DATA LABEL: Public

Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

12 February 2026

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 February 2026** at **10:00am**.

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 Tuesday 03 February 2026 (herewith)

Public Items for Decision

5. Preparations for the Scottish Parliamentary Election - Report by Chief Executive (herewith)

6. Procurement Approval Report - Report by the Head of Corporate Services (herewith)

DATA LABEL: Public

7. Proposed Sale of 1.38 Acres at Clifton View, East Mains Industrial Estate, Broxburn to Charles Stamper Fruit and Veg Holdings Limited - Report by Director of Finance and Property Services (herewith)

8. Cleaner Communities Service Standards - Report by Head of Operational Services (herewith)

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

December 2024

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:-

- **Lesley Montague, Interim Monitoring Officer and Governance Manager, 01506 281613, lesley.montague@westlothian.gov.uk**
- **Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, carol.johnston@westlothian.gov.uk**
- **Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk**

December 2024

MINUTE of MEETING of the COUNCIL EXECUTIVE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 3 FEBRUARY 2026.

Present – Councillors Lawrence Fitzpatrick (Chair), Susan Manion, Janet Campbell, Tom Conn, Angela Doran-Timson, Damian Doran-Timson, Danny Logue, Anne McMillan, Craig Meek, Pauline Orr, Sally Pattle, George Paul and Pauline Stafford

1. DECLARATIONS OF INTEREST

Councillor Anne McMillan stated that she worked for Kirsteen Sullivan, MP for Bathgate and Linlithgow.

2. MINUTES

The Council Executive confirmed the Minute of its meeting held on Tuesday 13 January 2026 as a correct record. The Minute was thereafter signed by the Chair.

3. ARTIFICIAL INTELLIGENCE POLICY

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services presenting the draft Artificial Intelligence (AI) Policy and seeking Council Executive approval for implementation.

It was recommended that the Council Executive approved the policy as part of the Council's Information Governance framework.

Decision

To approve the terms of the report.

4. CONSTRUCTION OF THE NEW CRAIGSHILL PRIMARY SCHOOL, LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive (Education, Planning, Economic Development and Regeneration) and Director of Finance and Property Services providing an update in relation to the construction works for the new Craigshill Primary School in Livingston and seeking delegated approval for the Director of Finance and Property Services to conclude the final legal agreements in relation to the construction works and other Stage 2 activities.

It was recommended that the Council Executive:

1. approve the total cost to deliver the project in the sum of £25.8 million noting an increase of £1.8 million to the £24 million

previously approved in the capital programme;

2. delegate authority to the Director of Finance and Property Services to incorporate this additional cost into updated budgets and programmes to be considered by Council at the end of February 2026;

3. approve officers to issue to Hub South East Scotland Ltd a Stage 2 approval based on their design and cost proposals;

4. approve the next stage of the construction works through a Design and Build Development Agreement (DBDA) contract;

5. delegate authority to the Director of Finance and Property Services to execute and deliver the DBDA contract and associated legal documentation on behalf of the Council; and

6. note the proposed delivery timescales for completion of the project referred to under Section D.3 of the report.

Decision

To approve the terms of the report.

5. SCOTTISH BUDGET 2026 AND LOCAL GOVERNMENT FINANCE SETTLEMENT 2026/27

The Council Executive considered a report (copies of which had been circulated) by the Director of Finance and Property Services providing an update in relation to the Scottish Budget presented to the Scottish Parliament on 13 January 2026, and the local government finance settlement for 2026/27, as published in Finance Circular 1/2026, and updating on the council's latest revenue budget position.

It was recommended that the Council Executive:

1. note the issue of the Scottish Draft Budget 2026/27, which included Scottish Government departmental spending plans for 2026/27, Scottish Spending Review to 2028/29 for revenue and 2029/30 for capital and the Infrastructure Delivery Pipeline 2026;

2. note the provisional outcome of the local government finance settlement in respect of revenue and capital funding for 2026/27;

3. note the provisional position in relation to anticipated grant funding for West Lothian contained in the settlement, including assumed amounts for recurring funding yet to be distributed, was an increase of £12.188 million (2.5% cash increase) (0.3% real terms increase) for revenue and a decrease of £2.503 million (18.1% cash decrease) (19.9% real terms decrease) for capital;

4. note the updated estimated budget gap for 2026/27 & 2027/28

after approved budget savings and taking account of the latest local government finance settlement was £15.4 million;

5. agree that the Director of Finance and Property Services updated the 2026/27 revenue budget report taking account of the outcome of the finance settlement and latest circumstances and updated the capital programme taking account of latest circumstances; and

6. agree that the Director of Finance and Property Services would keep the position regarding all aspects of the budget model under review, including Scottish Government funding, and report to elected members on any developments.

Decision

To approve the terms of the report.

6. EDINBURGH ROAD IN BATHGATE - ADDITIONAL WAITING/LOADING RESTRICTIONS AND THE REDETERMINATION OF CARRIAGEWAY TO CYCLE TRACK

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to commence the statutory procedures to install additional waiting and loading restrictions and to redetermine part of the carriageway to a segregated two-way cycle track on Blackburn Road, Edinburgh Road and King Street in Bathgate.

It was recommended that the Council Executive approve the initiation of the statutory procedures for the promotion of the required traffic regulation order to install additional waiting and loading restrictions and to redetermine part of the carriageway to a segregated two-way cycle track along Blackburn Road, Edinburgh Road and King Street in Bathgate.

Decision

To approve the terms of the report.

7. DRAFT NATIONAL CLIMATE CHANGE PLAN CONSULTATION RESPONSE

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration presenting a proposed response to the consultation on the Draft National Climate Change Plan for approval, prior to its submission to the Scottish Government.

It was recommended that the Council Executive:

1. note the contents of the report and the consultation; and

2. approve the submission of the response attached as Appendix 1 to

the Scottish Government.

Decision

To approve the terms of the report.

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

PREPARATIONS FOR THE SCOTTISH PARLIAMENTARY ELECTION

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

The purpose of the report is to advise of the arrangements being put in place for the Scottish Parliamentary Elections being held on 7 May; and to ask Council Executive to designate a polling place for BLB1J and BLB1K, and make a decision on whether to make a change to the designated polling places for BLB7B, BLB7C and BLB7E following feedback from the Electoral Commission on the Whitburn and Blackburn By-Election in December 2025

B. RECOMMENDATIONS

It is recommended that the Council Executive:

1. Note the arrangements being put in place for the delivery of the Scottish Parliamentary Election
2. Designate Linlithgow Primary School as the polling place for BLB1J and BLB1K,
3. In light of the feedback from the Electoral Commission on accessibility, agree option a), b) or c) in paragraph D6 in respect of BLB7B, BLB7C and BLB7E

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Open, honest and accountable; and collaborate, inclusive and adaptive
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Representation of the People Act 1983 Electoral Administration Act 2006 Electoral Registration & Administration Act 2013 Scottish Elections (Representation and Reform) Act 2025
III	**Implications for Scheme of Delegations to Officers**	No change
IV	**Impact on performance and performance Indicators**	
V	**Relevance to Single Outcome Agreement**	
VI	**Resources - (Financial, Staffing and Property)**	
VII	**Consideration at PDSP**	No
VIII	**Other consultations**	Relevant Local Elected Members and group leaders

D. TERMS OF REPORT

D1 Background

Arrangements are being made for the delivery of the Scottish Parliament Election on 7 May 2024. Due to the two ballot papers and two voting systems, the Scottish Parliamentary Election requires significant resources for its delivery and the Returning Officer is working to ensure that it can be delivered. The previous Scottish Parliament election was delivered under Covid restrictions and there are a number of further changes which are being incorporated in to the planning process for the forthcoming poll, including boundary and legislative changes

D2 Boundary Changes

New Scottish Parliamentary constituency and region boundaries are in place for this election.

West Lothian is now split over three constituencies. Linlithgow ward is split between the Bathgate and the Falkirk East and Linlithgow constituencies. The town of Linlithgow is in the Falkirk East and Linlithgow constituency and this is being administered by Kenneth Lawrie, Returning Officer for the other Falkirk constituencies. Work is ongoing with colleagues in Falkirk Council election team on the arrangements for delivering the poll.

West Lothian now sits within the Central Scotland and Lothians West Region. The Regional Returning Officer (RRO) is Des Murray, the Returning Officer for the North Lanarkshire and there has already been engagement with his team.

D3 Directions

The Convener of the Electoral Management Board for Scotland (EMB) has the power to make directions to Returning Officers in relation to the exercise of their functions in delivering the Scottish Parliament election. The purpose of issuing Directions has been to ensure a consistent voter experience and robust approach to planning and implementation.

Directions issued in respect of the Scottish Parliamentary Election include

- Timing of the publication of Notice of Election
- Timing of the issue of Poll Cards
- Timing of the first and last issue of postal votes
- Timing of the count

The consistent approach to timing in respect of key electoral events is beneficial to voters and political parties.

D4 Legislative Changes

There have been changes to the law in a number of electoral areas in relation to Scottish Parliament and Local Government Elections. This includes:

- Candidacy rights extended to include foreign nationals with limited leave to remain
- There are additional criteria for disqualification that persons intending to stand for election will need to be aware of.
- Election agents can withhold their home address and provide a correspondence address instead
- Expanded definition of the relevant area a candidate can use if they withhold their home address
- Definition of notional expenditure
- Provisions to promote transparency in relation to publishing certain electronic materials
- Accessibility

There has also been legislation introduced in respect of dual mandates, whereby a person who is a councillor who is subsequently returned as a Member of the Scottish Parliament, is not disqualified from membership of the parliament provided that the day on which they are elected to the Scottish Parliament is within 372 days of the next local government election.

D5 Electoral Commission Guidance

The Electoral Commission has published its guidance for both Returning Officers and Candidates and Agents for the Scottish Parliamentary election.

The guidance for Returning Officers is being considered in all aspects of planning for the Scottish Parliamentary Election. Guidance for Candidates and Agents is available at www.electoralcommission.org.uk/guidance-candidates-and-agents-scottish-parliament-elections. Electoral Commission guidance now also includes specific guidance in relation to crowdfunding.

The Returning Officer will ensure that candidates and agents are made aware of the changes to the legislation, and the help and guidance that is available to candidates and agents in the run up to the Scottish Parliamentary Election

D6 Polling Scheme

There is an agreed polling scheme in place, but polling places require to be designated for the two new polling districts created by the constituency boundary in Linlithgow, BLB1J and BLB1K, and Council Executive is also asked to consider feedback from the Electoral Commission in respect of Brucefield Church Hall and Whitburn Bowling Club in the Whitburn and Blackburn ward.

It is recommended that voters BLB1K continue to vote at Linlithgow Primary School. This will mean that the polling place has voters from two constituencies voting there - Falkirk East and Linlithgow and Bathgate. The Returning Officer considers that suitable arrangements can be put in place for a polling station for the Bathgate constituency in a separate room which would minimise that risk of confusion for voters.

Voters at BLB1J previously voted at Queen Margaret Hall. The Returning Officer considers that it is not possible to have a suitable separation between polling stations for different constituencies within the building and therefore recommends that BLB1J also poll at Linlithgow Primary School.

Following the Electoral Commission observation of the Whitburn and Blackburn by-election, their feedback highlighted that both Brucefield Church Hall (BLB7E), and Whitburn Bowling Club (BLB7B and BLB7C) presented accessibility issues that disadvantaged voters in their internal and external layout. The Returning Officer has established that Whitburn Partnership Centre could accommodate these voters. Council Executive is asked to make a decision on whether or not to make this change. Council Executive is asked to either:

a) Make a change to the polling scheme to designate Whitburn Partnership Centre as the polling place for BLB7E, and BLB7B and BLB7C
b) Make a change to the polling scheme to designate Whitburn Partnership Centre as the polling place for BLB7E
c) Make no change to the designated polling place for BLB7E, or BLB7B and BLB7C

Council Executive is asked to designate a polling place for BLB1J and BLB1K, and the Returning Officer recommendation is Linlithgow Primary School

Council Executive is further asked if it wishes to make a change in respect of Brucefield Church Hall (BLB7E), and Whitburn Bowling Club (BLB7B and BLB7C) and move these voters to Whitburn Partnership Centre, which can accommodate them and has no accessibility issues.

E. CONCLUSION

Planning is underway for the Scottish Parliamentary Election. Council Executive is asked to note the arrangements being made, particularly around incorporating boundary and legislative changes into the planning process. Council Executive is asked to designate a polling place for BLB1J and BLB1K, and consider whether the Executive wants to make a change to the designated polling places for BLB7B, BLB7C and BLB7E

F. BACKGROUND REFERENCES

Election Preparations and the Impact of the Elections Act; Council Executive 16 April 2024

Appendices/Attachments:	None
Contact Person:	Caroline Burton; 01506 281651; caroline.burton@westlothian.gov.uk
Name of CMT Member:	Graham Hope, Chief Executive,
Date: 17 February 2026	

DATA LABEL: PUBLIC

West Lothian Council

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 to Impact Arts, Routes to Work Ltd and The Larder for the period 1st April 2026 to 30 June 2026 of £75,000 for the provision of specialised employment support for West Lothian Parents.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Caring and Compassionate Open, Honest and Accountable Collaborative, Inclusive and Adaptive
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Standing Orders of West Lothian Council 2012, the Public Contracts (Scotland) Regulations 2015, The Procurement Reform (Scotland) Act 2014 and The Procurement (Scotland) Regulations 2016.
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	None
V	**Relevance to Single Outcome Agreement**	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI	**Resources - (Financial, Staffing and Property)**	Financial Management Unit were consulted in relation to budget implications.
VII	**Consideration at PDSP**	N/A

VIII Other consultations Planning and Economic Development and the Corporate Procurement were consulted.

D1. TERMS OF REPORT

The Provision of Specialised Employment Support for West Lothian Parents

Background

West Lothian Council previously received funding from the Scottish Government under the No One Left Behind (Child Poverty) policy to provide employability support to eligible parents across West Lothian.

Eligible parents fall under one of the 7 categories:

- Lone parent;
- Parent from an ethnic minority;
- Parent of a child under the age of 1;
- Parent of 3+ children;
- Parent/child with a disability;
- Parent aged under 25; and
- Parent that's household income is below the decent standard of living calculation.

The council previously received £1,470,000 towards this provision which covered Access2Employments current Parental Employment Support (PES). The PES currently provides 1:1 adviser support including help with CV, interview skills, applying for work, career planning, applying for training and education, exploring childcare options and better off calculations. This is an offer for all eligible groups within our communities.

In addition to the 1:1 adviser support the service also offers funding for driving lessons, help with childcare costs, parental transition funding, employer recruitment incentives and funding towards self-employment. However, there is also demand for sectorial training, targeted employment assistance such as placements that includes elements of in work support to allow parents to both enter and progress within the labour market. This is not currently provided by the Access2employment service.

While the present arrangement is generic across all eligible groups in our community it is recognized for some population groups there may be additional barriers to progressing to and into sustained employment. This may relate to language, spatial and social aspects, previous and current life experience. The need to ensure we provide for harder to reach groups is essential to meet the aspirations of No One Left Behind where we deliver a system that is tailored and responsive to the needs of all, to support their journey towards, into and in work.

Within the Access2Employment service delivery, Parental Employment Support (PES), has the objective of increasing family's income via parents entering or progressing within the labour market. In order to reach this objective, it is essential that parents from all groups in our community can access person centred support delivered via accessible and acceptable models of delivery tailored to meet their needs. This contract will complement current services enhancing our generic model of practice to ensure No One is Left Behind.

It is noted that this service is aligned to the objectives of the current Council's Economic Strategy and the Anti-Poverty Strategy.

With an unforeseeable delay in obtaining confirmation of Scottish Government funding and with insufficient time to undertaking tendering activity, to continue with existing service provision it is proposed that direct awards are made to the incumbent providers for a short period prior to tendering activity progressing. However, should the Scottish Government not announce funding, service provision would cease.

Procurement and Legislative Considerations

A direct award would be permissible within procurement regulations the Public Contracts (Scotland) Regulations 2015 Regulation 33 (Use of the negotiated procedure without prior publication) (1) (c) may be used without prior publication of a contract notice or prior information notice where (but only if it is strictly necessary) for reasons of extreme urgency brought about by events unforeseeable by the Contracting Authority, the time limits for open procedure, restricted procedure or competitive procedure with negotiation cannot be complied with.

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

None

Appendices/Attachments: None

Contact Person: Tom Henderson Corporate Procurement Manager (Acting)

Telephone:01506 281805 e-mail: Tom.Henderson@westlothian.gov.uk

Lesley Henderson
Head of Corporate Services

17 February 2026

DATA LABEL: PUBLIC

West Lothian Council

COUNCIL EXECUTIVE

PROPOSED SALE OF 1.38 ACRES AT CLIFTON VIEW, EAST MAINS INDUSTRIAL ESTATE, BROXBURN TO CHARLES STAMPER FRUIT AND VEG HOLDINGS LIMITED

REPORT BY DIRECTOR OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to advise Council Executive of the outcome of the exercise to market 1.38 acres of development land at Clifton View, East Mains Industrial Estate, Broxburn for sale and to seek approval for the sale of that site to Charles Stamper Fruit and Veg Holdings Limited for the sum of £380,000.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Approves the sale of 1.38 acres at Clifton View, East Mains Industrial Estate, Broxburn to Charles Stamper Fruit and Veg Holdings Limited on the terms set out in this report.

2. Authorises the Director of Finance and Property Services to carry out any further negotiations of the terms of sale for the property, provided that any revised terms and conditions still represent best value for the council.

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Open, honest and accountable Collaborate, inclusive and adaptive.
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment**	The recommendations are consistent with the council's Surplus Property Procedure and Corporate Asset Management Strategy. The recommendations satisfy the council's legal requirement to obtain best value under the 1973 and 2003 Local Government (Scotland) Acts.
III	**Implications for Scheme of Delegations to Officers**	Recommendation B2 above seeks delegated authority for the Director of Finance and Property Services to carry out further negotiations provided that any revised terms represent best value for the council.
IV	**Impact on performance and performance Indicators**	The disposal of surplus assets contributes to the council's annual capital receipts targets.

V	**Relevance to Single Outcome Agreement**	We live in resilient, cohesive and safe communities. We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.
VI	**Resources - (Financial, Staffing and Property)**	The disposal of the site will generate a capital receipt of £380,000 for the General Services Account during the 2025/26 financial year.
VII	**Consideration at PDSP**	None.
VIII	**Other consultations**	The local elected ward members have been sent a copy of this report for information.

D. TERMS OF REPORT

D1. Background

The proposed subjects of sale comprise a site extending to 1.38 acres at Clifton View at the north of East Mains Industrial Estate in Broxburn. The site is owned by the council and is shown cross-hatched in black on the location plan at Appendix 1 of this report. The land is identified as site E-BU3 in the adopted West Lothian Local Development Plan 2018 and is a designated “employment site” in that Local Development Plan.

A substation is located towards the southern end of the site, but falls out with the council’s title and is therefore excluded from the proposed sale.

D2. Proposed sale

In line with the council’s approved Surplus Property Procedure, the site was advertised for sale on the open market and a closing date for offers set for 22 January 2026. Several commercial offers were received at the closing date. No offers or expressions of interest were received from the community and there were no requests for community asset transfer.

The offers have been evaluated by officers and the highest offer received was from Charles Stamper Fruit and Veg Holdings Limited (CSFVHL) who offered £380,000 to purchase the site.

CSFVHL is a family owned business that specialises in the distribution of fresh fruit and vegetables across the central belt and throughout Scotland. The company has been in operation for thirty five years and intends building a warehouse on the site to create a new base for its operations. CSFVHL have existing partnerships with local firms and have indicated that they would intend using local contractors during the construction phase.

CSFVHL aim to prioritise local employment by recruiting at least 60% of staff from the surrounding area and expect to create ten to fifteen new full-time positions over a five year period.

The table below sets out the key terms of CSFVHL's proposed offer.

Seller:	West Lothian Council
Purchaser:	Charles Stamper Fruit and Veg Holdings Limited
Subjects:	1.38 acres at Clifton View, East Mains Industrial Estate Broxburn
Price:	£380,000 (excluding VAT)
Proposed use:	Industrial development
Conditions:	No suspensive conditions
Legal fees:	Each party will meet their own costs.

Having considered all offers received, officers are satisfied that the offer received from CSFVHL presents the council with the highest potential capital receipt from the sale of this site and represents the best terms reasonably obtainable by the council.

E. CONCLUSION

An offer of £380,000 has been received from Charles Stamper Fruit and Veg Holdings Limited for 1.38 acres at Clifton View in Broxburn and this is considered by officers to be the best terms reasonably obtainable by the council. Council Executive is therefore recommended to approve the proposed sale on the terms set out in this report.

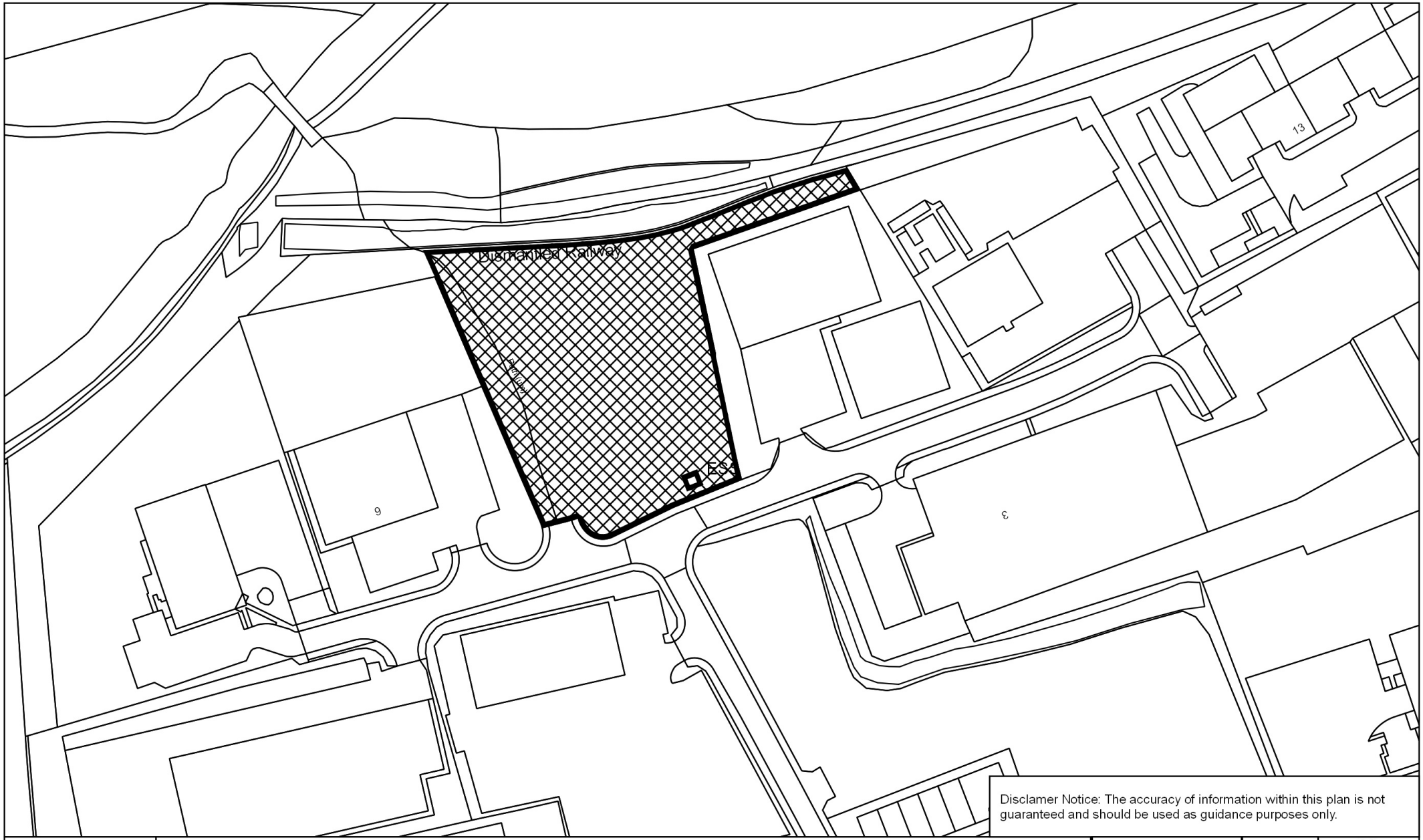
Appendices/Attachments:

Appendix 1: Location Plan

Contact Person: Alex Fraser
Group Surveyor
Finance and Property Services
Tel: (01560) 283373
Email : alex.fraser@westlothian.gov.uk

Alasdair Black
Director of Finance and Property Services

Date of meeting: 17 February 2026



Disclamer Notice: The accuracy of information within this plan is not guaranteed and should be used as guidance purposes only.

West Lothian Council

Clifton View, East Mains Industrial Estate, Broxburn

Not to Scale | A4 | N

Property Services, West Lothian Civic Centre, Livingston, EH54 6FF | 20/1/2026

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West Lothian Council

COUNCIL EXECUTIVE

CLEANER COMMUNITIES SERVICE STANDARDS AND LITTER PREVENTION ACTION PLAN (LPAP)

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To provide Council Executive with details of proposed service standards for the Cleaner Communities Team. Appendix 1 of the Service Standards contains the 2026/27 Litter Prevention Action Plan (LPAP).

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Consider and approve the Cleaner Community service standards as set out in section D.4 of the report;
2. Notes the content and actions of the Litter Prevention Action Plan (LPAP), as per Appendix 1 of the report;

C. SUMMARY OF IMPLICATIONS

I	**Council Values**	Caring and compassionate; open, honest and accountable; collaborative, inclusive and adaptive
II	**Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)**	Environmental Protection Act 1990 Code of Practice on Litter and Refuse (Scotland) 2018 (COPLAR) National Litter and Fly Tipping Strategy; National Litter and Fly Tipping Strategy Yearly Action Plan
III	**Implications for Scheme of Delegations to Officers**	None
IV	**Impact on performance and performance Indicators**	The service is delivered in a consistent and efficient manner which will meet existing performance targets and service standards.
V	**Relevance to Local Outcome Improvement Plan**	Outcome no. 4 – We live in resilient, cohesive and safe communities. Outcome no. 7 We live longer, healthier lives and have reduced health inequalities. Outcome no. 8 We make the most of efficient and effective use of resources by minimising our impact on the built and natural environment.

VI	**Resources - (Financial, Staffing and Property)**	Cleaner Communities have an annual budget of £2.9m to carry out their statutory duties under the Environmental Protection Act 1990 (Section 89).
VII	**Consultation at PDSP**	The Cleaner Communities proposed service standards 26/27 and the Litter Prevention Action Plan 26/27 were considered at the Environment & Sustainability PDSP at its meeting on 27th January 2026.
VIII	**Other consultations**	Roads and Transportation, Financial Management Unit, Environmental Health, Planning & Development.

D. TERMS OF REPORT

D.1 Background

The Environmental Protection Act 1990 imposes a statutory duty on local authorities and certain other landowners and occupiers to keep specified land clear of litter and refuse so far is practicable. The Act also places a duty on local authorities or Scottish Ministers to keep public roads clean so far is practicable. The Act is supported by The Code of Practice on Litter and Refuse (Scotland) 2018, COPLAR 2018 issued under section 89 of The Act. The purpose of the Cleaner Communities Service Standards is to provide clear aims, objectives and actions to be reported annually to ensure accountability for performance. The Annual update report will include as appendices the annual fly tipping report along with updated figures on fines issued by the enforcement team.

D.2 Code of Practice – Practical Application

The objective of the Code of Practice is to provide practical guidance on the discharge of the duties by establishing reasonable and generally acceptable standards of cleanliness which those under the duty should be capable of meeting. The code of practice was updated in 2018.

The Code defines standards of cleanliness which are achievable in different locations and under differing circumstances. It is concerned with how clean land is, rather than how often it is swept. The Code also recommends that Local Authorities develop a Litter Policy to show how they will deliver the requirements of the Act and that this should be reviewed and approved as required. West Lothian Council's Litter Policy was approved by Council Executive in 2021.

At present, assessment is achieved through a system of zoning, which when combined with a scoring mechanism, currently the Local Environmental Audit and Management System (LEAMS) system, provides a measurable benchmark to apply service levels based on the operational availability of resources.
In order to ensure compliance with the principles of the Act and the Code of Practice, a general set of service standards and frequencies of service has been developed that has been framed around the operational capability of the service to deliver.

D.3 Litter Prevention Action Plan

The Litter Prevention Action Plan (LPAP) is a key component of West Lothian Council's commitment to creating a cleaner, greener, and more sustainable local environment and is developed in line with Scotland's National Litter and Fly Tipping Strategy 2023-27. The LPAP outlines a number of targeted actions aimed at preventing litter at is source through a combination of education, infrastructure improvements, community engagement and enforcement.

The plan will build on actions taken by the Cleaner Communities Team over the last two years to tackle litter and fly tipping such as:

- The introduction of the Don't Waste West Lothian fly tipping campaign
- The introduction of three dedicated Glutton street cleaning teams
- Roll out of mobile CCTV cameras to deter dumping
- The introduction of smart compactor bins
- Partnership working with community litter picking groups

Appendix 1 highlights a number of key actions planned throughout 2025/26 and 2026/27 to prevent littering, support behaviour changes, encourage community ownership activities, enforce legislation and to monitor and evaluate trends to inform service improvement.

D.4 Service Standards

In order to support operational planning, resource allocation and ensure that cleanliness standards are consistently maintained across West Lothian, officers have developed a set of service standards for street cleansing and environmental maintenance, enabling the council to deliver a service that is both proactive and responsive.

Zone	Bin Emptying	Road Sweeping (Compact)	Road Sweeper (HGV)	Fly Tipping
Town/ Village Centre	Weekly	Monthly	12 Months	3 Working Days
Residential High Density	Weekly	Quarterly	12 Months	5 Working Days
Residential Low Density	Weekly	Quarterly	12 Months	5 Working Days
Rural Roads and Verges	3 x Annually	N/A	Annually	N/A

In addition to the above frequencies the following service standards will apply:

Flyposting – all unauthorised posters and advertisements placed on council property will be removed as part of routine environmental maintenance or in response to reports. Flyposting that is offensive, racist or likely to cause harm will be prioritised for immediate removal.

Dog Fouling – will continue to be dealt with on as reactive basis and will respond to intelligence led reports by adjusting patrol routes when resources allow.

Graffiti – Offensive graffiti on council owned property will be removed within 48 hours of reporting. Other graffiti will be removed within 10 days where resource allow.

Abandoned Cars – vehicles meeting abandoned criteria will be removed in 24 hours if dangerous, or 7 days if on council land. Abandoned vehicles on private land will be removed within 15 days with notice served to landowner.

Commercial/ Trade Waste – To improve communications with local businesses to prevent instances of footpath obstruction and/ or side waste. Enforcement action for failure to comply may be pursued through Section 59 of the Roads Scotland Act

Street Clutter (Table & Chair Permits) – will ensure business holders hold a valid permit for tables and chairs on footpaths or open space. A 28-day period will allow a permit to be obtained from WLC, failure to do so will result in removal and a fine.

D.5 Unauthorised Traveller Encampment Sites

Section 9.3 of the CCSS sets out current protocols for enforcement actions by the Cleaner Communities Teams in relation to accumulations of waste on unauthorised traveller

encampment sites highlighting existing timescales for enforcement teams to engage with site occupants.

A report to the Council Executive meeting of 14 October 2025 agreed to the formation of an elected member unauthorised traveller encampment working group, for which the lead officer will be the Depute Chief Corporate, Operational and Housing Services.

Any agreed recommendations from the working group on the treatment of waste management or enforcement will be encompassed with the CCSS service standards once they have been approved through the agreed governance process.

D.6 Performance Monitoring

The Local Environmental Audit Management System (LEAMS) is a statutory performance indicator of street cleanliness for local authorities in Scotland.

During the 2024/25 period three audits were carried out, two audits internally and one validation audit carried out by Keep Scotland Beautiful (KSB) during which a total of 373 streets were audited across the West Lothian Council Area. This represents a 15% sample of all streets within West Lothian.

West Lothian's Statutory Performance Indicator for 2024/25 was 87.5% against a national average of 91.7%. This has been due to the increase in the amount of road side litter. In January 2026 we have improved to 90.2%. It is anticipated that the introduction of our new service standards, appointment of an external roads contractor and reprioritisation of our Urban Clean Team will contribute further improved results for 2026/27.

To ensure accountability and continuous improvement, additional performance indicators will be developed and introduced to monitor performance against service standards. Performance will be reported through the Environment and Sustainability PDSP.

E. CONCLUSION

The Code of Practice on Litter and Refuse issued under section 89 of The Environmental Protection Act 1990 recommends that Local Authorities develop a Litter Policy to show how they will deliver the requirements of the Act and that this should be reviewed and approved annually. The proposed Cleaner Communities Service Standards are based on the Code of Practice on Litter and Refuse (Scotland) 2018 guidance and the standards and frequencies of service and will ensure that West Lothian Council complies with the requirements of the Act. The policy has been updated to include service standards for fly tipping and street cleanliness issues.

It is recommended that Council Executive approves the implementation of the proposed Cleaner Communities Service Standards and LPAP actions to improve street cleanliness.

F. BACKGROUND REFERENCES

https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%8FI%7E%90

Appendices Appendix 1: Litter Prevention Action Plan (LPAP) 2026/27
Appendix 2: Litter Bin Standards 26/27

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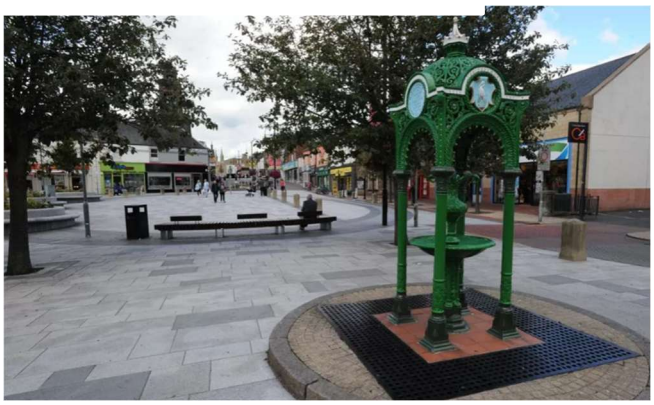
17 February 2026

West Lothian Council



CLEANER COMMUNITIES SERVICE STANDARDS (CCSS)

Appendix 1 – Litter Prevention Action Plan 2026-27
Appendix 2 – Litter Bin Standards
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OPERATIONAL SERVICES NET's LAND & COUNTRYSIDE
January 2026

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1.0 INTRODUCTION

Littering is a persistent environmental issue that negatively impacts the quality of public spaces, harms wildlife, and contributes to a decline in local amenity. West Lothian Council recognises the importance of maintaining a clean, safe, and welcoming environment for residents, businesses, and visitors alike.

The 2025/26 Cleaner Community Service Standards (CCSS) outline the Council's approach to tackling litter and associated environmental concerns such as fly-tipping, dog fouling, graffiti, fly-posting and abandoned vehicles. The standards support West Lothian Council's broader environmental and community wellbeing objectives and are aligned with national legislation and other relevant statutory duties to ensure towns and villages within West Lothian thrive.

Through a combination of preventative measures, public engagement, enforcement, and responsive services, the Council aims to:

- Reduce the occurrence of littering and environmental offences
- Provide a consistent and high standard of street cleanliness across all zones
- Engage with communities, businesses, and schools to promote environmental responsibility
- Deliver value for money through efficient and effective street cleansing services

CCSS provides a clear framework for how the Council will manage and respond to litter-related issues with standards developed in conjunction with West Lothian Council's Litter Prevention Action Plan (LPAP). CCSS detail how we can empower and educate communities to take an active role in preventing litter, fostering a sense of shared responsibility and long-term environmental stewardship. Section 12 of the Service Standards provides a clear outline of the enforcement powers held as a Local Authority and the subsequent actions we can take where necessary.

Our new service standards set clear expectations for quality, timeliness, and accountability, ensuring a consistent and customer-focused experience. By strengthening cross-service working, teams collaborate more effectively, share expertise, and reduce duplication, leading to faster decision-making and better use of resources. This joined-up approach improves outcomes for customers, supports innovation, and creates a more resilient and responsive service overall. We continue to build strong working relationships with colleagues in planning, roads, education and environmental health.

1.1 Statutory Responsibilities – Code of Practice on Litter and Refuse (Scotland) 2018

The Environmental Protection Act 1990 places a legal obligation on local authorities and certain other landowners and occupiers to ensure that specified land under their control is kept clear of litter and refuse, so far as is practicable. In addition, the Act imposes a duty on local authorities or Scottish Ministers to ensure that public roads are kept clean, again so far as is practicable.

To support the effective implementation of these duties, a Code of Practice on Litter and Refuse was issued under Section 89 of the Environmental Protection Act 1990. This Code sets out the standards of cleanliness that should be achieved in different areas and under varying circumstances.

Importantly, the Code focuses on outcomes rather than processes—it is concerned with how clean land is, rather than how often it is cleaned. As such, it does not prescribe specific cleaning frequencies. Instead, it establishes response times by which land must be returned to an acceptable cleanliness standard when it falls below that threshold.

The aim of the Code of Practice is to provide practical guidance to those with statutory duties under Section 89 of the Act. It sets out reasonable and generally acceptable standards of cleanliness which are intended to be both achievable and proportionate.

The Code is built upon two key principles:

- Heavily trafficked areas should have litter and refuse cleared more quickly than areas with lower footfall or traffic.
- Larger accumulations of litter should be removed more promptly than smaller accumulations.

To support consistency and clarity, the Code categorises land into zones based on land use and footfall or traffic levels. It also defines grades of cleanliness which allow for the measurement and assessment of cleanliness levels in a standardised way.

When the cleanliness of a particular zone falls below the defined standard, the Code sets out a target response time by which the land must be restored to an acceptable grade. These response times serve as performance benchmarks for local authorities and other duty bodies.

This legal and operational framework underpins West Lothian Council's approach to street cleansing and environmental maintenance. It ensures that our services are both compliant with statutory requirements and responsive to local needs and conditions.

1.2 Litter Prevention Action Plan

The Litter Prevention Action Plan (LPAP) is a key component of West Lothian Council's commitment to creating a cleaner, greener, and more sustainable local environment. Developed in line with Scotland's National Litter and Fly tipping Strategy 2023-27, the LPAP outlines targeted actions aimed at preventing litter at its source through a combination of education, infrastructure improvements, community engagement, and enforcement.

The plan takes a proactive, preventative approach, recognising that tackling the root causes of littering and fly tipping is more effective and sustainable than solely relying on reactive cleaning services. It focuses on changing behaviours, strengthening partnerships, and improving the visibility and accessibility of waste disposal infrastructure.

The plan will build on actions taken by the Cleaner Communities Team over the last two years to tackle littering and fly tipping such as:

- The introduction of the Don't Waste West Lothian fly-tipping campaign launched in 2023
- The introduction of three dedicated Glutton (Urban Clean) street cleaning teams in 2024
- Roll out of mobile CCTV camera to deter dumping rolled out from January 2024
- The introduction of smart compactor bins providing real time data and usage information
- Partnership working with community litter picking groups

The Action Plan is designed to:

- Prevent litter before it occurs through education and awareness campaigns
- Support behaviour change by working with schools, businesses, and local organisations
- Improve litter infrastructure, including placement and maintenance of litter bins
- Foster community ownership through volunteer support, clean-up events, and local initiatives

- Enforce existing legislation through visible and proportionate action against persistent offenders
- Monitor and evaluate litter trends using data to inform service improvements and resource allocation

The draft LPAP is included within Appendix 1 of these service standards.

2.0 GRADES OF CLEANLINESS & ZONING

To support consistency and clarity West Lothian Council's approach is to adopt the principals set out within the Environmental Protection Act and split into zones based on land use and footfall or traffic levels.

The Code of Practice is based on the concept of four standards, or grades, of cleanliness:

2.1 Grade A: no litter or refuse

Litter and Refuse Grade A:
No litter or refuse is present on any type of land

2.2 Grade B: predominantly free of litter and refuse, apart from a few small items

Litter and Refuse Grade B:
Small amounts of litter and refuse

As a guide, fewer than 5 large items or fewer than 30 small items of litter and refuse

2.3 Grade C: consistent distribution of litter and refuse with minor accumulations;

Litter and Refuse Grade C:
Moderate amounts of litter and refuse, with small accumulations

As a guide, 5-15 large items or 30-90 small items of litter or refuse

2.4 Grade D: heavily littered with significant accumulations.

Litter and Refuse Grade D:
Significant amounts of litter and refuse, with consistent distribution and accumulations

As a guide, 16-30 large items or 91-180 small items of litter and refuse

While Grade A represents the ideal standard of cleanliness, it is recognised that maintaining this level at all times and in all locations is not always practical. In some areas, technical constraints, environmental conditions, or intense and continuous usage may prevent the consistent achievement of this grade.

Grade A should therefore be viewed as the benchmark that can be achieved through thorough and effective conventional cleansing methods under normal circumstances. However, particularly in high-footfall or heavily trafficked areas, it is acknowledged that this standard may only be achieved temporarily before litter reaccumulates.

The purpose of setting Grade A as a target is to establish a clear and measurable objective, while also allowing for the practical realities of maintaining public spaces. The focus is not solely on maintaining Grade A at all times, but on ensuring prompt and proportionate responses when cleanliness levels fall below the standard.

2.5 Zones

The Code of Practice on Litter and Refuse divides land into a series of zones based on location**,** land use**,** and the volume of pedestrian or vehicular traffic**.** These zones are used to determine the expected standards of cleanliness and the response times for returning land to an acceptable grade following deterioration.

It is the responsibility of the local authority or other duty body to assess and assign areas to the appropriate zone, based on their characteristics and usage patterns. This zoning system ensures that service levels are both proportionate and targeted according to need.

- **Zone 1: Town Centres**
  Areas with high levels of pedestrian traffic, commercial activity, and regular public use typically central shopping areas and main streets.
- **Zone 2: High-Density Residential Areas**
  Residential neighbourhoods with a high concentration of housing and regular foot traffic, such as flats, apartments, and housing schemes.
- **Zone 3: Low-Density Residential Areas**
  Residential areas with lower housing density and less frequent footfall, such as suburban or detached housing developments.
- **Zone 4: Other Land Uses**
  Areas that do not fall into Zones 1–3, including mixed-use areas, open spaces adjacent to residential or commercial properties, and public facilities.
- **Zones 5 and 6: Beaches and Motorways**
  These zones refer to beaches and motorway verges. They are **not applicable** to, or are **not maintained by**, West Lothian Council.
- **Zone 7: Rural Roads and Verges**
  Roads and surrounding verges located in rural areas, generally experiencing lower volumes of traffic and usage.

This zoning system helps inform cleansing priorities**,** response times**,** and resource allocation across West Lothian, ensuring that the Council meets its statutory obligations while addressing local environmental needs effectively.

3.0 CLEANLINESS STANDARDS

Within Section 89 of the Environmental Protection Act 1990 definition is given as to how the standard of street and land cleanliness should be measured. Cleanliness is assessed based on the presence of litter and refuse and categorised into four grades as set out within Section 2.5 of the plan.

The Code of Practice establishes maximum response times for returning land that has fallen below acceptable standards (Grades C or D) to an appropriate level, typically Grade A. These times are based on the zone classification of the area.

For example, if a Grade D is identified in a Zone 1 (Town Centre) area, the Council must respond and return the site to Grade A standard within 24 hours. A new KPI will be introduced to measure this standard from the time an enquiry is logged, handled and closed off.

3.1 Response Time

		Time taken to respond to cleanliness standard			
Category	**Zone**	A	B	C	D
1	Town Centre *	N/A	72 hours	48 hours	24 hours
2	High density residential	N/A	1 week	72 hours	48 hours
3	Low density residential	N/A	2 weeks	1 week	72 hours
4	Areas not falling into zones 1–3	N/A	2 weeks	1 week	72 hours
5	Amenity Beaches	N/A	N/A	N/A	N/A
6	Motorways	N/A	N/A	N/A	N/A
7	Rural roads and verges	N/A	N/A	2 weeks	5 days

Table 1: Category response times from time reports are received, triaged and logged on system.
**** Village Centres will fall under the same time parameters as town centres within WLC's standards***

4.0 PLANNED OPERATIONS

As previously outlined, the Code of Practice on Litter and Refuse does not specify fixed frequencies for sweeping or the removal of fly-tipping. Instead, it focuses on the standard of cleanliness and the required response times when cleanliness falls below acceptable levels.

However, to support operational planning, resource allocation, and ensure that cleanliness standards are consistently maintained across West Lothian, the Council has developed a set of service frequencies. These frequencies are informed by:

- The zoning methodology outlined in the Code of Practice
- The availability of operational resources
- Local knowledge and service demand
- The objective to maintain areas at Grade A or B cleanliness

These planned frequencies provide a structured approach to street cleansing and environmental maintenance, enabling the Council to deliver a service that is both proactive and responsive.

The service frequencies by zone and service type (e.g. manual sweeping, mechanical sweeping, litter picking, and fly-tipping response) are outlined in the following section.

Zone / Category		Zone Summary / Remarks	Bin Emptying	Road Sweeper (Compact)	Road Sweeper (HGV)	Fly Tipping
1	Town/ Village Centre	This would include areas of high footfall associated with educational establishments.	Weekly x3	Monthly	N/A	3 Working Days
2	Residential high density	Terraced, tenement and flatted housing	Fortnightly	Quarterly	N/A	5 Working Days
3	Residential low density	Detached and semi-detached housing.	Fortnightly	Quarterly	N/A	5 Working Days
4	Areas not falling into zones 1–3	Dependant on Operational knowledge specific to the area concerned	N/A	N/A	12 Months (Minimum of)	N/A
5	Amenity Beaches	Not applicable to West Lothian Council	N/A	N/A	N/A	N/A
6	Motorways	Not maintained by West Lothian Council	N/A	N/A	N/A	N/A
7	Rural roads and verges	These areas have specific health and safety requirements to ensure safe operation	Annually x3	NA	As Necessary	7 Working Days

Table 2: Service Frequencies

Note: Footpath sweeping is currently conducted on a reactive basis. Officers are working with waste colleagues to develop structured route plans. This will be included in the 2027/28 Service Standards.

4.1 Reactive Services

While the planned service frequencies provide a structured operational cycle to ensure general cleanliness across West Lothian, the Council also retains the flexibility and capacity to deliver reactive services. This ensures that unexpected or urgent issues can be addressed promptly and that cleanliness standards are restored within the maximum response times outlined in the Code of Practice on Litter and Refuse.

The ability to respond reactively is a crucial part of maintaining public safety, environmental quality, and community confidence. The balance between routine and ad hoc service delivery is influenced by a variety of factors, including seasonal demands, unforeseen incidents, and service requests. As a result, routine works may occasionally be reprioritised based on operational need.

Typical reactive service responses include, but are not limited to:

- Removal of sharps and needles
- Collection of dead animals
- Response to winter weather-related emergencies
- Removal of graffiti Council-owned assets
- Glass & Dog Fouling

In 2024, the Council enhanced its operational capacity with the introduction of three new dedicated street cleansing teams (Urban Clean Teams). These teams play a vital role in both proactive maintenance and reactive response.

5.0 LITTER INTERVENTION

Littering currently carries a Fixed Penalty Notice (FPN) of £80 for ‘littering offences under the Environmental Protection Act 1990’. The Litter Prevention Action Plan (LPAP) sets out the councils’ actions around intervention and prevention.

A roadside litter campaign in collaboration with Keep Scotland Beautiful (KSB) and Falkirk Council launched late 2025 along the A801 route (Falkirk M9-Jct4 to West Lothian M8-Jct4) as part of year 3 actions supported by the National Litter & Fly-tipping Strategy.

The campaign will run to March 2026 which will offer the opportunity to launch into the yearly Spring Clean Campaign as well as feed into the (LPAP) action of phase 2 Don’t Waste West Lothian (DWWL) around anti-litter. The purpose of running campaigns such as this aim to:

- Develop intervention methods around roadside litter
- Provide data and consistent monitoring to further assist in building the roadside litter picture
- Collect and segregate to look at defining ‘waste types’
- Launch heavy media and communication package with onsite messages, retailer, online and radio communications.
- Involve communities and schools in synergy projects

6.0 FLY TIPPING

West Lothian Council is committed to maintaining a clean, safe, and sustainable environment for all residents, businesses, and visitors. Fly-tipping which is defined as the illegal dumping of waste on land **NOT LICENSED** to receive it. It is a criminal offence punishable by a fixed penalty or prosecution, which may result in a fine of up to £40,000 and/or imprisonment. This includes both commercial and domestic waste.

Images of Local Hotspots in West Lothian

6.1 The Council's Responsibilities

CCSS set out the Council's approach to preventing, investigating, enforcing against, and cleaning up fly-tipping incidents within West Lothian. Its purpose is to:

- Prevent and reduce the occurrence of fly-tipping.
- Set out clear procedures for enforcement and prosecution.
- Promote legal and responsible waste disposal.
- Support community reporting and engagement.
- Ensure effective coordination of resources for response and clean-up.

The Street Cleansing team work with the Council's Neighbourhood Environmental Team's teams (NET's) within NET's Land & Countryside to deal with instances of fly tipping and action any clear ups. A dedicated team of 4 Enforcement officers investigate all reported instances of fly tipping and coordinate removal. Duties include:

- Investigate all reported fly-tipping incidents.
- Remove fly-tipped material from public land within agreed service levels.
- Use CCTV or other surveillance methods in known hotspots.
- Issue Fixed Penalty Notices (FPNs) or pursue prosecution where appropriate.
- Promote public reporting and educate the community about legal disposal options.
- Work in partnership with Police Scotland, SEPA, and other agencies.

For fly tipping instances, fixed penalty notices (FPNs) of £500 will be issued where appropriate under the Environmental Protection Act 1990. Prosecution will be considered for serious, repeat, or commercial offences and where relevant partnership working with both SEPA, Police Scotland and the Procurator Fiscals office will be undertaken.

Vehicles used in fly-tipping will be recorded and reported to Police Scotland with the intention vehicles may be seized under relevant legislation.

6.2 Residents and Businesses

Residents and Business have a responsibility to dispose of their waste properly and to tackle the impact of fly tipping and/or side waste. Those responsibilities include:

- Dispose of waste legally and responsibly.
- Report any incidents of fly-tipping to the Council.
- Provide information or evidence where possible to assist investigations.

Commercial waste and irresponsible disposal has become an increasing problem over the last few years. Education and Enforcement officers continue work with local businesses to ensure that fly tipping is addressed. Information relating specifically to commercial bins can be found within Section 7.1.

6.3 Fly Posting

Fly-posting is the unauthorised display of posters, stickers, placards, or signs on public or private property, including street furniture, lampposts, walls, fences, and utility boxes. West Lothian Council is committed to tackling fly-posting to protect the visual amenity of our towns, villages, and rural areas, and to ensure public spaces remain clean, safe, and legally compliant.

Fly-posting is an offence under the following legislation:

- Town and Country Planning Act (Scotland) Regulations 1997, Section 186
- Environmental Protection Act 1990, Section 87
- Roads Scotland Act 1984

Unauthorised posters will be subject to removal and/or the issuing of Fixed Penalty Notices. Charges will also be applied where damage is caused to any council asset.

Fly-posting is actively monitored by the Council's NETs teams and enforcement officers. Where individuals or businesses are identified as responsible for fly-posting, they may be issued with a Fixed Penalty Notice of £80, or face further enforcement if the offence persists. Repeat offenders may also be referred for legal action.

All unauthorised posters and advertisements placed on council property will be removed as part of routine environmental maintenance or in response to reports. Fly-posting that is offensive, racist, or likely to cause harm will be prioritised for immediate removal.

Election posters or notices placed before permitted dates or in unauthorised locations will also be removed.

Some Statutory notices may be exempt under planning regulations if they meet strict criteria.

However:

- Statutory notices (e.g. planning notices, traffic orders, or public notices) must be displayed in accordance with legal requirements regarding placement, timing, and removal.
- If statutory notices are left beyond the required display period or cause obstruction or visual harm, the Council will remove them and a charge of £80 will be applied to the offender.
- Enforcement powers are limited to West Lothian Council Assets.

Organisations posting statutory notices are required to:

- Clearly label notices with contact information and date of posting.
- Remove them promptly once their purpose has expired.

6.4 Abandoned Trolleys

Within West Lothian a retailer's scheme operated by independent contractors to recover and return abandoned shopping trolleys to retailers is in place. There are two companies who can assist with a collection and both are available on West Lothian Council's website:

Trolley Wise (retailers other than Asda)
TMS Collex (collect for Asda only)

6.5 Reporting & Investigation

Don't Waste West Lothian (DWWL) was launched in 2023 to encourage and increase public engagement around fly-tipping with various contact routes available including QR codes, online forms, via phone, or through the Council's mobile app.

Investigations will be undertaken by authorised officers who may gather evidence including witness statements, CCTV footage, and waste analysis. Where evidence supports enforcement action, the Council will pursue fines or prosecution. Since the introduction of DWWL the number of reported incidents has increased significantly which aids the team in being able to respond quicker to tackle dumping and investigate accordingly. Information will be provided within the Annual Fly Tipping Report regarding the exact locations and number of FPN's generated by new CCTV cameras currently being procured and installed.

6.6 Clean-Up and Removal

The Council will aim to remove fly-tipping from public land within the timescales set out within **Table 2 on** Page 8 of this report.

Waste on private land is the responsibility of the landowner however the Council will provide advice or assistance where feasible. An information leaflet has been developed to offer information which officers will provide wherever necessary.

6.7 Monitoring and Review

Fly-tipping incident data will be recorded and monitored to inform strategic planning. The Cleaner Communities Service Standards and the LPAP will be reviewed annually or in response to legislative changes or significant environmental developments. An annual report will be produced to provide updates on proposed actions.

7.0 FOOTPATH OBSTRUCTIONS

7.1 Commercial Bins

The council will manage and enforce the placement of commercial waste bins on footpaths in a fair, proportionate, and risk-based manner to ensure public safety and accessibility. Businesses must ensure that bins are not stored on the public footway except during agreed collection times. We will work with local business to establish current agreed times but this is likely to be 07:00hrs – 10:00hrs and 14:00hrs – 16:00hrs. Overnight presentations are not permitted unless there are exceptional circumstances.

Presentation must not obstruct pedestrian movement, including access for wheelchair users, pushchairs, and people with visual impairments. Where bins are found to be causing obstruction or risk, the council will engage with the business to secure compliance and may require immediate removal. If an immediate safety issue is identified, the obstruction may be removed and all associated costs are recoverable.

Persistent or serious non-compliance may result in formal enforcement action in line with relevant legislation (Section 59 of the Roads (Scotland) Act 1984) and council policy, with the primary aim of maintaining clear, safe, and accessible footpaths for all users. Contravention of Section 59 of the Roads Scotland Act is a criminal offence and if convicted businesses may be liable to a fine if imposed by the Courts.

In December 2025, a working group for Commercial Waste was established within WLC. The purpose of this group is to identify opportunities for education and to work collaboratively with local businesses to encourage responsible waste disposal practices. Cleaner Communities are working alongside colleagues in the Planning Department to ensure that appropriate waste considerations are taken into account when granting consent for new developments, as well as when approving changes of use for existing buildings. This is particularly important where proposed business operations differ significantly from previous uses, resulting in substantial changes to waste generation and management requirements.

7.2 Table & Chair Permits

A business wishing to place tables and chairs outside its premises in West Lothian must obtain a valid Tables and Chairs (Section 59) permit from West Lothian Council before using any part of the public footway or road.

The business must apply for a permit with the required fee (currently £253.56), a clear location plan showing the proposed layout, and details of the furniture to be used. Tables and chairs must be positioned so that a safe, unobstructed pedestrian route is maintained at all times, including adequate access for wheelchair users and those with visual impairments. A clear 1.5m minimum width is required.

The business is responsible for complying with all permit conditions, ensuring the area is kept safe and tidy, and removing the furniture when the permit expires or if requested by the council.

If a business fails to carry a valid permit**,** Enforcement action will be taken under Section 59 of the Roads (Scotland) Act 1984 for the obstruction of a pedestrian footway.

Where unauthorised tables and chairs are identified:

- Officers will confirm whether a **valid permit** is in place.

- Consideration will be given to public safety risks, including obstruction of pedestrian access. If there is an **immediate risk** the business owner will be instructed to remove immediately.
- Failure to comply officers will remove and hold furniture with all associated costs recoverable.
- If **no permit** is in place a notice will be served which allows the business owner 28 days to obtain a valid permit.
- If after 28 days no permit is obtained an FPN (£30) will be issued.
- A-Boards are included and may be removed or the business fined if an obstruction is caused. (A Boards do not currently require a permit).

7.3 Street Furniture

All fences, rails, barriers, bollards, sign posts, street nameplates, cycle racks, bins and seating should meet the following criteria;

- Properly aligned (i.e. upright and not a safety hazard)
- Pointing in the right direction
- Structurally sound
- Fixed appropriately and securely to the ground
- Free of rust or corrosion that affects structurally integrity
- Free of significant dents or other damage (with reported graffiti, fly posting or stickers removed)
- Free of unauthorised or out of date signage or other items.

Whilst enforcement powers may be limited within the Cleaner Communities team to bins and seating, all defects identified or reported will be recorded and passed to colleagues within Roads and Transportation.

8.0 DOG FOULING

West Lothian Council is committed to tackling dog fouling to maintain a clean, safe, and pleasant environment for all residents and visitors.

Dog fouling is currently dealt with on a reactive basis. Members of the public are encouraged to report repeat instances on the Council's website.

Where clear evidence is available—such as footage from a phone camera, CCTV, or direct observation by a Council officer—a Fixed Penalty Notice of £80 will be issued under the *Dog Fouling (Scotland) Act 2003*. If a report includes details of a regular offender, including approximate times and locations, targeted patrols may be arranged to increase the likelihood of enforcement action.

Stencilling ‘a part of nudge theory’ has been an effective measure in reducing dog fouling issues across West Lothian with hot spot areas targeted by officers. A programme to refresh stencilling is currently underway.

While dedicated patrols focused solely on dog fouling are not currently in place, officers will respond to intelligence-led reports by adjusting existing patrol routes when resources allow. Patrols are prioritised in areas with high levels of complaints or repeated offences. The Council relies on the support of the public to identify persistent offenders and problem areas. Reports should be as detailed as possible to assist in enforcement—ideally including times, descriptions, and any available evidence.

9.0 GRAFFITI

West Lothian Council recognises that graffiti is a form of vandalism that negatively impacts the appearance of communities and can contribute to a perception of neglect or anti-social behaviour. The Council is committed to removing graffiti promptly where appropriate and working with partners to discourage its occurrence. West Lothian Council strive to:

- To maintain clean and welcoming public spaces by addressing graffiti in a timely and appropriate manner.
- To discourage vandalism and reduce the impact of graffiti on residents, businesses, and visitors.
- To promote responsible citizenship through education and partnership working.

Graffiti is split into 2 categories:

Offensive Graffiti: Content that is racist, sectarian, homophobic, or otherwise offensive is prioritised and removed as quickly as possible.

Non-Offensive Graffiti: General tagging, scribbles, or name markings are addressed as part of routine maintenance or reactive reporting.

Graffiti removal is carried out on a reactive basis. Response times as set out below**:**

Type	WLC Owned property/ Asset	Private Property/ Asset
Offensive	Removal 48 hours	Contact made within 24 hours. Stipulation to remove within 48 hours.
Non-Offensive	Removal 10 working days where resource allows.	Contact made within 1 week. Stipulation to remove within 10 working days.

Graffiti on **private property** (including utility boxes and shop shutters) is the responsibility of the owner, but advice and support may be offered.

Members of the public can report graffiti using the Council’s online reporting system or by contacting the Customer Service Centre.

An FPN may be issued whereby the offender will not be liable for additional costs associated with damage to property. However, Cost recovery for damage caused by graffiti comes from different statutory powers, primarily under the Antisocial Behaviour etc. (Scotland) Act 2004, which allows

councils to serve graffiti removal notices and recover the costs of removal. This decision would be made based on the extent and type of graffiti.

10.0 TRAVELLING ENCAMPMENT SITES

In 2025 West Lothian encountered 23 illegal encampments on various areas of council owned open space across the county. Whilst encampment sites have been ongoing for many years the impact on service delivery this year has been significant. A working group has been established in October 2025 to agree cross service collaboration to both prevent access to unauthorised locations and to minimise the clean-up operations required on departure.

10.1 Legislation

Under Scots law, the travelling community which includes Gypsy/Travellers and other nomadic groups have specific rights and protections. These rights are recognised under equalities legislation, housing law, and human rights frameworks, though they must also be balanced with local authority duties and land use regulations.

Key rights and relevant legal context:

- Gypsy/Travellers are legally recognised as a distinct ethnic group under the Equality Act 2010 in Scotland.
- This means they are protected from discrimination on the grounds of race, including direct and indirect discrimination, harassment, and victimisation.
- Under the European Convention on Human Rights (ECHR), incorporated into Scots law through the Human Rights Act 1998, Travellers have the right to respect for private and family life and the right to enjoy their traditional way of life, which may include living in caravans or travelling

10.2 Site Remediation Works

Council enforcement officers have the authority to issue Fixed Penalty Notices (FPNs) for fly tipping however, this power is limited in responding to travelling encampment sites. Barriers exist around the evidential basis for determining who a fine or notice should be served upon, and where fines and associated correspondence would be delivered to. Where criminal acts occur, there are barriers to prosecution due to the requirement to meet the burden of proof of ‘beyond a reasonable doubt. Anti-Social Behaviour is often an issue on sites and officers are often reliant on attendance with Police support.

On notification from Housing’s Safer Neighbourhood team that an encampment site is under establishment an enforcement officer from the cleaner communities’ team will also attend site. This will occur within 24hrs from arrival. Enforcement officers will liaise with those on site to remind them of responsible waste disposal and that anyone fly tipping will be subject to prosecution. Enforcement officers will also work with Police Scotland to obtain any vehicle information that may allow prosecution. The majority of waste left behind on encampment sites is commercial waste as a result of occupants carrying out unlicensed work for local businesses and/or residents. As such, we are urging the public to ensure that all work involving waste disposal is carried out by SEPA-registered waste carriers, ideally selected through the Trusted Trader Scheme. West Lothian Council’s social media platforms have been used to convey this message.

10.3 West Lothian Council Protocol

To address the issue proactively, a cross-departmental working group was established in November 2025. The group will work to consider further actions, including legal action, ways to streamline clean-up operations and exploration of further preventative measures.

Currently, we are assessing affected sites to determine viable ways to prevent re-entry. However, with all open space assets emergency access as well as access for council maintenance teams must remain unhindered. The Protocol for Encampment Sites (Operational Service Activities only) are outlined below:

Time	Activity	Action	Additional Tasks
Within 24 Hours	SNT Team, Police and Enforcement Officer will attend site. Preparation by legal to contact Sherriff Officers.	A notice to quit is served. Enforcement Officer will issue information on waste disposal and prosecution for fly tipping.	Enforcement Officer will observe number of occupants
Within 48 Hours	Second visit by SNT, Enforcement and Police.	Enforcement Officer will observe site and record any fly tipping	Contact with voluntary litter pickers to request assistance.
Within 72 Hours	Third Visit by SNT, Enforcement and Police.	Enforcement Officer and record any fly tipping. FPN's issued when possible.	Classification of waste types. Preparation of tender documentation for specialist waste removal
Beyond 72 Hours	Enforcement team will attend site daily with SNT colleagues.	Enforcement Officer will observe site and record any fly tipping. FPN's issued when possible.	NET's team(s) mobilise within 24hrs of departure. Tender Issue and appoint contractor(s)

11.0 ABANDONED VEHICLES

Abandoned vehicles whilst not considered 'fly tipping' are dealt with on a priority basis within the service. The process for dealing with abandoned vehicles is:

- **Enquiry Received:** Council gets a report about an abandoned vehicle
- **Site Visit:** Enforcement officer visits the location to verify the vehicle's presence, details, and take photos
- **Assessment:** The officer checks if the vehicle meets DVLA's abandoned vehicle criteria and confirms land ownership

  If it **doesn't** meet criteria, the vehicle may be reported to DVLA or Police Scotland or the enquiry is closed with reasons explained

  If it **does**, a West Lothian Council warning notice is attached to the vehicle, with photos taken as proof. This gives the owner a chance to contact the council and arrange removal

- **Tracing Owner:** If no contact is made, the officer conducts a DVLA search to trace the registered owner

- **Statutory Notice Served:** Based on location and condition:

  - 24 hours if dangerous
  - 7 days if on council land
  - 15 days if on private land (served to the landowner)

  Photos are taken again, and a courtesy letter/notice is sent to the owner.

- **Follow-up Visit:** After the notice expires, the officer checks if the vehicle has been removed.
  - If removed, the case is closed
  - If still present, arrangements are made with a contractor to remove it
- **Disposal:** The vehicle is either destroyed immediately, stored pending tax expiry and disposal, or held until enquiries conclude, potentially returned to the owner or disposed of
- **Overall duration:** The service commitment is to ensure abandoned vehicles are removed within 3 weeks depending on location

12.0 ENFORCEMENT POWERS HELD BY WEST LOTHIAN COUNCIL

Fixed Penalty Notice Category	Value of Fine	Value Source	Relevant Legislation	Fine Qualification
Fly- tipping	£500 – £40,000 and up to 5 years imprisonment or both.	Business Offender & Public Offender	Environmental Protection Act 1990 Section 33 (Offence) and 33a (Issue of FPN) Section 34 (Duty of Care)	Officer intervention, signed witness statement, image data or video data
Dog Fouling	FPN £80 £1000 on failure to provide details when prompted	Public Offender	Environmental Protection Act 1990 Dog Fouling (Scotland) Act 2003	Officer observation, signed witness statement, image data or video data
Littering	FPN £80 £2500 on failure to provide details when prompted	Business Offender & Public Offender	Environmental Protection Act 1990 Section 87 (offence) & 88 (issue of FPN)	Officer observation, signed witness statement, image data or video data
Abandoned Cars	£100	Salvage	Refuse Disposal Amenity Act 1978 DVLA Guidance	Meets Criteria
Trade Waste	£500 – £5,000	Business Offender	Environmental Protection Act 1990 Section 34 Section 59 of the Roads (Scotland) Act 1984	Officer intervention, image data or video data
Table & Chair Permit	£30	Business Offender	Section 59 of the Roads (Scotland) Act 1984	No Permit
Footpath Obstruction	£30	Business Offender & Public Offender	Section 59 of the Roads (Scotland) Act 1984	Reported & Found in-situ
Fly Posting	£80 Or recovery of costs (whichever is greater)	Business Offender	Town and Country Planning Scotland Act 1997. Section 186 Environmental Protection Act 1990 Section 87 Roads (Scotland) Act 1984b Street Furniture	Reported & Found in-situ
Graffiti	£75 Or recovery of costs (whichever is greater)	Business Offender & Public Offender	Antisocial Behaviour etc. Scotland Act 2004	Officer observation, signed witness statement, image data or video data

13.0 VOLUNTARY SUPPORT & COLLABORATIVE WORKING

West Lothian Council recognises the vital role that volunteers, schools, community groups, and individuals play in helping to maintain clean and litter-free environments across the region. We actively encourage and support community participation in tackling litter and improving local spaces.

The Council supports local litter picks and community clean-up events organised by schools, community councils, youth groups, residents' associations, and other volunteer organisations. Loan equipment such as litter pickers, gloves, and hi-visibility vests can be provided upon request, subject to availability.

Clean up bags are available from various hubs and the council service centre. A reporting process is in place to assist with collection following clean-up events.

The annual KSB National Spring Clean which runs for 4 weeks around Easter each year is fully supported by West Lothian Council. There is community and educational/ club specific awards with a true sense of civic pride obtained by communities. In addition, residents and groups interested in organising or participating in a community clean-up can find more information and register their event on the Council's website.

The Council's Cleaner Communities Team offers advice and support to new and existing volunteer groups. Education Officers work to develop ongoing partnerships with schools, businesses, and local organisations to promote environmental stewardship and shared responsibility.

The contribution of volunteers is invaluable with events and community-led initiatives regularly highlighted through social media and Council publications.

14.0 CONTACTS & REPORTING

West Lothian Council encourages residents and visitors to report littering and environmental issues to help maintain a cleaner and safer community. Prompt reporting allows the Council to respond quickly and allocate resources effectively.

You can report incidents of littering, overflowing bins, or general cleanliness issues via the following methods:

Online
Report littering and street cleansing issues using the Council's online form:
Report a Littering Issue – West Lothian Council

By Phone
Contact the Council's Customer Service Centre:
01506 280000

By Email
Email enquiries can be sent to:
customer.service@westlothian.gov.uk (or use relevant email provided on the council website)

In Person
Visit your local Council Information Service (CIS) centre for assistance with reporting environmental issues.

14.1 PERFORMANCE MONITORING

To ensure accountability and continuous improvement, performance indicators will be developed and introduced to monitor:

- Response times to reported incidents
- The effectiveness of cleansing operations
- The restoration of areas to required cleanliness standards
- LEAMS 'Local Environmental Audit and Management System' is the national monitoring programme looking at litter and other local environmental quality indicators on streets and roads across Scotland. Cleaner Communities Officers using LMS 'Litter monitoring system' to carry out spot audits and also via external verification supports annual performance return

These performance measures will help ensure that the reactive service remains responsive, efficient, and aligned with both statutory duties and community expectations.

15.0 APPENDICES

15.1 APPENDIX 1
Litter Prevention Action Plan

WEST LOTHIAN COUNCIL
LITTER PREVENTION ACTION PLAN

OPERATIONAL SERVICES NET's LAND & COUNTRYSIDE
January 2026

VISION

West Lothian Council's vision for a future where Scotland's environment and communities are not blighted by litter and fly-tipping, and where materials remain within a circular economy is aligned with the aims and objectives of Scotland's National Litter and Fly tipping Strategy.

Working collaboratively with communities, volunteers and external organisations and partners towards this goal offers opportunities to prevent litter and fly-tipping, to promote and contribute to a thriving circular economy for Scotland as laid out in their 6-year National Litter & Fly-tipping Strategy. West Lothian Council recognises that continued reactive cleaning of litter, fly-tipping and dog fouling is not sustainable and that the current service delivery model is not recording a demonstrable reduction in littering activity. The Litter Prevention Action Plan sets out the short, medium and long-term actions that are required in order to effect a change in littering culture.

Short-term actions focus mainly on assessing the level and effectiveness of current reactive service provision and ensuring that available resources are directed to areas of greatest need while ensuring acceptable standards are maintained across the board. They also focus on gathering data that will enable medium and long-term actions to be properly developed, targeted and measured.

The West Lothian Council LPAP has as its core aim a transition from reactive cleaning to proactive prevention and behavioural change leading to a sustainable and revenue-reduced litter-free West Lothian while engaging and working with Internal and External Partners.

This vision encapsulates three core ideas that:

- Urgent action is needed at scale across West Lothian and Scotland
- Effective action needs to be integrated and coordinated to address a range of drivers
- Tackling litter and fly-tipping can make an important contribution to addressing Scotland's throwaway culture and supporting the retention of products and materials in the economy

NATIONAL STRATEGY

The National Strategy outlines three cornerstones of intervention to tackle litter and fly-tipping:

- **Behaviour Change -** Build understanding of litter perceptions and behaviour to enable targeted approaches for interventions and campaigns to be further developed and to further embed a shared approach between the Scottish Government, local authorities, public agencies, the third sector and communities to drive litter prevention and behaviour change across Scotland.
- **Infrastructure and Services -** Work with stakeholders to improve our understanding of the sources, amount and composition of litter in Scotland and to encourage a shared approach to services across local authorities, national parks and other bodies with a statutory duty to clear litter in Scotland that will effectively support litter prevention.
- **Enforcement** - Develop a more effective enforcement model to deter and robustly tackle littering and to Improve the consistency of enforcement practices.

This LPAP outlines the council's actions against each of these cornerstones.

The council will review the plan annually to ensure that we are fulfilling our actions and to help us identify areas where we can make further progress.
We realise we cannot address this issue alone, we will work collectively with local partners to share resources, deliver objectives, provide knowledge and ideas and influence others.

COLLABORATIVE WORKING

Internal Partners
The Cleaner Communities team will work with internal partners including but not limited to:

Operational Services Inc Other areas of NETs Land & Countryside,
Waste Services
Planning, Economic Development & Regeneration
Education
Social Policy
Housing, Customer & Building Services
Facilities Management
Corporate Services
West Lothian Leisure
Elected members

External Partners
We will work with External partners and encourage them to produce Litter Prevention Action Plans for their own areas, staff, customers, students etc. These would include the following as well as many others:

Zero Waste Scotland
Keep Scotland Beautiful
SEPA – Emphasis on waste carrier licence issues / fly tipping / organised crime
Police Scotland and the Procurator Fiscal/Justice System
West Lothian Litter Pickers / WLLP
Local-PARC / 'West Lothian Partnership Against Rural Crime'
Local businesses
Community Councils
Colleges and Education Providers
Gala Committees
Community Development Trusts
Volunteer groups and individuals
Housing associations
Rail operating companies

SCHEDULE OF ACTIONS

Actions completed	
Actions to progress	

Behaviour Change Actions	2023	2024	2025	2026	2027	2028
1a Set up a refreshed and sustained anti-fly-tipping and anti-littering campaign via social media, printed media, and events.						
1b Encourage the public to report issues of littering fly-tipping and dog fouling.						
1c Support national campaigns and help communities access the resources and information needed to deliver preventative messages in the community.						
1d Use Nudge Theory to encourage behavioural change, such as stencilling on the ground highlighting dog fouling in the area, directing people to the nearest bin.						
1e Collaborative Roadside Litter Intervention Launch with cross council working and partnership with KSB on the A801						
2a Continue to support community litter picks throughout West Lothian.						
2b Continue to work with local litter picking groups to provide equipment and disposal.						
2c Continue to identify funding opportunities that support and enable community litter picks						
2d Support and build on the annual Spring Clean Campaign promoting ‘civic pride’						
3a Refresh data on litter bin locations, emptying frequency, and condition to allow the best allocation of resources.						
3b Continue to conduct litter audits for LEAMS/LMS						
3c Identify litter and fly-tipping hotspots and develop interventions targeted to specific areas						
3d Collaborate with KSB as part of year 3 actions around LEAMS replacement						
3e Develop LEAMS and further user expanded dashboards with AI e.g.; Power Bi						
4a Work with internal and external stakeholders to encourage the creation and implementation of their own Litter Prevention Action Plans.						
4b Review the WLC LPAP to recognise and include any actions set out in any Community Litter Prevention Action Plans.						
5a Develop educational materials and carry out education and engagement activities in schools and at events where resources allow.						

6a Create Key Performance indicators (KPI) to monitor performance and for benchmarking with other Councils						
6b Work with other Councils and partners in relation to best practice and sharing resources and expertise.						
7a Identify key litter sources and work with them to reduce the potential volume of litter both from deliberate littering and accidental spillage.						
7b Identify suitable behavioural change techniques that reduce the infrastructure requirements by encouraging the public to take litter home for recycling or return it to source						

Infrastructure Actions	2023	2024	2025	2026	2027	2028
8a Implement the Litter Bin Plan approved by Committee in 2021 and subsequent updates by following the criteria for the placement of new and existing litter bins.						
8b Move or remove litter bins according to the criteria set out in the Litter Bin Plan and the information gathered as per the survey carried out.						
8c Develop a bin replacement programme according to the information gathered during the survey to keep bins in good condition and fit for purpose.						
9a Use mobile CCTV to target fly-tipping hotspots to deter dumping						
9b Work with internal and external stakeholders to identify those responsible for fly-tipping.						
9c Work with private landowners on ways to deter fly-tipping on their property.						
10a Monitor the use of solar compactor bins following the successful trial carried out in 2021						
10b Review of targeted locations where solar compactor bins are located and relocate to maximise usage						
10c Look at the use of QR codes to be scanned by crews when emptying or by the public to report issues.						
10d Investigate the use of route optimisation software for emptying bins, litter picking and sweeping to improve efficiencies and level of service.						
10e Continue to look at innovative integrations with other Council platforms such as E-forms, CRM, Asset and Work Management tools as						

well as to support any App Development for Public use.						
10f Evaluate requirements of vehicles, sweepers, equipment to provide service as per duty 1 & 2 of COPLAR 2018						

Enforcement Actions	2023	2024	2025	2026	2027	2028
12a Ensure all staff are kept up to date with current legislation						
12b Review current approach to enforcement.						
12c Develop and implement Commercial Bin controls						
12d Contribute to consultations reviewing enforcement powers and changes in the law to make enforcement easier.						
13a Work with Zero Waste Scotland, Keep Scotland Beautiful, SEPA and the Government's Improvement Service and all interested parties to make it socially unacceptable to litter or fly-tip.						
13b Work with the other Council services to encourage behaviour change to reduce the need for enforcement.						
13c Publicise occasions of reactive response to deal with significant littering and fly-tipping to highlight the cost and consequences of such activities.						
13d Publicise annual fly-tipping report and current stats						

15.2 APPENDIX 2
Litter Bin Standards

West Lothian Council litter bin standards have been developed to provide more suitably designed general waste bins in targeted locations and recycling of litter and litter bin waste within West Lothian. This supersedes the Street Litter Bin Policy approved in 2021 and is also contained within the LPAP.

The use of pole-mounted litter bins, open top litter bins and dedicated dog waste bins have been discontinued. All new bins purchased meet a set of criteria which ensures they are fit for purpose, cost effective and help to reduce littering.

Litter Bin Specification:

- Minimum capacity of 120 litres
- be of closed top design
- be free-standing
- be dual purpose to collect litter and dog fouling
- include cigarette disposal points
- be provided in a standard colour scheme
- have West Lothian Council iconography and clear signage
- be of durable construction and design

Suitability & Location:
Bins should only be provided in areas which meet the siting criteria and where they will have a positive impact on littering levels and street cleanliness. Litter bins should be located in the following areas

- Outside main transport interchanges (train stations, car parks taxi ranks and active travel hubs)
- Outside schools and colleges
- Near fast food and convenience stores
- Entrances and exits to parks and open spaces
- Within West Lothian's three Country Parks
- Outside public and government buildings (health centres, dentists, libraries, churches etc)
- At public seating areas where there is ongoing evidence of littering issues
- Open spaces/grassed areas where dog walking is likely to occur
- Areas where people are likely to queue, for example, public toilets, ATMs
- Situated at entrances/ exits within cemeteries and memorial gardens

Note: Types and frequencies differ within parks and cemeteries depending on site and need.

Solar & Compact Bins

Following trials in 2021 74 solar Compactor Bins were purchased utilising COVID recovery funding and deployed across the council area. As of 2025 and into 2026 as part of the Litter Prevention Action Plan (LPAP) a review of the targeted locations will be undertaken to ensure that we are gaining full use of the compacting capacity in each bin and where there is low usage look to re-locate still within the ward area.

15.3 APPENDIX 3
Fixed Penalty Notices Report

The table below details Fixed Penalty Notices issued in 2025. While figures remain modest, work is underway to modernise resources and implement revised service standards. These measures are intended to improve operational effectiveness and compliance activity over the next reporting period, with increased FPN activity anticipated by 2027.

Reporting Period April 2024 – March 2025

MONTH	FPN	WARD 1	WARD 2	WARD 3	WARD 4	WARD 5	WARD 6	WARD 7	WARD 8	WARD 9	MISC	TOTAL
Apr-24	Flytipping	0	0	0	0	4	2	2	2	1	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	1	0	0	0	1
		0	0	0	0	4	2	3	2	1	0	12
May-24	Flytipping	0	0	0	0	1	0	0	1	0	0	2
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	1	0	0	1	0	0	2
Jun-24	Flytipping	0	1	1	2	0	0	0	0	0	0	4
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	1	1	2	0	0	0	0	0	0	4
Jul-24	Flytipping	1	0	0	0	0	0	2	2	0	0	5
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		1	0	0	0	0	0	2	2	0	0	5
Aug-24	Flytipping	0	0	0	0	0	1	2	1	2	0	6
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	1	0	0	1
		0	0	0	0	0	0	0	1	0	0	7
Sep-24	Flytipping	0	0	0	1	4	0	2	0	0	0	7
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	1	4	0	2	0	0	0	7
Oct-24	Flytipping	0	0	0	0	0	1	0	0	0	0	1
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	1	0	0	0	0	1
Nov-24	Flytipping	0	0	1	8	0	0	2	0	0	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	1	0	0	0	0	0	0	1
		0	0	1	9	0	0	2	0	0	0	12
Dec-24	Flytipping	0	0	2	0	6	1	2	0	0	0	11
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	2	0	6	1	2	0	0	0	11
Jan-25	Flytipping	0	1	1	4	0	2	5	0	0	0	13
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	1	1	4	0	2	5	0	0	0	13
Feb-25	Flytipping	0	0	1	1	1	0	9	0	0	0	12
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	0	0	0	0	0	0	0	0	0
		0	0	1	1	1	0	9	0	0	0	12
Mar-25	Flytipping	0	1	2	0	1	0	0	1	0	1	6
	Dog Fouling	0	0	0	0	0	0	0	0	0	0	0
	Litter	0	0	1	1	0	0	1	0	0	0	3
		0	1	3	1	1	0	1	1	0	1	9