



## ***Council Executive***

West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

12 January 2023

A hybrid meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Tuesday 17 January 2023 at 11:00am**.

For Chief Executive

### **BUSINESS**

#### **Public Session**

1. Apologies for Absence
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
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 20 December 2022 (herewith)

#### **Public Items for Decision**

5. Procurement Approval Report - Report by the Head of Corporate Services (herewith)
6. Scottish Budget, Local Government Finance Settlement and Revenue Budget Update - Report by Head of Finance and Property Services

DATA LABEL: Public

(herewith)

7. Museums Access Policy Report - Report by Head of Housing, Customer and Building Services (herewith)
8. APSE Scottish Building and Housing Seminar 2023 - Report by Head of Housing, Customer and Building Services (herewith)
9. Pest Control Treatment Service - Revision of Customer Fees and Charges - Report by Head of Planning, Economic Development and Regeneration (herewith)

**Public Items for Information**

10. West Lothian Community Choices Update - Report by Head of Finance and Property Services (herewith)
11. Deans South, Livingston - Regeneration and Compulsory Purchase Update - Report by Head of Finance and Property Services (herewith)
12. Planning Guidance: Historic Battlefield - Site of Battle of Linlithgow Bridge (1526) (Allocated Housing Site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) - Report by Head of Planning, Economic Development and Regeneration (herewith)

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NOTE      **For further information please contact Karen McMahon on tel. no. 01506 281621 or email [karen.mcmahon@westlothian.gov.uk](mailto:karen.mcmahon@westlothian.gov.uk)**



## **CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)**

**This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.**

**Interests must be declared at the meeting, in public.**

**Look at every item of business and consider if there is a connection.**

**If you see a connection, decide if it amounts to an interest by applying the objective test.**

**The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.**

**If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.**

**If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.**

**When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.**

**Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.**

**More detailed information is on the next page.**

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- James Millar, Interim Monitoring Officer and Governance Manager, 01506 281613, [james.millar@westlothian.gov.uk](mailto:james.millar@westlothian.gov.uk)
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, [carol.johnston@westlothian.gov.uk](mailto:carol.johnston@westlothian.gov.uk)
- Committee Services Team, 01506 281604, 01506 281621  
[committee.services@westlothian.gov.uk](mailto:committee.services@westlothian.gov.uk)

January 2022

MINUTE of MEETING of the COUNCIL EXECUTIVE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 20 DECEMBER 2022.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Tom Conn, Robert De Bold, Angela Doran-Timson, Damian Doran-Timson, Danny Logue, Andrew McGuire, Anne McMillan, Sally Pattle and George Paul

Apologies – Councillors Janet Campbell and Carl John

1        DECLARATIONS OF INTEREST

Councillor Danny Logue stated a connection as an NHS Lothian employee.

Agenda item 18 – Older People Day Care Provision

Councillor Tom Conn declared an interest as a member of Linlithgow Day Care Centre Committee.

2        ORDER OF BUSINESS

Council Executive agreed, in accordance with Standing Order 8(3), that agenda items 12–16 and 18 were to be taken as read and their recommendations noted without further consideration.

Council Executive agreed to hear agenda item 17.

3        MINUTES

The Council Executive confirmed the minute of its meeting held on 6 December 2022 as a correct record. The minute was thereafter signed by the Chair

4        COMMUNITY COUNCIL SPECIAL PROJECT GRANTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services inviting members to consider an application for special project grant which had been received from the Eliburn Community Council.

It was recommended that the Council Executive determine the application received from Eliburn Community Council as detailed in the appendix to the report.

Decision

To approve the terms of the report.

## 5 SHORT-TERM LET LICENSING SCHEME - POLICY AND FEE STRUCTURE

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services informing members of the responses to the public consultation undertaken, as detailed in Appendix 1 of the report, and seeking Council Executive approval of the council's Policy detailed in Appendix 2 of the report and Fee Structure detailed in Appendix 3 of the report, relative to the Councils Short Term Let Licensing Scheme.

It was recommended that the Council Executive:

1. Note the responses to the public consultation which took place for a period of 3 weeks commencing 31 October 2022 as detailed in Appendix 1 of the report;
2. Note that the Short-Term Let Licensing Scheme would be administered from within Housing, Customer and Building Services;
3. Approve the Policy detailed in Appendix 2 of the report, and Fee Structure detailed in Appendix 3 of the report in implementation of the Councils Short Term Let Licensing Scheme;
4. Approve the changes to the Councils Scheme of Delegation to Officers detailed in Section D5 of this Report; and
5. Agree that decisions relative to applications received in terms of the Short Term Let Licensing scheme which required determination by committee would be referred to Licensing Committee.

### Decision

To approve the terms of the report.

## 6 INTRODUCTION OF TARIFFS FOR ELECTRIC VEHICLE CHARGING

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services seeking approval for the introduction of tariffs for use of the electric vehicle (EV) public charging network from 1 February 2023.

It was recommended that the Council Executive:

1. Note the contents of the report and the attached appendices;
2. Note the context and rationale for introducing a tariff;
3. Approve the introduction of tariffs for the use of council owned EV charge points from 1 February 2023 as set out in D.4 of the report; and

4. Delegate authority to the Head of Finance and Property Services to review tariff levels and amend where required.

Decision

To approve the terms of the report.

7 FORTH ESTUARY LOCAL FLOOD RISK MANAGEMENT PLAN - CYCLE 2 LOCAL PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval for the forthcoming publication of the Cycle 2 Forth Estuary Local Flood Risk Management Plan (2022–2028).

It was recommended that the Council Executive approve the final draft of West Lothian Council's submission to the Cycle 2 Forth Estuary Local Flood Risk Management Plan (2022–2028) and its publication.

Decision

To approve the terms of the report.

8 REMEMBERING TOGETHER - PHASE 1 UPDATE AND PHASE 2 PLAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on the progress of the Remembering Together Project, the public engagement outcome of Phase 1 and the forthcoming plans for Phase 2 site developments in West Lothian.

It was recommended that the Council Executive:

1. Note the report on Phase 1 of the Remembering Together project in West Lothian, prepared by Marion Parola of Bespoke Atelier, which focused on community engagement around experiences of the COVID pandemic;
2. Note and agree the proposed location for the anticipated Phase 2 green space COVID memorial and the supporting rationale;
3. Note the contents of the partnership approach proposed and agreed in the greenspace Scotland Memorandum of Understanding (MOU); and
4. Agree the proposed Phase 2 plan for expenditure of the forthcoming grant funding of £100,000 from the Scottish Government, via Greenspace Scotland.

Decision

To approve the terms of the report.

9 VOLUNTARY AND THIRD SECTOR FUNDING 2023/24

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive (Education, Planning and Economic Development) seeking approval to modify the process for allocating funding to the Voluntary and Third Sector for 2023/24 and future years.

It was recommended that the Council Executive:

1. Approve the modified process for allocating funding to the Voluntary and Third Sector including the revised timing of applying and period covered by the funding;
2. Approve the provision of an additional three months funding for organisations funded on 2022/23 to take them to the end of June 2023,
3. Approve the ability to apply for up to two years funding for 2023/24 and 2024/25;
4. Note the reported requirements for the funding; and
5. Note the support to be provided to the sector in partnership with the Voluntary Sector Gateway.

Decision

To approve the terms of the report.

10 PLACE BASED INVESTMENT PROGRAMME 2022/23 TOWN CENTRE CAPITAL FUND

The Council Executive considered a report (copies of which had been circulated) by the East Livingston and East Calder Local Area Committee Lead Officer asking members to determine additional funding to the Place Based Investment Fund Town Centre Capital Fund 2022/23 for the East Livingston and East Calder Ward which could not be decided by the Local Area Committee.

It was recommended that the Council Executive:

1. Note that the East Livingston and East Calder Local Area Committee on 1 December 2022 had been inquorate when it had come to deal with the report on additional funding to the Place Based Investment Fund Town Centre Fund Capital Grant 2022/23;
2. Note the terms of that report, including the officers' recommendations, in the appendix; and



3. Consider and determine the recommendations in that report in accordance with the procedures agreed at Council Executive on 8 February 2022.

Decision

To approve the terms of the report.

11 SCOTTISH PUBLIC SERVICES OMBUDSMAN ANNUAL REPORT 2021–22

The Council Executive considered a report (copies of which had been circulated) by the Chief Executive providing an update on the Scottish Public Services Ombudsman's annual report 2021–22.

It was recommended that the Council Executive note:

1. The Scottish Public Services Ombudsman's (SPSO) annual report 2021–22;
2. West Lothian Council's performance in relation to the number of complaints received by the SPSO and the outcome; and
3. The learning from SPSO complaints which was appended to the report for information.

Decision

To note the terms of the report.

12 MID YEAR PROCUREMENT REPORT - 1 APRIL 2022 TO 30 SEPTEMBER 2022

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services presenting the Mid-Year Procurement Report for the period 1 April 2022 to 30 September 2022 attached as an Appendix to the report.

It was recommended that the Council Executive note the terms of the report.

Decision

To note the terms of the report.

13 WL2028 YOUR COUNCIL YOUR SAY - PUBLIC CONSULTATION

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive providing an update on the feedback received from respondents to Phase 2 of the *WL2028 Your*

*Council Your Say* public consultation, and providing an update on the remaining key dates and activities associated with Phase 2 of the public consultation.

It was recommended that the Council Executive note:

1. The update on the engagement process and results on the responses received to the Phase 2 consultation;
2. A combined response rate of 7,605 responses for Phase 1 (5,045 responses) and Phase 2 (2,560 responses) and over 22,800 comments received for the Phase 2 officer budget proposals and council tax levels; and
3. The remaining key dates and activities associated with Phase 2 of the public consultation.

### Decision

To note the terms of the report.

## 14 REINFORCED AUTOCLAVED AERATED CONCRETE ROOFS UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a further update on the properties within the council's estate that had roof planks constructed using Reinforced Autoclaved Aerated Concrete (RAAC).

It was recommended that the Council Executive:

1. Note the update to the nine properties identified as having roofs constructed using Reinforced Autoclaved Aerated Concrete (RAAC) roof planks;
2. Note that funding was in place to replace the RAAC roofs at The Lanthorn Centre, Whitburn Partnership Centre, Balbardie Primary School and the Fauldhouse Partnership Centre;
3. Note the ongoing detailed inspections being carried out at Windyknowe Primary School, St Kentigern's Academy and Knightsridge Primary School and that updates would be presented to Council Executive on the position at each site once these inspections are complete;
4. Note the continued comprehensive management and regular inspection arrangements in place for properties which had been identified independently as not at risk of immediate failure; and
5. Note that the Head of Finance and Property Services had delegated authority to undertake urgent or emergency works to stabilise RAAC roofs should issues arise.

Decision

To note the terms of the report.

15 BUS PARTNERSHIP FUND UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services providing an update on the progress of the Bus Partnership Fund Project.

It was recommended that the Council Executive:

1. Note the outcome of the passenger engagement survey;
2. Note the key dates and timescales for the remainder of the project; and
3. Note that the final project submission would be reported to Council Executive in March 2023.

Decision

To note the terms of the report.

16 REVISED DRAFT NATIONAL PLANNING FRAMEWORK 4 (NPF4): UPDATE

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on the publication by Scottish Government of Revised Draft National Planning Framework 4 (NPF4).

It was recommended that the Council Executive:

1. Note the publication and content of Revised Draft National Planning Framework 4 (NPF4); and
2. Note that if NPF4 was Adopted a further report would be presented to Council Executive detailing any actions necessary to allow implementation in West Lothian.

Decision

To note the terms of the report.

17 OLDER PEOPLE DAY CARE PROVISION

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on

contractual developments associated with Older People Day Care provision.

It was recommended that the Council Executive:

Note the contents of the report;

Note that the Integration Joint Board would consider contracting arrangements associated with delivery of Older People Day care on 10 January 2023; and

Note that the implications of the Integration Joint Board's decision, including procurement requirements, would be presented to Council Executive thereafter.

#### Decision

To note the terms of the report.

**LABEL: PUBLIC**



**COUNCIL EXECUTIVE**

**PROCUREMENT APPROVAL REPORT**

**REPORT BY THE HEAD OF CORPORATE SERVICES**

**A. PURPOSE OF REPORT**

To seek Council Executive approval to enter into contracts where Committee authorisation is required by Standing Orders.

**B. RECOMMENDATION**

It is recommended that Council Executive approve an exemption from Contract Standing Orders for a direct award for the period of 2 years with the option to extend for a further 12 month period for older people's day care at:

- a) Acredale House Day Care Centre provided by Acredale House. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 month period with an estimated total value of £317,448
- b) Answer House Day Care Centre provided by Answer Project limited. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of £227,964.
- c) Linlithgow and District Day Care Centre provided by Linlithgow and District Community Day Care Centre. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of £219,339.
- d) Rosebery Day Care Centre provided by the Rosebery Centre. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of estimated total value of £148,977.

**C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources.
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality</b>	Standing Orders of West Lothian Council and the Public Contracts (Scotland) Regulations 2015.

	<b>Issues, Health or Risk Assessment)</b>	Carrying out adults' and older people's social work services is delegated to the West Lothian Integration Joint Board under the Public Bodies (Joint Working) (Scotland) Act 2014.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	All the proposals were included in the 2022/23 budget;
<b>VII</b>	<b>Consideration at PDSP</b>	N/A
<b>VIII</b>	<b>Other consultations</b>	<ul style="list-style-type: none"> <li>• Financial Management Unit</li> <li>• Contracts Advisory Group</li> <li>• Integrated Joint Board</li> <li>• Legal Services</li> </ul>

## **D. TERMS OF REPORT**

### **D.1 OLDER PEOPLE'S DAY CARE**

The Public Bodies (Joint Working) (Scotland) Act 2014 requires council and health boards to enter into a binding legal agreement called an integration scheme. This sets out the statutory functions delegated by council and health board to the integration joint board. It is the legal duty of council, health boards and the integration joint board to abide by the terms of the scheme of integration. It is the legal duty of the integration joint board to carry out the functions delegated to it.

The integration joint board must set out a strategic plan setting out how it will carry out its delegated functions. The integration joint board must carry out its delegated functions by issuing directions to council and health board instructing them what to do and how much money they have been allocated to do so.

The West Lothian Integration Scheme delegates adults and older people's social work and social care services to the West Lothian Integration Joint Board.

Adults and Older People day services are designed, commissioned and delivered under statutory functions delegated to the IJB and as such the Council must comply with directions from the IJB as to the delivery of those services on behalf of the IJB.

On behalf of the IJB, West Lothian Council currently commission day care services from five Older People Day Centres in West Lothian, Answer House, Acredale

House, Braid Health and Wellbeing, Linlithgow and District and Rosebery Centre to meet the assessed needs of older people in West Lothian.

Services are provided in accordance with the Integration Joint Board (IJB) Strategic Plan, to provide effective services to all service users and carers within West Lothian Council area, promoting the highest standards of practice in accordance with statutory obligations, policies and procedures.

A contract based upon cost and volume commenced on 1st February 2016 and ended on 31st March 2021. This was subsequently extended until 30th September 2022 due to COVID19. A further 6 month direct award was agreed with the current contract arrangements for older people day care provision due to end on 31 March 2023

Throughout the contractual period, providers have been paid at a minimum of 90% of the contract value and have not been impacted financially if the actual referred uptake was below 90%.

In terms of Best Value requirements, which council is bound by, officers have been engaging with the day care centres to identify the contract value in relation to the level of service provision being delivered. As such, there have been discussions with the providers in relation to contract renewal on the basis of current performance.

It is proposed that procurement activity is undertaken for older people day centres for 2 years with the option to extend by a further year, based on new contract values derived from current reduced contractual performance.

Declining levels of people attending older people day care services was the key factor in concluding that older people day services contractual arrangements required review, in line with statutory best value duties.

Proposed contractual arrangements as noted above have been presented to the West Lothian IJB on 8 November 2022 and on 10 January 2023.

Following these presentations, West Lothian IJB directs West Lothian Council to implement new contractual arrangements for the delivery of Day Care services for Older People in West Lothian that are within the allocated budget and ensuring best value.

A direct award is being sought for 2 years with the option to extend for a further 12 months. The proposed contract values, along with the aggregated values are noted in the table below.

Ref	Day Care Centre	Previous 12 month period*	Proposed Direct Award value, including extension
1	Acredale	£191,219	£317,448
2	Answer	£72,763	£227,964
3	Linlithgow	£102,884	£219,339
4	Rosebery	£66,589	£148,977

\* to 30 December 2022

Regulation 3 (10) of the Public Procurement (Scotland) Regulations 2016 makes provision for the aggregation of public contracts where the value of all contracts for similar supplies and services awarded during the previous 12 months must be aggregated. The aggregated value determines whether the contract is over the Government Procurement Agreement (GPA) threshold. For Acredale House, Answer House, Linlithgow and Rosebery, each of their aggregated values are below the Light Touch Regime threshold (£552,950 excluding VAT) and therefore, in line with the Scottish Government guidance on the Procurement of Care and Support, the Council can choose not to seek offers for Health and Social Care Services contracts on a case by case basis. Whilst the Council's Standing Orders permit the Head of Corporate Services to approve the direct award, they may opt to seek approval from Council Executive. As permitted by Section 6A of Contract Standing Orders, Council Executive is therefore now requested to approve an exemption from Standing Orders, for a direct award for older peoples day care as follows:

- a) Acredale House Day Care Centre provided by Acredale House. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 month period with an estimated total value of £317,448.
- b) Answer House Day Care Centre provided by Answer Project limited. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of £227,964.
- c) Linlithgow and District Day Care Centre provided by Linlithgow and District Community Day Care Centre. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of £219,339.
- d) Rosebery Day Care Centre provided by the Rosebery Centre. A direct award would be effective as of 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2025 with an option to extend for a further 12 months with an estimated total value of £148,977.

## **E. CONCLUSION**

It is recommended that the Council Executive approves the procurement set out in the report, which will support delivery of effective Council Services.

## **F. BACKGROUND REFERENCES**

- [West Lothian Integration Scheme](#)
- [Report by Head of Social Policy to Council Executive on 20 December 2022 for Older Peoples Day Care.](#)



Appendices:  
None

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**Lesley Henderson**  
**Interim Head of Corporate Services**

17 January 2023



DATA LABEL: PUBLIC



## **COUNCIL EXECUTIVE**

### **SCOTTISH BUDGET 2023, LOCAL GOVERNMENT FINANCE SETTLEMENT 2023/24 AND REVENUE BUDGET UPDATE**

#### **REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES**

##### **A. PURPOSE OF REPORT**

This report provides the Council Executive with an update in relation to the Scottish Budget presented to the Scottish Parliament on 15 December 2022, and the local government finance settlement for 2023/24, as published in Finance Circular 11/2022 dated 21 December 2022 and revised on 10 January 2023, and an update on the council's latest revenue budget position.

##### **B. RECOMMENDATION**

It is recommended that Council Executive:

1. Notes the issue of the Scottish Draft Budget 2023/24, which includes Scottish Government departmental spending plans for 2023/24;
2. Notes the provisional outcome of the local government finance settlement in respect of revenue and capital funding for 2023/24;
3. Notes the provisional position in relation to anticipated revenue grant funding for West Lothian contained in the settlement, including assumed amounts for recurring funding yet to be distributed, is £409.960 million;
4. Notes the net reduction in core revenue funding to the council since 2014/15 and the significant savings that have been required since 2007/08;
5. Notes the current estimated budget gap before savings for 2023/24 to 2027/28 of £47.6 million taking account of revised council tax assumptions and latest local government finance settlement;
6. Agrees that the Head of Finance and Property Services updates the 2023/24 revenue budget report taking account of the outcome of the finance settlement and latest circumstances and updates the capital programme taking account of latest funding position and circumstances;
7. Agrees that the uncommitted General Fund balance of £2 million is retained until the council's budget setting meeting in February 2023;
8. Agrees that the Head of Finance and Property Services should keep the position regarding all aspects of the budget model under review, including Scottish Government funding and report to elected members on any developments or as part of the revenue budget report.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Being honest, open and accountable, working in partnership and making best use of resources.
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	The council must approve a balanced revenue budget before 11 March each year to comply with statutory obligations. However, the budget is required to be approved no later than 23 February 2023 to facilitate the statutory council tax annual billing process.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None.

<b>IV</b>	<b>Impact on performance and performance Indicators</b>	The funding settlement from the Scottish Government has a major impact on the level of resources available to the council and, as a result, on performance.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	The council's budgets provide resources necessary to help deliver the Single Outcome Agreement.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	Scottish Government funding is not sufficient to meet increasing costs and demand for services. An assessment of the local government finance settlement for 2023/24 has been made and officers have considered the implications for the council's budget.
<b>VII</b>	<b>Consideration at PDSP</b>	Quarterly horizon scan reports are provided to the Corporate Policy and Resources PDSP outlining economic forecasts and potential impacts on public sector funding.
<b>VIII</b>	<b>Other consultations</b>	This update is part of the ongoing briefing and consultation with elected members on financial issues.

## **D. TERMS OF REPORT**

### **D.1 Background**

The Deputy First Minister, in a statement to the Scottish Parliament on 15 December 2022, announced the Scottish Draft Budget for 2023/24. The Minister also wrote to the COSLA President, copying Council Leaders, on 15 December 2022 to confirm details of the local government finance settlement. The Scottish Government published Local Government Finance Circular 11/2022 on 21 December 2022 which was to be read in conjunction with the Minister's letter of 15 December 2022. The allocations form the basis of the annual consultation between the Scottish Government and COSLA, ahead of the Local Government Finance (Scotland) Order 2023 being presented to the Scottish Parliament in 2022. A revised version of the circular was received on 10 January 2023. The draft Scottish Budget will be considered by the Scottish Parliament at readings of the Bill, dates are still to be confirmed, but they are expected to be in the last week of January 2023, first week in February 2023 and after February 2023 recess.

On 13 February 2018, West Lothian Council agreed a long-term financial plan for five years and detailed revenue budgets for the three years 2018/19 to 2020/21. This enabled the council to comply with best practice guidance that public bodies should focus on their medium to long term sustainability, through having a strategy covering a minimum of five years, supported by detailed plans covering a minimum of three years. The financial plan was subsequently updated by Council on 19 February 2019, 28 February 2020, 25 February 2021 and 15 February 2022. The 2019/20 annual audit report from EY, the council's external auditors, commented favourably on the budgetary process followed and the decisions made by the council. A similar process is being followed in developing a five-year plan for 2023/24 to 2027/28 and a detailed three-year budget for 2023/24 to 2025/26.

### **D.2 Scottish Economy**

The Scottish Fiscal Commission (SFC) contributes to the Scottish Budget process by providing independent and official forecasts for the Scottish economy and labour market, devolved tax revenues and devolved social security spending. As income tax has been devolved to Scotland, economic forecasts have an impact on income tax estimates. The Scottish Budget is informed by forecasts and, as information on actual revenues and spending becomes available, the Scottish Government's funding is adjusted in response.

The SFC forecasts, published alongside the draft Scottish Budget, predict a shallow recession with a return to the early 2022 peak by early 2025, along with higher inflation than previously expected. In the medium term, growth in the Scottish economy (GDP), and in real terms earnings, is higher than before while inflation falls well below target and turns negative in 2025/26. Both shifts are in line with UK forecasts made by the Office for Budget Responsibility (OBR).

The decline in GDP is due to reductions in consumption, trade and private investment over 2023/24, given the high cost of living, higher interest rates, and ongoing trade challenges following the UK's exit from the EU.

*Table 1: Scottish GDP Forecasts*

	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
Scottish Forecast GDP (Dec 2021)	10.4%	2.2%	1.2%	1.3%	1.4%	1.4%	
Scottish Forecast GDP (Dec 2022)	14.0%	1.7%	(1.0%)	1.2%	2.1%	1.9%	1.5%

The labour market figures are more optimistic than those for the UK as a whole, which is a turnaround from recent years. However, much uncertainty remains concerning all figures at both the Scottish and UK levels. The unemployment rate is expected to peak at 4.7% in 2024/25, which is an upward revision from the December 2021 forecast.

*Table 2: Scottish Unemployment Rate Forecasts*

	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
Scottish Forecast Unemployment (Dec 2021)	4.6%	4.5%	4.3%	4.2%	4.2%	4.2%	
Scottish Forecast Unemployment (Dec 2022)	3.9%	3.4%	4.3%	4.7%	4.6%	4.3%	4.1%

The SFC's income tax forecast for 2023/24 has increased by £1.497 billion compared to their December 2021 forecast. SFC expect high inflation leading to increased nominal earnings growth to generate a significant increase in income tax revenue. The Scottish Government's policy decision to freeze thresholds and increase the higher and top rate of tax will also increase tax revenue. A comparison between December 2021 and December 2022 is provided below:

*Table 3: Scottish Income Tax Forecasts*

	<b>2022/23 £'m</b>	<b>2023/24 £'m</b>	<b>2024/25 £'m</b>	<b>2025/26 £'m</b>	<b>2026/27 £'m</b>	<b>2027/28 £'m</b>
Income Tax Forecast (December 2022)	14,575	15,810	16,633	17,370	18,247	19,437
Income Tax Forecast (December 2021)	13,671	14,313	15,056	15,790	16,445	
Change since previous forecast	904	1,497	1,577	1,580	1,802	

Despite a deterioration in the forecasts of the Scottish and UK economies overall, the outlook for the income tax net position has improved significantly. Comparing the SFC forecasts with the OBR's, the net position is expected to be positive by £325 million in 2023/24, compared to the expected value in December 2021 of negative £257 million. The income tax net position for 2023/24 has increased by £582 million since the December 2021 forecast, however this represents only 3.7% of Scottish income tax revenues in this year.

An additional £129 million of income tax revenue is set to be raised in 2023/24 following policy changes announced as part of the Scottish Budget. In 2022/23 the net tax position was slightly negative, this change is partly driven by Scottish Government policy for income tax in freezing income tax thresholds at a lower rate than that set by the UK Government and raising tax rates.

From 2024/25 onwards, the OBR forecasts UK average nominal earnings growth to average 2.0%. This is low by historical standards and compared to the SFC's forecast of 2.6% for Scotland, leading to a further improvement in the income tax net position over the forecast horizon. Over the last five years, earnings have been growing more slowly in Scotland than the UK.

The SFC state that when the global energy price shock arrived in early 2022, the Scottish economy was still recovering from the impact of measures introduced during the pandemic, labour shortages and supply chain disruptions associated with Covid-19. Throughout 2022, the impact of higher energy prices and the acceleration of wage pressures has worsened. The economy has also been adjusting to the UK being out with the EU as well as the long-term evolution of the oil and gas industry in the North East of Scotland. There is no comparable period in recent economic history when the economy has been hit by two global shocks in immediate succession while adjusting to other significant domestic pressures.

The SFC's assumption is that Scotland has already entered a recession which will last six quarters, with a total peak to trough fall in GDP of 1.8%. Higher prices will mean real incomes fall and put the economy into recession via both a supply and demand side shock. The recession will be dampened by higher nominal pay awards, increased benefits payments and some households using savings to support spending. Following the inflation shock, the level of real incomes in Scotland will be lower and expected to take time to recover. Although prolonged, the SFC expect the recession will be shallower than the Global Financial Crisis or the Covid-19 recession.

### D.3 Total Spending in Scotland

In overall terms, Scotland's total proposed spending plans, as set out in the Draft Budget 2023/24, amount to £59.813 billion; this is a cash increase of £3.471 billion compared to 2022/23. The allocations for each portfolio are set out in the table below:

*Table 4: Total Scottish Budget by Portfolio*

<b>Portfolio</b>	<b>2022/23 Budget £'m</b>	<b>2023/24 Draft Budget £'m</b>	<b>Movement £'m</b>
Health and Social Care	18,044	19,161	1,117
Social Justice, Housing and Local Government	16,844	18,297	1,453
Finance and Economy	8,051	8,401	350
Education and Skills	4,146	4,241	95
Justice and Veterans	3,146	3,366	220
Net Zero, Energy and Transport	4,413	4,648	235
Rural Affairs and Islands	966	965	(1)
Constitution, External Affairs and Culture	370	347	(23)
Deputy First Minister and Covid Recovery	43	45	2
Crown Office and Procurator Fiscal Service	180	197	17
Scottish Parliament and Audit Scotland	140	146	6
<b>Total</b>	<b>56,343</b>	<b>59,813</b>	<b>3,471</b>

Total proposed spending includes both revenue resource and capital spending plans. Health and social care represent the largest element of the overall Scottish Budget, the increase in funding of £1.117 billion for health and social care represents an increase of 6.2%. Of this increase £730 million went to health with £240 million allocated to 'Covid-19 Funding and Other Services'.

Overall, in cash terms, the Scottish Budget is higher than expected in May 2022, although in real terms some of this rise is undermined by higher inflation. The extra money comes from an increased Block Grant, an improvement in Scotland's expected tax position and a rise in Social Security adjustments. This rise is partially offset by an assumption of no drawdown from the resource Reserve next year as well as a reduction due to 'other changes' (including increased borrowing and a decrease in 'other' funding).

The Scottish Budget suggests that devolved public service spending will increase by 1.9% in real terms between 2022/23 and 2023/24. This is a significant improvement compared to the May Spending Review, when the Scottish Government said that spending was set to fall by 1.0% in real terms. This improvement is a result from additional funding from the UK government for the next two years in the December 2022 Autumn Statement, as well as upgrades in the Scottish Fiscal Commission's forecasts for Scottish tax revenues relative to the rest of the UK. These two factors more than offset the increase in inflation forecast for next year since the Scottish Spending Review in May 2022.

## D.4 Devolved Taxation

Scottish Government spending plans are underpinned by revenue raising tax powers devolved by the Scotland Act 2016. In 2023/24, the Scottish Government will raise an estimated £15.8 billion from income tax according to the SFC, bringing total revenue from devolved taxes (including Land and Buildings Transaction Tax and Scottish Landfill Tax) to £19.7 billion.

The SFC, which is an independent statutory body, is responsible for producing revenue forecasts for fully devolved taxes and non-savings non-dividend (NSND) income tax. All forecast revenues underpinning the Scottish Budget are produced by the SFC.

### Scottish Income Tax

The Scotland Act 2016 confers on the Scottish Parliament the power to set all income tax rates and the threshold of bands (above the Personal Allowance) that apply to the NSND income from Scottish taxpayers. The Scottish Government will receive all the revenue raised from NSND income tax in Scotland as a consequence of rates and bands set by the Scottish Parliament.

The thresholds of the proposed Scottish Income Tax bands for 2023/24 are as follows:

*Table 5: Scottish Income Tax Rates and Bands 2023/24*

<b>Scottish Income Tax Rates</b>	<b>Scottish Bands</b>
Scottish Starter Rate 19%	Over £12,570 to £14,732
Scottish Basic Rate 20%	Over £14,733 to £25,688
Scottish Intermediate Rate 21%	Over £25,688 to £43,662
Scottish Higher Rate 42%	Over £43,663 to £125,140
Scottish Additional Rate 47%	Over £125,140

The Scottish Government have decided to freeze the Scottish basic, intermediate and higher rate thresholds in cash terms, and to reduce the threshold at which the top rate of tax becomes payable, from £150,000 to £125,140. Both these changes are in line with UK Government decisions made as part of the Autumn Statement.

The reduction in the top rate income tax threshold from £150,000 to £125,140 will increase the number of taxpayers paying the top rate of income tax, which Fraser of Allander have estimated to be around 12,000 individuals in total. In addition to this threshold change, the government have also announced increases in the top rates of income tax in Scotland, with 1p increases in both the additional and top rates of tax, to 42p and 47p, respectively.

### Land and Buildings Transaction Tax (LBTT)

Land and Buildings Transaction Tax is a tax applied to residential and commercial land and buildings transactions and replaced stamp duty in Scotland. The Scottish Government have also announced an increase in LBTT paid on additional properties from 4% to 6% which the SFC suggest will generate an additional £34m in 2023/24.

## D.5 Public Sector Pay Policy

The Scottish Government has, at this time chosen not to publish formal guidelines for public sector pay in 2023/24. The Deputy First Minister highlighted the uncertain outlook for inflation and a need to conclude ongoing pay negotiations for 2022/23 as the key reasons for holding back a pay policy until 2023. Given that public sector pay accounts for over £22 billion in spending each year, this represents a significant area of uncertainty going forward.

## D.6 Welfare Changes

The Scotland Act 2016 devolved various areas of social security to Scotland, mainly related to carers and disability benefits. The Social Security (Scotland) Act 2018 received Royal Assent on 1 June 2018, with Scottish social security benefits now being delivered. The Scottish Government has been implementing the devolved powers on a phased basis and new social security powers over Attendance Allowance, Disability Allowance, Industrial Injuries Disablement Allowance, Personal Independence Payments and Severe Disablement Allowance commenced in 2020/21.

Social security powers transferred to Scotland need to be managed within HM Treasury budget control limits. Any increase in demand against what has been forecast by the SFC needs to be managed through a combination of drawing down funding from the Scotland reserve, utilising resource borrowing powers within the statutory annual limit or in-year adjustments to other budgets.

The SFC forecast social security spending will increase from £4.2 billion in 2022/23 to £7.3 billion in 2027/28. The SFC expects social security spend to be £0.8 billion above the Block Grant Adjustment (BGA) in 2023/24 rising to £1.4 billion more than the BGA by the end of the forecast period in 2027/28.

## D.7 Local Government Funding

In 2023/24, the total managed expenditure available within the local government portfolio is £11.684 billion. This figure includes general revenue and capital grant funding, specific revenue and capital grants, as well as an estimate of non-domestic rate income. There are a number of other funding allocations linked to individual policy initiatives held within other spending portfolios and, taking account of these, the total 2023/24 local government funding settlement is £13.229 billion. The formula share of the revenue grant, non-domestic rate income and capital grant for each council is set out in Finance Circular 11/2022, published on 21 December 2022. An updated finance circular was issued on 10 January 2023 as the original finance circular contained some errors and inconsistencies. The total funding from the revised finance circular for local government, based on the Scottish Draft Budget is set out below:

*Table 6: Scottish Government Funding to Local Government (Cash Terms)*

	<b>2022/23 Budget £'m</b>	<b>2023/24 Draft Budget £'m</b>	<b>Movement £'m</b>
<b>Revenue Funding</b>			
General Revenue Grant	8,696.1	8,579.5	(116.7)
Non-Domestic Rates Income (NDRI)	2,766.0	3,047.0	281.0
Specific Grants	785.0	776.1	(8.9)
<b>Total Revenue Funding</b>	<b>12,247.1</b>	<b>12,402.5</b>	<b>155.4</b>
<b>Capital Funding</b>	<b>811.3</b>	<b>826.6</b>	<b>15.3</b>
<b>Total Government Funding to Local Government</b>	<b>13,058.5</b>	<b>13,229.2</b>	<b>170.7</b>

The provisional total funding allocations form the basis for the annual consultation between the Scottish Government and COSLA ahead of the Local Government Finance (Scotland) Order 2023 being presented to the Scottish Parliament in February 2023. Councils are required to notify COSLA (and for COSLA to inform the Scottish Government) by no later than 27 January 2023 if they think there are any discrepancies or changes required to the provisional allocations.

The capital funding of £826.6 million for 2023/24 includes the £120.6 million for pay plus £706 million capital funding. The Scottish Government agreed to provide £120.6m capital funding in 2022/23 and 2023/24 for Local Government's Scottish Joint Council (SJC) Pay deal. From 2024/25, this funding will be baselined into revenue funding.

The allocations to individual local authorities contained in the finance circular have been arrived at using the standard needs-based distribution methodology and updated indicators. There have been a number of questions on the settlement and local government officers, along with COSLA, are liaising with Scottish Government officials to fully verify the assumptions and figures contained in the settlement. Any redistribution to address agreed discrepancies found in the finance circular will be undertaken within the total settlement allocations set out and not through the provision of any additional resources by the Scottish Government. The allocations are therefore provisional at this stage, and may be subject to any correction agreed as part of the consultation process.

The revenue funding provided by the Scottish Government to local government in 2023/24 will increase in cash terms by £155.4 million. There is an increase of £15.3 million to the capital funding available to local government in 2023/24.



COSLA presented an assessment of the overall position in their budget reality document issued on 15 December 2022. In summary, the position reported by COSLA identified a £71 million cash increase in revenue funding and flat cash position for capital funding for local government.

*Table 7: COSLA's Budget Reality – Revenue Budget*

	£'m
Cash Increase in Revenue Funding	498.0
<u>Less: Scottish Government Policy</u>	
Recurring funding for pay	(140.0)
Local Heat and Energy Efficiency Strategies	(2.4)
Whole Family Wellbeing Support	(32.0)
Real Living Wage in Adult Social Care	(100.0)
Free Personal and Nursing Care	(15.0)
Free School Meals – P6/7 expansion	(17.5)
Additional Discretionary Housing Payment & Admin	(5.7)
School Clothing Grants increase	(1.2)
To be transferred to SSSC for LG Adults Social Care Fees	(2.2)
LG contribution to Historical Child Abuse Redress Scheme	(6.0)
<u>Less: Other</u>	
Devolution of Empty Property Relief to LG	(105.0)
Cash Increase in Revenue Funding	71.0

Further analysis continues to be carried out on the finance settlement and COSLA are in ongoing dialogue with the Scottish Government on issues.

## **D.8 Package of Measures and Associated Commitments**

The letter from the Deputy First Minister on 15 December 2022 outlined that individual local authorities will, in return for this settlement, be expected to deliver certain specific commitments. The package of measures offered to councils is as follows:

- The budget baselines the additional £260.6 million allocated in 2022/23 to support the local government pay deal and also delivers additional funding to ensure that payment of SSSC fees for the Local Government workforce will continue to be made on a recurring basis.
- A further £102 million of resource to protect key shared priorities particularly around education and social care.
- The Resource Spending Review also confirmed the outcome of the 2021 Capital Spending Review and this has been supplemented by £120.6 million mentioned as part of the support to the local government pay deal plus a further £50 million to help with the expansion of the Free School Meals policy.
- £145 million to be used by councils to support the school workforce.
- The Health and Social Care Portfolio will transfer net additional funding of £95 million to Local Government to support social care and integration, which recognises the recurring commitments on adult social care pay in commissioned services to deliver a £10.90 minimum pay settlement for adult social care workers (£100 million) and inflationary uplift on Free Personal Nursing Care rates (£15 million). This is offset by the non-recurring interim care money ending (£20 million).
- Local Authority social care budgets for allocation to Integration Authorities must be at least £95 million greater than 2022/23 recurring budgets.

As noted, the overall finance settlement for local government in 2023/24 in the circular is £13.229 billion. The settlement also includes a number of items which have yet to be distributed to councils, where distribution of will be confirmed in due course.

The finance circular confirms that a number of funding distributions have still to be allocated at individual local authority level in 2023/24 including teacher induction scheme funding. Although the settlement includes funding for discretionary housing payments and the real living wage for health and social care, the council will receive confirmation of its share of this funding during 2023/24. Once individual funding allocations are known for these sources of funding, the council's grant funding will be updated accordingly. For teachers' induction scheme and discretionary housing payments, it would be reasonable to assume that the level of funding received in 2022/23 will be replicated in 2023/24.

The letter from the Deputy First Minister on 15 December 2022 announced councils will have full flexibility to set the Council Tax rate that is appropriate for their local authority area. It also stated a Cabinet decision made in respect of non-domestic rates proposals and appeals for properties occupied by public bodies. From 1 April 2023, the financial incentive for proposing and appealing will be removed, with the financial outcome of successful proposals or appeals resulting in a downward re-determination of revenue allocations at the next available budget revision. The Budget also freezes the non-domestic rate poundage and devolved the Empty Property Relief, allowance has been provided for the empty property relief in the budget model. A report will be presented to Corporate Policy and Resources PDSP on the proposed approach to empty property relief in February 2023.

## D.9 Budget Update

The council budget position was reported to Council Executive on 6 December 2022, and set out an estimated budget gap of £57.7 million for the period 2023/24 to 2027/28. This reflected updated movements in pay, energy, homelessness and NDR cost forecasts which increased the previous gap by over £10 million. Taking account of this, a number of urgent actions were agreed by Council Executive to help mitigate the increased budget gap assumption.

The table below summarises actions from Council Executive on 6 December 2022, and provides an update on these actions.

*Table 8: Actions from Council Executive 6 December 2022*

<b>Actions agreed as part of the report</b>	<b>Update</b>
Agree that the one-off amounts are reprioritised and held in contingency for supporting delivery of the five-year revenue financial plan, noting that further details on the amounts relating to service concessions will be reported to Council in January 2023 as required by legislation	The agreed amounts are now held in contingency. A report on service concessions will be submitted to the Council meeting on 24 January 2023.
Agree that officers should consider the scope to use revenue funding flexibilities as outlined in the Deputy First Minister's letter of 1 November 2022	Officers have fully considered options. The opportunities to use the flexibilities are limited and it is not envisaged that these will assist the council in balancing the budget.
Agree that officers should further consider council tax options following conclusion of phase 2 of the consultation and provide an update in the council tax scenario report to Corporate Policy and Resources PDSP	The example of 4.5% given in the Council Executive report has been incorporated as an assumption into the revenue budget model for council tax and fees and charges for each of the five years. A report on council tax scenarios will be presented to Corporate Policy and Resources PDSP in January.
Agree that officers review the phasing of saving options to bring forward, as far as reasonably practicable, savings into the first three years with phasing being incorporated into the PDSP reports on potential saving options in January 2023	Officers have reviewed savings and accelerated them where possible. Work is underway to draft the reports on proposed savings for the PDSPs taking place at the end of January 2023.
Agree that officers implement temporary cost reductions as soon as possible in 2022/23, including considering necessary changes to workforce planning, to assist with the financial crisis facing the council	Officers are implementing temporary cost reductions and workforce planning measures.

<b>Actions agreed as part of the report</b>	<b>Update</b>
Agree that officers undertake work to identify additional recurring budget saving options to balance the revenue budgets in years two to five and that new measures will be incorporated into phase 3 of the public consultation to take place in 2023	As agreed by Council Executive, additional energy mitigation savings have been identified and have been incorporated into the proposed savings. It is proposed to include these new measures in the Corporate Policy and Resources PDSP report and also to report on the energy mitigation measures to Council Executive on 7 February 2023.

In line with the actions agreed by Council Executive, the budget model has been updated to include an assumption of annual increases in council tax and fees and charges of 4.5%. The model has also been updated to include the 2023/24 local government finance settlement and other minor adjustments to expenditure (e.g. incorporating the NDR poundage freeze). Other changes made to the budget model since 6 December 2022 include:

- Update of inflation for Landfill Tax based on the Scottish Government announcement from 15 December 2022;
- Indexation and Demographics updated for Living Wage within Health and Social Care;
- The base budget has been updated for the Pay Award;
- Living Wage supplement removed;
- Water inflation updated following announcement of increase from Business Stream;
- Pressure for Green Waste;
- PPP inflation figure for 23/24 has been updated with Decembers 2022 RPI.

The table on the following page summarises the main elements of the budget model for each of the five years, with the revised budget gap for 2023/24 to 2027/28 estimated to be £47.6 million.

*Table 9: Summary of Budget Model for 2023/24 to 2027/28*

<b>Incremental Movements</b>	<b>23/24 £'m</b>	<b>24/25 £'m</b>	<b>25/26 £'m</b>	<b>Three Year Total £'m</b>	<b>26/27 £'m</b>	<b>27/28 £'m</b>	<b>Five Year Total £'m</b>
<b>Expenditure</b>							
Staffing Costs	14.5	6.3	6.6	<b>27.4</b>	6.7	6.8	<b>40.9</b>
Demographics & Demand Pressures	3.7	3.3	2.9	<b>9.9</b>	3.1	3.4	<b>16.4</b>
Revenue Consequences of Capital	2.3	1.0	0.9	<b>4.2</b>	1.3	0.5	<b>6.0</b>
SG Funded Developments	1.9	0.0	0.0	<b>1.9</b>	0.0	0.0	<b>1.9</b>
Service Pressures & Developments	5.4	0.1	0.2	<b>5.7</b>	0.2	0.4	<b>6.3</b>
Inflation & Indexation	15.0	8.5	5.1	<b>28.6</b>	5.3	5.7	<b>39.6</b>
<b>Gross Expenditure Increases</b>	<b>42.8</b>	<b>19.2</b>	<b>15.7</b>	<b>77.7</b>	<b>16.6</b>	<b>16.8</b>	<b>111.1</b>
<b>Income</b>							
Council Tax (4.5% assumption)	(5.4)	(5.5)	(5.8)	(16.7)	(6.1)	(6.4)	(29.2)
Fees & Charges (4.5% assumption)	(0.4)	(0.5)	(0.5)	(1.4)	(0.5)	(0.6)	(2.5)
Ringfenced SG Grant Funding	(9.4)	(2.5)	(2.5)	(14.4)	(2.5)	(2.5)	(19.4)
Core SG Grant Funding	(9.4)	0.0	0.0	(9.4)	(3.0)	0.0	(12.4)
<b>Income Movements</b>	<b>(24.6)</b>	<b>(8.5)</b>	<b>(8.8)</b>	<b>(41.9)</b>	<b>(12.1)</b>	<b>(9.5)</b>	<b>(63.5)</b>
<b>Forecast Budget Gap</b>	<b>18.2</b>	<b>10.7</b>	<b>6.9</b>	<b>35.8</b>	<b>4.5</b>	<b>7.3</b>	<b>47.6</b>

Officers have developed budget saving options for the three years 2023/24 to 2025/26. At this stage the estimated budget gap over the three-year period 2023/24 to 2025/26 is £35.8 million with officer savings options of £37.4 million for 2023/24 to 2025/26, leaving an estimated surplus of £1.583 million at this time. As agreed by Council Executive on 6 December 2022, officers will develop additional savings to address any remaining gaps. Reports are being presented across all PDSPs in January 2023 which summarise a number of potential saving options to address the council's budget gap over the three-year period 2023/24 to 2025/26, including responses from the WL2028 Your Council, Your Say Phase 2 consultation.

## D.10 High Level Implications for West Lothian Council

Draft 2023/24 Scottish Government funding for West Lothian Council is £409.960 million, which is £18.691 million greater than the equivalent figure in 2022/23 and includes assumptions regarding funding for items which have yet to be distributed and therefore are subject to change.

It is important to note that, within the provisional West Lothian allocation, there is £15.202 million of funding which relates to new additional expenditure commitments for 2023/24. Taking account of this, the council's 2023/24 core cash revenue funding from the Scottish Government for existing service delivery has increased by £3.489 million compared to 2022/23. The table below details this.

*Table 10: Movement in Recurring Revenue Grant Funding for West Lothian Council*

	£'000	£'000
2022/23 Scottish Government Recurring Grant Funding		391,269
2023/24 Scottish Government Recurring Grant Funding		409,960
<b>Gross Increase in Recurring Grant Funding</b>		<b>18,691</b>
<b>Less Ringfenced Grants for Scottish Government Commitments:</b>		
• Children & Young People	(1,240)	
• Health and Social Care	(2,902)	
• 2022/23 Pay Award	(9,811)	
• Other movements (including removal of funding for one-off commitments)	(1,249)	(15,202)
<b>Net Increase in 2023/24 Core Recurring Revenue Grant Funding</b>		<b>3,489</b>

Further information on the medium-term financial implications will be available from the Scottish Fiscal Commission. Levels of growth and productivity in the Scottish economy will have a significant bearing on medium term funding of the Scottish budget going forward, including for local government. Changing economic circumstances, including the recovery from Covid-19 pandemic and the cost of living crisis further contributes to the uncertainty around future funding.

The increased use of ringfenced and earmarked funding for Scottish Government initiatives and priorities, means that total resources available to support existing local service delivery remain constrained. Table 11 illustrates the movement in core revenue funding received by the council over the period since 2014/15.

*Table 11: Movement in Core Scottish Government Revenue Grant Funding – 2014/15 to 2023/24*

Year	Gross Movement £'000	Ringfenced Funding £'000	Net Movement in Core Funding £'000
2014/15	4,134	4,307	(173)
2015/16	5,960	6,465	(505)
2016/17	(4,580)	2,084	(6,664)
2017/18	(799)	5,052	(5,851)
2018/19	7,715	5,331	2,384
2019/20	7,755	9,462	(1,707)
2020/21	6,404	9,923	(3,519)
2021/22	12,068	6,610	5,458
2022/23	19,091	20,553	(1,462)
2023/24	18,691	15,202	3,489
<b>Total</b>	<b>76,439</b>	<b>84,989</b>	<b>(8,550)</b>

Following the announcement of the updated draft local government finance settlement, officers have reviewed the budget model to incorporate the updated funding for 2023/24. In addition, officers are continuing to review budget model assumptions to reflect changes in circumstances and will keep indexation and service demographics under review. The main risk areas currently being reviewed are:

- Energy / fuel prices
- War in Ukraine related pressures

- Covid-19 related pressures
- Inflation and indexation
- Delivery of savings
- Pay awards
- Service budget pressures, including transport and vehicle pressures

Taking account of confirmation of the 2023/24 local government finance settlement, and the latest budget model assumptions, the Head of Finance and Property Services will present an updated 2023/24 to 2027/28 revenue budget and updated capital investment programme to Council for approval in February 2023. As work has yet to be finalised on the council's 2023/24 to 2027/28 budget, it is recommended that the uncommitted General Fund Balance of £2.0 million, after decision by Council Executive on 6 December 2022, is retained at the current time to be considered as part of the budget setting process at full council in February 2023.

## **E. CONCLUSION**

The Scottish Government published the draft 2023/24 Scottish Budget on 15 December 2022 and the Deputy First Minister wrote to the COSLA President on the same day. The provisional local government finance settlement for 2023/24 was announced on 22 December 2022. The total local government settlement is £13.229 billion with core revenue grant funding for 2023/24 being increased by £155.4 million and capital funding increased by £15.3 million. The original finance circular that was issued on 21 December 2022 contained some errors, the updated finance circular for 2023/24 was issued on 10 January 2023.

For West Lothian, the comparable increase in core funding compared to 2022/23 is £3.489 million. COSLA have expressed disappointment at the revenue funding package proposed by the government to local government and stated that the essential services that local government delivers have not been prioritised. COSLA's Resources Spokesperson said council services will now be at absolute breaking point and some may have to stop altogether.

The outcome of the detailed local government finance settlement has been assessed, taking account of further confirmation required and the further funding streams to be clarified. Based on a review of the figures and forecasts contained in the local government finance settlement and associated documents, the Head of Finance and Property Services will update the revenue and capital budgets for 2023/24 for reporting to Council in February 2023.

Officers continually keep the assumptions in the budget model under review to ensure, as far as possible, they reflect current circumstances and information. Reports are being presented across all PDSPs in January 2023 which summarise a number of potential saving options to address the council's budget gap over the three-year period 2023/24 to 2025/26, including responses from the WL2028 Your Council, Your Say Phase 2 consultation.

## **F. BACKGROUND REFERENCES**

Revenue Budget 2022/23 - Report by Head of Finance and Property Services to West Lothian Council on 15 February 2022

Autumn Budget and Scottish Budget Announcements 2022 – Report by Head of Finance and Property Services to Council Executive on 6 December 2022

WL2028 Your Council Your Say - Public Consultation - Report by Depute Chief Executive on 20 December 2022

Scottish Budget 2023/24 published by Scottish Government on 15 December 2022

Local Government Finance Circular 11/2022 published by Scottish Government on 21 December 2022

COSLA Budget Reality (15 December 2022)

[https://www.cosla.gov.uk/\\_data/assets/pdf\\_file/0019/40780/Budget-Reality-23-24-UPDATE.pdf](https://www.cosla.gov.uk/_data/assets/pdf_file/0019/40780/Budget-Reality-23-24-UPDATE.pdf)

Appendices/Attachments: None,

Contact Person: Karen Park, Accountant,  
Email: karen.park@westlothian.gov.uk, Tel: 01506 283236

**Donald Forrest**  
**Head of Finance and Property Services**  
**17 January 2023**

DATA LABEL: PUBLIC



**COUNCIL EXECUTIVE**

**MUSEUMS ACCESS POLICY REPORT**

**REPORT BY INTERIM HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES**

**A. PURPOSE OF REPORT**

The purpose of this report is to request that the Council Executive approve the draft Museums Access Policy, 2022-2027.

**B. RECOMMENDATION**

It is recommended that the Council Executive approve the draft Museums Access Policy, 2022-2027.

**C. SUMMARY OF IMPLICATIONS**

<b>I Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
<b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	The measures outlined will support the council's commitment to the Equality Act 2010, General Duties. A draft Integrated Impact Assessment has been developed.
<b>III Implications for Scheme of Delegations to Officers</b>	None
<b>IV Impact on performance and performance Indicators</b>	The adoption of this policy will enable the Museums Service to retain Fully Accredited Status under the UK National Accreditation Standard for Museums and Galleries. This qualifies WLC for external funding and helps to ensure high quality service provision.
<b>V Relevance to Single Outcome Agreement</b>	The council is committed to tackling discrimination, advancing equality of opportunity and promoting good relation within our workforce and the wider community.
<b>VI Resources - (Financial, Staffing and Property)</b>	The policy will be delivered within existing revenue budgets and grant aid for which

accredited museums are eligible.

**VII Consideration at PDSP**

Corporate Policy and Resources Policy Development and Scrutiny Panel on 12 December 2022.

**VIII Other consultations**

This policy has been informed by consultation with Museums Service users and stakeholders.

**D. Terms of Report**

**D.1 Background**

It is a core requirement of the UK Accreditation Scheme for Museums and Galleries that museums have an Access Policy which has been approved by their governing body. This was identified as an action following the council's last accreditation assessment. The council will be invited to re-apply for accreditation in 2025. As part of that application, an Access Policy, updated where relevant, must be adopted by the council and submitted to the accreditation panel.

**D.2 Museums Access Policy**

The mission of the council's Museums Service is to enhance quality of life by providing a museums service that serves the educational, cultural and leisure needs of the community now and in the future. The draft Access Policy seeks to ensure equity of service delivery by maximising access to our museums, and to identify ways in which this can be achieved.

The Access Policy relates to all collections held by West Lothian Council as well our community museums, programmes and interpretation both onsite and online. It covers how people can see, use, and reference the collection, gain access to museum buildings and sites, and how the Museums Service shares information about the collection with others.

Areas of access covered in the policy include:

- Physical access: we aim to ensure that our community museums are as physically accessible as possible.
- Intellectual access: we aim to provide information in a range of formats appropriate to the needs of a wide range of visitors.
- Emotional access: we aim to provide a good standard of customer care to ensure that all visitors feel welcome and comfortable in our venues.
- Financial access: we aim to make collections, services, and engagement activities freely available to maximise equal access to West Lothian's heritage.

**D.3 Consideration at PDSP**

The draft Policy was considered at Corporate Policy and resources PDSP on 12 December 2022 and no changes were proposed.



## **E. Conclusion**

The draft Museums Access Policy, 2022-2027 will support the maximisation of access to community museums, interpretation and programmes. This will assist the Museums Service to achieve the UK accreditation standard, to remain eligible for grant aid in the museums sector and to continue high-quality community engagement and collections management work.

## **F. Background References**

None.

Appendices/Attachments: One  
Appendix 1 Museum Access Policy, 2022-2027

Contact person: Emma Peattie, Museums Officer  
Tel 01506 283652, e-mail [emma.peattie@westlothian.gov.uk](mailto:emma.peattie@westlothian.gov.uk)

Julie Whitelaw  
Interim Head of Housing, Customer and Building Services  
17 January 2023

## West Lothian Council Museums Service



## ACCESS POLICY 2022-2027

**Date on which this policy was approved by Council Executive:**

**Policy review procedure:**

The access policy will be published and reviewed from time to time, at least once every five years.

**Date at which the policy is due for review:** TBC

## **1. Purpose**

The purpose of the policy is to set out our commitment to maximising access to the Museums Service, and to identify ways in which this can be achieved.

An approved Access Policy is a central requirement of the UK Accreditation Scheme for Museums and Galleries. Museums who are part of the scheme are required to have an access policy or statement approved by its governing bodies.

## **2. Scope**

The Access Policy relates to all collections held by West Lothian Council as well as our community museums, programmes and interpretation both onsite and online. It covers how people can see, use, and reference the collection, gain access to museum buildings and sites, and how the Museums Service shares information about the collection with others.

## **3. Responsibilities**

The council is responsible for ensuring that the Museums Service fulfils its obligations under the Equality Act 2010 and the Museums Association's "Code of Ethics" by doing everything reasonably possible to make our collections, content and sites accessible to the widest range of people. The Museums Officer is responsible for ensuring that the work of both staff and volunteers reflects the need to maximise access.

## **4. Access Assessment**

Access Audits have regularly been undertaken since the establishment of the Museums Service in the 1990s. These are currently undertaken with reference to sector best practice guidelines on access. An access action plan is undertaken after each audit setting out work required to remove barriers identified by the audit.

## **5. Our commitment to access**

This Policy supports our mission statement by providing a framework that strives to include all our visitors, potential visitors, volunteers and staff. We will make our collections and buildings accessible, by removing as many physical, intellectual or cultural barriers to access as practicable, within the limits of legal, budgetary, and planning considerations. We are committed to developing a programme of activities that are designed to involve, educate and engage

groups from a wide range of backgrounds and all sectors of West Lothian's community. Areas of access covered in this policy include:

- Physical access: we aim to ensure that our community museums are as physically accessible as possible.
- Intellectual access: we aim to provide information in a range of formats appropriate to the needs of a wide range of visitors.
- Emotional access: we aim to provide a good standard of customer care to ensure that all visitors feel welcome and comfortable in our venues.
- Financial access: we aim to make collections, services, and engagement activities freely available to maximise equal access to West Lothian's heritage.

### **5.1 Consultation and audiences**

- The Museums Service is committed to understanding who its visitors/users and non-visitors/users are, so that we meet their needs and provide access to collections and services.
- The Museum is committed to developing and diversifying its audiences.
- We will regularly consult and evaluate our services with users and use this information to ensure our services meet their needs.
- We will consult with non-users/less-engaged users to identify barriers to participation.

### **5.2 Community links and outreach**

- The Museum Service is committed to actively engaging with local communities. We aim to develop links with the community, especially through partnership and co-production.
- The Museums Service will offer outreach to parts of the community who may not be able to engage with our museum spaces; this will include the provision of reminiscence loan boxes for care homes and community groups and loan boxes and object-based learning sessions for schools.
- The Museum is committed to providing volunteer opportunities and seeks to explore the recruitment of volunteers from a range of backgrounds, including those with protected characteristics.

### **5.3 Premises**

- The Museum Service operates from six sites:
  - Collections store at Kirkton Service Centre
  - Whitburn Community Museum at Whitburn Partnership Centre
  - Broxburn Community Museum at Strathbrock Partnership Centre
  - Armadale Community Museum at Armadale Partnership Centre
  - Blackridge Community Museum at the Craig Inn Centre
  - Wee Museum of Memory, Livingston Centre (a partnership with the Living Memory Association)
- The Museum Service is committed to providing full access to all of its facilities although there are some restrictions due to the constraints of both our stores and the buildings that house our community museums/
- Information for potential visitors explaining our opening times, services and access to the collections is available on our website, leaflets, and by telephone and e-mail.

### **5.4 Collections**

- The Museums Service is committed to increasing public access to the collections and information, and to increasing knowledge and understanding of the collections and heritage sites.
- We will provide varied means of access and interpretation to the collections including permanent displays, temporary exhibitions, loans, object handling and activities.
- The provision of access will be balanced against the appropriate care and management of the collection in question.
- We will promote public awareness of the full extent of the collections through displays on digital kiosks (where resources allow), on-line (website and social media) and through other means (e.g. talks by staff).
- Stored collections are available to view by appointment with the Museums Officer and a research space can be provided at Kirkton Service Centre.
- Collections are continually being updated and developed to better reflect the diversity of the local area.

## **5.5 Information**

- The needs of visitors are considered when preparing and presenting collections information and interpretation
- The Museums Service will ensure that all information and communications follow good practice and sectorial guidelines for text and style.
- Where resources allow, video-based interpretation will incorporate subtitles. The Museums Service aims to keep the public informed of its collections, temporary displays and events through appropriate publicity including social media.
- The Museums Service will seek to display exhibits which reflect the range and diversity of the Museum's collections, and engage with the diversity of our users and their needs.
- We will provide levels of information and interpretation to suit a range of audiences and abilities.
- Information and interpretation will be provided in a range of formats, for example labels, film, interactives and audio, as resources allow.
- The Museums Service will provide and improve internal signage and information to enable all visitors to explore the Museum and locate facilities easily.
- The Museums Service will explore the provision of targeted translation of core information into other key languages on the website or in the museum galleries.
- We will provide information about access provision on our website.

## **5.6 Learning and programming**

- The Museum will provide a range of suitable handling materials drawn from the collections for different audiences and levels of ability.
- Outreach based delivery will be used to maximise access to collections and learning experiences.
- Educational materials will be made available for different audiences and abilities, as required and as resources allow.

- Temporary exhibitions and activities will be programmed throughout the year.

### **5.7 Customer care**

- All staff members and volunteers are involved in implementing this policy, assisting and welcoming our customers.
- The Museum will work within the framework of West Lothian Council's customer service commitments and standards.
- All users of the Museum will be treated with equal respect within an inclusive atmosphere and welcomed according to their individual needs.
- Where possible, community museums will be located in buildings that provide baby changing facilities, access and parking for pushchairs and seating for the comfort and ease of visitors.
- The Museums Service will respond to requests made by the public regarding information required in alternative formats, as resources allow.



DATA LABEL: PUBLIC



## **COUNCIL EXECUTIVE**

### **APSE SCOTTISH BUILDING & HOUSING SEMINAR 2023**

### **REPORT BY INTERIM HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES**

#### **A. PURPOSE OF REPORT**

The purpose of the report is to seek approval from Council Executive for the appropriate elected members attendance at the APSE Scottish Building and Housing Seminar 2023, incorporating the Apprentice of the Year Awards. The event will be held in Glasgow on the 16 & 17 February 2023.

#### **B. RECOMMENDATION**

It is recommended that Council Executive:

1. Notes that a council Building Services apprentice has been shortlisted for the APSE Apprentice of the Year Awards, and;
2. Approves the attendance of appropriate elected members at the APSE Scottish Building and Housing Seminar 2023 with appropriate officer support from Housing, Customer & Building Services

#### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; working in partnership
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	None
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	None
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	The cost for individual attendance at the seminar for APSE members is £219 + VAT. Travel and accommodation will be an additional

**VII Consideration at PDSP** None

**VIII Other consultations** None

**D. TERMS OF REPORT**

**D.1 Background**

The Council are members of APSE and the Executive Councillor for Services for the Community is the Chair of the APSE Scotland Housing and Building Advisory Group and is also a member of APSE's National Council.

The APSE Scottish Building and Housing Seminar 2023 will be exploring excellence in frontline services. The programme of events includes the opportunity for delegates and suppliers to network and share ideas in an informal setting.

On the 16 & 17 February 2023 the seminar will showcase the latest in local government developments. Delegates will get the opportunity to hear keynote speakers from across the UK local government covering topics including – • Building maintenance state of the market and the local authority retrofit landscape • Scottish Government's Heat in Buildings Public Engagement Strategy and the Heat and Energy Efficiency Scotland (HEES) virtual agency • Review of the Energy Efficiency Standard for Social Housing (EESH2): realigning the standard with the target for net zero heat in homes.

The evening apprentice awards ceremony is a prestigious high-profile occasion where finalists in the non-trade and trade categories are recognised for their achievements. One Building Services apprentice has been shortlisted for the awards: Christopher Harkins, Apprentice Electrician. The winners will be announced at the awards ceremony.

**E. CONCLUSION**

The Council Executive confirms the appropriate elected member to attend the APSE Scottish Building and Housing Seminar 2023, incorporating the Apprentice of the Year Awards.

**F. BACKGROUND REFERENCES**

Appendices/Attachments:

Contact Person: Grant Taylor - 07899877892

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**Julie Whitelaw**

**Interim Head of Housing, Customer and Building Services**

**17 January 2023**

DATA LABEL: PUBLIC



## **COUNCIL EXECUTIVE**

### **PEST CONTROL TREATMENT SERVICE – REVISION OF CUSTOMER FEES AND CHARGES**

#### **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 proposed updates to fees and charges for the provision of pest control treatment services offered by the council, and seek approval for the updated fees and charges set out in Appendix 1 of the report.

This report is not connected to a motion agreed at the West Lothian Council on 22 November 2022 requesting a report be provided to the Public and Community Safety PDSP regarding rats and statutory nuisance. As requested by the motion a separate report is being prepared for the PDSP.

##### **B. RECOMMENDATION**

It is recommended that the Council Executive:

1. notes the content of the report; and
2. approves the proposed changes to fees and charges for delivery of the pest control treatment service set out in Appendix 1 of this report.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; developing employees; making best use of our resources; working in partnership
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	<p>There is a legal responsibility to ensure land and premises are kept free from pests included in the following legislation, Prevention of Damage by Pests Act 1949; Environmental Protection Act 1990; Public Health (Scotland) Act 2008; Food Hygiene (Scotland) Regulations 2006.</p> <p>It was agreed by Council Executive in regard to annual council fees and charges that council housing tenants will receive pest control treatment free, as costs are covered by Housing Services.</p>
<b>III</b>	<b>Implications for Scheme of Delegations</b>	There are no identified implications.

**to Officers**

<b>IV</b>	<b>Impact on performance and performance Indicators</b>	There are no identified impacts.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	<p>We live longer, healthier lives and have reduced health inequalities.</p> <p>We make the most efficient and effective use of resources by minimising our impact on the built and natural environment</p>
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	The pest control service provided by the council is required to operate on a cost recovery basis. The proposals to revise charges would allow recovery of costs which are more reflective of service delivery. Income from delivering the service has not met the costs of delivering the service to date. There is no information within the service to identify when costs were last reviewed.
<b>VII</b>	<b>Consideration at PDSP</b>	The report was presented to the Public and Community Safety PDSP on 8 December 2022. The panel were advised the report would be submitted to the Council Executive with a recommendation to approve the change to fees and charges. This was agreed by the panel. No changes were required to the proposals or report.
<b>VIII</b>	<b>Other consultations</b>	Financial Management Unit. Housing, Customer and Building Services.

**D. TERMS OF REPORT**

**D1 Background**

West Lothian Council have provided a pest control treatment service for many years. The pest control team are part of the Environmental Health and Trading Standards Service. Pest control treatment, including preventative and proofing works, are offered by the service to internal and external customers, commercial and domestic. Details of service provision and standards are found on the council website. A link is provided in Section F of this report.

In order to prevent the complete removal of the service to meet budget demands, income targets were introduced in 2014/15 as part of the Delivering Better Outcomes programme. To protect service delivery, annually increasing income targets towards achieving full cost recovery of service were set out. Income targets have however not been achievable, although income for the service has been achieving good results. The targets are not likely to be met even though the range of service provided has expanded.

It was agreed that Transforming Your Council savings would be met by reducing service costs by reducing the team from 4 members to 3. The team is now operating with 3 officers following a retirement within the team. However, full cost recovery remains unlikely. Any further reduction in staffing would compromise cost recovery and service sustainability and delivery even further.

So far any under recovery has been offset by staffing vacancies within other parts of the Environmental Health & Trading Standards Service. But this is not sustainable going forward, particularly as it would continue to compromise higher priority public health and consumer protection work. Pest control staff have absorbed some dog control duties, and also assist with some public health site visits, but the scope for any further assistance within the service is limited by pest control demands on the team and the professional knowledge and competence required for other environmental health workload. Whilst income recovery is accepted as a means of maintaining service provision in difficult times it is clear that full cost recovery is not being achieved and a further review of approach is required.

## **D2 Service Quality and Best Value**

The pest control team was one of the first to achieve the Charter Mark Award for the council in 1995 and have retained it ever since as part of Corporate Customer Service Excellence. Their contribution is a significant part of the overall EH&TS service high performance in WLAM. Pest control is part of the [Trusted Trader Scheme](#), and continues to achieve positive customer service feedback.

The range of service provided has expanded in recent years to ensure a greater level of assistance to council services, West Lothian households, and business community. Service delivery pricing is based mainly on treatment costs, not just visits. This has provided excellent value for money to date as a treatment can cover a number of visits to ensure a satisfactory outcome to the customer concerns. However, it is clear that the real costs of some treatments have not been reviewed and updated to reflect the costs of service delivery.

The service provides significant savings to other council services in comparison with procuring external service providers. Having pest control in-house also means that any issues can be quickly resolved through internal governance and council management.

The professional knowledge and competence of the pest control team are essential to the other public health and safety duties of the environmental health team. They are used and consulted on many occasions by Environmental Health Officers in food safety investigations and interventions, and investigation of public health nuisance concerns.

The service was delivered throughout the recent COVID pandemic as an essential service. Although demand for the service and the service delivery model changed there was a clear indicator of the public health importance of pest control as the number of complaints and requests for service regarding rat activity increased significantly. In comparison with the average number of calls of the previous two years the number of calls increased by almost 300% in 2020. While so many council staff worked from home, the pest control team have been out providing a direct frontline service helping the West Lothian population in very challenging times.

### **D3 Legal Responsibility, Public Health and Property Protection**

West Lothian Council as a property and landowner has legal obligations and duties to prevent and control pest activity in its property or on its land. The consequences of pests can be significant in terms of public health, disease transmissions, building damage (including fire prevention), restriction on service delivery, and reputational damage.

This does not mean it has to provide pest control internally, but it does mean it has to take preventative steps to avoid pest problems, and reactive steps to address any concerns. Use of external providers for the range of premises and land uses within the council could prove to be very costly. A number of council sites are particularly sensitive in terms of health controls – schools, care settings, food production and therefore a combined preventative and reactive approach would be very important.

### **D4 Proposals to update fees and charges**

The existing fees and charges for pest control have been in place for a long time, with only annual inflationary increases being applied. There is no evidence available of how these costings were reached initially and a recent review has identified that these are not reflective of the costs of providing some treatments at this time.

The current fees for treatments do not limit the number of visits to complete a treatment. The average number of visits for treatments has been reviewed and this clearly demonstrates that the actual costs of treatment far exceed the fee currently being charged.

A review of charges from other pest control providers was also carried out. Whilst the specific costs are not readily available there are average figures available from various sources. It is also clear from this information that treatment costs are based on a defined number of visits or actions.

The revised cost proposals are set out in Appendix 1 of this report.

It is important to state that concessions will still apply to any treatment costs, and housing tenants will continue to have treatment costs covered by the council as landlord. The internal pest control treatment service will still deliver best value, and better value than external service providers to council services requiring pest control assistance.

The revised fees and charges would apply from 1 April 2023, and would rise in line with the agreed annual rate of inflation. Any need to revise charges beyond this would go through the appropriate scrutiny and approval process.

## **E. CONCLUSION**

It is essential that any cost recovery for ensuring the ongoing delivery of pest control treatment by the council is realistic and reflective of actual costs.

## **F. BACKGROUND REFERENCES**

1. [Information regarding pest control treatments and fees and charges for service](#)  
– link to website.

Appendices/Attachments: One

Appendix 1 – Proposed fees and charges for pest control treatment.

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

**Craig McCorriston,**  
**Head of Planning, Economic Development and Regeneration**

17 January 2023

## Appendix 1

### Proposed fees and charges for pest control treatment

The current fees and charges for most pest control treatments are set for the whole treatment and not visits. A treatment can involve a number of visits to resolve the pest problem. The current fees and charges for a number of treatments are therefore not reflective of actual costs of service delivery and need to be updated.

A review of treatment costs has been carried out. It identified that costs for treatments for rats, mice, and insect pests (not wasps) were not reflective of actual costs as these created the need for a number of visits to resolve. There is currently no specific limit set for the number of visits as part of a treatment. Costs from external providers would specify costs based on a maximum number of visits.

It is therefore proposed to establish costs and visit limits which are reflective of the cost of service delivery. The existing and proposed costs are provided below to show the difference in costings for these treatments. The change is also represented against average prices for external pest control companies. This helps to demonstrate that costs are still providing good value to customers and the council. Only the treatment costs which are proposed to change are included. Other treatment costs e.g. wasps, squirrels, bed bugs, previously agreed, will remain as they are as they have been assessed to be appropriate. Details of these are available using the link in Section F of this report.

The costings are based on staff costs, travel and vehicles, materials, equipment, visits per treatment, administration, and VAT which is required. The average visits per treatment is five, and therefore this will be set as the limit. Any treatment required beyond this would require a request and agreement from the customer, and full payment of the treatment fee to cover a maximum of five further visits. It is likely this will be unnecessary in most cases, and experience has tended to indicate that it is generally required where the home owner or occupier has not taken steps to help control the pest problem. In such cases at the moment we reserve the right to withdraw treatment.

This will not apply to commercial establishments paying commercial rates where the job is based on hourly rates, and may be part of an ongoing treatment and monitoring contract. Concessions of 50% will still apply in appropriate circumstances.

Proposed fees will apply from 1 April 2023, and will rise in line with the annually agreed inflation rate. Any revision required beyond that increase will be subject to appropriate scrutiny and approval by the Council Executive.

Pest	Existing Cost (no visit limit – avg 5 visits) (Includes VAT)	<b>Proposed Cost (5 visit maximum) (Includes VAT)</b>	External provider cost - (avg cost of external pest control firms) (VAT unknown)	External provider cost based on 5 visits. (VAT unknown)
Rats	£94.10	<b>£162</b>	£120-£190 (2 visits)	£300-£475
Mice	£94.10	<b>£162</b>	£120-£190 (2 visits)	£300-£475
Fleas	£94.10	<b>£162</b>	£80-£140 (1 visit)	£400-£700
Other insects	£74.46	<b>£162</b>	£100-£200 (1 visit)	£500-£1000



DATA LABEL: PUBLIC



## **COUNCIL EXECUTIVE**

### **WEST LOTHIAN COMMUNITY CHOICES UPDATE**

#### **REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES**

##### **A. PURPOSE OF REPORT**

The purpose of this report is to provide an update on the development and delivery of Community Choices (Participatory Budgeting) in West Lothian.

##### **B. RECOMMENDATION**

It is recommended that Council Executive:

1. Notes the content of the action plan in Appendix 1 and the range of projects currently subject to Community Choices processes; and
2. Notes the training plan for officers, elected members and community partners, to be delivered in the first quarter of 2023.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership.
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	The council is required to have transparent planning and governance. COSLA and the Scottish Government have agreed a Community Choices Framework, with targets that councils are required to deliver.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None.
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	Community Choices is relevant to all LOIP outcomes.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	At least 1% of council budgets, excluding council tax, should be subject to Community Choices processes.
<b>VII</b>	<b>Consideration at PDSP</b>	Not required.

## **VIII Other consultations**

Community Choices champions within each service have been consulted.

### **D. TERMS OF REPORT**

#### **D.1 Background**

Participatory Budgeting (PB), known as Community Choices in Scotland, is a democratic process which empowers communities to have a say in how local budgets are spent. It supports a more participatory democracy and enables communities (of interest, identity or place) to be involved in making decisions about their own needs.

COSLA leaders committed to a Framework Agreement in October 2017 which stated that at least 1% of local authority budgets (excluding council tax) would be subject to PB by the end of 2020/21. A report agreed by Council Executive in November 2019 set out the initial budget areas that would adopt this approach. Further reports in December 2020 and June 2021 provided progress updates on key areas of PB development, implementation of a digital consultation platform (Consul), and additional budgets identified to be spent using a PB approach.

#### **D.2 Community Choices Working Group and Action Plan**

The Community Choices Working Group meets regularly to update and monitor the progress of PB projects and to discuss how to further roll out and imbed PB in the day to day operation of the council. The group has created an action plan which summaries the future areas of focus for the council in terms of PB and this is attached as Appendix 1.

An update is provided below on all current or planned programmes being delivered via a Community Choices approach:

##### **D.2.1 Operational Services**

###### Open Space – Play Areas

The capital budget for play areas focusses on the maintenance of existing play equipment within existing play areas. Where new play areas are being delivered to provide facilities for new housing developments and where there are large scale refurbishments of existing play areas, these will be delivered using a West Lothian Community Choices approach to consultation. Large scale refurbishments that would be subject to this approach will typically include replacement of several pieces of play equipment in its entirety and alteration of the play area footprint.

Eight West Lothian parks have now been improved using a two stage community choices approach. The local community are given an opportunity to suggest the improvements they would like to see within the park area and officers then work up these ideas and provide costings. The community are then asked to vote for their preferred options and the most popular options are implemented within the available budget.

###### Open Space Parks – Planned Improvements

The capital budget for parks will be focused on the maintenance of existing features to ensure parks remain fit for public use e.g. footpaths, fencing, gates, stairs, drainage, and seating remain safe. However, where typical park features are in

good repair but the scale and variety of recreation and sports facilities, access quality, amenity value, or biodiversity value could be improved, then works will be determined using a West Lothian Community Choices approach. This ensures that the local community directly decide how the park will be improved to an acceptable overall standard. For example, this could give the community a choice between habitat restoration or inclusive access, or between drainage upgrades or adding new sports facilities.

### Grounds Maintenance

Grounds Maintenance officers are developing proposals for new routine maintenance programmes in conjunction with Ecology and Biodiversity Officers. These proposals will be informed by public feedback received during the now completed Community Choices consultation process.

### Litter Bins

Smart compactor bins have now been installed across pilot locations suggested by the local community, along with using the knowledge of staff. The bin sensor data will be used to ensure that the type, size and location of the bins meets community needs and bins meet the criteria set out in the proposed Litter Bin Plan.

Longer term there will be a Community Choices consultation on bin provision across West Lothian. This will be carried out in two stages:

- **Stage 1** – a high level survey will be undertaken on a West Lothian wide basis on the priorities of the existing Litter Bin Plan. This will establish whether the communities of West Lothian agree that the current priorities are appropriate.
- **Stage 2** – this would involve the development of options for local areas and would be undertaken on a phased ward by ward basis. This will enable officers to have more detailed conversations with communities to better meet the priorities of each ward and to direct resources to ensure that community needs were being achieved.

### Future Development Areas with Operational Services

There is an opportunity to investigate options for local communities to influence spending within the Winter Maintenance Programme. This could include locations of grit bins and identifying other priorities for communities. Officers will meet in summer 2023 to plan a Community Choices approach.

## **D.2.2 Education**

### Pupil Equity Fund (PEF)

Education Services has agreed a stretch aim that will commit all schools to spend at least 3% of their PEF budgets (a total of £167,000) via a community choices approach. In 2021/22, 67% of schools utilised their PEF budgets in this way. The focus of these devolved budgets will be 'the cost of the school day' and all schools will have an updated poverty proofing statement which has evolved through participatory budgeting approaches with the school community, and through which they can demonstrate the impact of improvements on learning, engagement and families.

Opportunities will also be explored with schools to pilot the use of the Young Scot platform, which has been designed for PB processes. This could be via a

Community Choices PEF process or for a school to use the Young Scot platform to encourage engagement in another West Lothian Community Choices process.

#### CLD Youth Services

It has been agreed that 1% of the youth club budget will be subject to a community choices approach. This amounts to £10,417 in 2022/23. Work is underway to engage young people who attend youth clubs to enable them to decide how this budget is spent. The process in this first year will take the form of a small grant fund and applications will be invited from individual youth clubs. The process for evaluating and approving the grant applications is currently being decided.

#### Future Development Areas Within Education

A joint project is being undertaken by Education and Operational Services to increase the uptake of free school meals, and PB processes will be incorporated into that project, ensuring that pupils are able to influence any changes being made.

Further suitable budgets are also being considered, including within Adult Learning and Sports Development/Active Schools.

### **D.2.3 Social Policy**

#### Children's Services Plan

West Lothian Children's Services joint commissioning plan relates to services for children and young people based on the Children's Services Plan, The Promise and strategic needs assessments and is a broad process for making decisions on utilising available resources. The plan will be a partnership approach with the third sector and is proposed to be planned for a three to five year period with overarching areas of: early intervention and prevention, mental health and wellbeing, support for families of children with a disability, supporting vulnerable young people to transition to adulthood and specialist support services.

Engagement with local communities provides a key mechanism for ensuring that services are planned and led in a local way. It has been identified that children, young people and their families should be able to participate in four ways: as individuals, as communities, at strategic level and national level (participation engagement strategy). The aim is to ensure that children, young people, care experienced, parents and carers have the opportunity to have a say and have a range of ways of engaging including Having Your Say Forum, Advocacy services, Kinship Care Group, Listen and Link direct referral service.

The formation of the mental health PSP (Roots) and the Listen and Link service are approaches of working alongside children, young people and their families to improve and sustain emotional mental health and wellbeing outcomes.

#### Integrated Joint Board (IJB) Strategic Plan

The IJB is currently considering a strategic plan and scope for a community choices approach will be assessed by IJB officers as they prepare delivery and commissioning plans.

#### Future Development Areas Within Social Policy

Further budgets suitable for adopting a PB approach will be sought across all Social Policy thematic areas.

## **D.2.4 Community Wealth Building/Community Planning**

### Grants/One-Off Projects

Community wealth building and community empowerment are part of a shared vision to improve outcomes for local communities, and PB is one of the tools available to support this vision.

Pilot small grant projects in Blackburn and Craigshill in the past year have demonstrated the potential benefits of PB processes for the award of grants. The benefits include not only directing resources to meet the needs and priorities of communities but also the potential for increased community participation in other community engagement exercises. Therefore, it is proposed that further work is undertaken in conjunction with third sector partners to consider the potential role of PB going forward.

### Equalities Project

A £25,000 grant budget has been made available to help address equalities issues across West Lothian. The Community Choices process to engage relevant groups and communities of interest will build on the learning from previous events carried out in Blackburn and Craigshill and will be delivered in March 2023. Officers from the Community Planning and Community Wealth Building teams will lead on the delivery of the project with support from the council's Equalities Officer.

It was initially planned to deliver this project solely via the online Consul platform. However, further consideration of the target communities has led the team to conclude that a broader range of engagement tools is required, including face to face methods. This is to ensure that as many people as possible can participate in the event and influence the outcome.

### Future Development Areas within Community Wealth Building/Community Planning

Community Choices can be used as a tool to support the delivery of community wealth building. Community Choices champions for each service area will seek to identify areas of crossover and provide support to engage with the West Lothian Community Choices target audience.

Analysis will be carried out on how other local authorities and Community Planning Partnerships are delivering Community Choices, and consideration will be given to whether best practice examples can be replicated in West Lothian.

## **D.2.5 Housing**

### Tenants Environmental Improvements

An allocation of £150,000 per annum is made available to deliver environmental improvement projects on land that sits within the Housing Revenue Account.

### Further Development Areas Within Housing

Officers within Housing are considering opportunities for PB across all other budget areas.

## **D.3 Training Plan**

The following training has been planned for the first quarter of 2023:

### PB Scotland

PB Scotland has been developed by the Scottish Community Development Centre (SCDC) with funding from the Scottish Government. It acts as a hub for sharing learning about the work being done by PB initiatives around Scotland. It also provides updates on events, policy and resources relevant to PB in Scotland, and profiles good examples of PB in action. PB Scotland has agreed to provide two training sessions, for 15-20 council officers, in the new year.

- The first session, to be held in late January 2023, will be an opportunity to take stock of where West Lothian is in terms of mainstreaming PB and look at what the challenges and opportunities are.
- The second session, to take place at the end of February 2023, will look at best practice nationally and the digital systems available to support PB processes and engagement.

### CoSLA

CoSLA is responsible for managing and promoting use of the online engagement platform Consul. CoSLA officers have offered to provide training on the system in the first quarter of 2023 and the following three sessions have been agreed:

- The first session will be delivered on Teams and will provide an introduction and overview of the Consul system. This session should take around 90 minutes.
- A three-hour practical session will be delivered face to face and participants will learn how to set up and manage PB projects on the Consul system.
- The final session will provide support to officers to set up live PB projects.

### Other Training

Council officers are developing Community Choices training that can be delivered to elected members, community planning partners and community councils. The training will be delivered by March 2023.

## **E. CONCLUSION**

Progress continues to be made towards embedding Community Choices processes across all relevant and appropriate council service areas. Further updates will be reported to Council Executive annually, following reporting against the yearly 1% Framework Agreement target to CoSLA in August.

## **F. BACKGROUND REFERENCES**

Previous reports to Council Executive in November 2019, December 2020, June 2021 and June 2022.

Appendices/Attachments: One  
Appendix 1: West Lothian Community Choices Action Plan.

Contact Person: Laura Wilson, Community Planning and Community Choices Lead Officer,  
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**Donald Forrest**  
**Head of Finance and Property Services**

Date of meeting: 17 January 2023

## **WEST LOTHIAN COMMUNITY CHOICES ACTION PLAN (JANUARY 2023)**

### **Actions agreed at Council Executive**

<b>Action</b>	<b>Responsible Officer</b>	<b>Target Timescale</b>	<b>Next Steps</b>	<b>Update</b>
<b>Toolkit / Checklist for Implementing WLCC Processes</b>				
Develop a WLCC checklist (incorporating engaging communities toolkit) for officers to work through in the development/go live of a process.	Ailsa MacKerrow	November 2021	Development of checklist and circulate to members of the WLCC working group for review	<b>Completed – checklist in place.</b>
<b>Training and Partner Engagement</b>				
Elected Member training	Laura Wilson	March 2023	Build on existing training material, consider training timescale, develop engagement checklist of WLCC processes to ensure elected members are aware	An Elected Member training booklet from the Improvement Service is available.
Community Council and Third Sector training and engagement	Susan Gordon / Laura Wilson	March 2023	Provide training to Community Councils and the wider third sector. Discuss how WLC can involve community councils and how community councils can support.	An Elected Member training booklet from Improvement Service can be used.  Incorporate community engagement toolkit into training
Community Planning Partner Training and Engagement	Susan Gordon / Laura Wilson	March 2023	Update CPP on current processes, consider partnership working (what processes can be done jointly but also what can partners support/promote etc)	Use elected member training for CPP.  Incorporate community engagement toolkit into training.

Action	Responsible Officer	Target Timescale	Next Steps	Update
<b>Communication and Engagement</b>				
Consider a corporate dedicated telephone number	Laura Wilson	March 2023	Discuss whether this is necessary/practical and what alternatives there are.	Discussions have been held. An existing telephone number needs to be identified. Officers will consider further.
Develop approach to directly encourage and support participation from those classed as hard to reach	Laura Wilson / Susan Gordon/ Pamela Roccio	March 2023	Prepare and get agreement on a standard approach	Meeting held with Community Planning staff to discuss a standard approach to engagement.
<b>CONSUL and Digital Technology</b>				
Explore options to use CONSUL as a tool for wider engagement and not solely for Community Choices focused engagement. Deliberation and dialogue functionality could be further developed.	Digital Transformation Team/Laura Wilson	Ongoing	Increase interest and traffic to the CONSUL site via interest in other consultations and conversations using CONSUL.  Investigate possible uses of the deliberation and dialogue functionality and a test process	Officers will use CONSUL where appropriate in future Community Choices processes.
Work with COSLA and other local authorities to identify best practice for digital engagement and consultation (CONSUL and other digital options). Also consider alternative and suitable methods of communication, engagement and support for people who are unable to access information online.	Laura Wilson – in liaison with Digital Transformation team and working group	Continuous	Report to working group on identified best practice in other local authorities and how this can be incorporated into West Lothian Community Choices. Support working group to implement hybrid engagement options and increase use of CONSUL.	Three officer training sessions, delivered by CoSLA, are scheduled for early 2023



Action	Responsible Officer	Target Timescale	Next Steps	Update
Work with COSLA and the Alan Turing Institute to build artificial intelligence (AI) functionality onto the CONSUL platform	Digital Transformation Team	Pre Dec 2022	Liaise with COSLA on development and implementation. Include options to benefit customers and WLC.	CoSLA advised that summarisation of free text comments can be done in partnership with Warwick University
Investigate development of CONSUL to incorporate online support tools, for example Recite Me	Kian MacKay / Lewis Carr	June 2023	Gather stats regarding use of Recite Me on WLC website.	There would be an annual cost of using Recite Me. Officers will explore using existing CONSUL accessibility functions.
Consider how Community Councils could support the development of CONSUL	Laura Wilson / Kian MacKay / Susan Gordon	March 2023	Include in discussions with Joint Forum of Community Councils – how are they developing Community Councils to embrace technology?	Funding bid by JFCC submitted – result of bid due early 2023.
Accessible technology to support engagement and access to CONSUL	Kian MacKay	24 January 2022	I-Pad/tablet bank now available	<b>Complete</b>
<b>Education - Schools</b>				
All schools will engage in Community Choices and PEF budgets will be aligned to this	Arlene Black / Laura Wilson /	All schools to be participating by June 2023	Consider what training schools need to fully understand PB and enable them to deliver robust Community Choices processes	Education Services has agreed that 3% of PEF budgets will be aligned to Community Choices and this is being implemented.

Action	Responsible Officer	Target Timescale	Next Steps	Update
Development of approaches and engagement in schools. This could include: <ul style="list-style-type: none"> <li>• Identification and sharing of good practice</li> <li>• Schools engaging with other WLCC processes in their local area.</li> </ul>	Laura Wilson / Arlene Black /	June 2023	Discuss training requirements of schools in order to fully understand and utilise Community Choices processes	Community Choices continues to be implemented in schools.
Education evidence gathering on impact of WLCC processes in schools	Arlene Black	June 2023	Agree what information would be useful to gather and create a template in Forms.	Officers will create a template.
Opportunities to be explored with schools to pilot the use of the Young Scot platform which has been designed for PB processes. This could be via a Community Choices PEF process or for a school to use the Young Scot platform to encourage engagement in another West Lothian Community Choices process.	Arlene Black/Laura Wilson/Jane Alexander	Pilot schools to have delivered a process by June 2023	More info/research of Young Scot platform required. Consider a pilot with a small number of secondary schools. Discuss opportunity for Regeneration/Youth Services to support the engagement	Officers will progress.
<b>Education – Non-School Services</b>				
Funding available for delivering youth provision is allocated using a West Lothian Community Choices approach	Jane Alexander / Laura Wilson	March 2023	A small grant process is currently being developed and rolled out.	£10,417 (1%) of the youth club budget has been allocated for WLCC in 2022/23
Identify an Adult Learning budget that would be suitable for a PB process	Laura Wilson	March 2023	Adult Learning to identify a budget and look at options for allocating via Community Choices	Officers are reviewing this.
Identify a Sport/Art Team budget that would be suitable for a PB process	Shirley-Anne Smith/Laura Wilson	March 2023	Consider whether a PB approach could be taken to the allocation of a £40k sports grant fund.  Look for suitable Arts budgets.	Discussions are continuing with the Sport Development team to discuss Sports budgets

Action	Responsible Officer	Target Timescale	Next Steps	Update
<b>Social Policy WLCC Processes</b>				
Development and approval of Children and Families commissioning plan. Identification of WLCC suitable contracts, including Public Social Partnerships. Identify support required to implement a WLCC approach.	Susan Mitchell	Dec 2023	Officers to look at the approach and support required.	
Investigate opportunities to increase engagement of children and young people supported by the Children and Families services in other relevant council engagement processes	Laura Wilson	Dec 2023	Investigate how current contact with children and young people can be used to empower them in other engagement processes.	
IJB – a new IJB strategic plan and strategic needs assessment is being developed. A community choices approach will be considered by IJB officers.	Sharon Houston	Dec 2023	The new strategic plan is being prepared and IJB officers will consider scope for a community choices approach.	
<b>Operational Services</b>				
Continue delivery (and support to delivery) of WLCC processes for previously approved budgets – park improvements, play areas, public art, litter bins and grounds maintenance (including biodiversity)	Laura Wilson / Andy Johnston	Throughout year	Continuing support – increase planning within the area.	
Investigate options and report back to Council Executive on using WLCC engagement for the refresh of the Open Space Plan	Andy Johnston / Laura Wilson	Spring 2023	A report will be prepared.	

Action	Responsible Officer	Target Timescale	Next Steps	Update
Investigate and develop WLCC approach for roads capital budgets. For example; where there is block funding for road improvements, the condition and suitability information will identify a number of roads of similar standard as requiring improvements, the community can be asked to prioritise the order in which the improvements are undertaken.	Gordon Brown / Laura Wilson	Spring 2023	Gather information to consider prioritising work in non-adopted areas such as roads, footways, car parks, garage sites and playgrounds. Information received could help to shape improvements to non-adopted infrastructure.	Gather public opinion through an online survey to determine if appropriate improvements could be considered.
Investigate options for engagement and influence on the Winter Maintenance Programme (locations of grit bins and priorities for the communities)	Gordon Brown / Laura Wilson	Summer 2023	The winter maintenance policy is agreed annually by Council Executive. It is not suitable for engagement to influence this policy or the council's statutory requirements under the Roads (Scotland) Act 1984. Consideration could however be given to investigating minor amendments within budget.	Investigate community expectation in terms of grit bin/self-help salt point locations for consideration.  Laura and Gordon to meet to discuss options.
Investigate options for engagement with pupils, parents and teachers on the foods available within schools, including identifying barriers to uptake of free school meals.	Jamie Fisher / Laura Wilson	Summer 2023		Info provided from Jamie on progress so far. PB processes to be built into the project.
<b>Community Wealth Building Team</b>				
Further work to be undertaken in conjunction with third sector partners to consider the potential role of West Lothian Community Choices in terms of future grants, one-off payments and project funding.	Laura Wilson / CWB Team	Spring 2023		Annual Vol Orgs funding will not be subject to PB. Other opportunities to be examined.

Action	Responsible Officer	Target Timescale	Next Steps	Update
West Lothian Community Choices can support the delivery of CWB. Community Choices champions for each service area to identify areas of crossover as well as providing support to engage with the West Lothian Community Choices target audience.	Laura Wilson / CWB Team	Ongoing		
<b>Housing, Building and Customer Services</b>				
Continue delivery (and support for delivery) of WLCC processes for previously approved budgets – Tenants Environmental Improvements.	Jodie Fullerton / Laura Wilson	Ongoing	Improve planning for Housing to deliver WLCC process	
<b>Other Areas of Development</b>				
Future WLCC processes – Strategy Development - WLCC working group consider opportunities for Community Choices to be part of future developments.	Laura Wilson/ working group	Ongoing	Review opportunities for more WLCC projects and prepare an update and planning report	Laura to consider additional budget areas which could be subject to PB processes.
Research best practice nationally and consider how similar processes can be adopted in West Lothian, where appropriate.	Laura Wilson	Ongoing	Desk top research to be carried out and discussions with PB Scotland and the PB Network	



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## **COUNCIL EXECUTIVE**

### **DEANS SOUTH, LIVINGSTON - REGENERATION AND COMPULSORY PURCHASE UPDATE**

#### **REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES**

##### **A. PURPOSE OF REPORT**

The purpose of this report is to update Council Executive on the proposed regeneration of Deans South, Livingston and the ongoing negotiations to purchase the remaining privately-owned properties within the Deans South regeneration site.

##### **B. RECOMMENDATION**

It is recommended that Council Executive:

1. Notes the background and current position in relation to the wider regeneration of Deans South, Livingston.
2. Notes the current position in relation to negotiations between the council and the owners of the privately-owned properties in Deans South, Livingston to acquire these by mutual agreement.
3. Notes the current position in relation to council officers proceeding with the requirements of promoting a Compulsory Purchase Order in the event that acquisition by mutual consent cannot be achieved.
4. Notes that further updates will be provided as the negotiations and redevelopment of Deans South, Livingston is progressed.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I Council Values</b>	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.
<b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	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. Housing (Scotland) Act 1997. Town and Country Planning (Scotland) Act 1997. Land Compensation (Scotland) Acts 1963 and 1973 as amended.
<b>III Implications for Scheme of Delegations to Officers</b>	None.

<b>IV</b>	<b>Impact on performance and performance Indicators</b>	The proposed redevelopment of Deans South will contribute towards the delivery of the affordable housing programme in line with the approved Strategic Housing Investment Plan (SHIP) 2022 – 2027.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	Acquisition of the properties by way of a CPO will require financial resources which will be reimbursed by Springfield Properties PLC.
<b>VII</b>	<b>Consideration at PDSP</b>	None.
<b>VIII</b>	<b>Other consultations</b>	Legal Services, Housing, Customer and Building Services, Scottish Government and other internal stakeholders.

## **D. TERMS OF REPORT**

### **D.1 Background**

The redevelopment of Deans South continues with Springfield Properties PLC (SPP) progressing infrastructure works to support delivery of the proposed affordable housing within the regeneration site.

There are nine properties situated within the regeneration site that are privately owned and will require to be purchased in order for the regeneration of Deans South to progress. These properties are shown outlined on the location plan at Appendix 1 and their addresses are as follows:

- 74 Deans South, Livingston
- 107 Deans South, Livingston
- 111 Deans South, Livingston
- 121 Deans South, Livingston
- 125 Deans South, Livingston
- 190 Deans South, Livingston
- 192 Deans South, Livingston
- 215 Deans South, Livingston
- 247 Deans South, Livingston

SPP continue to actively engage with these owners, with all nine having received offers to purchase their properties. Seven of those owners have agreed terms in principle with SPP and their respective solicitors are now working to conclude the transactions. The remaining two owners have yet to appoint legal representatives, however both have engaged positively with SPP and are currently in the process of



agreeing terms and appointing legal representatives with a view to concluding the transactions.

## **D.2 Council negotiations and CPO preparations**

On 25 October 2022, Council Executive approved that council officers could commence negotiations to acquire the remaining privately-owned properties situated within the Deans South regeneration site by mutual agreement and for council officers to progress with work to consider the requirements of promoting a Compulsory Purchase Order (CPO).

Officers have therefore commenced preparatory work to instruct the District Valuer to undertake negotiations for the council to acquire, by mutual consent, those properties where legally binding missives have not been concluded between SPP and the private owner. Those missives will require to be unconditional and to the council's satisfaction in enabling SPP to purchase each property. In addition, the District Valuer will provide updated valuations for all of the remaining nine privately owned properties at Deans South.

Work has also been undertaken by the council to instruct external professional legal advisors (Brodies LLP) to provide formal guidance regarding the CPO process and to provide ongoing legal support.

It remains the position of officers that the purchase of the privately-owned properties by mutual consent, either by SPP or the council, is the preferred and most beneficial outcome. In the event that agreement cannot be reached, officers will continue to undertake the necessary actions prior to seeking Council Executive approval to proceed with a CPO. A further report will be brought to Council Executive in Spring 2023 to provide an update on progress.

## **E. CONCLUSION**

The council wishes to see the successful completion of the regeneration of the Deans South site. For the regeneration to progress, it will be necessary for the remaining properties to be purchased either by SPP or the council. Whilst ongoing negotiations to purchase the remaining properties between SPP and the owners remain positive, it is in the council's best interests that officers continue to actively progress with the work necessary for a potential CPO in the event that acquisition of these properties by mutual agreement is not forthcoming.

## **F. BACKGROUND REFERENCES**

Council Executive, West Lothian Strategic Housing Investment Plan 2023/24 to 2027/28, 6 December 2022.

Council Executive, Deans South – 25 October 2022, 17 November 2020, 17 December 2019, 25 June 2019, 17 April 2018.

Services for the Community PDSP, Deans South – 10 December 2019, 11 June 2019, 10 April 2018.

Council Executive, Affordable Housing Delivery Update - 19 April 2022.

PDSP, Affordable Housing Delivery Update – 16 August 2022

Livingston North Local Area Committee – 15 September 2022.

Appendices/Attachments: Appendix 1: Location Plan

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**Donald Forrest**

**Head of Finance and Property Services**

**Date of meeting: 17 January 2023**



	<p><b>Appendix 1 - Location Plan</b></p> <p>Property Management and Development, West Lothian Civic Centre, Livingston, EH54 6FF</p>	<p>Not to Scale</p>	<p>A3</p>	
	<p>6/10/2022</p>	<p>Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. ©Crown copyright. All rights reserved. Licence 100037194 2022</p>		





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## **COUNCIL EXECUTIVE**

### **PLANNING GUIDANCE: HISTORIC BATTLEFIELD - SITE OF BATTLE OF LINLITHGOW BRIDGE (1526) (ALLOCATED HOUSING SITE H-LL 13 AT KETTLESTOUN MAINS, LINLITHGOW BRIDGE).**

#### **REPORT BY HEAD OF PLANNING, ECONOMIC DEVELOPMENT & REGENERATION**

##### **A. PURPOSE OF REPORT**

The purpose of this report is to advise Council Executive of the outcome of the SEA screening determination process relative to Planning Guidance for the development of land embracing LDP allocated housing site H-LL 13 which is also part of the Battle of Linlithgow Bridge battlefield site. The guidance has previously been reported and was approved by Council Executive in November 2022.

##### **B. RECOMMENDATION**

It is recommended that Council Executive:

1. notes that the Strategic Environmental Assessment (SEA) Consultation Authorities agreed with the council's conclusions set out in the relevant "screening report", Appendix 1, that the guidance would have no significant environmental effects;
2. notes that the Head of Planning, Economic Development and Regeneration has since issued a "screening determination", Appendix 2, in relation to the guidance document which concluded that a separate SEA was not required and which confirmed that no separate SEA would therefore be prepared to accompany the published guidance;
3. notes that the identified guidance document, Appendix 3, was adopted on 6 January 2023.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; and working in partnership.
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	<p>Policy HER 31 of the adopted West Lothian Local Development Plan (2018) relates to Historic battlefields, and specifically the Battle of Linlithgow Bridge (1526), while Policy ENV 32 references archaeology.</p> <p>New non-statutory Planning Guidance (and statutory Supplementary Guidance) is replacing Supplementary Planning Guidance (SPG) which had previously supported the superseded West Lothian Local Plan.</p>

The new guidance supports the Local Development Plan and the development management process.

It had previously been determined that the new guidance was in itself unlikely to have significant environmental effects and it was therefore not anticipated that there would be a requirement to make it the subject of separate Strategic Environmental Assessment (SEA). The required screening procedures have however now been satisfactorily concluded, validating these earlier assumptions.

There are no equality, health or risk assessment issues, or SEA issues associated with the guidance.

<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None.
<b>IV</b>	<b>Impact on performance indicators</b>	None.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	Outcome 3 - Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.  Outcome 4 - We live in resilient, cohesive and safe communities.  Outcome 8 - We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	None.
<b>VII</b>	<b>Consideration at PDSP &amp; Council Executive</b>	The guidance was reported to the Development & Transport PDSP on 9 June 2022 prior to it being made the subject of a public consultation. It was subsequently reported to Council Executive on 15 November 2022 and approved.
<b>VIII</b>	<b>Other consultations</b>	None

## **D. TERMS OF REPORT**

### **D1 Background**

The adopted West Lothian Local Development Plan (2018) sets out the council's intent to prepare 'statutory' Supplementary Guidance (SG) and 'non-statutory' Planning Guidance (PG) to support the policies of the LDP.

It was intimated that the main purpose of planning guidance was to provide additional detail on specific subject areas, to explain how particular planning policies and proposals will be implemented and to give assistance to developers and other interested parties when considering development proposals.

The key practical difference is that Planning Guidance (PG) does not become part of the development plan and does not require to be approved by Scottish Ministers before being adopted by the council, as would be the case with Supplementary Guidance (SG).

In this particular instance the guidance is intended to be used by developer(s), agents and architects when bringing forward development proposals for the allocated housing site, H-LL 13, at Kettlestoun Mains and which extends over part of the historic Battle of Linlithgow Bridge battlefield site.

While Council Executive approved this guidance for adoption it nevertheless instructed the Head of Service to report the outcome of the subsequent SEA screening determination process to a future meeting of the Council Executive for information. This report fulfils that requirement.

## **D2      Screening Process**

Local authorities have been required to undertake strategic environmental assessment of their plans and proposals (SEA) since July 2004.

The process is regulated by the EU Directive 2001/42/EC, the Environmental Assessment of Plans and Programmes (Scotland) Regulation 2004 and the Environmental Assessment (Scotland) Act 2005.

Screening is the means to judge the likely impact on the environment of a public plan (in this case planning guidance) and prior to being adopted, new planning guidance requires to be subjected to a screening process in order to determine whether there is a likelihood of it having any significant environmental effects.

Scottish Government has prescribed the process to be followed and it has oversight of this through the SEA Gateway, an agency responsible for coordinating the formal correspondence between the council and the three 'Consultation Authorities' i.e. SEPA, NatureScot (formerly Scottish Natural Heritage) and Historic Environment Scotland (HES)

The council prepared a "screening report" for the guidance which explained its purpose, scope and effect and which argued that no further strategic environmental assessment required to be prepared.

The council has consistently expressed the view that planning guidance is simply to help interpret and provide further detail in respect of policies that are already set out in the adopted West Lothian Local Development Plan and which was itself the subject of a full Strategic Environmental Assessment. As a consequence, additional strategic environmental assessment is neither required nor justified.

The guidance and the relevant screening report were submitted to the 'Consultation Authorities' for independent scrutiny, to allow them to bring their individual environmental expertise to the assessment process, and they concurred with the council's view that a SEA was not required.

The council has since formalised and published its decision that the guidance should be exempted from a separate strategic environmental assessment and has issued a “screening determination” to this effect. The screening report and the screening determination have been made public and can be viewed on the [council's web site](#).

### **D3 Conclusion**

This guidance was produced with the intent of being adopted as non-statutory Planning Guidance (PG) in support of the West Lothian Local Development Plan. The guidance was reported to Council Executive and subsequently secured its approval.

Having then subjected the guidance to a screening process it was established that it did not require to be accompanied by a strategic environmental assessment and it was adopted on 6 January 2023.

### **E. BACKGROUND REFERENCES**

1. [West Lothian Local Development Plan](#) (2018)
2. Reports to [D&T PDSP \(9 June 2022\)](#) and Council Executive [\(15 November 2022\)](#)

Appendices/Attachments: 1

- Appendix 1: SEA Screening Report
- Appendix 2: SEA Screening Direction
- Appendix 3: Adopted Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated Housing Site H-LL 13, Kettlestoun Mains, Linlithgow Bridge

Contact Person: Steve Lovell, Principal Planner, Development Planning: 01506-282428.  
Email: [steve.lovell@westlothian.gov.uk](mailto:steve.lovell@westlothian.gov.uk)

**Craig McCorriston**  
**Head of Planning, Economic Development & Regeneration**

17 January 2023



**APPENDIX 1**



# **SCREENING REPORT**

## **PLANNING GUIDANCE**

### **HISTORIC BATTLEFIELD**

#### **SITE OF BATTLE OF LINLITHGOW BRIDGE (1526)**

**(Allocated housing site H-LL 13 at Kettlestoun Mains,  
Linlithgow Bridge)**

## STEP 1 – DETAILS OF THE PLAN

**Responsible Authority:**

West Lothian Council.

**Title of the plan:**

Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge).

**What prompted the plan:**

(e.g. a legislative, regulatory or administrative provision)

The West Lothian Local Development Plan (WLLDP) gives an undertaking to produce guidance in relation to a variety of planning policy topics including the protection of the natural environment from inappropriate development.

The guidance sets out detailed criteria to assist the preparation and assessment of planning applications across the plan area and specifically supports policies:

- ENV 31 - Historic Battlefields: Battle of Linlithgow Bridge;
- ENV 32 - Archaeology; and
- ENV 33 - Scheduled Monuments.
- 

of the adopted LDP.

There is no extant Supplementary Planning Guidance (SPG) related to the historic environment in West Lothian. As a consequence there is recognition of the need to ensure that the council's planning guidance arising from the local development plan adopted in 2018 is up to date and reflective of the most current LDP policies and best practice.

**Plan subject:**

(e.g. transport)

Town and Country Planning

**Screening** is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

☐

**An SEA is required, as the environmental effects are likely to be significant:** Please indicate below what Section of the 2005 Act this plan falls within

☐

Section 5(3)

☐

Section 5(4)

☒

**An SEA is NOT required, as the environmental effects are unlikely to be significant:** Please indicate below what Section of the 2005 Act this plan falls within

☒

Section 5(3)

☐

Section 5(4)

**Contact details:**

Steve Lovell,  
Principal Planning Officer,  
West Lothian Council Civic Centre  
Howden South Road,  
Livingston, EH54 6FF.

01506 - 282430 / [steve.lovell@westlothian.gov.uk](mailto:steve.lovell@westlothian.gov.uk)

**Date:**

20 June 2022

## STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

### Context of the Plan:

The West Lothian Local Development Plan (WLLDP) was adopted on 4 September 2018.

A Strategic Environmental Assessment - Environmental Report was published in August 2014, which set out the likely significant environmental effects of implementing the strategy for the development contained within the LDP and is the primary means by which development sites are allocated. Each site allocated for development within the LDP has been subject to an individual site assessment.

The principal Report of Examination was issued on 11 December 2017 (augmented with an additional Report of Examination dealing with a single site issue issued on 8 January 2018).

The West Lothian Council Executive committee on 22 March 2018, resolved to accept all of the modifications recommended in the Report of Examination, and agreed to adopt the Local Development Plan (as modified). This was notified to Scottish Ministers on 5 April 2018. At the same time, the council made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the modifications proposed by the DPEA to the West Lothian Local Development Plan were unlikely, overall, to have any major significant negative environmental effects and that a further SEA was not required.

Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge), is required to support the understanding and delivery of three policies e.g. ENV 31 – ENV 33 in the adopted West Lothian Local Development Plan (2018).

The PG will expand on the principles of these policies and will provide detailed guidance to help achieve the outcomes expected from development proposals for the allocated housing site that covers part of the Linlithgow Bridge Battlefield.

The proposed Planning Guidance provides some location specific guidance.

The guidance identifies good practice in-line with the related policies and other guidance provided by Historic Environment Scotland related to battlefields.

### Description of the Plan:

The proposed Planning Guidance expands on the principles set out in the three policies outlined in the section above and provides detailed guidance to help achieve the outcomes expected from any planning application(s) related to the allocated housing site H-LL 13 at Kettlestoun, West Lothian.

The planning guidance is intended for use by anyone considering this sort of development within West Lothian including:

- Developers and their Agents working for their clients on any development at allocated housing site H-LL 13 at Kettlestoun;
- Development Management Officers assessing planning proposals, as well as Historic Environment Scotland officers;

	<ul style="list-style-type: none"> <li>• Elected Members representing constituents and making decisions on related planning applications; and</li> <li>• Members of the public with an interest in this large specific site located within their local community.</li> </ul> <p>The Planning Guidance will be reviewed at least every 10 years in line with the statutory review of the West Lothian Local Development Plan (or as required by emerging legislation).</p>
<p><b>What are the key components of the plan?</b></p>	<p>This Planning Guidance covers the following issues:</p> <ul style="list-style-type: none"> <li>• Background to Battle of Linlithgow Bridge;</li> <li>• Local Development Plan context and Policy ENV 31: Linlithgow Bridge battlefield and support in principle for sensitive management and interpretation of the site;</li> <li>• Scottish Government Planning Advice Note (PAN 2/2011) on 'Planning and archaeology';</li> <li>• HES 'Managing Change in the Historic Environment: Historic Battlefields' (2016) and the three key stages in the Development Management process relating to considering applications that effect historic battlefields: <ul style="list-style-type: none"> <li>a) Identify;</li> <li>b) Assess; and</li> <li>c) Mitigate.</li> </ul> </li> <li>• Requirements related to planning applications within Linlithgow Bridge Battlefield Inventory area (see Appendix 2) and that they will be assessed by the council's archaeological services provider, West of Scotland Archaeological Service.</li> </ul>
<p><b>Have any of the components of the plan been considered in previous SEA work?</b></p>	<p>Yes. The document is produced to support a number of policies in the West Lothian Local Development Plan which was adopted on 4 September 2018. An Environmental Assessment has previously been undertaken in respect of policies and related proposed land allocations in the West Lothian LDP.</p> <p>The Environmental Assessment undertaken in respect of these policies concluded that they would have no significant environmental implications. Any impacts of the policies were considered to be largely positive e.g.; in that they promoted good practice for securing sustainable development related to the historic environment.</p> <p>In order to ensure compliance with the Environmental Assessment (Scotland) Act 2005, a Screening Opinion for this Planning Guidance is required.</p>
<p><b>In terms of your response to Boxes 7 and 8 above, set out those components of the plan</b></p>	<p>The proposed Planning Guidance will expand on the principles set out in the aforementioned ENV 31-33 policies and provide detailed guidance to help achieve the outcomes expected from development proposals for the allocated housing site H-LL 13 at Kettlestoun, Linlithgow Bridge.</p>

**that are likely to require screening:**

The guidance will support consistent interpretation and application of policy through the development management process. The guidance will at the same time encourage good practice in-line with policies and other similar guidance arising from Historic Environment Scotland.

The potential environmental effects of any proposed development considered under the terms of the policies can however only be fully assessed at the planning application stage when development details are known.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND  
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Planning Guidance – Linlithgow Bridge Battlefield / Allocated housing site H-LL 13 at Kettlestoun, West Lothian.							✓	✓	✓	✓	<p>The PG brings together all of the elements that help contribute towards minimising environmental impact and achieving sustainable development at the allocated housing site H-LL 13 at Kettlestoun, West Lothian.</p> <p>It provides a clear set of guidance and standards to explain what the council will expect from such new developments and identifies what information is required as part of a planning application(s).</p> <p>It also provides contact details for various Council Services and other organisations with an interest in the historic battlefield.</p>	<p>The SEA for the LDP considered any potential effects.</p> <p>The Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge) that covers part of the wider Linlithgow Bridge Battlefield is not considered to have any additional significant negative environmental effects that can't be ameliorated via any required archaeological investigation and recording.</p>

											<p>The PG shares the strategic objectives of the LDP which include promoting development where its environmental impact can be ameliorated and having regard to climate change by minimising the carbon footprint of development and supporting mitigation and adaption measures.</p> <p>Any impact on the Environmental Topic Areas while potentially important to the cultural heritage of the site, will be positive and beneficial following any required archaeological investigation and recording.</p>	
--	--	--	--	--	--	--	--	--	--	--	---	--

#### STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING REPORT

##### **Summary of interactions with the environment and statement of the findings of the Screening:**

(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

The council has prepared this Planning Guidance to proactively inform and encourage developers to adopt a more considered approach when preparing proposals for the allocated housing site H-LL 13 at Kettlestoun, that covers part of Linlithgow Bridge Battlefield.

The guidance has been conceived to help positively influence the nature of development on the allocated site and to mitigate any adverse effects on both the individual site and the surrounding environment.

Developers are encouraged to identify and address in particular the consequences of their proposals to alter, adapt or change the allocated housing site H-LL 13 at Kettlestoun and to adopt 'best practice' in relation to historic battlefields.



With careful thought and sensitive execution, proposals related to the Linlithgow Bridge Battlefield. can be made to be in much better harmony with their neighbours and the wider natural environment on the sensitive site on the west side of the town.

In common with other planning guidance prepared by West Lothian Council, it will be subject to external consultation, in this case with Historic Environment Scotland and community councils, planning consultants and developers as well as local interested organisations and regard will be given to the responses and feedback which has been received and presented to elected members to consider.

In conclusion, the Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge) will result in no major, or minimal, environmental effects and therefore it is concluded a SEA is **NOT** required.

The guidance sets out detailed criteria to assist the development and assessment of proposals for the allocated housing site H-LL 13 at Kettlestoun, West Lothian and specifically supports historic environment policies: ENV 31 – ENV 33 of the adopted LDP which collectively seek to prevent and minimize visually and environmentally intrusive development related to the historic built environment.

When completed send to: [SEA.gateway@scot.gov](mailto:SEA.gateway@scot.gov) or to the SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ.

**Environmental Assessment (Scotland) Act 2005****Strategic Environmental Assessment (SEA) Screening Determination****Planning Guidance (PG)  
Historic Battlefield – Site of Battle of Linlithgow Bridge (1526)  
(Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge)****Table of Contents of Screening Determination****1. Introduction****2. Record of SEA Determination and Publicity Requirement****3. SEA Screening Report**

- ◆ Cover Note
- ◆ Key facts
- ◆ Likely Significance of Effects on the Environment
- ◆ Summary of Environmental Effects

**4. Responses from Consultation Authorities**

- ◆ Scottish Government SEA Gateway Response
- ◆ Historic Environment Scotland Response
- ◆ NatureScot Response
- ◆ Scottish Environment Protection Agency Response

**5. Appendices**

- ◆ Appendix 1 - Planning Guidance on the Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge).
- ◆ Appendix 2 - Statutory Notice

## 1. Introduction

This statement sets out West Lothian Council's determination under Regulation 10(1) of the Environmental Assessment (Scotland) Act 2005 on whether or not a Strategic Environmental Assessment (SEA) is required Planning Guidance (PG) – Historic Battlefield – Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge.

Screening is the first stage in the SEA process. The purpose of screening is to establish whether or not a Plan, Programme or Strategies (PPS) will have significant environmental effects. Screening takes the form of a formal submission, where the responsible authority (the Council), seeks the views of the following Consultation Authorities on whether a PPS is likely to have significant environmental effects and therefore whether a SEA is required:

- ◆ Historic Environment Scotland (HES)
- ◆ Scottish Environmental Protection Agency (SEPA), and
- ◆ NatureScot

As well as consulting the above bodies, responsible authorities are required to take into account the criteria set out in Schedule 2 of the 2005 Act when determining whether or not the plan is likely to have significant effects. The details of this process are contained within the Screening Report on the Planning Guidance on the Historic Environment.

If the responsible authority and the consultation authorities agree that the plan or programme is unlikely to have significant environmental effects, the responsible authority is required to make a determination to that effect under section 8(1) of the 2005 Act.

## 2. Record of SEA Determination and Publicity Requirements

<b>Title of Plan, Programme or Strategy:</b>	Planning Guidance - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge).
<b>Responsible Authority:</b>	West Lothian Council

### Record of SEA Determination:

In accordance with section 9(1) of the 2005 Act, West Lothian Council submitted to the Consultation Authorities a screening report summarising its views as to whether West Lothian Local Development Plan Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) will have significant environmental effects.

In formally determining under Section 8(1) of the Act whether a SEA is required, the Council has taken into account the views of the three Consultation Authorities; Scottish Environment Protection Agency, NatureScot and Historic Environment Scotland which were issued through the SEA Gateway on 7 December 2022.

West Lothian Council and the Consultation Authorities are in agreement that the West Lothian Local Development Plan Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) is not likely to have significant environmental effects and **the Council has therefore determined that a SEA will not be required** for the plan under Regulation 13(1) of the 2005 Act.

CONSULTATION AUTHORITY	LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS
Historic Environment Scotland	No
Scottish Environment Protection Agency	No
Nature Scot	No
<b>OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS</b>	<b>No</b>

Formal Determination	Statement of Reason
13 December 2022	<p>West Lothian Council's reasoning for determining that there are no overall likelihood of significant environmental effects is as follows:</p> <p>West Lothian Council has prepared a local development plan to replace the West Lothian Local Plan 2009 (WLLP 2009) in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) etc. Act 2006.</p>

	<p>The new West Lothian Local Development Plan (LDP) was adopted on 4 September 2018 and is consistent with the Strategic Development Plan for Edinburgh and South East Scotland (SDP).</p> <p>The LDP focuses on providing for, and managing, future land use change across the council area in line with SESplan SDP requirements. The LDP comprises a development strategy for the period to 2024 and a detailed policy framework to guide future land use in a way which best reflects the SDP vision, strategic aims and objectives.</p> <p>The West Lothian Local Development Plan Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge). sets out a framework to assist the preparation of planning applications by owners and developers and their assessment by West Lothian Council related to the development of land embraced by the historically important site of the Battle of Linlithgow Bridge.</p> <p>The council recognises the need to ensure that it's planning guidance arising from the local development plan adopted in 2018 is up to date and reflective of the most current LDP policies and best practice.</p> <p>The West Lothian Local Development Plan Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) is essentially to provide further information and detail in respect of policies ENV 31 - Historic Battlefields: Battle of Linlithgow Bridge; ENV 32 - Archaeology; and ENV 33 - Scheduled Monuments of the adopted West Lothian Local Development Plan which was subject of a full Strategic Environmental Assessment (SEA). The SEA was reviewed in the Post Adoption Strategic Environmental Assessment.</p>
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#### **Publicity Requirements for the Determination:**

In accordance with section 10(1) of the Environmental Assessment (Scotland) Act 2005, within 28 days of the determination having been made, the Council will send a copy of the formal determination and related statement of reasons (prepared in accordance with section 8(2)(b) to the Scottish Government SEA Gateway and the three Consultation Authorities.

In accordance with section 10(2) of the 2005 Act, within 14 days of the determination having been made, a copy of the determination, along with the Screening Report, shall be provided for inspection by the public. The current Coronavirus emergency prevents physical copies being made for inspection at West Lothian Council's principal office at the West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF; but they can instead be requested by e-mail from [wlldp@westlothian.gov.uk](mailto:wlldp@westlothian.gov.uk).

The determination shall also be published in the West Lothian Courier and Linlithgow Journal & Gazette newspapers to notify the public and will be available to view at [www.westlothian.gov.uk](http://www.westlothian.gov.uk) from 22 December 2022. A copy of the statutory notice is provided as Appendix 2.

<b>Signature:</b>	Craig McCorriston, Head of Planning, Economic Development & Regeneration
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<b>Date:</b>	<b>13 December 2022</b>
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### 3. SEA Screening Report

#### Cover Note

#### Part 1

**To:**

SEA.Gateway@gov.scot

or

SEA Gateway  
Scottish Government  
2-H (South)  
Victoria Quay  
Edinburgh  
EH6 6QQ

#### Part 2

**A SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:**

Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge)

**The Responsible Authority is:**

West Lothian Council

#### Complete Part 3 or 4 or 5

#### Part 3

**Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:**

☐

A SEA is required because the PPS falls under the scope of Section 5 (3) of the Act and is likely to have significant environmental effects.

☐

A SEA is required because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects.

☒

A SEA is not required because the PPS is unlikely to have significant environmental effects.

**Part 4**

☐

The PPS does not require a SEA under the Act. However we wish to carry out a SEA on a voluntary basis. We accept that because the SEA is voluntary the Statutory 28 days timescale for views from the Consultation Authorities cannot be guaranteed.

**Part 5**

☐

None of the above apply. We have prepared this screening report because:

.....

NotApplicable.....

.....

**Part 6**

**Contact Name:** Steve Lovell

**Job Title:** Principal Planner.

**Contact Address:** c/o Civic Centre, Howden South, Livingston, EH54 6FF.

**Contact Phone:** 01506 282430 (although currently part working from home).

**Contact email:** [steve.lovell@westlothian.gov.uk](mailto:steve.lovell@westlothian.gov.uk)

**Part 7**

**Signature:** Steve Lovell

**Date:** 13 December 2022

Key Facts	
<p>West Lothian Council has undertaken screening of Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005.</p> <p>The Screening Report has been submitted to the Scottish Government SEA Gateway, setting out the views of West Lothian Council on the likelihood of the significant environmental effects of Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005 and the potential for requiring a SEA.</p>	
<b>Responsible Authority:</b>	West Lothian Council
<b>Title of PPS:</b>	Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge)
<b>Purpose of PPS:</b>	<p>The purpose of this Planning Guidance (PG) is to support Local Development Plan policies ENV 31 - Historic Battlefields: Battle of Linlithgow Bridge; ENV 32 - Archaeology; and ENV 33 - Scheduled Monuments.</p> <p>The PG will expand on the principles of these policies and will provide detailed guidance to help assist the preparation of planning applications by owners and developers and their assessment by West Lothian Council related to the development of land embraced by the historically important site of the Battle of Linlithgow Bridge.</p> <p>While the proposed Planning Guidance provides location specific guidance, it also supports consistent interpretation and application of policies related to the historic environment more generally through the established development management process.</p> <p>The guidance identifies good practice in-line with the related policies and other similar guidance provided by Historic Environment Scotland.</p>
<b>What promoted the PPS: (e.g. a legislative, regulatory or administrative provision)</b>	West Lothian Council adopted the West Lothian Local Development Plan on 4 September 2018 after Scottish Ministers confirmed the council could do so. It now forms part of the Development Plan for West Lothian along with the Strategic Development Plan (SDP) for Edinburgh and South-east Scotland.



	<p>The Council has a programme to prepare a suite of new guidance to support the recently adopted West Lothian Local Development Plan,</p> <p>Specifically, Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) has been written with the intention of becoming non-statutory planning guidance (PG) to support the historic environment related development plan policies.</p>
<b>PPS Subject: (e.g. transport)</b>	The policies are integral to the strategic spatial land use strategy which applies across West Lothian. In terms of this PG, they are particularly associated with protecting and enhancing the historic environment and contribute towards delivery of the spatial strategy set out in the LDP.
<b>Period covered by the PPS:</b>	Anticipated date of adoption 01 January 2023 onwards.
<b>Frequency of updates:</b>	Under the terms of the Planning etc (Scotland) Act 2006 Supplementary & Planning Guidance will ordinarily be reviewed and updated every 5 years, in tandem with the replacement of the Local Development Plan. The Planning (Scotland) Act 2019 has removed requirements to prepare supplementary and planning guidance in addition to introducing a requirement to review and update development plans every ten years.
<b>Area Covered by the PPS:</b>	This PG specifically relates to the site of the Battle of Linlithgow Bridge and provides an interpretation of how local development plan policies relative to the historic environment should be applied at this location.
<b>Summary of nature/content of PPS:</b>	<p>A Local Development Plan (LDP) is prepared by the local planning authority, in this case West Lothian Council. It sets out a local interpretation of the requirements of national and strategic policy. In particular it must conform to the approved Strategic Development Plan (SDP) which has been prepared by the strategic planning authority (SESplan) and its purpose is to implement requirements on a more detailed site-specific basis than exists within the SDP.</p> <p>The LDP comprises a written statement detailing a spatial strategy, including policies and proposals together with a Proposals Map.</p>

	<p>LDP's are intended to provide the vision and strategy for how communities will grow and develop in the future and also to provide certainty for communities and prospective investors about where development should take place and where it should not. LDP's also identify the supporting infrastructure required for growth and set out detailed policies and proposals which are the basis for decision making on future planning applications.</p> <p>Policies ENV 31 - Historic Battlefields: Battle of Linlithgow Bridge; ENV 32 - Archaeology; and ENV 33 - Scheduled Monuments of the adopted West Lothian Local Development Plan sets out those matters which developers are required to consider and taken account of in preparing proposals for development related to this sensitive historic site in West Lothian. The PG defines terms used in these policies and explains how these will be implemented. It provides assistance in the Development Management process.</p>
<b>Are there any plan objectives?</b>	No
<b>Copy of PPS attached</b>	Yes
<b>Date:</b>	13 December 2022

<b>Likely Significance of Effects on the Environment</b>
<p>The Council has considered the likely significance of effects on the environment of the Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005. The screening was undertaken with references to the criteria in Schedule 2 of the 2005 Act and is set out in Table 1 (below).</p>

**Table 1: Likely Significance of Effects on the Environment**

Criteria for determining the likely significance of effects on the environment <i>[The paragraph numbers in the table 1(a), 1(b), 2(a), 2(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005.]</i>	Likely to have significant environmental effects? (Yes / No)	Summary of significant environmental effects (negative and positive)
--	---	--

The characteristics of plans and programme		
<b>1(a): The degree to which the PPS sets a framework for the projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</b>	No	The PG provides information on the key elements related to development of this sensitive historic site.
<b>1(b): The degree to which the PPS influences other PPS including those in the hierarchy.</b>	No	<p>Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) has not previously been the subject of Supplementary Planning Guidance (SPG).</p> <p>The council recognises the need to ensure that it's planning guidance arising from the local development plan adopted in 2018 is up to date and reflective of the most current LDP policies and best practice.</p> <p>The PG provides background guidance to policies within the adopted Local Development Plan and does not seek to directly influence other programmes and strategies.</p> <p>The PG at the same time is consistent with the wider objectives of the overarching West Lothian Local Development Plan which has itself already undergone SEA.</p>

<b>1(c): The relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development.</b>	No	Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) promotes good practise in dealing with a site which is identified in the Inventory of Historic Battlefields and is supportive of other environmental policies and considerations which are compatible with the principles of sustainability.
<b>1(d): Environmental problems relevant to the PPS</b>	No	<p>The West Lothian Local Development Plan has regard to the multitude of environmental issues which have the potential to affect the recognised historic environment of West Lothian.</p> <p>No negative environmental consequences are foreseen as being directly attributable to the PG.</p>
<b>1(e): The relevance of the PPS for the implementation of Community legislation on the environment (for example PPS linked to waste management or water protection)</b>	No	None identified. The PG does not introduce any new policy considerations and would not be directly relevant to this issue. If applicable, this would be considered in the assessment of individual planning applications.

<b>The characteristics of the effects and the area likely to be affected</b>		
<b>2(a): The probability, duration frequency and reversibility of the effects</b>	No	There are no significant environmental effects that can be attributed to the PG. Any consequences of development authorised by other policies of the West Lothian Local Development Plan can be avoided /mitigated / minimised by application of other environmental protection policies within the Local Development Plan and adherence to the PG.

<b>2(b): The cumulative nature of the effects</b>	No	<p>None identified as required across West Lothian.</p> <p>A key purpose of the PG is to promote and secure developer adherence to sound built environment planning procedures at historic sites across West Lothian, support sustainable development and encourage best practice and thereby reduce and minimise any significant adverse effects on the historic environment in cumulative terms. Adherence to the PG should, if anything, have a positive effect on the environment of West Lothian.</p>
<b>2(c): Trans-boundary nature of the effects (i.e. environmental effects on other EU Members States</b>	No	<p>No Trans boundary effects have been identified or are anticipated.</p> <p>The PG is in itself unlikely to have significant environmental impact beyond West Lothian, but that is not to diminish the positive value of the policy in a local context.</p>
<b>2(d): The risks to human health or the environment (for example due to accidents)</b>	No	<p>The PG will have a benign effect and will contribute to more sustainable development and which can only be beneficial to human health and wellbeing. Proposals will in any event be assessed in detail as and when planning applications are submitted through the Development Management process.</p>
<b>2(e): The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected)</b>	No	<p>There are no significant effects identified. The PG will support other relevant policies in the LDP which will be relied upon to help determine the acceptability of new development in West Lothian. The PG only applies to development that takes place within the administrative area of West Lothian, and at a very specific location, and its effect is invariably constrained.</p>

<p><b>2(f): The value and vulnerability of the area likely to be affected due to:</b></p> <p>(i) <b>Special natural characteristics or cultural heritage</b></p> <p>(ii) <b>Exceeded environmental quality standards or limit values;</b></p> <p><u>or</u></p> <p>(iii) <b>Intensive land use</b></p>	<p>No</p>	<p>The PG seeks to ensure that all relevant environmental considerations in the context of this sensitive historic site are identified and addressed. Overall, the strategy of the Local Development Plan is to protect the historic environment from inappropriate development.</p> <p>The PG should have only positive effects on built and cultural heritage and in a very localised area.</p> <p>The overarching SEA for the LDP has previously considered any potential significant environmental effects and provided mitigation measures where necessary.</p> <p>It is considered that adherence to the requirements of the PG will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.</p>
<p><b>2(g) The effects on areas or landscapes which have a recognised national, Community or international protection status.</b></p>	<p>No</p>	<p>Any development will need to comply with the development plan which includes a range of policies to ensure the cumulative impact of different (or the same) types of development do not adversely affect designated landscapes and the principal landscape character/type of the area. There will be no implications for this PPS.</p> <p>The overarching SEA for the LDP has previously considered potential effects. It is considered that adherence to the requirements of the PG will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.</p>

### Summary of Environmental Effects

The Council has considered the likely significance of effects on the environment of Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) and these are set out below.

#### Table 2: Summary of Environmental Effects

The West Lothian Local Development Plan has itself already undergone an extensive SEA examining its policies, proposals and land use allocations. They demonstrate West Lothian Council's commitment to sustainability and sustainable development and the addition of Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge) is considered to strengthen and re-enforce this position.

The Planning Guidance forms required to support delivery of the development strategy set out in the West Lothian Local Development Plan and assist in the determination of planning applications.

The council considers it unlikely that the supporting Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains Linlithgow Bridge) will, in itself, have no significant environmental effects as it will provide only information for developers and their agents and the public and other stakeholders and serve as a management tool in relation to development proposals specifically related to the battlefield site.

Overall, it is considered that Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) is a qualifying plan or programme that will not have significant environmental effects and that, as part of a wider policy framework, significant environmental effects arising from development in the historic environment, permitted under the terms of the adopted Local Development Plan planning policies and associated Planning Guidance, will be avoided.

It is for this reason that West Lothian Council believes that Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) does not require a Strategic Environmental Assessment. However, should a particular instance arise where adherence to the PG was considered to be potentially detrimental to the environment, the Development Management process would be expected to have regard to such matters and to apply appropriate and proportionate mitigation measures through planning conditions on any planning permissions released by the council.

#### 4. Responses from Consultation Authorities

CONSULTATION AUTHORITY	LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS
Historic Environment Scotland	None
NatureScot	None
Scottish Environment Protection Agency (SEPA)	None
<b>OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS</b>	<b>None</b>

- SEA Gateway
- Historic Environment Scotland
- Nature Scot
- Scottish Environment Protection Agency (SEPA)

#### 5. Appendices

Appendix 1 – Planning Guidance (PG) Historic Battlefield : Site of Battle of Linlithgow Bridge (1526)  
(Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge)

Appendix 2 - Statutory Notice





By email to: [sea\\_gateway@gov.scot](mailto:sea_gateway@gov.scot)

Steve Lovell  
Principal Planning Officer  
West Lothian Council  
Development Planning & Environment (DP&E)

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
Switchboard: 0131 668 8600  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300062074  
Your ref: 01773  
06 December 2022

Dear Steve Lovell

Environmental Assessment (Scotland) Act 2005

01773 - Screening - West Lothian Council - Planning Guidance (PG) - Historic Battlefield : Site of Battle of Linlithgow Bridge (1526) (Allocated Housing Site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge).

### Screening Report

Thank you for your consultation which we received on 15 November 2022 about the above screening report. We have reviewed this report in our role as a Consultation Authority under the above Act, in accordance with the requirements of Section 9(3). In doing so we have used the criteria set out in Schedule 2 for determining the likely significance of the effects on the environment.

### Historic Environment Scotland's view

In light of the information and reasoning set out within the screening report, we **agree** with your view that there are **unlikely to be significant environmental effects for the historic environment**.

### Next steps

The Environmental Assessment (Scotland) Act 2005 requires you as the Responsible Authority to determine whether an environmental assessment is required. You must then notify the Consultation Authorities within 28 days of making this determination. This may be done via the SEA Gateway ([sea\\_gateway@gov.scot](mailto:sea_gateway@gov.scot)).

We hope our advice is helpful to you in making this determination. Please feel welcome to contact us if you have any questions about this response. The officer managing this case is Virginia Sharp who can be contacted by phone on 0131 668 8704 or by email on [Virginia.Sharp@hes.scot](mailto:Virginia.Sharp@hes.scot).

Yours sincerely

**Historic Environment Scotland**



Steve Lovell  
Principal Planning Officer  
West Lothian Council

Sent via: [sea.gateway@gov.scot](mailto:sea.gateway@gov.scot)

02 December 2022

Our ref: CEA169046

Dear Steve

**Environmental Assessment (Scotland) Act 2005 – Planning Guidance – Historic Battlefield: Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge) - Screening**

I refer to your screening consultation submitted on 20 June 2022 via the Scottish Government SEA Gateway in respect of the above plan.

We understand that the above guidance has been prepared in support of Local Development Plan (LDP) Policies ENV 31 – ENV 33 and that it does not make provision for development or change beyond that already assessed during preparation of the LDP. On that basis, we agree that the above guidance is not likely to have significant environmental effects.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act. Should you wish to discuss this screening determination, please do not hesitate to contact me on 0131 316 2644 or via our SEA Gateway at [sea.gateway@nature.scot](mailto:sea.gateway@nature.scot).

Yours sincerely

Vivienne Gray  
Planning Advisor  
Supporting Good Development

Silvan House, 3rd Floor East, 231 Corstorphine Road, Edinburgh EH12 7AT  
Taigh Silvan, 3mh Làr an Ear, 231 Rathad Chros Thoirphin, Dùn Èideann EH12 7AT  
0131 316 2600 [nature.scot](http://nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

**From:** [alasdair.milne@SEPA.org.uk](mailto:alasdair.milne@SEPA.org.uk)  
**To:** [SEA\\_Gateway@gov.scot](mailto:SEA_Gateway@gov.scot)  
**Cc:** [sea\\_gateway@nature.scot](mailto:sea_gateway@nature.scot); [sea\\_gateway@hes.scot](mailto:sea_gateway@hes.scot)  
**Subject:** RE: 01773 - Screening - West Lothian Council - Planning Guidance (PG) - Historic Battlefield - SEPA ref 7445  
**Date:** 05 December 2022 10:31:37  
**Attachments:** [image010.png](#)  
[image012.png](#)  
[image013.png](#)  
[image016.png](#)  
[image017.png](#)

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**Environmental Assessment (Scotland) Act 2005**

**01773 Planning Guidance – Historic Battlefield – Site of Battle of Linlithgow Bridge (1526) (Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge)**  
**Screening report**

Thank you for consulting SEPA on this Screening Report by way of your email of 16 November 2022.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have reviewed the screening report using the criteria set out in Schedule 2 of the Act. In regard to our main areas of interest (air, water, soil, human health, material assets and climatic factors) **we agree with the conclusions of the screening report** that the proposed PPS is **unlikely to have** significant environmental effects.

Although we are of the view that significant environmental effects are unlikely, it is for the Responsible Authority to make a formal determination taking into account the consultation responses received.

If you would like to discuss this consultation response, please do not hesitate to contact me by email or via our SEA Gateway at [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk).

Yours sincerely  
Alasdair Milne

Cc:  
[sea\\_gateway@nature.scot](mailto:sea_gateway@nature.scot)  
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**From:** [Melissa.Shields@gov.scot](mailto:Melissa.Shields@gov.scot) <[Melissa.Shields@gov.scot](mailto:Melissa.Shields@gov.scot)> **On Behalf Of** [SEA\\_Gateway@gov.scot](mailto:SEA_Gateway@gov.scot)

**Sent:** 16 November 2022 16:07

**To:** [sea\\_gateway@hes.scot](mailto:sea_gateway@hes.scot); Sea Gateway <[sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk)>; [sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk)

**Cc:** [Steve.Lovell@westlothian.gov.uk](mailto:Steve.Lovell@westlothian.gov.uk)

**Subject:** 01773 - Screening - West Lothian Council - Planning Guidance (PG) - Historic Battlefield - Screening issued to CA and Confirmation to RA - 16 November 2022

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

Please find attached screening report received in gateway 15 November 2022.

**Deadline for responses is 13 December 2022.**

Thanks,  
Melissa

Melissa Shields | Gateways Administrator | 2H South | Planning & Architecture | Scottish Government | 0131 244 9571



**APPENDIX 3**



**West Lothian  
Council**

Planning Services  
Development Planning & Environment



**PLANNING GUIDANCE (PG)**

**Historic Battlefield**

**Site of Battle of Linlithgow Bridge (1526)**

(Allocated housing site H-LL 13 at Kettlestoun Mains, Linlithgow Bridge)

**Adopted 6 January 2023**

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# one

## Introduction

- 1.1 Our historic environments important to many aspects of life, from defining the character of the places where we live and work, promoting a sense of belonging and cultural identity and encouraging civic participation to supporting the tourist economy.
- 1.2 Nationally important battlefields are recorded in the Inventory of Historic Battlefields prepared by Historic Environment Scotland. These battlefields are given special consideration in the planning system.
- 1.3 It is intended that this non-statutory Planning Guidance be used by any developer(s) and their agents and architects in bringing forward suitable detailed development proposals for the housing site, H-LL 13, at Kettlestoun that is part of the Battle of Linlithgow Bridge (1526) and was allocated by the Scottish Government Reporter after consideration of the objection by the owner, in the adopted West Lothian Local Development Plan (2018).

# two

## Background to the Battle of Linlithgow Bridge

- 2.1 Extract from Historic Environment Scotland CANMORE website outlines that:

*"The Battle of Linlithgow Bridge was fought on 4th September 1526 between the Earls of Angus and Lennox, the latter attempting to remove the young King James V from the power of the Douglas's. Lennox, with his army arrived at Linlithgow Bridge, to find it so well guarded by artillery that he was forced to ford a difficult part of the River Avon, near Manuel Priory. The Battle was fought between there and the Bridge, the Lennox party being totally defeated.*

- 2.2 The battlefield is fairly unique, unlike nearly all battlefields in Scotland this battle was not between the Scots and English, but between Scots for control over the young King James V.
- 2.3 The Ordnance Survey Name Book (ONB) adds that several 'stone coffins', containing human remains have been found in the locality." <https://canmore.org.uk/site/47867/linlithgow-bridge>
- 2.4 The full details from the HES "Inventory of Historic Battlefields" can be found at: [http://data.historic-scotland.gov.uk/data/docs/battlef3lds/linlithgowbridge\\_full.pdf](http://data.historic-scotland.gov.uk/data/docs/battlef3lds/linlithgowbridge_full.pdf)
- 2.5 The Battlefield Trust website provides an informative account of the Battle of Linlithgow Bridge at: [www.bolb.org.uk](http://www.bolb.org.uk)

# three

## Planning Policy

### West Lothian Local Development Plan (LDP) (2018)

#### 3.1 The LDP indicates that:

*"Historic battlefields provide an insight into the past and play an important part in our sense of identity. They can tell us about the course of battles which have taken place and can contain important archaeological remains and artefacts. They can also provide potential for attracting tourists as well as providing a recreational resource. Sites included in the Inventory are of national importance through links to key events or individuals; for physical remains or archaeological potential; and contribution to the landscape. The battlefield site at Linlithgow Bridge (1526) is included in the Inventory of Historic Battlefields".*

#### 3.2 West Lothian LDP Policy ENV 31 states:

*"Proposals for the sensitive management and interpretation of battlefield sites such as Linlithgow Bridge will be supported in principle.*

*There is a presumption against development within a site listed in the Inventory of Historic Battlefields where it would have a significant adverse effect upon the archaeology, character, appearance, setting or the key landscape features of the battlefield.*

*Where it can be demonstrated that the overall integrity of the battlefield will not be compromised and there will be no adverse impact on the archaeology, character, appearance, setting or the key landscape features of the battlefield, proposals and developments affecting battlefield sites will require an appropriate level of mitigation, and measures (to be agreed with the Planning Authority).*

*The siting, scale and design of any new development, or extensions to existing buildings, must preserve, conserve or enhance the key characteristics of the battlefield. These may include landscape characteristics, key viewpoints that assist in the understanding of the battle and historic assets (particularly archaeological deposits found in-situ). However, minor developments such as household extensions will in most cases be exempt."*

### Scottish Government Planning Advice Note (PAN 2/2011) on 'Planning and archaeology'

#### 3.3 The PAN indicates:

*"when determining a planning application, the desirability of preserving a monument .....and its setting is a material consideration. Early consultation with the local authority archaeologist (in West Lothian's case, the West of Scotland Archaeological Service), is essential to assess the likely impact of development proposals and to set out the parameters and scope of possible mitigation measures.*

*The objective should be to assure the protection and enhancement of monuments by reservation in situ in an appropriate setting (perhaps with a degree of interpretation) or, when preservation in situ is not possible, by recording and/or excavation followed by analysis and publication of the results."*

3.4 Furthermore, the PAN points out that:

*"when archaeologists know or have good reason to believe that significant remains exist, developers should be open to modifying their plans to reduce the risk of delays later in the planning process; for example, by re-designing foundations which avoid or minimise disturbance or by raising the ground levels on which a proposed structure is to be built, or by careful siting of landscaped or open areas. Techniques are available for sealing archaeological remains under buildings or areas of landscaping."*

### Historic Environment Policy for Scotland (HEPS)

3.5 The [Historic Environment Policy for Scotland](#) (HEPS) is a policy statement directing decision-making that affects the historic environment. It supports good decision making for Scotland's unique places and outlines how decision makers should undertake this duty whenever a decision will affect Scotland's historic environment. While HEPS is non-statutory, which means that it is not required to be followed as a matter of law, it should nevertheless be taken account of whenever a decision will affect the historic environment.

### HES 'Managing Change in the Historic Environment: Historic Battlefields' (2016)

3.6 This document indicates:

*"When a battlefield is included in the Inventory, the information in the Inventory record must be taken into account when making decisions on planning applications. No additional consent is needed for undertaking works within an Inventory battlefield."*

3.7 In addition:

*"Planning authorities should consult Historic Environment Scotland on proposed developments that might affect a battlefield included in the Inventory. They should then take Historic Environment Scotland's advice into account when deciding whether permission should be granted for the development..... Changes to battlefields should seek to protect, conserve and, where appropriate, enhance historic battlefields. If a battlefield is to accommodate modern development, its key landscape characteristics and special qualities should be retained".*



# four

## The Development Management Process

- 4.1 Development on a battlefield can have an impact on the physical remains of the battle or the landscape of the battlefield. The Development Management process should identify and assess these impacts, and if possible mitigate them.
- 4.2 Development proposals affecting battlefields within the Inventory of Historic Battlefields should identify and protect and, where appropriate, enhance a battlefield's cultural significance, key landscape characteristics, physical remains and special qualities. The effect of proposed development on the Inventory of Historic Battlefield sites is a material consideration in determining a planning application.
- 4.3 Pre-application discussions are helpful and will speed the process and avoid unnecessary costs.
- 4.4 As HES point out, including a battlefield in the Inventory is not intended to be a barrier to development. The intention is to identify an area of added protection where particular consideration must be given to impacts on the site that should focus on the special qualities and landscape characteristics of the battlefield.
- 4.5 There are three key stages in this Development Management process –
  - 1) **Identify:** identify the current baseline of the site by assessing the area and undertaking a site audit, using a qualified and experienced professional. This would cover:
    - a) Character and context;
    - b) Other heritage assets; and
    - c) Nature of the development;
  - 2) **Assess:** define how the impact of the development will be measured and assess how the Site will be affected by the proposed development involving:
    - a) Direct impact on special qualities of the physical features within the battlefield area;
    - b) Contextual impact on key landscape characteristics involving the terrain of the battlefield. Assessments should report any potentially significant impacts on factors:
      - Integrity;
      - Significance;
      - Character; and
      - Experience.
    - c) Cumulative impacts that may be direct or contextual.

3) **Mitigate:** identify ways to avoid, reduce or compensate for negative impacts through location, design or enhancement measures that consider –

a) Design and mitigating impacts involving:

- Site selection;
- Development layout;
- Building design; and
- Landscape design.

b) Identifying opportunities for enhancement.

# five

## Linlithgow Bridge - Development

- 5.1 The LDP Proposals Map 1 and the HES Inventory set out the general area on the west side of Linlithgow Bridge that the battlefield may have covered (see Appendix 1).
- 5.2 This straddles the River Avon. On the east side, Linlithgow Bridge has developed. This comprises, south of the A803 Falkirk Road:
- The Avontoun residential estate from the 1960s;
  - Redevelopment around the Mill / West View;
  - Stockbridge Retail Park;
  - The Kettlestoun residential estate from the 1990s;
  - Kettlestoun Xcite Leisure Centre and associated playing fields; and
  - Avontoun Quarry / Avontoun Works & Woodcockdale Farm.
- 5.3 In terms of development allocations in the LDP, the Reporter at the Inquiry into the Finalised LDP in 2016 allocated the former Avontoun Quarry site for residential use (Site H-LL 13 at c14 ha for circa 210 units). This is directly over where it is assessed the battle lines may have been drawn up and skirmishes occurred.
- 5.4. While it is acknowledged that much of the eastern bank below Peace Hill (formerly Pace Hill) was quarried away and is now considered a Local Biodiversity Site within the LDP, the rising ground to the ridge where the Earl of Arran's men were drawn up is still untouched and the overall landscape can still be understood. There is a steeply rising bluff enclosing the low-lying land on the eastern side.
- 5.5 Another residential allocation at the former timber yard off Falkirk Road (H-LL 5 for 18 units), is just outwith the Inventory east boundary.
- 5.6 There is a Proposal (P-46) in the LDP, for an extension to the existing Kettlestoun playing fields and a cycle track by Linlithgow Community Development Trust that is also within the HES designated battlefield boundary.
- 5.7 There are no other major development proposed at this time.

# six

## Falkirk Council Area - Development

- 6.1 On the west side of the Avon, Falkirk Council are the local planning authority. The Whitecross village is just within the NE part of the battlefield area along with the remains of Manuel Priory that was in the vicinity on where one of the armies forded the river upstream of the original Linlithgow Bridge.
- 6.2 While the area on the south side of the suggested river crossing point is outwith the housing allocation and consider a Special landscape area the route of the advance of the Earl of Lennox/ site of the battle may occur on the west side of the housing allocation / i.e.; in the field on the west of Avontoun Works.

# seven

## Requirements related to planning applications within the Linlithgow Bridge Battlefield Inventory area

- 7.1 Development proposals relating to the allocated residential site H-LL 13 in the adopted West Lothian Local Development Plan (2018) must take the historic battlefield into account in a positive way. Applicants for planning permission shall satisfactorily demonstrate how their proposal have taken the battlefield into account in a positive way, demonstrating that they will not adversely impact, cause harm or compromise the battlefield and evidence that they have followed the 3-stage process outlined by HES in its 'Managing Change in the Historic Environment: Historic Battlefields' policy guidance (2016).
- 7.2 Any planning application within the Battlefield Inventory area will be assessed by the Council's archaeological services provider, West of Scotland Archaeological Service (WoSAS): <https://www.wosas.net/> WoSAS examine the Weekly Lists of planning applications submitted to the council for any potential archaeological and historic interests.
- 7.3 With proposed development that may affect a scheduled monument or its setting, contact should also be made with Historic Environment Scotland at the earliest opportunity.
- 7.4 It is widely recognised that the site has archaeological potential and it should therefore be anticipated that planning conditions will be imposed on any grant of planning permission. These will, as a minimum, require developers to:
- a) Undertake a watching brief on excavations, overseen by a competent professional archaeologist; and
  - b) If material, or finds of an archaeological interest are present, undertake excavation, recording and reporting.

*It should be clearly understood that the onus will be on the developer to provide the council with a comprehensive archaeological evaluation, impact and mitigation assessment for the site.*

*With sufficient forethought this should not be unduly expensive or create excessive delay to a project.*

*(NB: Small house extensions within the Battlefield Inventory area will be exempted)*

- 7.5 Details of suitable consultant archaeologists can be found via the West of Scotland Archaeology Service who maintain an [informal list of contracting companies](#) working in the area covered by their member authorities which includes West Lothian.

# Appendices

1. Planning Advice Note 2/2011: 'Planning and archaeology' provides advice to planning authorities and developers on dealing with archaeological remains:  
[Planning Advice Note 2/2011: Planning and archaeology](#)
2. HES Map of Inventory of Historic Battlefields - Linlithgow Bridge boundary and deployments.
3. HES '[Managing Change in the Historic Environment: Historic Battlefields](#)'; (2016 – updated (2020))
4. Extract from DPEA Reporters consideration (2016) of CEMEX objection at Kettlestoun to LDP 1 and related to archaeological issues:

*"EOI-0054 - Kettlestoun Mains"*

*9. The site is within the boundaries of the Inventory Battlefield designation relating to the Battle of Linlithgow Bridge. We deal with representations in relation to Policy ENV 31 Historic Battlefields under Issue 26Q. The inventory identifies nationally important battlefields. I acknowledge that inclusion on the inventory is not a barrier to development but consideration is required of the potential impacts on the special qualities and landscape characteristics of the battlefield.*

*10. At the Main Issues Report stage Historic Environment Scotland (HES) indicated that much of the north east of the site is believed to have played a significant part in the battle and this should be considered when evaluating the deliverability of this site. It indicated that it considered that the site has capacity for some development but that it is unlikely that the density proposed (on the then larger site proposed) can be achieved without a significant adverse effect.*

*11. HES's 'Managing Change' guidance advises that assessment should be made of the impacts on the special qualities and landscape characteristics of battlefields taking account of the entry details in the inventory. Development on important topography should be avoided and key views across the site should be retained. The inventory for this battlefield states that despite the past quarrying, the overall shape of the landscape remains.*

*12. The Archaeology Report submitted in support of the proposal indicates that*

*as the whole of the proposed site was within the former sand and gravel quarry there is only limited potential for the recovery of archaeological or battlefield remains in small pockets. It indicates that the impacts of development would largely be on the ability to understand the landscape context of the battle site. It is argued that this has also been affected by the metal works and past quarrying but that impacts can be mitigated through design and layout. In particular it is proposed that the north eastern part of the site around Peace (Pace) Hill and the viaduct would be retained as open space and that the heights of the development would be restricted to minimise visual intrusion. The report contends that the most important elements of the battlefield, in terms of its landscape context, would be preserved and that indirect impacts on the Avon Viaduct are unlikely to be significant. In addition, it is argued that development can offer potential to enhance provision of interpretation and public access via improvements to the path network.*

- 13. It is clear that this site has previously been disturbed by development and part of the designated battlefield site has already been lost to housing and the Xcite leisure complex. As I note above, the site now proposed is significantly smaller than that initially proposed. Although its boundary extends to 14.3 Ha the submitted supporting information advises that only 9.2 Ha is developable; as indicated above part of the site would be left as open space. The extent of the development, layout and design of housing at this site are matters that could be addressed via the development management process. I am content that detailed assessment at that stage could ensure that the overall integrity of the battlefield site would not be compromised and that the landscape context and special qualities of the battlefield would be adequately protected.*
- 14. Taking account of the indicative plans, the archaeology report and the comments from HES, I consider that, subject to appropriate design considerations, the proposed allocation would not cause significant damage to this important heritage asset. My recommendations below include that protection of the battlefield is included in the delivery requirements in Appendix Two. The capacity of the site which I recommend, 210 units, is indicative only.....*

*Other:*

*'The site lies within the boundary of the site of the Battle of Linlithgow Bridge which appears in Historic Environment Scotland's Inventory of Historic Battlefields. An archaeological assessment is required and the design and layout of the development will require to ensure that the landscape context and special qualities of the battlefield would be adequately protected.*

*The site falls within the safeguarding zone of Edinburgh Airport and this imposes a number of restrictions which require to be observed.*

*A master plan is required to accompany any planning application. This shall incorporate retention of the existing trees along the southern and eastern*

*boundaries of the site as a defining feature of the landscape and incorporate public access to the wider area of open space, the Avon Trail and the battlefield related interpretation features....."*

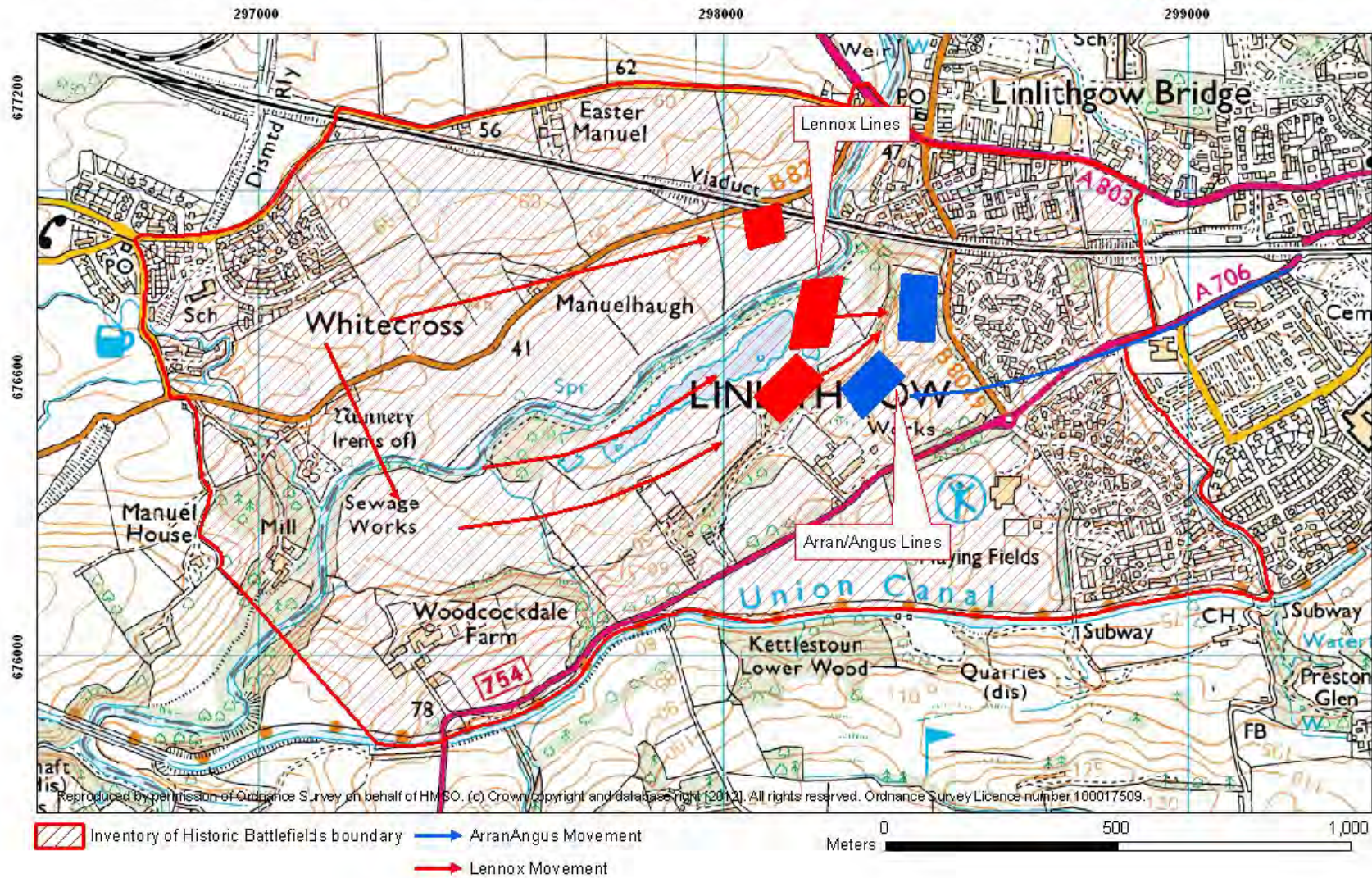
5. Extract from The Inventory of Historical Battlefields (next page)



# The Inventory of Historic Battlefields - Deployments

Linlithgow Bridge 4 September 1526

Local Authority: Falkirk / West Lothian



**(PG) Historic Battlefield – Site of Battle of Linlithgow Bridge(1526) (Allocated housing site  
H-LL 13 at Kettlestoun Mains, Linlithgow Bridge)**

Approved by West Lothian Council Executive  
Subsequently adopted as Planning Guidance (PG)

15 November 2022  
6 January 2023

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