Building on the BPDRF governance, the ESESCRD forms the basis for the partnership and will be augmented in due course by the creation of the BSIP. Resources to manage, develop and deliver the programme on behalf of the partnership will require dedicated full time staff over the entire lifetime of the programme (these resource requirements will vary accordingly as the programme progresses; eg from initial stages of the programme to the detailed design and construction phases of schemes).

Staff resource arrangements will be fully developed in due course, but the initial proposal is for the project to report through the existing CRD Programme Management Office. Indicative details of staff resourcing requirements and remits are outlined in Appendix 2; staff resourcing costs are also listed in Section 6.

Monitoring and Evaluation

Funding is required for a comprehensive monitoring programme to review the performance of the previously implemented BPRDF measures and any further quick wins introduced through BPF funding. Ongoing monitoring is critical in determining success and the need for refinement and to feed into the associated OBC's for additional investment.

Funding would allow for the development and implementation of a comprehensive monitoring and evaluation framework to capture overall benefits and disbenefits from the different components of the bid. It would cover appropriate staff/consultancy costs, observational surveys and the costs of any appropriate additional information from third-party data providers.

Consultation, Stakeholder Engagement and Communications

A comprehensive engagement exercise will be undertaken, taking forward quick wins and feeding into business case work. This will build on the engagement with operators to date, including bus users and active travel groups, business groups, equality groups, local communities and the wider public. A comprehensive public consultation and engagement strategy will be developed to inform this workstream.

A communication strategy for the region is required; linking into national themes, championing the case for change and delivery of more locally focussed messaging.

Timescales

Quick-win interventions, including the new technology strategy, can be delivered within the next 12 months. Business Cases for each corridor will take 12-24 months depending on the level of complexity.

6. Resources Required

What resources is the partnership requesting from Transport Scotland to develop the proposals[v]?

Bus Partnership Fund Costs

BPF Capital costs

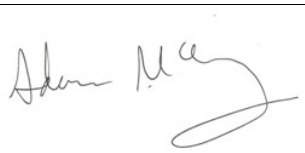
A701	Easter Bush P&R	£21,600,000
A701	Other measures	£10,000,000
A7	Signalisation of roundabouts	£11,520,000
A7	Segregated bus lanes	£7,200,000
A1	Jewel Roundabout	£2,000,000
A1	Bus priority (incl new citybound bus lane)	£7,200,000
A1	Wallyford P&R Enhancements	£7,200,000
A199	Musselburgh Town Centre	£10,000,000
	Niddrie Mains Road	£7,200,000
	Newcraighall Road	£500,000
A8/A89	Ambitious measures	£43,200,000
A89	Newbridge left turn lane	£1,440,000
A89	Broxburn bus lane	£4,320,000

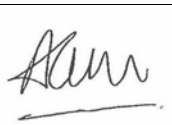
	A71	Lizzie Bryce, Kirknewton, Wilkieston improvements	£14,400,000
	A71	Hermiston P&R Enhancements	£10,080,000
	A71	Bus lane	£1,000,000
	A71	Signalisation of roundabout(s)	£5,760,000
	A90	Queue Management System	£7,200,000
	A90	Bus priority; eg reinstatement of Dolphington Onslip	£2,880,000
	A90	Targeted improvements (including rat-runs)	£2,000,000
		Orbital Bus (north and south movements)	£10,000,000
		Technology (based interventions)	£12,000,000
		Quick Wins - making BPRDF schemes permanent	£2,000,000
		Capital costs	**£198,700,000**
		OBC costs	£3,000,000
		PMO costs	£2,000,000
		Communications, Consultation and engagement	£500,000
		Monitoring and evaluation	£400,000
		Total	**£204,600,000**
		These are high level estimates derived from discussions with and between authorities and with operator input and are not a detailed costing exercise. An allowance for optimism bias has been included where appropriate.	
What is the estimated total cost of the proposed infrastructure developments?	£204,600,000		
What – if any - is the nature and extent of investment to be made by partners[vi]?	Operators and partners will resource the governance arrangements of the programme as required (including during the creation of the BSIP) and report into the ESESCRD Transport Appraisal Board, Joint Committee and other groups as appropriate. Once mobilised, partners will provide ongoing input to the BSIP arrangements which will also inform futures investment made by partners and operators. Through the ESESCRD PMO, CEC will host the appointment of the staff required to deliver the programme. Through the ESESCRD PMO, CEC will also provide financial management and reporting support to the programme. CEC as lead authority will provide procurement support to the programme. The governance framework utilised to deliver the programme, will be existing groups eg ESESCRD JC, TAB, Corridor Sub-Groups etc, and		

	the management and maintenance of these groups will be resourced through the ESESCRD PMO.
What – if any – other sources of investment will be available for the proposed developments[vii]?	Explore investment opportunities through developer contributions from the respective LDPs across the region. Explore opportunities to align investment with existing and future projects across the ESESCRD (including those opportunities within the emerging Regional Growth Framework) and respective Local Authority portfolios as appropriate (such as; the £36m for Public Transport within West Edinburgh Transport Improvements Programme). Explore opportunities to coordinate investment with the Intelligent Infrastructure Projects as a part of the existing European Regional Development Fund Smart Cities Programme (eg sharing back office equipment and common databases etc) and others as appropriate. A number of Local Authorities will continue to subsidise Bus Services to support the bus network (eg in the City of Edinburgh Council, the supported bus service budget is approx. £1.1million per annum). The City of Edinburgh Council is investing over £2million in a new Bustracker Real Time Passenger Information System, synergy opportunities with the BPF programme will be explored to maximise shared outcomes. Public Transport Action Plans will be aligned with BPF objectives and supplement delivery (eg by the City of Edinburgh Council annual Public Transport capital budget of approx. £300-500k per annum). Continue to safeguard Lothian Buses ownership status ensuring ability to reinvest profits into enhancing the fleet and maintaining network of high-quality services. Delivery parallel supporting policies such as those within Local Transport Strategies and City Mobility Plan (such as rollout of Controlled Parking Zones, Workplace Parking Levy etc).

7. Commitment of Partners

The proposal should be signed by the Chair and CEO of the local authority leading the proposal. Partners (including RTPs and bus operators, as appropriate) may indicate their support to the proposal through appended letters of intent or additional signatures below.

Organisation	Name	Job title	Signature
The City of Edinburgh Council	Adam McVey	Lead Councillor	

The City of Edinburgh Council	Andrew Kerr	CEO	
Appendix 1 Contains Letters of Support from Bus Operators and Edinburgh University	Lothian Buses Stagecoach First Buses Borders Buses Prentice Coaches Edinburgh university		See Appendix 1

8. Submission of Proposals

Proposals should be submitted to buspartnershipfund@transport.gov.scot by 12 noon on Friday 16th April 2021.

9. Guidance Notes

i. Relevant appendices or links to documents may be added, in addition to the word limits. For example, the partnership may wish to include links to community plans, transport strategies, STAG reports etc.

ii. Partnerships should look to the STAG pre-appraisal phase, as a guide on the level of information required. It is recognised that you may not have all of the data at this stage but you should outline how you are going to produce the more detailed data – including forecast data - through the Outline Business Case (OBC) stage. If you require resources to carry out even a pre-appraisal level of analysis, please state that here and estimate the requirements in section 6.

iii. Quick wins should be sustainable and fit with the longer-term, transformational developments proposed.

iv. Full details of the long-listing process are not required at his stage, as successful partnerships will have the opportunity to develop, evaluate and refine the options through the OBC stage. Where appraisals have already been carried out (for example, through city deals) partnerships should consider how these fit the future and the changes they will need to make to transport.

v. Support from Transport Scotland will be to fund the specialist resources required to develop an appraisal, as defined by the Scottish Transport Appraisal Guide (STAG). This will be required to access further infrastructure funding from the Bus Partnership Fund.

We recognise that some partnerships may have already conducted an appraisal and may be at Outline Business Case stage or even further with proposals. We also uphold the STAG principle that the level of appraisal required should be proportionate. Capacity funding will therefore take into account the stage the partnership is at and will be based on a proportionate view of what further appraisals and business cases are required to justify the infrastructure funding.

We also recognise that some options may have been appraised and are ready to implement as quick wins: if so, that should be stated here and relevant evidence attached.

Partnerships are reminded that staff costs may be capitalised in considering the request for funding. All justifiable bids will be considered, including funding for early quick wins, which may already have been appraised.

vi. This may include investment in other measures, which will contribute to the holistic transformation of the bus service e.g. ultra-low or zero emission buses.

vii. Include sources and amounts of investment already secured or expected to be secured before the development projects commence. This may include in-kind investment, as well as finance, and should take account of contributions from bus operators and other partners, as well as local authorities.

Project Resourcing

City Region Deal PMO - Staff Resources

Role	*Key Functions and Responsibilities (not exhaustive)*	*Estimated Costs (Capital Cost x 2.16 multiplier)*
Project Lead	Senior role that leads, inspires and manages the project team responsible for delivery of the South East Scotland Region BPF programme. Ensures the project is launched and initiated in accordance with the grant funding conditions. Responsible for the mobilisation, development and delivery of OBC reports and works. As BPF lead officer for the region will build and maintain strong effective relationships with internal and external partners ensuring excellent communication, effective decision making and service delivery. Responsible for the creation and ongoing management of the BSIP. Oversees the implementation of the BPF programme included phased delivery of short, medium and long term projects. Lead Officer responsible for reporting to ESESCRD, TAB, JC, Directors Group etc, as well as supporting/coordinating partner Local Authorities with respective Committee Reporting tasks. Oversight and responsibility for audit control and effective governance; including facilitates and chairs subgroup corridor meetings, and ensuring BSF grant funding / spend are made in accordance with BSF grant conditions. Lead officer responsible for the execution of the Project Communication Plan and Consultation and Engagement Strategy. Inc regular briefings and management of Partners, Key Stakeholders and Elected Members. Accountable for all relevant PM Duties; Eg Financial Monitoring and Reporting to Transport Scotland etc, Programme Management, Risk Management etc. Responsible for Development of a Procurement Plan and securing sufficient and experienced resources (Consultants and Contactors) to deliver the regional programme Provides oversight during the construction of longer-term measures, ensuring resources are secured	Assumed SCP 88 of the pay structure Basic Salary: £49,179 *Capital Cost x 2.16 multiplier* = £95,604 (90% of time)

	Responsible for supervision, management and deployment of consultancy teams ensuring performance is in accordance with contract commissions and delivery of programmes achieve key milestones. Ensures delivery of any required Statutory Order processes inc Compulsory Purchase Orders, Traffic Regulation, etc. Responsible for the creation and execution of Monitoring and Evaluation Plan. Ensures compliance with all Health and Safety legislation	
Project Officer	Supports Lead Officer in delivering the programme Builds close and effective working relationships with Public Transport Managers, Network Managers, Bus Operators etc within the region to provide technical input to the project on their behalf, and provide consultants with required techcincal information (on behalf of partners). The remit of this role requires a significantly experienced Transport Planner/Public Transport Manager; good knowledge of the bus industry is essential. LAs do not have spare capacity to resource, therefore, this role is created to work with key personal on a daily basis with the region to develop the required OBCs (supporting incumbent Public Transport Managers, key personal with the Bus Operators etc as necessary). Coordinating and Representing the individual Public Transport Managers on behalf of the region. Administers all relevant PM Duties; Eg Financial monitoring and reporting to TS etc, Programme Management, grant funding applications, Risk Management etc. Project Manages the implementation of Quick Wins within first two years of the programme. Lead and co-ordinate the role of project consultants ensuring performance outputs and key milestones are achieved. Support the project lead officer with implementation of the Procurement Plan ensuring all tender commissions and appointments comply with all standing orders, procurement policies and procedures Responsible for the delivery of Monitoring and Evaluation Plan ensuring key milestones and project outputs are being delivered.	Assumed SCP 77 of the pay structure Basic Salary: £41,703 *Capital Cost x 2.16 multiplier* = £81,071 (90% of time)

	Support the Lead officer with implementation of the Project Communication Plan and Consultation and Engagement Strategy. Inc regular briefings and management of Project Partners, Key Stakeholders and Elected Members.	
Transport Technology/ Traffic Signal Engineer	A specialist Traffic Signal Engineer that develops the integrated technology-based aspects of the programme that are applicable in all areas of the region (will also act as Project Manager for this element of the programme). Will work with key personal (in both LAs and Operators) within the region to develop the OBCs for technology-based interventions. Work in partnership with Bus Operators in the development and integration of bus technology systems as a region wide solution. Work with Council's to deliver UTC, SCOOT, AVL, technology-based Bus Priority systems and explore opportunities to maximise and integrate with other initiatives and applications, such as Smart Cities and Universities investments. Must have expert knowledge of Transport Technology Systems (UTC/ITS/AVL/RTPI etc) and Transport Network Management (eg Traffic Modelling experience). Manages the procurement of systems, implementation, configuration, validation and optimisation of interventions. Furthermore, during implementation phases, ensure more practical based tasks are delivered, such as: • Set up/ positioning of the Virtual Loops for triggering bus priority • SCOOT data set-up and input bus priority parameter data into SCOOT data • SCOOT validation of nodes and regions relating to Bus Priority • Deliver any Factory Acceptance Testing of Controllers (FAT) as required • MOVA data set-up and validation • Delivery of any Data Management Processes and System Interfaces as required.	Assumed SCP 88 of the pay structure Basic Salary: £49,179 *Capital Cost x 2.16 multiplier* = £95,604 (90% of time)

The above staff resources are necessary delivery resources required for lifetime of programme and will require to be augmented with specialist's resources during key stages of the programme as it progresses, for example: in advance of Detailed Design and Construction Phases, the appointment of a Programme Delivery Manager with NEC4 experience etc, and Legal Expertise's with Statutory Powers/ Order preparation, CPO processes etc, and others will need to be secured in due course and as required.

Appendix 2 – WLBA Terms of Reference

West Lothian Bus Alliance – Terms of Reference

The following organisations are Members of the West Lothian Bus Alliance, and agree to the Terms of Reference set out below, subject to any changes the Alliance makes from time to time:

Organisation	Signatory
bus users bringing people together	Greig MacKay
West Lothian Council	Nicola Gill Graeme Malcolm Lorna Cunningham
First	Graeme McFarlane David Phillips
GO SEStran South East of Scotland Transport Partnership	Andrew Ferguson
Stagecoach	Sarah Elliot Scott Hall
Scottish citylink	Ker Corbett
Lothian country	Nigel Serafini Ian Bieniowski John White
E&M Horsburgh	Mark Horsburgh Eric Horsburgh
SD Travel Logo	Sam Douglas Richard Startup
Prentice Westwood	

Terms of Reference

Purpose/Role

The purpose of the Alliance will be to:

Bring together bus user groups, operators, local authorities, regional transport partnerships and other key stakeholders to work together to:

- Improve bus based public transport within the West Lothian area
- Increase customer growth
- Increase satisfaction and advocacy levels
- Deliver modal shift from car by improving journey times and reliability
- Enhance the complementary relationship between bus usage and active travel
- Support economic development
- Act as a focus for consistent data collection, monitoring, and sharing
- Provide a platform for future development of a Bus Service Improvement Plan in terms of the Transport (Scotland) Act 2019.

Specifically, to provide a forum for action with members regarding the Scottish Government's £500m**,** and any available funding**,** to improve bus infrastructure and the ways in which part of it can be used and best utilised to achieve the overarching goals.

The Alliance will provide a partnership for the views of its members to be heard, with any benefits drawn from the process shared between the customers/residents of all members of the Alliance.

The Alliance will work on the basis of consensus. All members recognise that there will be a need for individual organisations to obtain approvals from their own decision-making structures on occasion. Members will seek wherever possible to implement measures which have been agreed collectively by the Alliance.

Mission Statement

West Lothian Bus Alliance seeks to create a smarter, more successful set of bus services that maximises the potential of the sector in the West Lothian area for the benefit of the area's people.

Who ultimately benefits from the outcomes of the Alliance:

The Public – through better journey times, improved public transport services, Improved waiting infrastructure, better service reliability and punctuality, and sustainable economic development.

Public Sector partners – A more efficient and attractive public transport system allowing their residents to enjoy improved social mobility, sustainable economic development and help tackle poverty.

Bus Operators – through improved bus infrastructure that will provide measures for the buses used by customers/residents to combat congestion hotspots, thereby improving service performance, reducing journey times and journey time variability and ultimately leading to a growth in the number of people using bus services. Supporting the case for investment and reinvesting of efficiencies generated to support further growth.

Membership

Membership consists of an equal partnership between bus operators, local authorities, regional transport partnerships, bus user groups and other transport representatives relevant to the objectives of the Alliance.

Accountability

All Alliance members would be responsible for reporting back on activities that support the process to the Alliance. A nominated Chair with the appropriate knowledge and drive will be appointed to deliver the objectives of the Alliance with impunity.

Ownership of actions need to be progressed in line with agreed timescales in order to avoid momentum being lost on the progress of key initiatives. This includes making time to hold meeting if needed to meet deadlines.

Workstreams would be split down into Pillars of Delivery, each with a Chair and membership drawn from the Alliance members and each focused on particular projects, with an initial focus on two main Pillars, namely:

- Priority Infrastructure Interventions (including park and ride); and
- Demand Responsive Transport and other tech solutions, including ticketing and integration.

Other Pillars to be established on an ad hoc basis will include:

- Consultation & Communication
- Routine and ongoing Issues arising (TTROs, trees, roadworks)
- Funding and finance

Communication and Marketing activity will be key to the development and delivery of agreed pillar outputs, but should be regarded as an umbrella activity across all workstreams as opposed to standalone.

The impact of both current and planned activities on climate change and other environmental issues shall be integral to all Pillars workstreams and, where appropriate, environmental impact assessments will be carried out.

Members recognise that there may be a need to create separate legal vehicles for specific projects/funding bids as the Partnership progresses.

The Pillars sub-groups will report back regularly to the Alliance, with their work forming the basis of any funding bids made.

Generating Actions
The ultimate success or failure of the Alliance is the generation of outcomes that meet the aspirations of the alliance. There is a collective drive to deliver significant change based upon pre COVID levels, with full transparency on all activity and pre agreed measures of success against each. Alignment to funding with expected outcomes must also be benchmarked.

Review
An agreed frequency of a review of the relevance and value of the work that supports the purpose of the Alliance, including the Terms of Reference. Alliance will work on the basis that all members have the right, on an individual basis, to present constructive challenge and request a review of specific agreed activity.

Working Methods / ways of working
The method of working within the Alliance should focus on:

- Shared Learning
- Use of sub – groups to focus on the Pillars of Delivery Evidence based decision making
- Transparency and accountability

All members recognise and accept that, in order to ensure the work of the Alliance progresses, confidential information may have to be provided by one or more members. Members will respect such confidentiality and only share information on an agreed basis.

The work of the Alliance will only be put into the public domain by means of an agreed communications protocol.

Dispute Resolution

All Partnership members will use good faith efforts to resolve any dispute relating to the Partnership membership via the Partnership membership, using the Chair or the Secretariat as intermediaries as appropriate. In the event that any disputes cannot be resolved at this level promptly then the senior executives of the relevant Partnership members who have authority to settle the dispute shall use good faith efforts to resolve it.

Meetings

- Frequency of meetings will initially be based on fortnightly remote calls facilitated via Microsoft Teams. Longer term face to face meetings will be held on a rotational basis at members offices with agreement by members.
- Meetings will be held on an all member format basis, with smaller sub groups being defined and agreed in line with key Pillars of Delivery.
- Chairing by TBC and Secretariat support will be provided by TBC**.**
- Topics for the Agendas / Areas for discussion to be agreed in advance and circulated no later than 5 working days before agreed Alliance meetings.
- Call for papers will be made by Chair 2 weeks ahead of agreed Alliance meeting date
- Circulation of meeting notes and actions will be produced by Secretariat and circulated to Alliance members within 7 days of meeting date.

Appendix 3 – WLBA Bid Submission Proposed Committee Dates Timeline

Task	**Completion Date**
D&T PDSP Agenda Setting	Sept 2021
D&T PDSP Meeting	14/09/21
Council Executive Agenda Setting	27/09/21
Council Executive Meeting	05/10/21
Bid Submission	15/10/21

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

EDUCATION QUALITY ASSURANCE COMMITTEE MEETING TIMETABLE

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To seek Council Executive approval for the cancellation of the Education Quality Assurance Committee scheduled for 8 June 2021.

B. RECOMMENDATION

The Council Executive is asked to agree to the cancellation of the Education Quality Assurance Committee, scheduled for 8 June 2021, in light of the postponement of individual school scrutiny and inspections from Education Scotland during the Covid-19 pandemic.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Focusing on our customers' needs; Being honest, open and accountable; Developing employees; Making best use of our resources; Working in partnership
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Education (Scotland) Act 1980 Children and Young People (Scotland) Act 2014 Education (Additional Support for Learning) (Scotland) Act 2014
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	Education Scotland quality indicators are used to measure the performance of schools – How Good Is Our School?4 (HGIOS?4).
V	**Relevance to Single Outcome Agreement**	Positive inspection reports are used as a key outcome measure in the Single Outcome Agreement. Positive is measured by satisfactory or better in the quality indicators used by Education Scotland.
VI	**Resources - (Financial, Staffing and Property)**	None
VII	**Consideration at PDSP**	None
VIII	**Other consultations**	None

D. TERMS OF REPORT

D1 Background

The Education (Quality Assurance) Committee carries out a scrutiny role in relation to internal and external schools' assessment and inspection reports. It provides a dedicated and specialised forum for scrutiny of performance and inspection outcomes for schools and educational establishments.

D2 Impact of Covid-19 on school inspections and Validated Self-Evaluation Programme

Since March 2020, following the first national lockdown and period of school closure, Education Scotland, which provide the national scrutiny body, postponed all individual school inspection activities.

The council's Quality Improvement Team has engaged in alternatives methods for ensuring ongoing improvements in West Lothian schools, which was reported to Education (Quality Assurance) Committee on 9 March 2021. Covid restrictions and risk mitigations has resulted in the West Lothian Validated Self-evaluation (VSE) programme being limited.

Education Scotland's national scrutiny inspection report outcomes and West Lothian VSE outcomes form the core business of the Education (Quality Assurance) Committee and these have been significantly affected by the pandemic.

At this time, Education Scotland are engaging with local authorities and national bodies to review and plan for the resumption of elements of scrutiny, however the date for individual school inspections remains unknown.

E. CONCLUSION

Education (Quality Assurance) Committee's scrutiny role, in relation to internal and external schools' assessment and inspection reports, has been impacted due to the postponement of Education Scotland inspections and therefore has no business to scrutinise at the committee meeting scheduled for 8 June 2021.

F. BACKGROUND REFERENCES

EQAC Report – Impact of Quality Improvement Team Supporting School Closure Period, Re-opening of Schools and Remote Learning
https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%8Ej%7E%8A

Appendices/Attachments: None

Contact: elaine.cook@westlothian.gov.

Elaine Cook
Depute Chief Executive
26 May 2021